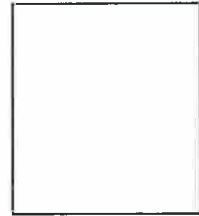




SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: Tuesday 5th September 2017

Subject: Licensing Act 2003
Application for the review of a club premises licence
Sadacca 48 The Wicker Sheffield S3 8JA

Author of Report: C Stephenson

Summary: To consider an application for the review of a club premises licence submitted by South Yorkshire Police

Recommendations: That members carefully consider the application for review along with any other representations made and take such steps that the Committee consider necessary for the promotion of the Licensing Objectives

Background Papers: Attached documents

Category of Report: Open

REPORT OF THE CHIEF LICENSING OFFICER, **Ref No 107/17**
HEAD OF LICENSING, TO THE LICENSING SUB COMMITTEE

LICENSING ACT 2003

Review of Club Premises Licence

Sadacca 48 Wicker Sheffield S3 8LB

1.0 PURPOSE OF REPORT

1.1 To consider an application for the review of a premises licence made under Section 51 of the Licensing Act 2003 in relation to Sadacca 48 Wicker Sheffield S3 8LB.

2.0 THE APPLICATION

2.1 The application was made by the South Yorkshire Police on 6th July 2017.

2.2 The grounds for the review are based on the following aspects of the 2003 Licensing Act objectives:-

- The prevention of crime and disorder
- The protection of children from harm.

2.3 The application form is attached at Appendix 'A' and details further the grounds for the review application.

3.0 REASONS FOR REFERRAL

3.1 The Licensing Authority must under the Act refer any application for review to the Licensing Committee, unless it is withdrawn, or if representations are made by an interested party that the Licensing Authority are of the opinion that they are frivolous or vexatious.

3.2 The Licensing Authority has, during the representation period received representations from the following:-

- | | | |
|----|---------------------------------------|--------------|
| a) | Sheffield Safeguarding Children Board | Appendix 'B' |
| b) | South Yorkshire Police | Appendix 'B' |

3.3 The applicant, the Premises Licence Holder and any other person that has made representations have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'C'.

3.4 A copy of the current club premises licence is attached at Appendix D.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no specific financial implications arising from this application. However additional costs may be incurred should the matter go to appeal. In such an eventuality it may not be possible to recover all these costs. The impact of these additional costs (if any) will be kept under review and may be subject of a further report during the year.

5.0 THE LEGAL POSITION

- 5.1 The Licensing Act 2003 at section 52(3) requires that the Licensing Authority must, having regard to the application and any relevant representations, take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

- 5.2 Section 52(4) states:

“The steps are –

- a) To modify the conditions of the licence;
- b) To exclude the licensable activity from the scope of the licence;
- c) To suspend the licence for a period not exceeding three months;
- d) To revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted, or any new condition added.”

- 5.3 If members decide to take the steps referred to in (a) or (b) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

- 5.4 The Licensing Act 2003 at section 52(11) states that:

“A determination under this section does not have effect –

- a) until the end of the period given for appealing against the decision, or
- b) if the decision is appealed against, until the appeal is disposed of.”

- 5.5 The Licensing Act 2003 at section 4(1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as: -

- a) the prevention of crime and disorder,
- b) public safety,
- c) the prevention of public nuisance,
- d) the protection of children from harm.

- 5.6 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published Statement of Licensing Policy and any guidance issued by the Secretary of State under Section 182.

6.0 HEARINGS REGULATIONS

- 6.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.
- 6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'C'.
- 6.3 Attached at Appendix 'C' is the following: -
- a) a copy of the Notice of Hearing;
 - b) the rights of a party provided in Regulations 15 and 16;
 - c) the consequences if a party does not attend or is not represented at the hearing
 - d) the procedure to be followed at the hearing.

7.0 APPEALS

- 7.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant; the holder of the premises licence and those making representations against decisions of the Licensing Authority to the Magistrates Court.

8.0 RECOMMENDATIONS

- 8.1 That members carefully consider the application for review along with any other representations made and take such steps as detailed in paragraph 5.2 above that the Committee consider necessary for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1
- a) modify the conditions of the licence;
 - b) exclude a licensable activity from the scope of the licence;
 - c) suspend the licence for a period not exceeding three months;
 - d) revoke the licence; or
 - e) reject the application for review.

Steve Lonnia

Steve Lonnia,
Chief Licensing Officer, Head of Licensing
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot
Sheffield
S9 3HD.

Appendix A

The Application

INDEX TO BUNDLE OF DOCUMENTS

Compiled on 10TH July 2017

	DOCUMENT	REF
1.	S51 review application form	
2.	Statement of South Yorkshire Police Licensing Enforcement Officer, Cheryl Topham	
3	Statement of Acting Chief Inspector Shakeel Ahmed	
4	Copy of TEN for event 1 st -2 nd July	
5	Copy of Action Plan (unsigned at this time)	

**Application for the review of a premises licence or club
premises certificate under the Licensing Act 2003**

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PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Cheryl Topham (for and on behalf of the Chief Constable, South Yorkshire Police)
(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Sheffield and District Afro Caribbean Club (SADACCA) 48 The Wicker	
Post town Sheffield	Post code (if known) S3 8JB

Name of premises licence holder or club holding club premises certificate (if known) <p style="text-align: center;">Sheffield and District Afro Caribbean Club</p>
--

Number of premises licence or club premises certificate (if known) SY0019 CP
--

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

AB

Name and address South Yorkshire Police Licensing Dept Force HQ 5, Carbrook hall Road Sheffield S9 2EH
Telephone number (if any) 0114 2523163
E-mail address (optional) sheffield.liquor-licensing@southyorks.pnn.police.u

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

The grounds for this review are based on the following aspects of the 2003 Licensing Act objectives: -

Prevention of Crime & Disorder
Public Safety

The SADACCA, 48 The Wicker, Sheffield was issued with a Club Certificate No SY0019 CP on 24th November 2005 (information provided by SCC Licensing Authority).

On Sunday 2nd July at 0312 a call was made to South Yorkshire Police from the Ambulance Service. They were attending reports of a male with a stab wound. They confirmed the injured party was at a venue located off the Wicker, Sheffield. A witness was then spoken to at a nearby premises who informed officers the stabbing had stemmed from an incident at SADACCA which had resulted in persons being ejected and the club being closed. Officers then attended SADACCA and found blood on the main doorway and pavement area. The scene was then cordoned off and included the route the victims and suspects were believed to have taken. Entry was gained in to SADACCA by officers. They found the scene inside had started to be cleaned up by staff. Forensics were completed and venue remained closed until approx 1800 on Monday 3rd July. There were no calls from the club at the time of the incident.

Two males with stab wounds arrived separately at Northern General Hospital, one arriving at 03.27 and the second at 03:31. Male one was unresponsive and bleeding heavily. He had sustained several stab wounds. His condition remains life threatening at this time and he remains in intensive care. Male two had also sustained a stab wound but was conscious and alert but refusing to speak to officers. Although he did communicate verbally to officers that he had been stabbed in

Please provide as much information as possible to support the application
(please read guidance note 2)

Please see attached documents.

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Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date 06/07/17

.....

Capacity SYP Licensing Enforcement Officer

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

.....

Post town	Post Code
-----------	-----------

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)
--

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

AG

BETWEEN

SOUTH YORKSHIRE POLICE

Complainant

- and -

SADACCA, 48 The Wicker, Sheffield

Respondent

WITNESS STATEMENT OF

Cheryl Topham

I am the Licensing Enforcement Officer, employed by South Yorkshire Police currently based at Force Headquarters, Carbrook, Sheffield. I have been in my current role as Licensing Enforcement Officer for 20 months. Following an incident, on 2nd July 2017, I have made enquiries of police records available to me in connection with these premises. The following matters have come to the attention of South Yorkshire Police.

- 1 Historically, the SADACCA has been problematic but this was several years ago. However, 2016 saw no reports of crime and disorder reported at the SADACCA and the incident on 2nd July is the first one in 2017.
- 2 During 2016 there were 16 Temporary Event Notices applied for at The SADACCA, by different applicants and for different events. The TEN for 1st - 2nd July 2017 is only the second one in 2017.

- 3 The TEN for the event 1st-2nd July was applied for on 19th June 2017 and received by South Yorkshire Police on 20th June. The applicant was Augusty Richards who is a Personal License Holder no SY4188 PER. The event was described as a 'Birthday Celebration' and was to run from 2300 Saturday 1st July until 0500 Sunday 2nd July. Mr Richards was spoken to by my colleague, Lucy Adams, once the application was received for any additional information. This information included the following; they were to use plastic drinking vessels, the applicant was going to be working at the event, there were to be DJs playing reggae, soul and funk, three SIA registered door staff were to be employed, it was strictly over 18s, the event was to be advertised on Facebook. South Yorkshire Police had no reason to object to this TEN as many previously had ran without incidents being reported. The details were very similar to others that had been applied for and these had ran without issue.
- 4 Full details of the incident can be read in the statement of Acting Chief Inspector Ahmed. Following the incident the premises was closed until 1800 on Monday 3rd July. After the incident no one was able to download the CCTV, however, it was viewed by officers and downloaded later in the day. The crime scene had started to be cleaned by staff at SADACCA before the police entered the building and no member of staff at the venue called the police in relation to what had happened there.
- 5 In the following days after the incident I attended various meetings with the Senior Command Team in relation to action to be taken at SADACCA with various options discussed. It was decided at this stage to apply for a

review of the Club Certificate and to meet with the committee of the club to discuss an action plan we request they agree to until the Review Hearing.

6 On Tuesday 4th July I made a telephone call to Robert Cotterell, the Chair of the committee to arrange a meeting with him and any other members of the committee. We mutually agreed to meet the following day.

7 At 10:30am on Wednesday 5th July 2017 myself and Acting Chief Inspector Ahmed attended the SADACCA and met Robert Cotterell, Olivier Tsemo (Club Secretary) and Winston Hazel (Director of Music City Foundation). We discussed the incident in detail with Mr Tsemo as he was there at the time of the incident. Mr Tsemo told us it was the birthday of the nephew of the applicant. He said he set everything up in the venue at 5pm and then left. He returned at 11:30pm and opened up however people didn't start arriving until 0130. He states there was only between 100-150 people attended the event instead of the 300 they had hoped for. Mr Tsemo also said the clientele at the party was 90% 40+ and 10% under 40. He said he was there all night and stood at the rear fire exit door to prevent people leaving or arriving through this door. Mr Tsemo said he saw the first punch being thrown and he saw his barman trying to split the fight up but states he didn't realise anyone was stabbed nor did he see anyone with a knife. Mr Tsemo confirmed he didn't call the police and that after the people involved had ran from the club he got everyone else out and closed straight away. He confirmed there were two security staff working and that at any event at the club there is at least one member of the committee present. Mr Cotterell and Mr Tsemo then talked us through all the activities they have ongoing on a daily basis at the centre. These

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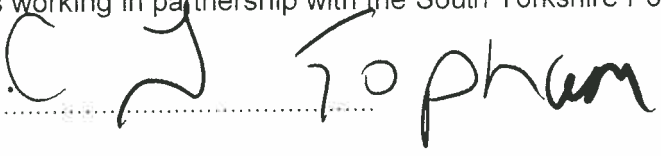
include students who are being tutored, sewing groups for female elders, domino club for male elders, Zumba classes and boxing club. However, they are open until 0200 Friday and Saturday when members and their guests can go in to drink. I then discussed with them the Action Plan South Yorkshire Police had drawn up to put in place until the Review Hearing for their Club Certificate. Please see the Action plan included in the evidence. Everything on the Action plan was agreed except for No2 and No4. The original action plan was asking them to close at 10pm every day, this was then compromised and we agreed to extend the time to 2330 Monday-Saturday and 2230 on Sundays. This closing time is to be agreed with the committee. The other action they wouldn't commit to was No4 which was in relation to South Yorkshire Police not wanting them to have any further TENS. They said they wouldn't apply for anymore but did have one already being processed for Tramlines weekend 22nd and 23rd July. They were very insistent that this TEN goes ahead. They told us it was to be a family friendly event inside the SADACCA which would be for the local community. The event would be from early afternoon and finish by 2130. There is to be no live music on the Saturday. This day will be family friendly with children's activities and food. A live band would be playing on the Sunday but would predominantly be jazz music. We agreed we would go back to the Senior Command team and ask if they were willing to let this family, community type event go ahead. However, on further discussion back at the police station, although the event does not sound anything like the event where the incident occurred, it would not be acceptable for South Yorkshire Police to allow another TEN to go ahead at

A/O

the premises so soon after this incident and when the Club Certificate is under review. An email has been sent to Robert Cotterell advising him of this and the objection SYP have put forward will remain. If they do not withdraw the TEN then it is scheduled for a hearing on 13th July 2017.

I believe that the contents of this statement are true and I understand it may be placed before the court.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

Signed.....

Dated.10/07/17.....

AK

WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN [] [] [] []

Statement of Shakeel Ahmed

Age if under 18 Over 18 (if over 18 insert "over 18") Occupation: A/Chief Inspector.....

This statement (consisting of ... page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature (witness) Date: 10 July 2017

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Inspector in the South Yorkshire Police, stationed at Ecclesfield Police Station. I am currently undertaking the duties of Acting Chief Inspector in Sheffield with a responsibility for uniform operations.

In the early hours of Sunday 02 July 2017, an incident took place at the premises of the Sheffield And District African Caribbean Community Association (SADACCA) located on The Wicker in Sheffield. South Yorkshire Police were initially alerted to the incident by the Yorkshire Ambulance Service who were responding to a report of male with knife wounds at a Pool Hall on Stanley Street, just off The Wicker.

Officers attended the scene, however by this time the injured male had been conveyed to the Northern General Hospital in Sheffield by private motorcar. Enquiries at the location established that the initial altercation had taken place inside SADACCA. CCTV footage showed a fight in the bar area of the premises and during this incident it would appear the injured male is stabbed. Other people get involved and the melee moves toward the exit of the premises, and both parties leave the premises.

The injured male makes his way to the Pool Centre on Stanley Street where he is further assaulted by a group of males including two males brandishing knives. He sustains further significant injuries at this location including knife wounds.

Signature: S. Ahmed..... Signature Witnessed by:

Continuation of Statement of: Shakeel Ahmed

I have viewed CCTV footage of the incident within the premises of SADACCA and I would describe this as a very serious incident of disorder, where at least one male has been stabbed and it is very likely that another male has received significant knife wounds too. A further male has received injuries consistent with a S20 assault, believed to be a broken jaw. The entire incident took place without any warning in a room busy with members of the public entirely unconnected with the individuals or the incident.

As a result of the seriousness of this incident, it was deemed necessary to work with the licencing team at SYP as well as the Local Authority and SADDACA to review their licence and implement any changes necessary to promote the licencing objectives, namely;

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

On Wednesday 05 July 2017 I attended at the premises of SADACCA at 10.30 am in company with the SYP licencing officer Cheryl Topham. There we met with the Chair of SADACCA Robert Cotterell, the Club Secretary Oliver Tsemo and the Director of the Music City Foundation Winston Hazel. The issues were discussed at length and Cheryl Topham proposed an action plan for SADACCA to implement until a licensing review took place. Part of this action plan involved the premises closing at 2200 hours. However, following representations from the representatives of the club, this was extended until 2330 hours each night the premises was open.

Signature: S. Ahmed..... Signature Witnessed by:

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Page 3

Continuation of Statement of: Shakeel Ahmed

I did communicate this change in hours to the Chair of the club, Robert Cotterell by email and sought agreement for the action plan but to date have not received a response.

The criminal investigation into this incident is very much ongoing, however I can disclose that two males have been charged with attempt murder and further suspects are being actively sought.

Signature: S. Ahmed..... Signature Witnessed by:

GUIDANCE NOTES FOR TEMPORARY EVENTS NOTICES (TEN's)

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A14

Please read this guidance and refer to the notes at the end of the form carefully before submitting your notice

A temporary event notice allows a premises/property to be used for short-term licensable activities, e.g. the sale of alcohol or regulated entertainment, subject to certain conditions.

Restrictions on TEN's

TEN's can be used to authorise: small-scale ad hoc events for no more than 499 people at any one time

LICENSING
19 JUN 2017
670821
SERVICES

£25.00
S. Cook
C. Kelly
gr.

- Each event covered by a TEN can last no longer than 168 hours (i.e. 7 days)
- No more than 15 TENs can be given for the same premises in any year
- A maximum aggregate duration of the periods covered by TENs at any individual premises of 21 days in any year
- If the event taking place begins before midnight and continues into the following day this will count as 2 days against the maximum aggregate of 21 days.
- There must be a minimum of 24 hours between events notified by a premises user or associates of that premises user in respect of the same premises

PLEASE NOTE:

The criteria above must be met for the event to go ahead. South Yorkshire Police, the Environmental Protection Service or the Health Protection Service may wish to object on the grounds of one of the licensing objectives. Should an objection be received, your application will be considered by the Licensing Committee.

It is **YOUR** responsibility as the premises user to ensure the safety of the public that attend the event.

In order to assist the chief officer of police in deciding if any crime prevention issues are likely to arise, please refer to the attached sheet entitled "Your Event".

PLANNING INFORMATION:

It should be noted that giving a temporary event notice does not relieve the premises user from any requirements under planning law. E.g., a temporary event notice given to allow alcohol, music and dancing to take place at a premises until 1am will not override a planning restriction that prevents the premises from being open after 11pm.

Licensing Service
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield, S9 3HD

Tel: 0114 2734264

Email: licensing@sheffield.gov.uk
Reception Open Mon – Fri 10am until 4pm



YOUR EVENT

In order to assist us in deciding if any crime prevention issues are likely to arise from your event, please ensure that you fully complete all details below that are applicable – please state "N/A" if it is not applicable.

AIS

You may be contacted for further information which you have provided on this form.

If you are using a promoter for the event please provide the following details:

Full name of Promoter including DJ names – Augusty Richards

Does the Promoter hold any qualifications? (for example BIAB award) – please list below-

Contact details for Promoter- landline tel no - mobile tel no-
074 900 70376

Is the event being advertised on any social network? **YES/NO**

If the answer is YES please detail which social networking sites –

FaceBook

Is the event ticketed? **YES/NO**

If the answer is YES please detail the places where the tickets are being sold-

What type of music will be played?

Reggae Soul Funk

Approximately how many people do you anticipate attending the event?

300

Are you expecting to employ Security Industry Authority (SIA) door staff for the event? **YES/NO**

If the answer is YES please detail which Security Firm you will be using including the name and a lead contact and phone no-

MO-Security
07809 222 981

Will a knife arch/wands be used at the event? **YES/NO**

Licensing Service
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield, S9 3HD

Tel: 0114 2734264
Fax: 0114 2734073
Email: licensing@sheffield.gov.uk
Reception Open Mon – Fri 10am until 4pm

Temporary Event Notice

AK6

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

The Personal Data contained in this document is for your use only			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Richardson		
Forenames	Augusty		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day 31	Month 10	Year 1959
4. Your place of birth	Jamaica		
5. National Insurance Number	WK 72 68 61A		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
251 Ellesmore Road North			
Post town	Sheffield	Postcode	S4 7DN
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)	07490070376		
Fax number (optional)			
E-Mail address (if available)	BigWinstonRichardson31@gmail.com		
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
Post town			Postcode
9. Alternative contact details (if applicable)			
Telephone numbers:			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			

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when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

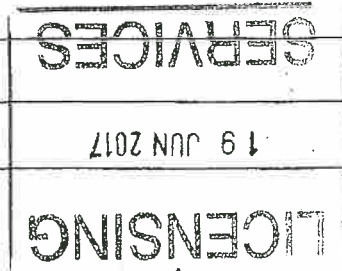
Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

Do you currently hold a valid personal licence? (Please tick)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.			
Issuing licensing authority	Sheffield		
Licence number	SY 4188 Per		
Date of issue	1		
Any further relevant details			

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	19 JUN 2017
Name of Officer signing	

A10



Notes for Guidance

General

In these notes, a person who gives a temporary event notice is called a "premises user".

*£23.00 - L70821
By Card - 19/6/2017*

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 8 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (15 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 16 below sets out the definition of an "associate".

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

Note 16

An "associate" of the proposed premises user is:

- a. the spouse or civil partner of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse or civil partner of a person within (b) or (c).

AM

For these purposes, a person living with another as that person's husband or wife is to be treated as that person's spouse.

Note 17

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

Note 18

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 19

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and an unlimited fine.

Note 20

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.

ACTION PLAN
Licensing Act 2003

1. Date	5 th July 2017
2. Premises	SADACCA 48 The Wicker Sheffield S3 8LB
3. Chair of Committee	Robert Cotterrill
4. South Yorkshire Police Representative	Cheryl Topham A/ Chief Inspector Shakeel Ahmed

Outline and Purpose

This action plan is an agreement between all the parties identified above to provide a framework of assistance and guidance to ensure compliance with the licensing objectives in respect of licensable activities conducted at The Sadacca, 48 The Wicker, Sheffield.

This Action Plan is suggested to the Committee at the club as a means of ensuring that the premise is run to the standard expected by the Responsible Authorities under the Licensing Act 2003.

The failure by the Committee/management to abide by the action plan, or any of its components without due cause or reasonable excuse, together with raised concerns as to the non-compliance with any conditions of the Club Certificate or with the licensing objectives, will be used as evidence when the certificate is reviewed.

A20

Background

On 20th June 2017 South Yorkshire Police received an application for a Temporary Event Notice for the SADACCA, for Saturday 1st July starting at 2300 to Sunday 2nd July at 0500. The organiser told the authorities including South Yorkshire Police, the event was a 41st birthday party with a couple of DJs playing and it was to be open to the public. The music would be predominantly Reggae and dance music. They told us they would be using plastic drinking vessels, 5 x security staff working, and the applicant was a personal license holder.

At 03:12 on Sunday 2nd July 2017 a call was made to South Yorkshire Police from the Ambulance service. They had received a call to a male with a stab wound. They confirmed the injured party was at a late night venue, located just off The Wicker, Sheffield. Officers subsequently attended the location and found the injured party had been conveyed to hospital in a car. The entrance to this venue was heavily bloodstained

A witness was then spoken to at a nearby premises. He informed officers that the stabbing had stemmed from an incident at SADACCA which resulted in persons being ejected and the club being closed.

Officers then attended SADACCA and found blood on the main doorway and pavement area. The scene was then cordoned at the club and then extended outside to cover the carriageway between Wiley Street and Ladies Bridge which covers the route which the victims / suspects are believed to have taken from the SADACCA to the other venue.

Two males with stab wounds arrived separately at Northern General Hospital, one arrived at 03:27 and the second at 03:31. Male one was unresponsive and bleeding heavily. He has sustained several stab wounds including one under his rib cage and one to his abdomen. His condition remains life threatening at this time. Male two has sustained a stab wound to his abdomen. He is conscious and alert but refusing to speak to officers.

CCTV at the SADACCA could not be downloaded at the time and an appointment was arranged by South Yorkshire Police for a CCTV engineer to attend later on 2nd July. The incident location in the SADACCA was located in front of the bar area. Male 2 has been visited by officers and he confirmed he was stabbed in the SADACCA. From CCTV it would appear male one received the wound to his abdomen and face in the SADACCA. Also prior to the main incident there had been another brawl captured on CCTV inside the SADACCA, police are unsure if this is connected to the later, more serious incident.

One male has been arrested on suspicion of attempt murder and a second suspect is outstanding.

This is the second TEN which has been submitted in 2017.

This is not a premises we routinely have issue with. No relevant incidents have been reported since 2015 where there were two such reports, one was an assault and the other a noise complaint. The action being taken at the premises is due to the seriousness of the incident involving several people who clearly had been allowed entry while in the possession of weapons.

421

Methodology

South Yorkshire Police will facilitate the improved compliance by regular consultation with the management team (if necessary) to ensure the elements of the action plan are satisfied and to address any delays or issues relating to its implementation. There may also be visits by Police Officers to check compliance.

A further meeting will take place with the management and representatives from all parties to this Plan before the hearing for the Review of the Club Certificate.

Number	Action required	Date to be Achieved by	Completion Date	Remarks
1	To have the current CCTV system checked by SYP Crime reduction officer, Dene Tinker, organised by Cheryl Topham. A report to be completed by him regarding any upgrades to the system to ensure it is working to the specification required by SYP and that staff are capable of using and downloading.	05/08/17		
2	To be closed at 23.30 Mon-Sat and 22:30 on Sundays (if open) between now and a Licensing Hearing.	Immediately		
3	Written logs to be used by staff to record any incidents which take place at the premises and any action taken. Report any incidents of disorder or assaults to police.	Immediately		
4	No TENS to be submitted until after the Review hearing and then this will be reconsidered	Immediately		

AD

AZ3

5	A calendar of 'Whats On' at the premises between now and the hearing to be sent to Cheryl Topham, Licensing Officer. To be sent on a weekly basis.	Immediately	
6	R/A security measures at all times the premises is open. The R/A to be sent to Cheryl Topham, Licensing Officer when complete. If and When security is used search wands to be utilised.	15/07/17	
7	Only one additional person to be signed in by each member	Immediately	
8	Access to Police and Local Authorities at any time the premises is open	Immediately	
9	A designated point of contact for the Police and Licensing to make contact where necessary	Immediately	
10	All members to be signed in on entry to the club	Immediately	

The signatories below agreed this action plan and all its components

1. Date	
2. Chairperson of the committee	
3. South Yorkshire Police Representative	
4. South Yorkshire Police Representative	

A24

THE LICENSING ACT 2003

Club Premises Certificate No: SY 0019 CP

The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

PART 1 – Club details

Name and address of club in whose name this certificate is granted:

Sheffield & District Afro Caribbean Club
48 The Wicker
SHEFFIELD S3 8JB

Telephone Number: 0114 2731501

If different from above, the postal address of club premises to which this certificate relates:

Not applicable.

Where the club premises certificate is time limited, the dates:

Not applicable.

Qualifying club activities authorised by the certificate and the times the licence authorizes the carrying out of qualifying club activities:

1. Provision of regulated entertainment:

- (a) live music
- (b) a performance of dance
- (c) anything of a similar description to that falling within (a) and (b)

Sunday	19:00 to 22:30 hours
Monday	19:00 to 23:00 hours
Tuesday	19:00 to 23:00 hours
Wednesday	19:00 to 23:00 hours
Thursday	19:00 to 23:00 hours
Friday	19:00 to 02:00 hours the following day
Saturday	19:00 to 02:00 hours the following day

2. Provision of entertainment facilities for:

- (a) entertainment of a similar description to making music and dancing

Sunday	19:00 to 22:30 hours
Monday	19:00 to 23:00 hours
Tuesday	19:00 to 23:00 hours

A25

Annex 1 – Mandatory Conditions

A club premises certificate may not authorise the supply of alcohol for consumption off the premises unless it also authorises the supply of alcohol to a member of the club for consumption on those premises.

A club premises certificate which authorises the supply of alcohol for consumption off the premises includes the following conditions:

1. The supply must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
2. Any alcohol supplied for consumption off the premises must be in a sealed container.
3. Any supply of alcohol for consumption off the premises must be made to a member of the club in person.

Annex 2 - Conditions consistent with the club operating schedule

Any embedded permissions and restrictions attached to the justices Club Registration Certificate including those specified at Appendix 1.

Appendix B

Safeguarding Children Board – Objection
South Yorkshire Police – Submission.

From: Hague Julie
Sent: 27 July 2017 17:41
To: Olivier Tsemo (O.Tsemo@oakwoodacademy.org.uk);
winston@musiccityfoundation.org; robert.cotterell@sadacca.co.uk
Cc: licensingservice
Subject: FW: Representation: Application to review the Club Certificate: SADACCA, 48 The Wicker, Sheffield S3 8LB
Attachments: SADACCA representation.pdf
Importance: High

Dear Olivier, Winston and Robert,

Please find attached a copy of a representation I have made to Sheffield City Council this afternoon, in response to the recent police application to review the Club Certificate for SADACCA.

You will see that I have proposed a number of licence conditions, for the protection of children from harm. If you wish to discuss the proposal or any other aspect of the representation, please feel welcome to contact me.

Yours sincerely

Julie Hague
Licensing Project Manager, Sheffield Safeguarding Children Board
Floor 3, Howden House, Union Street, Sheffield S1 2SH
0114 2736753
07854 219682
julie.hague@sheffield.gov.uk

From: Hague Julie
Sent: 27 July 2017 17:26
To: licensingservice
Subject: Representation: Application to review the Club Certificate: SADACCA, 48 The Wicker, Sheffield S3 8LB
Importance: High

For the attention of the Licensing Authority

This e'mailed representation is made in accordance with the agreement with the Licensing Authority on the 18th October 2006 to accept representations by e'mail

Please be informed that I have made a representation on behalf of the Sheffield Safeguarding Children Board in relation to the above application. The representation is attached and submitted to the Licensing Authority for the consideration of the Licensing Sub Committee.

Thank you.



B2

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children
Board - Licensing Project
Floor 3
Howden House
Union Street
Sheffield S1 2SH
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

27.07.17

The Licensing Authority
Licensing Service
Business Strategy & Regulation
Block C, Staniforth Road Depot
Sheffield S9 3HD

Dear Sirs

APPLICATION TO REVIEW THE CLUB CERTIFICATE (SY 0019 CP): SADACCA, 48 THE WICKER, SHEFFIELD S3 8LB

I am writing to make a representation on behalf of the Safeguarding Children Board (SSCB) as the Responsible Authority for the protection of children from harm under the Licensing Act 2003. The reason for the representation is that evidence has been reported by South Yorkshire Police, that violent activity has taken place at the club during a private function operating under a temporary event notice.

The Safeguarding Children Board has a history of working with the previous management at the club in response to incidents requiring police intervention and I have more recently been in correspondence with the current club management, in order to establish a safeguarding regime, because children and young people may access the club for a variety of community activities, including parties and events. In all communications with the management of SADACCA I have found management to be co-operative and receptive to advice; this has included staff attending the multi agency safeguarding training and operating recommended systems to manage risk to children and young people.

However, the Safeguarding Children Board takes a serious view of venues where violence takes place and notes that there are currently no safeguarding conditions attached to the club certificate, to ensure that the club operates as a family friendly venue.

The Safeguarding Children Board would therefore recommend that if it is the case that the Licensing Sub Committee determines to allow the Club to continue to operate, the following conditions should be considered for the promotion of the core objective for the protection of children from harm:

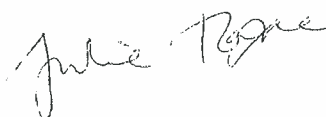
Continued ... /

B3

1. The Club Chair, or other such qualified and responsible person, will be designated to the role of Safeguarding Coordinator. This person must act with reference to the guidance and training provided by the Sheffield Safeguarding Children Board.
2. A written safeguarding risk assessment must be undertaken for all activities at the premises involving children and young people who are socialising, at work (paid or voluntary), performing, entertaining, or who are present for any other reason at the premises. This document must be retained and made available to the responsible authorities on request.
3. All persons under the age of 18 years to be signed in and out of the premises by a responsible adult using a membership scheme/register.
4. For events, parties, functions:
 - a. A booking form stipulating the conditions of booking and to record the details of the event/party organiser must be used and retained.
 - b. Checks will be made by the management committee to ensure that the music policy and reputation of promoters/event organisers is suitable for events to which children and young people are admitted.

In order to support the premises management, advice and recommendations have been issued by the Safeguarding Children Board and I can confirm that the Club Secretary, Olivier Tsemo, attended the multi agency safeguarding training on 5.7.17; the Safeguarding Children Board has also offered to continue to provide the premises management/staff with additional training, free of charge, for the foreseeable future. In light of this, the proposed licence conditions are not onerous and should assist the club management to ensure that children and young people only access the premises when the environment is family friendly.

Yours faithfully



JULIE HAGUE
Licensing Project Manager
Sheffield Safeguarding Children Board

B4

BETWEEN

SOUTH YORKSHIRE POLICE

Complainant

- and -

SADACCA, 48 The Wicker, Sheffield

Respondent

WITNESS STATEMENT OF

Cheryl Topham

I am the Licensing Enforcement Officer, employed by South Yorkshire Police currently based at Force Headquarters, Carbrook, Sheffield. I have been in my current role as Licensing Enforcement Officer for 20 months. This statement includes further evidence of intervention and communications between South Yorkshire Police and management at the Sadacca since the application for the review.

- 1 On the 13th July 2017 myself and James Ketteringham, force solicitor, attended the objection hearing for the Temporary Event Notice which had been applied for. This event was to take place on Tramlines weekend. After hearing all the evidence the committee decided to allow the TEN to go ahead.
- 2 In the evening of 13th July 2017 there was a charity Jazz evening being held at the Sadacca. The committee had told us about this and that everyone would be signed in by members. Chief Inspector Shakeel Ahmed attended the Sadacca after we were invited by the committee. On arrival

he was welcomed by the committee. The feedback I received from Ch Insp Ahmed was that there were 3 x SIA door staff working all wearing their badges, there was a signing in book and every one was being signed in as guests. He stated there were less than 100 people in attendance and all were a much older crowd.

- 3 On the 17th July 2017, the Action Plan which SYP had devised had still not been signed by the chair of the committee although he had verbally agreed to it several times including at the TEN objection hearing. On this day I received an email from Robert Cotterell asking if the action plan was enforceable and if they had a right of appeal. I replied to this email and my response is sent with this statement. There were then several emails sent between ourselves and Robert Cotterell, all of which are included.
- 4 On Sunday 23rd July 2017 the TEN for the music event went ahead at the Sadacca. I did request a visit to be made by officers who were working that day, however, due to demand in the City Centre at Tramlines there was no one available. I can confirm there were no incidents reported at this event.
- 5 On 24th July 2017 I attended the premises with Eammon Larkin, SYP Crime Reduction Officer to check the CCTV system at Sadacca as part of the action plan. It was agreed the CCTV meets minimum standards. There are some improvements which could be made but this is optional and is just for guidance. I also checked their signing in book which was all in order. There are signs up in the entrance relating to searching on entry by security staff. Various other aspects of the action plan are signed off or have been updated. I advised the committee the provisional date of the hearing is 5th September 2017 which had been given to me by an officer at

B6

SCC Licensing Authority and Mr Cotterell signed the Action Plan. Later on 24th July 2017 there were emails exchanged between Sadacca and ourselves. These are included.

- 6 On the 25th July 2017 I sent an Incident log template and a copy of the signed Action Plan to Mr Cotterell.

I believe that the contents of this statement are true and I understand it may be placed before the court.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

Signed..... 

Dated.04/08/17.....

CHERYL TOPHAM

From: Rob J Cotterell <robert.cotterell@sadacca.co.uk>
Sent: 12 July 2017 11:03
To: CHERYL TOPHAM
Cc: 'olivier.tsemo@sadacca.co.uk'; SHAKEEL AHMED; Winston Hazel; Aaron Keith Stewart
Subject: Re: Guidance

Good morning all,

A point of clarity.

We were presented with a draft Action Plan 5th July in our meeting at SADACCA. We asked for further consideration with regard to the opening hours and the Tramlines TENS.

Shakeel informed via email that the opening hours amendment was agreed but the objection to the TENS by the SYP would stand.

To date we have not been presented with the reviewed Action Plan for us to sign. However we have fully adhered to the reviewed Action Plan and added to it with signs put up to remind members and visitors that they are required to sign in on entry to SADACCA 'by order of Licensing and the Committee'. We have also asked members to leave the premises and locked up SADACCA between

23:00 -23:15 each night since the draft Action Plan was shared with us.

In addition we have employed Excalibur Knights LTD for security for the Jazz Night and fundraiser, tomorrow 13th July. I will personally give them instructions for our requirements on the night which has included a female security member of their team to allow for bags to be searched and balance on the door.

We will continue to adhere to the revised Action Plan and we welcome visits from you any time you see fit. Please come along sometime during the event tomorrow. We would welcome any advice to improve or acknowledgement of our improved efforts to offer a good nights' entertainment for a good cause and keep everyone safe to the best of our arrangements and abilities.

Finally I would respectfully ask that all correspondence accurately reflect the discussions we have had and the actions taken to date.

Further I would appreciate your acknowledgement of our efforts to take your advice on board and improve our club for all concerned.

Kind regards,

Rob J Cotterell
Chair of SADACCA

On 12.7.2017 08:46, CHERYL TOPHAM wrote:

> Good Morning,

>

> Sorry this email didn't arrive yesterday. The meeting I had ran an
> hour over and then had to leave work in a hurry.

>

> If you stay open until 2am on a Friday or Saturday night, as per the
> wedding this weekend, legally you are not doing anything wrong. Your
> Club Certificate does indeed allow you to open and supply alcohol



- > until this time. However, South Yorkshire Police, have asked as part
- > of the action plan that you close at 2330 every day. As there were
- > some things that were not agreed such as the 'No Tens' and 'earlier
- > closing time' the action plan was not signed and is only voluntary on
- > your part. However, if an incident of disorder takes place then it
- > will not look favourably on the premises so it is your decision to do
- > this at this time.
- >
- > I can also confirm the review of your club certificate is just that.
- > The review of anything you are licensed for including supply of
- > alcohol and regulated entertainment. The other aspects of the SADACCA
- > including all other day to day activities will not be affected.
- >
- > I hope that assists in clarifying everything.
- >
- > Kind regards,
- >
- > Cheryl
- >
- > Cheryl Topham
- > Licensing Enforcement Officer
- >
- > South Yorkshire Police Licensing Dept
- >
- > Force Headquarters
- > Carbrook House
- >
- > 5 Carbrook Hall Road
- > Sheffield
- > S9 2EH
- >
- > Phone Internal: [REDACTED]
- > Phone External: [REDACTED]
- > Blackberry: [REDACTED]
- > cheryl.topham@southyorks.pnn.police.uk
- >
- > Tackling child sexual exploitation is a priority for the Force and it
- > is the responsibility of everyone to help spot the signs and say
- > something.
- >
- > For more information visit www.southyorkshire.police.uk/spotthesigns

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

If the victim says it's a crime, crime it.

From: Rob J Cotterell <robert.cotterell@sadacca.co.uk>
Sent: 12 July 2017 22:13
To: SHAKEEL AHMED
Cc: CHERYL TOPHAM; 'olivier.tsemo@sadacca.co.uk'; Winston Hazel; Aaron Keith Stewart
Subject: Re: Guidance

Dear Shakeel,

I acknowledge receipt of your email below and the contents there-in.

For the record I replied to your email review (6/7/17) of the Action Plan 10/7/17.

...

Kind regards,

Rob J Cotterell
Chair of SADACCA

On 12.7.2017 11:49, SHAKEEL AHMED wrote:

- > Dear Rob,
- >
- > Thank you for your email below.
- >
- > Just to clarify in my email following our meeting on the 05 July 2017,
- > I included the following three points,
- >
- > "1. You will recall that the action plan requested you close at
- > 2200 hours each day. As you close routinely at 2330 hours Mon - Fri,
- > it was agreed the action plan would be amended to accommodate these
- > closing hours by extending the hours to 2330 hours.
- > 2. You will recall the action plan stated the premises should
- > close at 2200 each Saturday night. This has been extended to 2330
- > hours. It will not extend to your usual opening hours of 0200 hours.
- > 3. The police objection to the TEN submitted in relation to the
- > Tramlines event will not be withdrawn."
- >
- > Point 2 above states that whilst South Yorkshire Police did agree to
- > amend the action plan to extend your Saturday evening opening hours
- > from 10pm until 11.30pm, it would not extend until 2am.
- >
- > As far as I am aware, this email was not directly acknowledged.
- >
- > Cheryl - please could you forward the amended action plan
- > incorporating points 1 and 2 above to Mr Cotterrell for agreement.
- >
- > Rob - I have been informed that you intend to honour a pre-booked
- > wedding reception on Saturday 15 July 2017 and remain open until 2am.
- > This is clearly not in line with the action plan as detailed above,
- > although as I have pointed out previously the action plan is
- > voluntary. The additional hours that you intend to open is in no way
- > condoned by South Yorkshire Police and our recommendation would be to
- > close at 2330 hours each night the premises are open until the review
- > hearing takes place.

B10

>
> Finally I acknowledge the positive steps forward in terms of advising
> members and guests to sign in and your co-operation in closing for
> 11.30pm, albeit the action plan has not been signed.
>
> I also appreciate the invitation to the 'Jazz Night' and although I
> cannot promise, I will try to visit tomorrow evening for a short
> period just to offer my support. What time does the event take place?
>
> I hope the above is a fair reflection of what has taken place and what
> has been discussed over the last week or so.
>
> Kind regards,
>
> Shakeel Ahmed
> A/Chief Inspector
> Attercliffe Police Station
> Sheffield
>
>
>
> -----Original Message-----
> From: Rob J Cotterell [mailto:robert.cotterell@sadacca.co.uk]
> Sent: 12 July 2017 11:03
> To: CHERYL TOPHAM <Cheryl.Topham@southyorks.pnn.police.uk>
> Cc: 'olivier.tsemo@sadacca.co.uk' <olivier.tsemo@sadacca.co.uk>;
> SHAKEEL AHMED <Shakeel.Ahmed@southyorks.pnn.police.uk>; Winston Hazel
> <winston@musiccityfoundation.org>; Aaron Keith Stewart
> <akstewartparadise@gmail.com>
> Subject: Re: Guidance
>
> Good morning all,
>
> A point of clarity.
>
> We were presented with a draft Action Plan 5th July in our meeting at
> SADACCA. We asked for further consideration with regard to the opening
> hours and the Tramlines TENs.
>
> Shakeel informed via email that the opening hours amendment was agreed
> but the objection to the TENs by the SYP would stand.
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> To date we have not been presented with the reviewed Action Plan for
> us to sign. However we have fully adhered to the reviewed Action Plan
> and added to it with signs put up to remind members and visitors that
> they are required to sign in on entry to SADACCA 'by order of
> Licensing and the Committee'. We have also asked members to leave the
> premises and locked up SADACCA between
> 23:00 -23:15 each night since the draft Action Plan was shared with us.
> In addition we have employed Excalibur Knights LTD for security for
> the Jazz Night and fundraiser, tomorrow 13th July. I will personally
> give them instructions for our requirements on the night which has
> included a female security member of their team to allow for bags to
> be searched and balance on the door.
>
> We will continue to adhere to the revised Action Plan and we welcome

> visits from you any time you see fit. Please come along sometime
> during the event tomorrow. We would welcome any advice to improve or
> acknowledgement of our improved efforts to offer a good nights'
> entertainment for a good cause and keep everyone safe to the best of
> our arrangements and abilities.

>
> Finally I would respectfully ask that all correspondence accurately
> reflect the discussions we have had and the actions taken to date.
> Further I would appreciate your acknowledgement of our efforts to take
> your advice on board and improve our club for all concerned.

>
>
> —

> Kind regards,

>
> Rob J Cotterell
> Chair of SADACCA

>
> On 12.7.2017 08:46, CHERYL TOPHAM wrote:

>> Good Morning,

>>

>> Sorry this email didn't arrive yesterday. The meeting I had ran an
>> hour over and then had to leave work in a hurry.

>>

>> If you stay open until 2am on a Friday or Saturday night, as per the
>> wedding this weekend, legally you are not doing anything wrong. Your
>> Club Certificate does indeed allow you to open and supply alcohol
>> until this time. However, South Yorkshire Police, have asked as part
>> of the action plan that you close at 2330 every day. As there were
>> some things that were not agreed such as the 'No Tens' and 'earlier
>> closing time' the action plan was not signed and is only voluntary on
>> your part. However, if an incident of disorder takes place then it
>> will not look favourably on the premises so it is your decision to do
>> this at this time.

>>

>> I can also confirm the review of your club certificate is just that.
>> The review of anything you are licensed for including supply of
>> alcohol and regulated entertainment. The other aspects of the SADACCA
>> including all other day to day activities will not be affected.

>>

>> I hope that assists in clarifying everything.

>>

>> Kind regards,

>>

>> Cheryl

>>

>> Cheryl Topham

>> Licensing Enforcement Officer

>>

>> South Yorkshire Police Licensing Dept

>>

>> Force Headquarters

>> Carbrook House

>>

>> 5 Carbrook Hall Road

>> Sheffield

B12

>> S9 2EH

>>

>> Phone Internal: [REDACTED]

>> Phone External: [REDACTED]

>> Blackberry: [REDACTED]

>> cheryl.topham@southyorks.pnn.police.uk

>>

>> Tackling child sexual exploitation is a priority for the Force and it

>> is the responsibility of everyone to help spot the signs and say

>> something.

>>

>> For more information visit www.southyorkshire.police.uk/spotthesigns

>

>

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> service.

> For more information please visit <http://www.symanteccloud.com>

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>

>

> If the victim says it's a crime, crime it.

>

>

> Tackling child sexual exploitation is a priority for the Force and it

> is the responsibility of everyone to help spot the signs and say

> something.

>

> For more information visit www.southyorkshire.police.uk/spotthesigns

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CHERYL TOPHAM

From: Rob J Cotterell <robert.cotterell@sadacca.co.uk>
Sent: 18 July 2017 12:18
To: CHERYL TOPHAM
Cc: SHAKEEL AHMED; 'olivier.tsemo@sadacca.co.uk'; Winston Hazel; Aaron Keith Stewart; Robert Walcott
Subject: Re: Guidance

Cheryl,

Thanks for your reply.

Having discussed this Action Plan wider with the rest of the Committee and members of SADACCA it is clear that there are elements of the plan that are too restrictive and do not follow a proportionate risk assessment and therefore it does not lend itself very well a logical risk management plan for the risks posed at SADACCA. The fact that this 'arrangement' is voluntary should allow for further flexibility without prejudice.

On further reflection we would like the opening times revised to our normal hours as per our License and we would like to submit further TENS. You will remember we objected to these 2 actions when you first presented us with them.

SADACCA submitting TENS rather than promoters does not increase our risk as our TENS record proves.

The times when incidents have happened has been when promoters have submitted TENS we are content with not permitting any further TENS from promoters on our premises for the time being and until we can fully review the situation going forward.

With regard to the opening hours; as raised with you and the Licensing committee, opening to our permitted hours again does not increase the evident risks at SADACCA.

Revising these 2 elements of the Action Plan will make the risk assessment and risk management plan more realistic and sustainable in managing the risk issues SADACCA has dealt with.

The other 'Actions' are reasonable and proportionate as such we have no objections and will fully implement once you make the necessary arrangements.

Kind regards,

Rob J Cotterell
Chair of SADACCA

On 18.7.2017 08:30, CHERYL TOPHAM wrote:

- > Rob,
- >
- > The action plan isn't enforceable, it is seen as a voluntary agreement
- > between all parties which is what it actually says on the action plan.
- > The actions on it are what SYP feel would make the venue safer overall
- > in the interim period before the full hearing. I am in the process of
- > finding out a day to come to look at your CCTV with the Crime
- > Prevention Advisor. The action plan is not legally binding therefore
- > there is no right of appeal, you just do it or don't do it and let us
- > know either way. However, there has been conversation all the way
- > through, including at the hearing for your Tramlines Temporary Event
- > Notice, where you stated you would abide by the action plan?

B14

>
> I hope this clarifies it for you.
>
> Kind regards,
>
> Cheryl
>
>
> -----Original Message-----
> From: Rob J Cotterell [mailto:robert.cotterell@sadacca.co.uk]
> Sent: 17 July 2017 22:52
> To: CHERYL TOPHAM <Cheryl.Topham@southyorks.pnn.police.uk>
> Cc: SHAKEEL AHMED <Shakeel.Ahmed@southyorks.pnn.police.uk>;
> 'olivier.tsemo@sadacca.co.uk' <olivier.tsemo@sadacca.co.uk>; Winston
> Hazel <winston@musiccityfoundation.org>; Aaron Keith Stewart
> <akstewartparadise@gmail.com>; Robert Walcott
> <robert.walcott@sadacca.co.uk>
> Subject: Re: Guidance
>
> Hi all,
>
> Shakeel/Cheryl can either of you inform what makes this action plan
> enforceable? Can you also advise as to our right to appeal this
> action plan
>
> ---
> Kind regards,
>
> Rob J Cotterell
> Chair of SADACCA
>
> On 12.7.2017 13:52, CHERYL TOPHAM wrote:
>> Good Afternoon,
>>
>> Please find attached the updated version of the Action Plan. I have
>> signed on behalf of SYP.
>>
>> Rob, do you have facility to print it, sign and then return by email
>> to me once signed?
>> Any problems with this you can sign and return in the post to the
>> address below?
>>
>> Kind regards,
>>
>> Cheryl
>>
>> Cheryl Topham
>> Licensing Enforcement Officer
>> South Yorkshire Police Licensing Dept Force Headquarters Carbrook
>> House
>> 5 Carbrook Hall Road
>> Sheffield
>> S9 2EH
>>
>> Phone Internal: [REDACTED]
>> Phone External: [REDACTED]

BS

>> Blackberry: [REDACTED]
>> cheryl.topham@southyorks.pnn.police.uk
>>
>> -----Original Message-----
>> From: SHAKEEL AHMED
>> Sent: 12 July 2017 11:50
>> To: Rob J Cotterell <robert.cotterell@sadacca.co.uk>; CHERYL TOPHAM
>> <Cheryl.Topham@southyorks.pnn.police.uk>
>> Cc: 'olivier.tsemo@sadacca.co.uk' <olivier.tsemo@sadacca.co.uk>;
>> Winston Hazel <winston@musiccityfoundation.org>; Aaron Keith Stewart
>> <akstewartparadise@gmail.com>
>> Subject: RE: Guidance
>>
>> Dear Rob,
>>
>> Thank you for your email below.
>>
>> Just to clarify in my email following our meeting on the 05 July
>> 2017, I included the following three points,
>>
>> "1. You will recall that the action plan requested you close at
>> 2200 hours each day. As you close routinely at 2330 hours Mon - Fri,
>> it was agreed the action plan would be amended to accommodate these
>> closing hours by extending the hours to 2330 hours.
>> 2. You will recall the action plan stated the premises should
>> close at 2200 each Saturday night. This has been extended to 2330
>> hours. It will not extend to your usual opening hours of 0200 hours.
>> 3. The police objection to the TEN submitted in relation to the
>> Tramlines event will not be withdrawn."
>>
>> Point 2 above states that whilst South Yorkshire Police did agree to
>> amend the action plan to extend your Saturday evening opening hours
>> from 10pm until 11.30pm, it would not extend until 2am.
>>
>> As far as I am aware, this email was not directly acknowledged.
>>
>> Cheryl - please could you forward the amended action plan
>> incorporating points 1 and 2 above to Mr Cotterell for agreement.
>>
>> Rob - I have been informed that you intend to honour a pre-booked
>> wedding reception on Saturday 15 July 2017 and remain open until 2am.
>> This is clearly not in line with the action plan as detailed above,
>> although as I have pointed out previously the action plan is
>> voluntary. The additional hours that you intend to open is in no way
>> condoned by South Yorkshire Police and our recommendation would be to
>> close at 2330 hours each night the premises are open until the review
>> hearing takes place.
>>
>> Finally I acknowledge the positive steps forward in terms of advising
>> members and guests to sign in and your co-operation in closing for
>> 11.30pm, albeit the action plan has not been signed.
>>
>> I also appreciate the invitation to the 'Jazz Night' and although I
>> cannot promise, I will try to visit tomorrow evening for a short
>> period just to offer my support. What time does the event take place?
>>

BL

>> I hope the above is a fair reflection of what has taken place and
>> what has been discussed over the last week or so.

>>

>> Kind regards,

>>

>> Shakeel Ahmed

>> A/Chief Inspector

>> Attercliffe Police Station

>> Sheffield

>>

>>

>>

>> -----Original Message-----

>> From: Rob J Cotterell [mailto:robert.cotterell@sadacca.co.uk]

>> Sent: 12 July 2017 11:03

>> To: CHERYL TOPHAM <Cheryl.Topham@southyorks.pnn.police.uk>

>> Cc: 'olivier.tsemo@sadacca.co.uk' <olivier.tsemo@sadacca.co.uk>;

>> SHAKEEL AHMED <Shakeel.Ahmed@southyorks.pnn.police.uk>; Winston Hazel

>> <winston@musiccityfoundation.org>; Aaron Keith Stewart

>> <akstewartparadise@gmail.com>

>> Subject: Re: Guidance

>>

>> Good morning all,

>>

>> A point of clarity.

>>

>> We were presented with a draft Action Plan 5th July in our meeting at

>> SADACCA. We asked for further consideration with regard to the

>> opening hours and the Tramlines TENs.

>>

>> Shakeel informed via email that the opening hours amendment was

>> agreed but the objection to the TENs by the SYP would stand.

>>

>> To date we have not been presented with the reviewed Action Plan for

>> us to sign. However we have fully adhered to the reviewed Action

>> Plan and added to it with signs put up to remind members and visitors

>> that they are required to sign in on entry to SADACCA 'by order of

>> Licensing and the Committee'. We have also asked members to leave

>> the premises and locked up SADACCA between

>> 23:00 -23:15 each night since the draft Action Plan was shared with

>> us.

>> In addition we have employed Excalibur Knights LTD for security for

>> the Jazz Night and fundraiser, tomorrow 13th July. I will personally

>> give them instructions for our requirements on the night which has

>> included a female security member of their team to allow for bags to

>> be searched and balance on the door.

>>

>> We will continue to adhere to the revised Action Plan and we welcome

>> visits from you any time you see fit. Please come along sometime

>> during the event tomorrow. We would welcome any advice to improve or

>> acknowledgement of our improved efforts to offer a good nights'

>> entertainment for a good cause and keep everyone safe to the best of

>> our arrangements and abilities.

>>

>> Finally I would respectfully ask that all correspondence accurately

>> reflect the discussions we have had and the actions taken to date.

B7

>> Further I would appreciate your acknowledgement of our efforts to
>> take your advice on board and improve our club for all concerned.

>>

>>

>> —

>> Kind regards,

>>

>> Rob J Cotterell

>> Chair of SADACCA

>>

>> On 12.7.2017 08:46, CHERYL TOPHAM wrote:

>>> Good Morning,

>>>

>>> Sorry this email didn't arrive yesterday. The meeting I had ran an
>>> hour over and then had to leave work in a hurry.

>>>

>>> If you stay open until 2am on a Friday or Saturday night, as per the
>>> wedding this weekend, legally you are not doing anything wrong. Your
>>> Club Certificate does indeed allow you to open and supply alcohol
>>> until this time. However, South Yorkshire Police, have asked as part
>>> of the action plan that you close at 2330 every day. As there were
>>> some things that were not agreed such as the 'No Tens' and 'earlier
>>> closing time' the action plan was not signed and is only voluntary
>>> on your part. However, if an incident of disorder takes place then
>>> it will not look favourably on the premises so it is your decision
>>> to do this at this time.

>>>

>>> I can also confirm the review of your club certificate is just that.
>>> The review of anything you are licensed for including supply of
>>> alcohol and regulated entertainment. The other aspects of the
>>> SADACCA including all other day to day activities will not be affected.

>>>

>>> I hope that assists in clarifying everything.

>>>

>>> Kind regards,

>>>

>>> Cheryl

>>>

>>> Cheryl Topham

>>> Licensing Enforcement Officer

>>>

>>> South Yorkshire Police Licensing Dept

>>>

>>> Force Headquarters

>>> Carbrook House

>>>

>>> 5 Carbrook Hall Road

>>> Sheffield

>>> S9 2EH

>>>

>>> Phone Internal: [REDACTED]

>>> Phone External: [REDACTED]

>>> Blackberry: [REDACTED]

>>> cheryl.topham@southyorks.pnn.police.uk

>>>

>>> Tackling child sexual exploitation is a priority for the Force and

B18

>>> it is the responsibility of everyone to help spot the signs and say
>>> something.
>>>

>> For more information visit www.southyorkshire.police.uk/spotthesigns
>> _____
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>> service.
>> For more information please visit <http://www.symanteccloud.com>

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>> _
>>
>>
>> If the victim says it's a crime, crime it.
>>
>>
>> Tackling child sexual exploitation is a priority for the Force and it
>> is the responsibility of everyone to help spot the signs and say
>> something.
>>
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>
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Appendix C

Hearing Notices / Regulations / Procedures

Notice of hearing to consider an application for review of premises licence and any relevant representations

Robert Cotterill
48 The Wicker
Sheffield
S3 8LB

Emailed to robert.cotteril@sadacca.co.uk

The Sheffield City Council being the licensing authority, on the 6th July 2017 received an application for a review of club Premises Licences in respect of club premises known as SADACCA 48 The Wicker Sheffield S3 8JA

During the consultation period the Council received representations from South Yorkshire Police Licensing and the Safeguarding Children Board.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Tuesday the 5th September 2017 at 10.00am**; following which the Council will issue a Notice of Determination of the Application for Review. The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) Your response to the application for review, upon which you may ask and be asked questions by the parties to the hearing.
- 2) You may also be asked questions by the parties to the hearing, relating to the application made for review the Premises Licence.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated 22nd August 2017

Signed Clive Stephenson
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

Email – licensing@sheffield.gov.uk



Notice of hearing to consider an application for review of premises licence and any relevant representations

SYP Licensing Team
Attercliffe Police Station
60 Attercliffe Common
SHEFFIELD
S9 2AD

The Sheffield City Council being the licensing authority, on 6th July 2017 received an application for a review of a Club Premises Licence in respect of premises known as SADACCA 48 The Wicker Sheffield S3 8JA

During the consultation period the Council has received representations from the South Yorkshire Police & Sheffield Safeguarding Children Board.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the Tuesday **5th September 2017 at 10am**; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

1. The representations you have made in connection with the review with reference to these particular premises and the four core objectives.
2. You may also be asked questions by the parties to the hearing, relating to your representations.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated 22nd August 2017

Signed Clive Stephenson
The officer appointed for this purpose

Please address any communications to:

The Licensing Service,
Business Strategy and Regulation
Place Portfolio,
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.



Notice of hearing to consider an application for review of premises licence and any relevant representations

Julie Hague
Sheffield Safeguarding Children Board
Sheffield City Council

Emailed - Julie.hague@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on 6th July 2017 received an application for a review of a Club Premises Licence in respect of premises known as SADACCA 48 The Wicker Sheffield S3 8JA

During the consultation period the Council has received representations from the South Yorkshire Police & Sheffield Safeguarding Children Board.

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The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

1. The representations you have made in connection with the review with reference to these particular premises and the four core objectives.
2. You may also be asked questions by the parties to the hearing, relating to your representations.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated 22nd August 2017

Signed Clive Stephenson
The officer appointed for this purpose

Please address any communications to:

The Licensing Service,
Business Strategy and Regulation
Place Portfolio,
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

C4

Right of attendance, assistance and representation

15. Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

Representations and supporting information

16. At the hearing a party shall be entitled to –

- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
- (b) if given permission by the authority, question any other party; and
- (c) address the authority

Failure of parties to attend the hearing

20. – (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.

(2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may:–

- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
- (b) hold the hearing in the party's absence.

(3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.

(4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Procedure at hearing

21. Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.

22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.

23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.

24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for at regulation 16.

25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –

- (a) refuse to permit that person to return, or
- (b) permit him to return only on such conditions as the authority may specify, but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

Regulation 8



- (1) A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating –
 - (a) whether he intends to attend or be represented at the hearing;
 - (b) whether he considers a hearing to be unnecessary
- (2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.
- (3) In the case of a hearing under –
 - (a) section 48(3)(a) (cancellation of interim authority notice following police objection), or
 - (b) section 105(2)(a) (counter notice following police objection to temporary event notice),

the party shall give the notice no later than one working day before the day or the first day on which the hearing is to be held.

- (4) In the case of a hearing under –
 - (a) section 167(5)(a) (review of premises licence following closure order),
 - (b) paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence), paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
 - (c) paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence),

the party shall give the notice no later than two working days before the day or the first day on which the hearing is to be held.

- (5) In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.

This procedure has been drawn up in accordance with the Licensing Act 2003 to assist those parties attending Licensing Committee hearings.

1. The hearing before the Council is Quasi Judicial.
 2. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
 3. The Chair will ask the applicants and other parties to formally introduce themselves.
 4. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
 5. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked by Members the applicant and other parties.
 - (c) The Licensing Officer will introduce the applicant for review (or his/her nominated representative) who will be asked to detail the application.
 - (d) Members may ask questions.
 - (e) The Licensing Officer will in turn introduce representatives for the other Responsible Authorities and Interested parties who will be asked to detail their relevant representations
 - (f) Members may ask questions
 - (g) With the leave of the Chair the licensee or his representative may cross examine the representatives of the applicant for review and the other Responsible Authorities and Interested Parties.
 - (h) The licensee (or his/her nominated representative) will then be asked to respond to the application and to any other representations made.
 - (i) The licensee (or his/her nominated representative) may then be asked questions by members and with the leave of the Chair from the other parties present.
 - (j) The applicant will then be given the opportunity to sum up the application.
 - (k) The representatives of the Responsible Authorities will be given the opportunity to sum up
 - (l) The licensee will be given the opportunity to sum up
 - (m) The Licensing Officer will then detail the options.
 - (n) There will then be a private session for members to take legal advice and consider the application.
 6. The decision of the Licensing Committee will be given in accordance with the requirements of the Licensing Act 2003 and regulations made there under.
- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
 - 2) The Board Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

Appendix D

Current licence

THE LICENSING ACT 2003

Club Premises Certificate No: SY 0019 CP

The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

PART 1 – Club details

Name and address of club in whose name this certificate is granted:

Sheffield & District Afro Caribbean Club
 48 The Wicker
 SHEFFIELD S3 8JB

Telephone Number: 0114 2731501

If different from above, the postal address of club premises to which this certificate relates:

Not applicable.

Where the club premises certificate is time limited, the dates:

Not applicable.

Qualifying club activities authorised by the certificate and the times the licence authorizes the carrying out of qualifying club activities:

1. Provision of regulated entertainment:

- (a) live music
- (b) a performance of dance
- (c) anything of a similar description to that falling within (a) and (b)

Sunday	19:00 to 22:30 hours
Monday	19:00 to 23:00 hours
Tuesday	19:00 to 23:00 hours
Wednesday	19:00 to 23:00 hours
Thursday	19:00 to 23:00 hours
Friday	19:00 to 02:00 hours the following day
Saturday	19:00 to 02:00 hours the following day

2. Provision of entertainment facilities for:

- (a) entertainment of a similar description to making music and dancing

Sunday	19:00 to 22:30 hours
Monday	19:00 to 23:00 hours
Tuesday	19:00 to 23:00 hours



COUNCIL OF THE YEAR 2005



INVESTOR IN PEOPLE

Wednesday	19:00 to 23:00 hours
Thursday	19:00 to 23:00 hours
Friday	19:00 to 02:00 hours the following day
Saturday	19:00 to 02:00 hours the following day

3. Supply of alcohol for members and guests:

(a) for consumption on the premises

Sunday	19:00 to 22:30 hours
Monday	19:00 to 23:00 hours
Tuesday	19:00 to 23:00 hours
Wednesday	19:00 to 23:00 hours
Thursday	19:00 to 23:00 hours
Friday	19:00 to 02:00 hours the following day
Saturday	19:00 to 02:00 hours the following day

The opening hours of the club:

As times detailed above. The times detailed above are without prejudice to the right to open the premises at other times for any activity which is not a licensable activity authorised by and within the provisions of this club premises certificate and which is not otherwise a licensable activity by virtue of the Licensing Act 2003.

Where the certificate authorises supplies of alcohol whether these are on and/or off supplies:

The on supply to members and guests and if permitted by the rules of the club to associate members and the guests of associate members.

State whether access to the club premises by children is restricted or prohibited:

Restricted.

This Club Premises Certificate shall be in force from the Second Appointed Day.

Issued on: 3rd August, 2005



Assistant Chief Executive Legal and Governance
On behalf of Sheffield City Council (issuing licensing authority)



Annex 1 – Mandatory Conditions

A club premises certificate may not authorise the supply of alcohol for consumption off the premises unless it also authorises the supply of alcohol to a member of the club for consumption on those premises.

A club premises certificate which authorises the supply of alcohol for consumption off the premises includes the following conditions:

1. The supply must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
2. Any alcohol supplied for consumption off the premises must be in a sealed container.
3. Any supply of alcohol for consumption off the premises must be made to a member of the club in person.

Annex 2 - Conditions consistent with the club operating schedule

Any embedded permissions and restrictions attached to the justices Club Registration Certificate including those specified at Appendix 1.

D4

Annex 3 – Conditions attached after a hearing by the licensing authority

D5

Club Premises (Permitted hours)

s.59, 60, 63, 67A, 68, 70, 74, 76, 78 LA 1964

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 11 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.
- e. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.
- g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- f. On Christmas day, as provided by the rules of the club and notified in writing by the chairman or secretary of the club to the chief executive of the justices for the petty sessions area in which the premises are. The said hours shall:
 - i. not exceed six and a half hours;
 - ii. not begin earlier than 12 noon;
 - iii. not end later than 10.30 p.m.
 - iv. provide for a break of at least 2 hours, including 3 p.m. to 5 p.m.;
 - v. not extend for more than three and a half hours after 5 p.m.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours, the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied as ancillary to the meals;
- (d) the supply to, or consumption by, any person of alcohol in any premises where they are residing.

DB

LICENSING ACT 2003

Club Premises Certificate Summary

The Sheffield City Council being the Licensing Authority under the above Act hereby issue this Club Premises Certificate Summary in respect of:

Club premises certificate number **SY 0019 CP**

Club details

Name and address of club in whose name the certificate is granted:

Sheffield & District Afro Caribbean Club
48 The Wicker
SHEFFIELD S3 8JB

Telephone: 0114 2731501

If different from above the postal address of club premises to which the certificate relates:

Not applicable.

Where the club premises certificate is time limited, the dates:

Not applicable.

Qualifying club activities authorised by the certificate and the times the licence authorizes the carrying out of qualifying club activities:

1. Provision of regulated entertainment:

- (a) live music
- (b) a performance of dance
- (c) anything of a similar description to that falling within (a) and (b)

Sunday	19:00 to 22:30 hours
Monday	19:00 to 23:00 hours
Tuesday	19:00 to 23:00 hours
Wednesday	19:00 to 23:00 hours
Thursday	19:00 to 23:00 hours
Friday	19:00 to 02:00 hours the following day
Saturday	19:00 to 02:00 hours the following day

2. Provision of entertainment facilities for:

- (a) entertainment of a similar description to making music and dancing

Sunday	19:00 to 22:30 hours
Monday	19:00 to 23:00 hours
Tuesday	19:00 to 23:00 hours
Wednesday	19:00 to 23:00 hours



COUNCIL OF THE YEAR 2005



INVESTOR IN PEOPLE

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Thursday	19:00 to 23:00 hours
Friday	19:00 to 02:00 hours the following day
Saturday	19:00 to 02:00 hours the following day

3. Supply of alcohol for members and guests:

(a) for consumption on the premises

Sunday	19:00 to 22:30 hours
Monday	19:00 to 23:00 hours
Tuesday	19:00 to 23:00 hours
Wednesday	19:00 to 23:00 hours
Thursday	19:00 to 23:00 hours
Friday	19:00 to 02:00 hours the following day
Saturday	19:00 to 02:00 hours the following day

The opening hours of the club:

As times detailed above. The times detailed above are without prejudice to the right to open the premises at other times for any activity which is not a licensable activity authorised by and within the provisions of this club premises certificate and which is not otherwise a licensable activity by virtue of the Licensing Act 2003.

Where the certificate authorises supplies of alcohol whether these are on and/or off supplies

The on supply to members and guests and if permitted by the rules of the club to associate members and the guests of associate members.

State whether access to the club premises by children is restricted or prohibited:

Restricted.

The Premises Licence shall be in force from the Second Appointed Day.

Issued on: 3rd August, 2005



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Assistant Chief Executive Legal and Governance
On behalf of Sheffield City Council (issuing licensing authority)

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