



## SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



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**Report of:** Chief Licensing Officer, Head of Licensing

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**Date:** 10<sup>th</sup> October 2017

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**Subject:** Licensing Act 2003

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**Author of Report:** Craig Harper

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**Summary:** To consider objections in relation to an application for a Temporary Event Notice.

CADS – EAGLE WORKS, Sheffield, S9 3GX

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**Recommendations:** That members carefully consider the representations made and take such steps, as the Sub Committee consider necessary for the promotion of the Licensing Objectives.

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**Background Papers:** Attached documents

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**Category of Report:** OPEN

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**LICENSING ACT 2003**

**Hearing to consider a notice of objection to two Temporary Event Notices.**

**CADS – EAGLE WORKS, 90 Stevenson Road, Sheffield, S9 3GX**

**1.0 PURPOSE OF REPORT**

1.1 To consider a notice of objection submitted by Environmental Protection Service, relating to two Temporary Event Notices (TEN's) for the premises known as CADS – EAGLE WORKS, Sheffield, S9 3GX.

**2.0 THE TEMPORARY EVENT NOTICE**

2.1 The proposed premises user is, Simon Thomas Boulding.

2.2 The temporary event notice's, which were received on 3<sup>rd</sup> October, are attached to this report labelled Appendix 'A'.

2.3 The event is as follows:

Social Event

2.4 The licensable activities and hours intended to be carried at the premises are:

Saturday October 21<sup>st</sup> 2017 - 00:01 – 07:30

Saturday October 28<sup>th</sup> 2017 - 00:01 – 07:30

Sunday October 29<sup>th</sup> 2017 - 00:01 – 07:30

The activities applied for are

- The sale by retail of alcohol for consumption ON and OFF the premises
- The provision of regulated entertainment
- The provision of late night refreshment

**3.0 REASONS FOR REFERRAL**

3.1 A notice was submitted by Environmental Protection Services on the 5<sup>th</sup> October 2017, objecting to the temporary event notices. The notices of objection are attached at Appendix 'B'.

3.2 The applicant and the objector from 3.1 have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'C'.

## **4.0 POLICIES TO CONSIDER**

### **4.1 Sheffield City Council Licensing Policy**

It is advisable that event organisers contact each of these authorities for advice prior to submitting a notice.

## **5.0 FINANCIAL IMPLICATIONS**

5.1 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.

## **6.0 THE LEGAL POSITION**

6.1 A Chief Police Officer or Environmental Protection Service of the Local Authority may object to a Temporary Event Notice.

6.2 Where such an objection is received, the relevant licensing authority must –

(a) hold a hearing to consider the objection notice, unless the premises user, the Chief Police Officer / Environmental Protection Service who gave the objection notice and the authority agree that a hearing is unnecessary, and

(b) having regard to the objection notice, give the premises user a counter notice under this section if it considers it necessary for the promotion of the relevant licensing objective to do so.”

## **7.0 HEARING REGULATIONS**

7.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.

7.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix ‘D’.

7.3 Attached at Appendix ‘D’ 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.

## **8.0 APPEALS**

8.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the premises user and the chief officer of Police against decisions of the Licensing Authority, to the Magistrates’ Court.

## 9.0 RECOMMENDATIONS

9.1 That members carefully consider the representations made and take such steps, as the Committee consider necessary for the promotion of the Licensing Objectives.

## 10.0 OPTIONS OPEN TO THE COMMITTEE

10.1 To acknowledge the temporary event notice, allowing the event to go ahead on the proposed date as per the application.

10.2 To acknowledge the temporary event notice, allowing the event to go ahead on the proposed date with conditions.

10.3 To give the premises user a counter notice if it considers it necessary for the promotion of the Licensing Objectives.



Stephen Lonnia,  
Chief Licensing Officer, Head of Licensing

10<sup>th</sup> October 2017

# Appendix A

The Application

18/697

# YOUR EVENT

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FOC

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.

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 – Simon Boulding

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

Contact details for Promoter- landline tel no -

mobile tel no-

07907068005

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-

Partyforthepeople.org

What type of music will be played?

House

Approximately how many people do you anticipate attending the event?

450

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-

Primary Security

07956 257506

Will a knife arch/wands be used at the event?

YES/NO

OKAY  
DMA

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

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

# Temporary Event Notice

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.**

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr Mrs Miss Ms Other (please state)		
Surname	Boulding		
Forenames	Simon Thomas		
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 Mrs Miss Ms Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day	Month	Year
4. Your place of birth	Sheffield		
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
[Redacted Address]			
Post town		Postcode	
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
[Redacted Address]			
Post town		Postcode	
9. Alternative contact details (if applicable)			



Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

## 2. The premises

Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)

CADS - EAGLE WORKS  
90 Stevenson Road  
S9 3GX

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number

Club premises certificate number

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

Back Warehouse + Garage

Please describe the nature of the premises below. (Please read note 4)

Art, Studios & Rehearsal Space

Please describe the nature of the event below. (Please read note 5)

Social Event

## 3. The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)

The sale by retail of alcohol

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

The provision of regulated entertainment

The provision of late night refreshment

Are you giving a late temporary event notice? (Please read note 7)

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)

October 21st 00:01 - 07:30

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)

00:01 - 07:30 - October 21st

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)

490

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)

On the premises only

Off the premises only

Both

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. (Please read note 12)

**4. Personal licence holders** (Please read note 13)

Do you currently hold a valid personal licence? (Please tick)

 Yes No

If "Yes" please provide the details of your personal licence below.

Issuing licensing authority Sheffield District

Licence number SY04905 PER

Date of issue 18th February 2013

Date of expiry N/A

Any further relevant details

**5. Previous temporary event notices you have given** (Please read note 14 and tick the boxes that apply to you)

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 No

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

15

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 No**6. Associates and business colleagues** (Please read note 15 and tick the boxes that apply to you)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

 Yes No

If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.

Has any associate of yours 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 No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

 Yes No

If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.

Has any person with whom you are in business carrying on licensable activities 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 No**7. Checklist** (Please read note 16)

I have: (Please tick the appropriate boxes)

Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated

Sent a copy of this notice to the chief officer of police for the area in which the premises are situated

Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated

If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority

If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

**8. Condition** (Please read note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

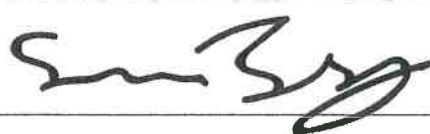
**9. Declarations** (Please read note 18)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and

(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

Signature	
Date	29th August 2017
Name of Person signing	Simon Thomas Boulding

For completion by the licensing authority

**10. Acknowledgement** (Please read note 19)

I acknowledge receipt of this temporary event notice.

Signature	On behalf of the licensing authority
Date	
Name of Officer signing	



# YOUR EVENT

*R2* ~~FOC~~ *FOC*  
*(Sabb)*

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.

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 – Simon Boulding

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

Contact details for Promoter- landline tel no -

mobile tel no-

**07907068005**

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-

Partyforthepeople.org

What type of music will be played?

House

*Clay*  
*DNA*

Approximately how many people do you anticipate attending the event?

**450**

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-

Primary Security

07956 257506

Will a knife arch/wands be used at the event?

**YES/NO**

Licensing Service  
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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.**

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	<input checked="" type="radio"/> Mr <input type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Other (please state)		
Surname	Boulding		
Forenames	Simon Thomas		
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 Mrs Miss Ms Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day <input type="text" value="██"/>	Month <input type="text" value="██"/>	Year <input type="text" value="████"/>
4. Your place of birth	<input type="text" value="██████████"/>		
5. National Insurance Number	<input type="text" value="██████████"/>		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
<input type="text" value="██████████"/> <input type="text" value="██████"/>			
Post town <input type="text" value="██████"/>	Postcode <input type="text" value="██████"/>		
7. Other contact details			
Telephone numbers Daytime	<input type="text" value="██████████"/>		
Evening (optional)	<input type="text" value="██████████"/>		
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)	<input type="text" value="████████████████████"/>		
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
<input type="text" value="██████████"/> <input type="text" value="████████████████████"/>			
Post town <input type="text" value="██████"/>	Postcode <input type="text" value="██████"/>		
9. Alternative contact details (if applicable)			

Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

## 2. The premises

Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)

CADS - EAGLE WORKS  
90 Stevenson Road  
S9 3GX

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number

Club premises certificate number

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

Back Warehouse + Garage

Please describe the nature of the premises below. (Please read note 4)

Art, Studios & Rehearsal Space

Please describe the nature of the event below. (Please read note 5)

Social Event

## 3. The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)

The sale by retail of alcohol



The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

The provision of regulated entertainment



The provision of late night refreshment



Are you giving a late temporary event notice? (Please read note 7)



Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)

October 28th 00:01 - 07:30      October 29th 00:01 - 07:30

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)

00:01 - 07:30 - October 28th / 29th

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)

490

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)

On the premises only

Off the premises only

Both



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. (Please read note 12)

4. Personal licence holders (Please read note 13)		
Do you currently hold a valid personal licence? (Please tick)	<input checked="" type="radio"/> Yes	<input type="radio"/> No
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	Sheffield District	
Licence number	SY04905 PER	
Date of issue	18th February 2013	
Date of expiry	N/A	
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 14 and tick the boxes that apply to you)		
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?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
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	15	
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?	<input type="radio"/> Yes	<input type="radio"/> No

6. Associates and business colleagues (Please read note 15 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours 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?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities 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?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

7. Checklist (Please read note 16)	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>

If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>



**8. Condition** (Please read note 17)


It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

**9. Declarations** (Please read note 18)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

Signature	
Date	15th August 2017
Name of Person signing	Simon Thomas Boulding

For completion by the licensing authority

**10. Acknowledgement** (Please read note 19)

I acknowledge receipt of this temporary event notice.

Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

# Appendix B

Objection – Environmental Protection Service



## Harper Craig

---

**From:** Gibbons Sean (DEL)  
**Sent:** 05 October 2017 08:17  
**To:** TNK ADMIN  
**Cc:** licensingservice; Prasad Shiva  
**Subject:** OBJECTION for TEN CADS EAGLE WORKS 21/10/17

**Categories:** Andrew Rodgers

FAO Simon Boulding

Dear Simon,

I e-mail further to discussions held last weekend with respect to serious concerns that have come to the attention of this authority with respect to the close proximity between CADS-Eagle Works and Outokumpu ASR Rod Mill on Stevenson Road.

The control of Major Accident Hazard Regulations 2015 (COMAH) apply to the Outokumpu ASR Rod Mill site.

With respect to emergency plans written under COMAH for Outokumpu by The Emergency Planning Officer from South Yorkshire Fire and Rescue, serious concerns regarding the potential release of noxious substances from the Outokumpu site in the event of a major incident and very close proximity to the CADS site has been raised .

Therefore, we feel that we have little option but to object to this TEN on the grounds of Public Safety.

If you wish to discuss further, please do not hesitate to contact me.

Regards,

Sean

*Sean Gibbons BSc (Hons)  
Environmental Health Officer  
Health & Safety Inspector  
Environmental Regulation  
Sheffield City Council  
5th Floor North  
Howden House  
1 Union Street  
Sheffield  
S1 2SH*

*Tel: 0114 273 4616  
Fax: 0114 273 6464  
Email: [sean.gibbons@sheffield.gov.uk](mailto:sean.gibbons@sheffield.gov.uk)*

**This emailed representation is made in accordance with the agreement with the Licensing Authority on the 18th October 2006 to accept representations by email.**

## Harper Craig

---

**From:** Gibbons Sean (DEL)  
**Sent:** 05 October 2017 08:19  
**To:** TNK ADMIN  
**Cc:** licensingservice; Prasad Shiva  
**Subject:** OBJECTION for TEN CADS EAGLE WORKS 28/10/17 & 29/10/17

**Categories:** Andrew Rodgers

FAO Simon Boulding

Dear Simon,

I e-mail further to discussions held last weekend with respect to serious concerns that have come to the attention of this authority with respect to the close proximity between CADS-Eagle Works and Outokumpu ASR Rod Mill on Stevenson Road.

The control of Major Accident Hazard Regulations 2015 (COMAH) apply to the Outokumpu ASR Rod Mill site.

With respect to emergency plans written under COMAH for Outokumpu by The Emergency Planning Officer from South Yorkshire Fire and Rescue, serious concerns regarding the potential release of noxious substances from the Outokumpu site in the event of a major incident and very close proximity to the CADS site has been raised .

Therefore, we feel that we have little option but to object to this TEN on the grounds of Public Safety.

If you wish to discuss further, please do not hesitate to contact me.

Regards,

Sean

*Sean Gibbons BSc (Hons)  
Environmental Health Officer  
Health & Safety Inspector  
Environmental Regulation  
Sheffield City Council  
5th Floor North  
Howden House  
1 Union Street  
Sheffield  
S1 2SH*

*Tel: 0114 273 4616*

*Fax: 0114 273 6464*

*Email: [sean.gibbons@sheffield.gov.uk](mailto:sean.gibbons@sheffield.gov.uk)*

**This emailed representation is made in accordance with the agreement with the Licensing Authority on the 18th October 2006 to accept representations by email.**

# Appendix C

Hearing Notices

**Notice of hearing of representations  
in respect of the following application:  
Application for a Temporary Event Notice**

Mr Simon Thomas Boulding  
5-7 Smithfield  
Creative Arts Development Space  
Sheffield  
S3 7AR

[admin@thenightkitchen.org](mailto:admin@thenightkitchen.org)

The Sheffield City Council being the licensing authority, on the 3<sup>rd</sup> October 2017 received your applications in respect of the premises known as;

CADS – EAGLE WORKS, Sheffield, S9 3GX

During the consultation period, the Council received objections from the following authorities/interested parties on the likely effect of this application and on the promotion of the licensing objectives, should it be granted;

Sheffield City Council's Environmental Protection Service

The Council now **GIVES YOU NOTICE** that representations 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 10<sup>th</sup> October 2017 at 10am**

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) 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 representations made, 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 your application.

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, 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: 6<sup>th</sup> October 2017

Signed: Craig Harper

The officer appointed for this purpose  
Licensing Officer

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD.

**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.

Form LAR 1  
Regulation 8

**Notice of actions following receipt of notice of hearing**

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

I Simon Thomas Boulding

Of CADS – EAGLE WORKS  
Sheffield  
S9 3GX

EMAIL: admin@thenightkitchen.org

hereby confirm that I have received the Notice of Hearing dated 10<sup>th</sup> October 2017 and notify you as follows (please complete):

I intend to attend the hearing at 10:00 hours on Tuesday 10<sup>th</sup> October 2017

I do not intend to attend the hearing

I intend to be represented at the hearing by: .....

I consider the hearing to be unnecessary because: .....  
.....

I request that ..... should appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

Dated: ..... Signed.....

Please see Regulation 8 overleaf

Please complete this form and return it to:  
Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.

## 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.

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**Notice of hearing of representations  
in respect of the following application:  
Application for a Temporary Event Notice**

Sean Gibbons  
Environmental Protection Service  
Fifth Floor  
Howden House  
Sheffield City Council  
Sheffield  
S1 2SH

Sean.gibbons@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the **3<sup>rd</sup> October 2017** received an application in respect of the premises known as;

CADS – EAGLE WORKS, Sheffield, S9 3GX

During the consultation period, the Council received representations from the following;

- **Sheffield City Council's Environmental Protection Service**

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

The Council now **GIVES YOU NOTICE** that representations 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 10<sup>th</sup> October 2017 at 10am**

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) 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 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.

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 6<sup>th</sup> October 2017

Signed: Craig Harper

The officer appointed for this purpose  
Licensing Officer

Please address any communications to: Licensing Service, Sheffield City Council Block C, Staniforth Road Depot Staniforth Road Sheffield S9 3HD.



## NOTES

### 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.

Form LAR 1  
Regulation 8

**Notice of actions following receipt of notice of hearing**

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

I Sean Gibbons

Of Sheffield City Council's Environmental Protection Service  
[sean.gibbons@sheffield.gov.uk](mailto:sean.gibbons@sheffield.gov.uk)

hereby confirm that I have received the Notice of Hearing dated **10<sup>th</sup> October 2017** and notify you as follows **(please complete)**:

I intend to attend the hearing at 10am on Tuesday 10<sup>th</sup> October June 2017

I do not intend to attend the hearing

I intend to be represented at the hearing by: .....

I consider the hearing to be unnecessary because: .....  
.....

I request that .....should appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

Dated: ..... Signed.....

Please see Regulation 8 overleaf

Please complete this form and return it to: Licensing Service, Sheffield City Council Block C, Staniforth Road Depot Staniforth Road Sheffield S9 3HD.

## 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.

# Appendix D

Hearing Notice / Regulations / Procedures

## Licensing Act 2003 – Hearing Procedure – Regulation 7 (1)

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 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 both by Members and the applicant.
    - (c) The Licensing Officer will introduce in turn representatives for the Responsible Authority and Interested Parties who will be asked to detail their relevant representations.
    - (d) Members may ask questions of those parties
    - (e) With the leave of the Chair the applicant or his representative may cross examine the representatives of the Responsible Authorities and Interested Parties.
    - (f) The applicant/licensee (or his/her nominated representative) will then be asked to:-
      - (i) detail the application;
      - (ii) provide clarification on the application and respond to the representations made.
    - (g) The applicant/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.
    - (h) The applicant will then be given the opportunity to sum up the application.
    - (i) The Licensing Officer will then detail the options.
    - (j) 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 Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

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