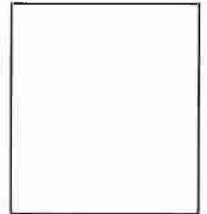




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 16th May 2019 at 10am

Subject: Licensing Act 2003

Author of Report: Jayne Gough

Summary: To consider an application to grant a premises licence made under the Licensing Act 2003.

Langlands Garden Centre, West Lane, Loxley, Sheffield, S6 6SN

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.

Background Papers: Attached documents

Category of Report: OPEN

**REPORT OF THE CHIEF LICENSING OFFICER
(HEAD OF LICENSING) TO THE LICENSING SUB COMMITTEE
LICENSING ACT 2003**

Ref No 47/19

Langlands Garden Centre, West Lane, Loxley, Sheffield, S6 6SN

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a premises licence made under section 17 of the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is Mr James Ducker of Langlands Nurseries Ltd.

2.2 The application, which was received on 24th March 2019, is attached to this report labelled Appendix 'A'.

3.0 REASONS FOR REFERRAL

3.1 Representations concerning the application have been received from the following and are attached at Appendix B:-

- 1 x Member of the Public Objection
- Health Protection Service, Responsible Authority for Sheffield City Council

3.2 South Yorkshire Police and the Environment Protection Service have agreed conditions throughout the consultation period with the applicant, and these are attached to this report at Appendix C.

3.4 The applicant and objector who made written representations have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'D'

4.0 POLICIES TO CONSIDER

4.1 Sheffield City Council Statement of Licensing Policy.

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 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.

6.2 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.

7.0 HEARINGS 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 applicant and those making representations 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 Sub Committee consider appropriate for the promotion of the Licensing Objectives.

10.0 OPTIONS OPEN TO THE COMMITTEE

10.1 To grant the premises licence in the terms requested.

10.2 To grant the premises licence with conditions.

10.3 To reject the whole or part of the application.



Stephen Lonnia
Chief Licensing Officer
Head of Licensing

16th May 2019

Appendix A

Application

24/3/19



Sheffield
Application for a premises licence
Licensing Act 2003

For help contact
licensing@sheffield.gov.uk
Telephone: 0114 2734264

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

LTD COMPANY

Address

Building number or name
Street
District
City or town
County or administrative area
Postcode
Country

Contact Details

E-mail
Telephone number
Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

A GARDEN CENTRE COMBINED OF SEVERAL BUILDINGS OF DIFFERENT CONSTRUCTION PROVIDING INDOOR RETAIL AREAS WITH A CAFE AND AREAS OUTSIDE ARE ALSO USED FOR RETAIL AND CAFE SEATING. CAR PARKING FOR AROUND 90 CARS ALL CONTAINED WITHIN A BOUNDARY LINE OF FENCE /HEDGEROW WITH GATES.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes

No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes

No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes

No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes

No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the performance of live music take place indoors or outdoors or both?

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Indoors Outdoors Both

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

UNAMPLIFIED
BISTRO NIGHTS, CHARITY EVENTS, CHRISTMAS EVENTS, LATE NIGHT SHOPPING, BBQ'S AND CRAFT FAIRS, LINKED TO TICKET SALES FOR AN EVENING MEAL.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

OUTSIDE SEATING AREAS WILL NOT BE IN USE DURING WINTER MONTHS.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Continued from previous page...

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

NONAMPLIFIED
DETAILS AS BEFORE

Continued from previous page...

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

AS STATED

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes

No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Give a description of the type of entertainment that will be provided

CAROL SINGERS, CHOIRS, LIVE BANDS UNAMPLIFIED, SINGER AND GUITAR.

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS STATED BEFORE

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

AS STATED

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Continued from previous page...

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

AS STATED

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

AS STATED

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start End
Start End

SATURDAY

Start End
Start End

SUNDAY

Start End
Start End

Will the sale of alcohol be for consumption:

On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text" value="1"/>
Street	<input type="text" value="WADSLEY PARK CRESCENT"/>
District	<input type="text"/>
City or town	<input type="text" value="SHEFFIELD"/>
County or administrative area	<input type="text" value="S.YORKSHIRE"/>
Postcode	<input type="text" value="S6 4BX"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="SY06286PER"/>
Issuing licensing authority (if known)	<input type="text" value="SHEFFIELD CITY COUNCIL"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

BINGO FOR 18'S AND OVER
RAFFLES THROUGH TICKET SALES TO 18'S AND OVER

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text" value="09:00"/>	End	<input type="text" value="22:00"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:30"/>	End	<input type="text" value="16:30"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Section 18 of 21

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) **Page 22**

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

EVENING EVENTS ARE TICKET ONLY, LIMITED NUMBER OF SPACES, NO OVERCROWDING.
ALCOHOL CONSUMPTION IS LINKED TO CONSUMPTION OF FOOD SALES AND IN DESIGNATED AREAS.
CONSUMPTION OFF SITE WOULD BE FROM FARM SHOP SALES BAGGED AND NOT OPEN FROM TWO TILL POINTS.
ADULT EVENTS ARE SEPERATE TO CHILDRENS EVENTS.

b) The prevention of crime and disorder

ALL EVENTS FINISH BEFORE 22:00 ONLY STARTING AT 17:00 AT THE EARLIEST.
TICKET ONLY EVENTS LIMITED NUMBERS DUE TO SEATING.
DPS WILL ENSURE "THINK 21" IS ADHERED TOO AND PROCEDURE FOLLOWED.

c) Public safety

SELF CONTAINED PREMISES, CUSTOMERS ARRIVE BY CAR RARELY BY PUBLIC TRANSPORT VERY FEW WALK OFF SITE.
CAR PARKING AREA IS FENCED OFF FROM THE MAIN ROAD.
TICKET SALES LIMITED BY SEATING SO NO OVER CROWDING.
LESS THAN 500 PEOPLE ON SITE AT ANY ONE TIME DUE TO CAR PARKING AND ACCESS TO SITE.

d) The prevention of public nuisance

ALCOHOL CONSUMED ON SITE IN DESIGNATED AREAS LINKED TO FOOD CONSUMPTION.
CONSUMPTION OFF THE PREMISES WILL BE RELATED TO FARM SHOP SALES, NOT BULK SALES OF ALCOHOL.
SOLD ITEMS WILL BE BAGGED AND NOT OPEN OR GIFT WRAPPED, SOLD FROM 2 TILL POINTS.
SMOKE FREE SITE AND SIGNS DISPLAYED TO ENCOURAGE CUSTOMERS TO LEAVE QUIETLY.

e) The protection of children from harm

"THINK 25" ADHERED TO.
FAMILY ORIANATED EVENTS AND TICKET ONLY
ADULT EVENTS SEPEARTE TO CHILDRENS.
CONSUMPTION OF ALCOHOL IS LINKED TO CONSUMPTION OF FOOD AND IN DESIGNATED AREAS.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full birth** or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK * RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15). THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/sheffield/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED


OFFICE USE ONLY

Applicant reference number	Langlands Garden Centre, Sheffield Licence
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) Next >

Consent of individual to being specified as premises supervisor

I [full name of prospective premises supervisor]
ANDREW PAUL MACHON

of [home address of prospective premises supervisor]


hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

[type of application] PREMISES LICENCE

by

[name of applicant] LANGLANDS GARDEN CENTRE

relating to a premises licence

[number of existing licence, if any] NEW APPLICATION

for

[name and address of premises to which the application relates]
LANGLANDS GARDEN CENTRE
WEST LANE
LOXLEY
SHEFFIELD S6 6SN

and any premises licence to be granted or varied in respect of this application made by

[name of applicant] LANGLANDS GARDEN CENTRE

concerning the supply of alcohol at

[name and address of premises to which application relates]
LANGLANDS GARDEN CENTRE
WEST LANE
LOXLEY
SHEFFIELD S6 6SN

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number **SY06286 PER.**
[insert personal licence number, if any]

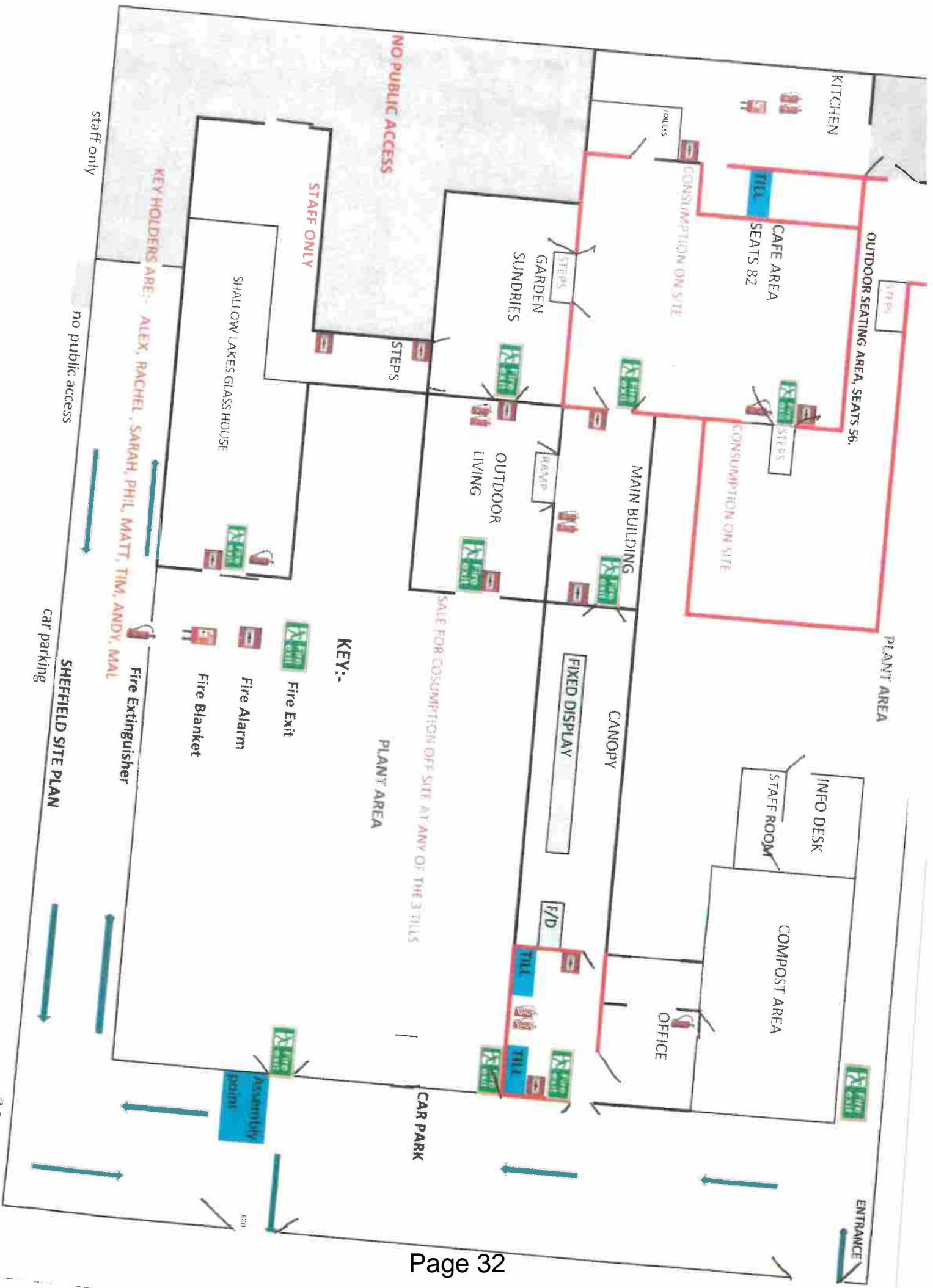
Personal licence issuing authority
**SHEFFIELD CITY COUNCIL
LICENSING TEAM
BLOCK C
STANFORTH ROAD DEPOT
SHEFFIELD
S9 3HD**

[insert name and address and telephone number of personal licence issuing authority, if any] **0114 2734264**

Signed **APM**

Name (please print) **ANDREW PAUL MATTHEW.**

Date **24/03/19**



immo

Image (2)



--- Staff only
— Boundries

Image 3



--- Staff only
— Boundries

Appendix B

Objections:
1 x Member of the Public
Health Protection Service

STEVE BENNETT

[REDACTED]
[REDACTED]
[REDACTED]

23rd April 2015

Dear Sir/Madam

Re the Licencing Application / change / extension
to Langlands Garden Centre West Lane. (S6 6S)

I must object as the extra noise from
music amplified or otherwise and the footfall
and traffic until 10.00pm will destroy the peace
of the rural area, this is not the town centres

I apologise for the rather unprofessional comm-
-unication but I only saw the notices this Easter
weekend when you were closed and the website
does not appear to offer the opportunity of e-mailing.

You will see we live next door & above
therefore the noise will come straight to our
property and is unacceptable.

LICENSING
23 APR 2015
SERVICE

7295

Yours faithfully

[REDACTED]

Crawshaw Michael (CEX)

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 18 April 2019 13:02
To: Crawshaw Michael (CEX)
Subject: FW: Langlands Licence Application

From: Rachel Shaw [mailto:rachel.shaw@langlandsgardencentre.co.uk]
Sent: 18 April 2019 12:59
To: Gibbons Sean (DEL); licensingservice; gjackson@syfire.gov.uk
Subject: Re: Langlands Licence Application

Hi Sean,
Thank you I will be in touch as soon as possible .

Regards Rachel Shaw

From: Gibbons Sean (DEL) <Sean.Gibbons@sheffield.gov.uk>
Sent: 18 April 2019 11:50:14
To: Rachel Shaw; licensingservice; gjackson@syfire.gov.uk
Subject: Langlands Licence Application

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

Dear Rachel,

Further to our site meetings with respect to the licence application, I shall confirm our discussions and also request the following.

Please note that my visit was carried out with respect to the licence application only.

The current plan is unsatisfactory due to the numbers shown and the door orientation, and as the Responsible Authority for Public Safety, I have no option at this stage than to object to the licence being granted. The deadline for the consultation period is 21/4/19.

Please provide an amended plan to show the door orientation (in accordance with Building Regulations) as discussed this morning with myself and both Gemma and Hannah from SYFS.

Furthermore, from our conversation, it was apparent that alcohol sales will be ancillary to the main activity of the existing garden centre and cafe. Under the operating schedule, you have described the premises as a 'Garden Centre'. Under Section d of the licensing objectives you have stated that 'Alcohol consumed on site in designated areas linked to food consumption'. I propose that this be attached to Annex 2 of the premises licence. **Could you please confirm that this is agreeable?**

'Alcohol consumed on site in designated areas linked to food consumption'

Other items discussed;

- Please provide a satisfactory electrical certificate for the premises (otherwise known as a Condition Report).
- Please risk assess the use of glass in the external area. I suggest you consider the use of polycarbonate glasses, which have significantly improved over the last few years.

Please do not hesitate to contact me if you wish to discuss further, or if you would like me to meet your Architect on site,

I shall look forward to your further instruction,

Kind 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
www.sheffield.gov.uk*

Disabled Access/Provision of facilities

The City Council encourages the provision of disabled access and facilities to licensed premises within Sheffield and when a new application is being made or when substantial alterations are taking place, reasonable provision must be made under the Equality Act 2010 (Which repealed the Disability Discrimination Act 1995) for people to access and use the building and its facilities.

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Family run, award winning garden centres & coffee shops
Shiptonthorpe, York Tel: 01430 873426. Whinmoor, Leeds Tel: 0113 273 1949 & Loxley, Sheffield: 0114 2851487
General Email: sales@langlandsgardencentre.co.uk
Website/Online Shop: www.langlandsgardencentre.co.uk

Appendix C

Agreed conditions:
South Yorkshire Police
Environmental Protection Service

Agreed Conditions

Rhodes-Evans Emma (CEX)

From: SHEFFIELD_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>
Sent: 03 April 2019 14:52
To: licensingservice
Subject: FW: New Grant app: Langlands Garden Centre, West Lane, Loxley, Sheffield, S6 6SN
Categories: Emma Rhodes, Mick Crawshaw

Afternoon All,

Please see the below agreed conditions (very bottom!) with the applicant for the above named new grant. Please could you ensure they are added to the licence should it be granted.

Many thanks,

Regards

South Yorkshire Police Licensing Dept
Moss Way Police Station
Moss Way
Sheffield
S20 7XX.

Licensing Team
Tracey Klein 0114 2523948 internal 718948
Alicia Marsden 0114 2523111 internal 718 111
Ian Armitage 0114 2523618 internal 718618
Cheryl Topham 0114 2523163 internal 718163
Daniel Barraciough 0114 2523556 internal 718556
John O'Malley internal 714308

Website address - southyorks.police.uk



Please be advised that the content of emails may be submitted as evidence to a Licensing hearing should issues arising not be resolved. The Local Council may post them as part of the process on their Website which has public access.

From: Rachel Shaw [mailto:rachel.shaw@langlandsgardencentre.co.uk]
Sent: 03 April 2019 14:50
To: SHEFFIELD_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>
Subject: Re: New Grant app: Langlands Garden Centre, West Lane, Loxley, Sheffield, S6 6SN

Good afternoon,

All the conditions are fine to be listed as company policy to our licence. I will link all items to my risk assessment and SWP for the sales of restricted items which is signed off by all staff as part of their training, management and monitored by Health and Safety.

Regards Rachel

From: SHEFFIELD_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>
Sent: 03 April 2019 13:54:20
To: Rachel Shaw
Subject: RE: New Grant app: Langlands Garden Centre, West Lane, Loxley, Sheffield, S6 6SN

Good Afternoon Rachel,

Many thanks for your response and the information you have provided. All points you have made are more than adequate for the running of the business and ones we are more than happy to hear the premises run by.

With this in mind that you essentially cover all wording we put forward through company policy, would you be happy for the conditions to be added to the licence?

This is just so that if at any stage an incident occurs, the premise requires a visit, test purchase operation etc, persons visiting from either the Police or another responsible authority know exactly how the premise should be operating and under what conditions.

As you have said, you cover these points anyway but the worded conditions simplify things for persons who may not know company policies etc.

Many thanks, much appreciated.

Regards

South Yorkshire Police Licensing Dept
Moss Way Police Station
Moss Way
Sheffield
S20 7XX.

Licensing Team
Tracey Klein 0114 2523948 internal 718948
Alicia Marsden 0114 2523111 internal 718 111
Ian Armitage 0114 2523618 internal 718618
Cheryl Topham 0114 2523163 internal 718163
Daniel Barraclough 0114 2523556 internal 718556
John O'Malley internal 714308

Website address - southyorks.police.uk



Please be advised that the content of emails may be submitted as evidence to a Licensing hearing should issues arising not be resolved. The Local Council may post them as part of the process on their Website which has public access.

From: Rachel Shaw [<mailto:rachel.shaw@langlandsgardencentre.co.uk>]
Sent: 03 April 2019 13:27
To: SHEFFIELD_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>
Subject: Re: New Grant app: Langlands Garden Centre, West Lane, Loxley, Sheffield, S6 6SN

Good afternoon,

I am replying to your email regarding our application for a premise's licence with regards to the safety points made in the email.

We already have 3 CCTV's in operation with a 30 day storage hard drive but are in the process of looking to add more to cover internal areas too.

We are one of 3 Langland's stores, with the other 2 having held premise's licenses for a while so we have company risk assessment's and policies in place. We run a challenge 25 system for bladed items already such as shears and loppers so we are used to this and our till system flashes up a warning reminder for sales of age related products.

Staff are trained on all age related sales of various products (even lines we don't stock) through GCA Grow, an online training data base for Garden Centre's. When we get the licence all staff will sit a refresher course on such sales and the laws dealing with requesting ID and recording details.

I will be creating posters in store as a reminder that alcoholic drinks can only be consumed in designated area's or sold for consumption off site, in sealed bottles to remind staff and the public at all till points with the Challenge 25 info included.

Many Regards Rachel Shaw

From: SHEFFIELD_Licensing <Sheffield.Liquor.Licensing@southyorks.pnn.police.uk>
Sent: 02 April 2019 08:25:22
To: Rachel Shaw
Subject: New Grant app: Langlands Garden Centre, West Lane, Loxley, Sheffield, S6 6SN

Good Morning Sir/Madam,

Hope you are well.

We have received your application in regards to a new premise licence for Langlands Garden Centre, West Lane, Loxley, Sheffield. We would require the following conditions adding to the licence, should it be granted:

- A CCTV system will be fitted, maintained and in use at all times whilst the premises are open . The CCTV images will be stored for 30 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder. Members of the management team will be trained in the use of the system.
- A Challenge 25 scheme will operate at all times when the premises are open.
- Staff will receive training on matters concerning underage sales, drugs policies, and operating procedures. Records of such training will be kept and made available for inspection of the authorities, if requested.
- Incident and refusal book maintained, such records to be retained for at least 12 months and available for inspection on request.
- Drinks may not be removed from the premises in open containers, save for consumption in any external area provided for that purpose.

We would appreciate if you could respond and inform us that you are happy to adopt the above practices.

Many thanks.

Regards

South Yorkshire Police Licensing Dept
Moss Way Police Station
Moss Way
Sheffield
S20 7XX.

Licensing Team
Tracey Klein 0114 2523948 internal 718948
Alicia Marsden 0114 2523111 Internal 718 111
Jan Armitage 0114 2523618 internal 718618
Cheryl Topham 0114 2523163 internal 718163
Daniel Barraciough 0114 2523556 internal 718556
John O'Malley internal 714308

Website address - southyorks.police.uk



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General Email: sales@langlandsgardencentre.co.uk
Website/Online Shop: www.langlandsgardencentre.co.uk

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SYP Alerts offers information about local policing issues by text, email or voice message. Sign-up now at www.sypalerts.co.uk #SignMeUp

Agreed Condition

Crawshaw Michael (CEX)

From: Hollis Georgina (CEX) on behalf of licensingservice
Sent: 10 April 2019 16:35
To: Crawshaw Michael (CEX)
Cc: Rhodes-Evans Emma (CEX)
Subject: FW: LANGLANDS NURSERIES LTD - RE: PREMISES LICENCE APPLICATION

From: Pates Neal
Sent: 10 April 2019 16:04
To: licensingservice
Cc: rachel.shaw@langlandsgardencentre.co.uk
Subject: FW: LANGLANDS NURSERIES LTD - RE: PREMISES LICENCE APPLICATION

RE: PREMISES LICENCE APPLICATION - LANGLANDS NURSERIES LTD

FAO : Licensing Service

Please note the correspondence below, and apply the following volunteered condition as agreed.

- *The Designated Premises Supervisor or a delegated member of staff shall take a pro-active approach to noise control, checking outside the premises to ensure that the breakout of internal noise and noise from patrons using the external areas and departing the premises is managed so as not to cause a nuisance to occupiers of nearby residential properties.*

Thanks – any queries, let me know.

Kind regards,

Neal

Mr Neal Pates
Environmental Protection Officer

EPS, Commercial Team
Sheffield City Council
Tel: (0114) 273 4351
Mob: 07788 528 008
Int: x 53589

From: Rachel Shaw [mailto:rachel.shaw@langlandsgardencentre.co.uk]
Sent: 10 April 2019 15:07
To: Pates Neal
Subject: Re: LANGLANDS NURSERIES LTD - RE: PREMISES LICENCE APPLICATION

To whom it may concern,

Langlands of Loxley, Sheffield agree to the afore mentioned condition in respect to our premises licence application.

Regards Rachel Shaw
Site manager.

From: Pates Neal <Neal.Pates@sheffield.gov.uk>
Sent: 10 April 2019 11:12:01
To: Rachel Shaw
Subject: LANGLANDS NURSERIES LTD - RE: PREMISES LICENCE APPLICATION

FAO: Mr James Ducker

Dear Mr Ducker,

I represent Sheffield City Council's Environmental Protection Service as Responsible Authority for the Prevention of Public Nuisance for this application.

The application presents some limited potential for nuisance to nearby neighbours, though I'm confident this can be managed so as prevent public nuisance.

I'd be grateful if you could communicate your agreement to volunteer the following condition, by return of email.

- *The Designated Premises Supervisor or a delegated member of staff shall take a pro-active approach to noise control, checking outside the premises to ensure that the breakout of internal noise and noise from patrons using the external areas and departing the premises is managed so as not to cause a nuisance to occupiers of nearby residential properties.*

Upon receipt I'll communicate the agreement of the condition to our licensing service and it would then be included on any licence issued. I'd then be happy to withdraw from any official representations in this matter. If you have any concerns about this proposal, or would like to discuss other control options for the purpose of mitigating noise, please do let me know ASAP. Responsible Authorities have until 21st April at the latest to resolve any concerns before the issue would then need to be referred to a licensing committee. We'd hope to avoid this for a low risk application of this nature.

Thanks for your attention to this matter. I look forward to hearing from you soon.

Kind regards,

Neal Pates

Mr Neal Pates
Environmental Protection Officer

Sheffield City Council
Environmental Protection Service/ Commercial Team
5th Floor (North)
Hawden House
1 Union Street
Sheffield
S1 2SH

Tel: +44 (0)114 273 4651

Mobile: +44 (0)7796 528 033

Int'l: x 33698

Web: <http://www.sheffield.gov.uk/environmentalhealth>

Did you know?

Our sister service, Environmental Services can provide a range of services for you by fully qualified Officers:

- internal and external cleaning, clearances and vegetation removal.
- specialist cleaning services involving the removal of bodily fluids, used needles and other noxious materials.
- pest control including individual treatments and annual contracts.
- bird proofing involving the installation of nets or spikes.

Our rates **are** competitive. Call 0114 2930356 now for a personalised service.

<http://www.sheffield.gov.uk/pestcontrol>

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General Email: sales@langlandsgardencentre.co.uk

Website/Online Shop: www.langlandsgardencentre.co.uk

Appendix D

Hearing notices and Regulations



Notice of hearing of representations in respect of the following application: LA03 Premises Licence Application

James Ducker c/o Rachel Shaw
Langlands Nurseries Ltd

Sent via email: rachel.shaw@langlandsgardencentre.co.uk

The Sheffield City Council being the licensing authority, on the 24th March 2019 received an application in respect of the premises known as;

Langlands Garden Centre, West Lane, Loxley, Sheffield, S6 6SN

During the consultation period, the Council received representations from the following authorities / interested parties:

- **1 x Public objections**
- **Health Protection Service – Responsible Authority**

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 **Thursday 16th May 2019 10.00am**; following which the Council will issue a notice of determination of the application.

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 for a licence.

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: 30th April 2019

Signed: **Jayne Gough**
The officer appointed for this purpose
Licensing Enforcement and Technical Officer

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

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 **James Ducker c/o Rachel Shaw**

Of **Langlands Nurseries Ltd**

hereby confirm that I have received the Notice of Hearing dated 30th April 2019 and notify you as follows **(please complete)**:

I intend to attend the hearing at Town Hall Sheffield on 16th May 2019 at 10.00am

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 thatshould 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.

licensing@sheffield.gov.uk

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.

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.



**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

Mr Steve Bennett
Thornfield
West Lane
Sheffield
S6 6SN

The Sheffield City Council being the licensing authority, on the 24th March 2019 received an application in respect of the premises known as;

Langlands Garden Centre, West Lane, Loxley, Sheffield, S6 6SN

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Dated: 30th April 2019

Signed: **Jayne Gough**
The officer appointed for this purpose
Licensing Enforcement and Technical Officer

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**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

Mr Sean Gibbons
Sheffield City Council, Health Protection Service

Sent via email: sean.gibbons@sheffield.gov.uk and health.protection@sheffield.gov.uk

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