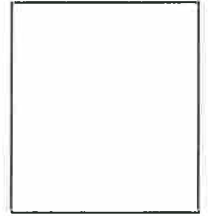




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 17th December 2019 - 12pm

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.

Early Bar, 96 Crookes, Sheffield, S10 1UG

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 123/19

Early Bar, 96 Crookes, Sheffield, S10 1UG.

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 Joe Glover of Early Bar Ltd.

2.2 The application, which was received on 30th October 2019 and is attached to this report labelled Appendix 'A'.

3.0 REASONS FOR REFERRAL

3.1 A representation concerning the application has been received from the following and is attached at Appendix B:-

- Health Protection Service, Sheffield City Council

3.2 South Yorkshire Police and the Environmental Protection Service have agreed conditions with the applicant and these are attached to this report at Appendix C.

3.3 The applicant failed to advertise on the public notices the non-standard timings as requested within the application for all activities, and has subsequently accepted not to include these on the licence if granted, leaving standard timings throughout the application on Monday to Sunday for all activities.

3.4 The applicant and objector who made a written representation 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:-

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

17th December 2019

Appendix A

Application

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Early Bar Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description 96 Crookes			
Post town	Sheffield	Postcode	S10 1UG
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£5700	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i) as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii) as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii) as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv) other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales | <input type="checkbox"/> | please complete section (B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)


Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name: Early Bar ltd
Address 3 Forres Avenue Crookes Sheffield S10 1WG
Registered number (where applicable) 12270527
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 
E-mail address (optional) joeglovercupc@outlook.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	8	112019

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 Small retail unit roadside on Crookes. Currently operating as a deli/butchers. Proposal is to change operation to café/micro-pub offering local and premium products in environment alternative to that of the sports dominated pubs in the area. Operating within reasonable business hours no later than 11pm on any standard day.

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

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What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)	
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Music through standard music system at hours not within 08:00-23:00		
Mon	10:00	23:30			
Tue	10:00	23:30	State any seasonal variations for the playing of recorded music (please read guidance note 5) None		
Wed	10:00	23:30			
Thur	10:00	23:30			
Fri	10:00	23:30	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) christmas eve 10:00-24:00 New years eve 10:00-01:30		
Sat	10:00	23:30			
Sun	10:00	23:30			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
			State any seasonal variations for the performance of dance (please read guidance note 5)		
			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
			Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

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I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed					
Thur			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12:00	23:00	State any seasonal variations for the supply of alcohol (please read guidance note 5) Christmas day 12:00-15:00		
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	23:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	12:00	23:00	Christmas eve 12:00-00:00 New years eve 12:00-01:30 (01/01)		
Sat	12:00	23:00			
Sun	12:00	23:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Joseph Glover	
Date of birth [REDACTED]	
Address: [REDACTED] [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) SY02698per	
Issuing licensing authority (if known) Sheffield City Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	23:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) Christmas eve 10:00-00:30 Christmas day 12:00-15:30 New years eve 10:00- 02:00
Tue	10:00	23:30	
Wed	10:00	23:30	
Thur	10:00	23:30	
Fri	10:00	23:30	
Sat	10:00	23:30	
Sun	10:00	23:30	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

- 1, There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children
- 2, A personal license holder will be present on the premises whenever they are trading after 23:00 hours
- 3, A permanent fixed residual current device (RCD) must protect the electrical power supply serving all amplified music equipment used for the purpose of live music and other entertainment

b) The prevention of crime and disorder

- 1, The DPS will be a member of the local 'License Watch' (as long as it exists).
- 2, Any lone workers will have access to telephone line for contact to local authorities in cases of emergency

c) Public safety

- 1, The use of SIA registered door supervisors will be risk assessed on an individual basis and any recommendation from Licensing Authority in respect of the use of SIA registered door supervisors will be met.
- 2, 24 hour recordable CCTV will be in place

d) The prevention of public nuisance

- 1, Music must be reduced to a background level during the wind down period to create a mood change
- 2, Except for access or egress, all windows and doors will remain closed after 22:00 hours
- 3, Signs near all exits of the premises must clearly communicate that guests must respect the needs of local residents, and leave the premises quietly

e) The protection of children from harm

1, Children under the age of 18 shall not be permitted on the premises after 19:00 hours

2, No guests under the age of 18 shall be allowed on the premises without being accompanied by an adult (person over age of 18) in responsible care.

3, Anyone who appears to be under the age of 25 shall require appropriate photographic proof of age before being served alcohol

Checklist:

Please tick to indicate agreement


- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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.




Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [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)
Signature	
Date	30/10/2019
Capacity	

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Joseph Glover			
			
Crookes			
Post town	Sheffield	Postcode	
Telephone number (if any)			

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
joeglovercuppc@outlook.com

Notes for Guidance

1. Describe 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.
2. 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
 - 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.
 - 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

4. For example the 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please 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.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please 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 or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

15. 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.
- 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.

Privacy Notice – Licensing Act 2003

How we will use your information

The information provided to us will be used to help us process your application.

Your personal data is processed under a contract to which you are party to through your application for a licence (as per Article 6(1)(b) of the General Data Protection Regulation). In terms of special category data including criminal records, your information is processed as it is necessary for the performance of a task carried out in the public interest (as per Article 9(2)(g) of the General Data Protection Regulation).

Your application will be processed in line with the following pieces of legislation:

- Licensing Act 2003

Who we will share your information with

We may share your information with the following third parties in order to inform decision making:

- Responsible Authorities
 - South Yorkshire Police
 - South Yorkshire Fire and Rescue
 - Public Health
 - Safeguarding Children
 - Environmental Protection
 - Health Protection
 - British Waterways Board / Navigation Authority
 - Home Office
 - Trading Standards
- Other Licensing Authorities relevant to your application
- Other Council Services
- Bodies Responsible for auditing or administering public funds

How long we will keep your information

The information you provide will be kept for the duration of your licence, plus six years, after which time it will be deleted.

The information will be stored either in paper form and/or electronically on a secure council database.

What are your rights

You have rights under Data Protection law. For further details about your rights, the contact details of our Data Protection Officer and your rights to make a complaint please see our Data Protection web page:

<https://www.sheffield.gov.uk/privacy>

If you do not have access to the internet, please contact us and we will be able to provide paper versions of the information you require.

I have read and understood the information provided in this form and understand my personal information will be used in the processing of my application and/or request.

Name: J. Glover

Signature: 

Date: 30/10/2019

Consent of individual to being specified as premises supervisor

Joseph Glover

[full name of prospective premises supervisor]

of

3 Fortes Avenue
Crookes
Sheffield
S10 1WG

[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

Premises License

[type of application]

by

Early Bar Ltd 12270527

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

Early Bar
96 Crookes
Sheffield
S10 1UG

[name and address of premises to which the application relates]

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

----- Early Bar Ltd 12270527
[name of applicant]

concerning the supply of alcohol at

----- Early Bar
96 Crookes
Sheffield
S10 1UG

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

----- SY02696 per
[insert personal licence number, if any]

Personal licence issuing authority

----- Sheffield City Council
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

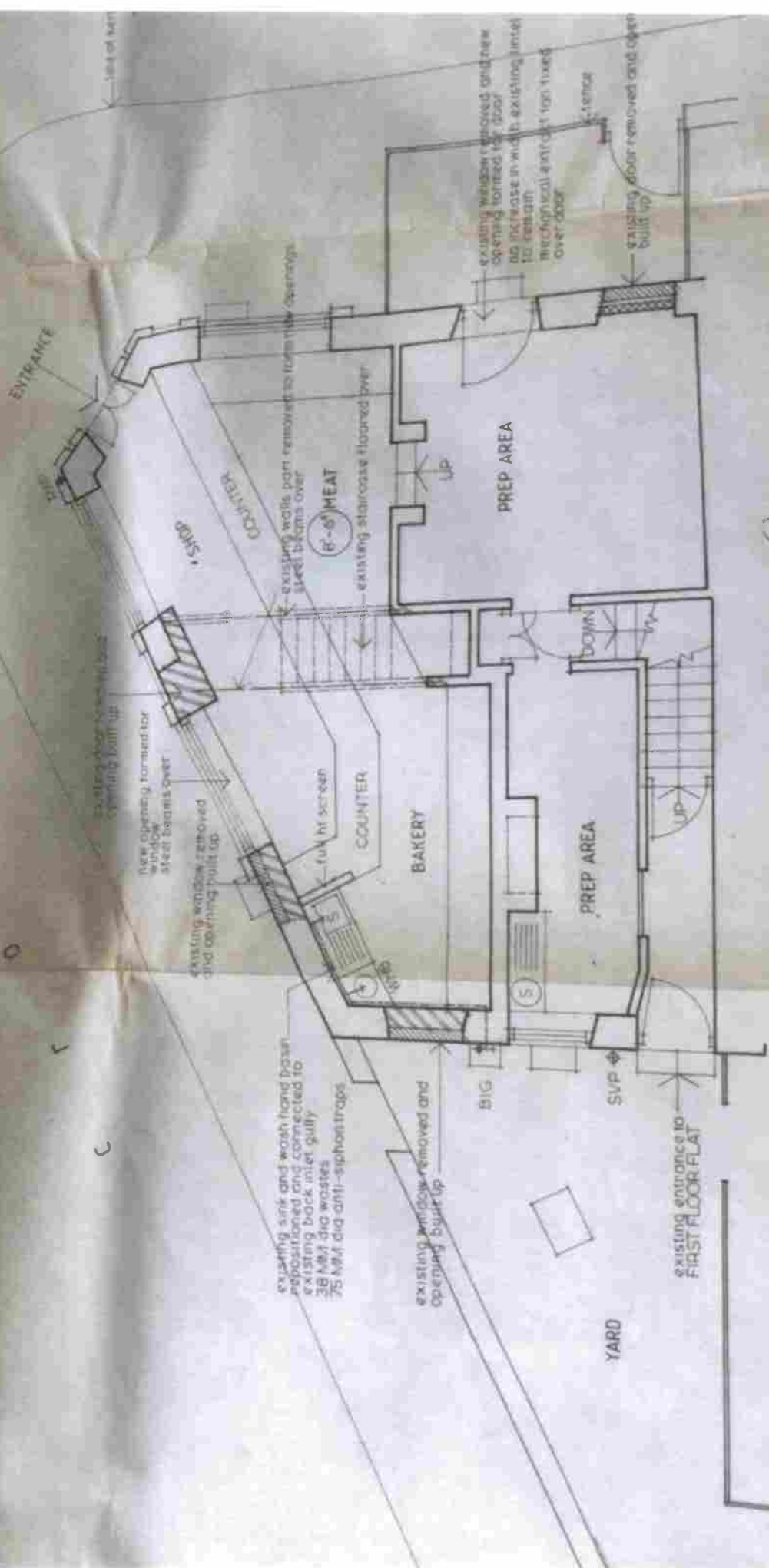


Name (please print)

J. GLOVER

Date

30/10/2019



Ground Floor
Plan A 30/10/19

GROUND FLOOR PLAN

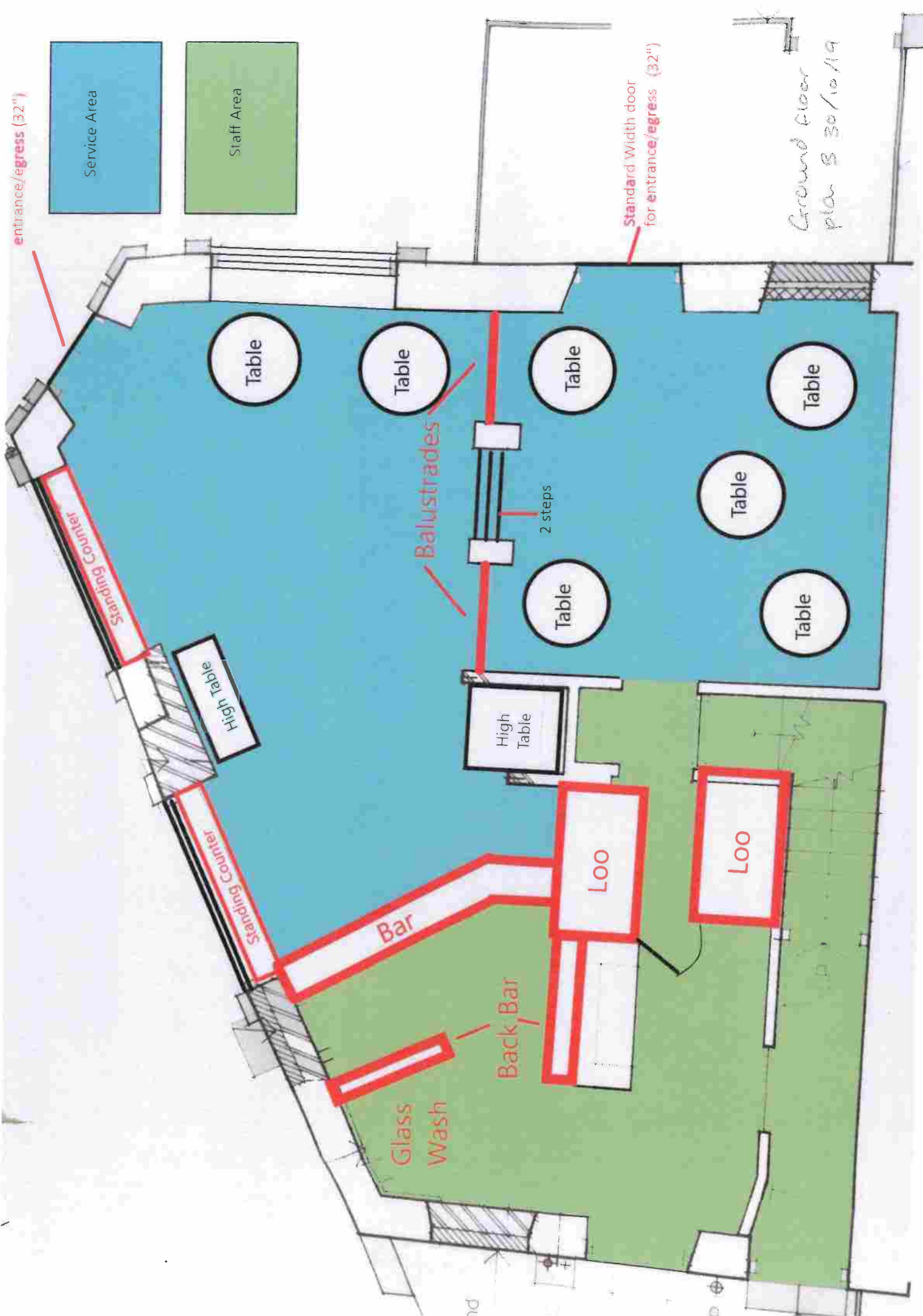
entrance/egress (32")

Service Area

Staff Area

Standard Width door for entrance/egress (32")

Ground floor plan 8/30/10/19



Table

Table

Table

Table

Table

Table

Table

High Table

High Table

Loo

Loo

Bar

Back Bar

Glass Wash

Standing Counter

Standing Counter

nd

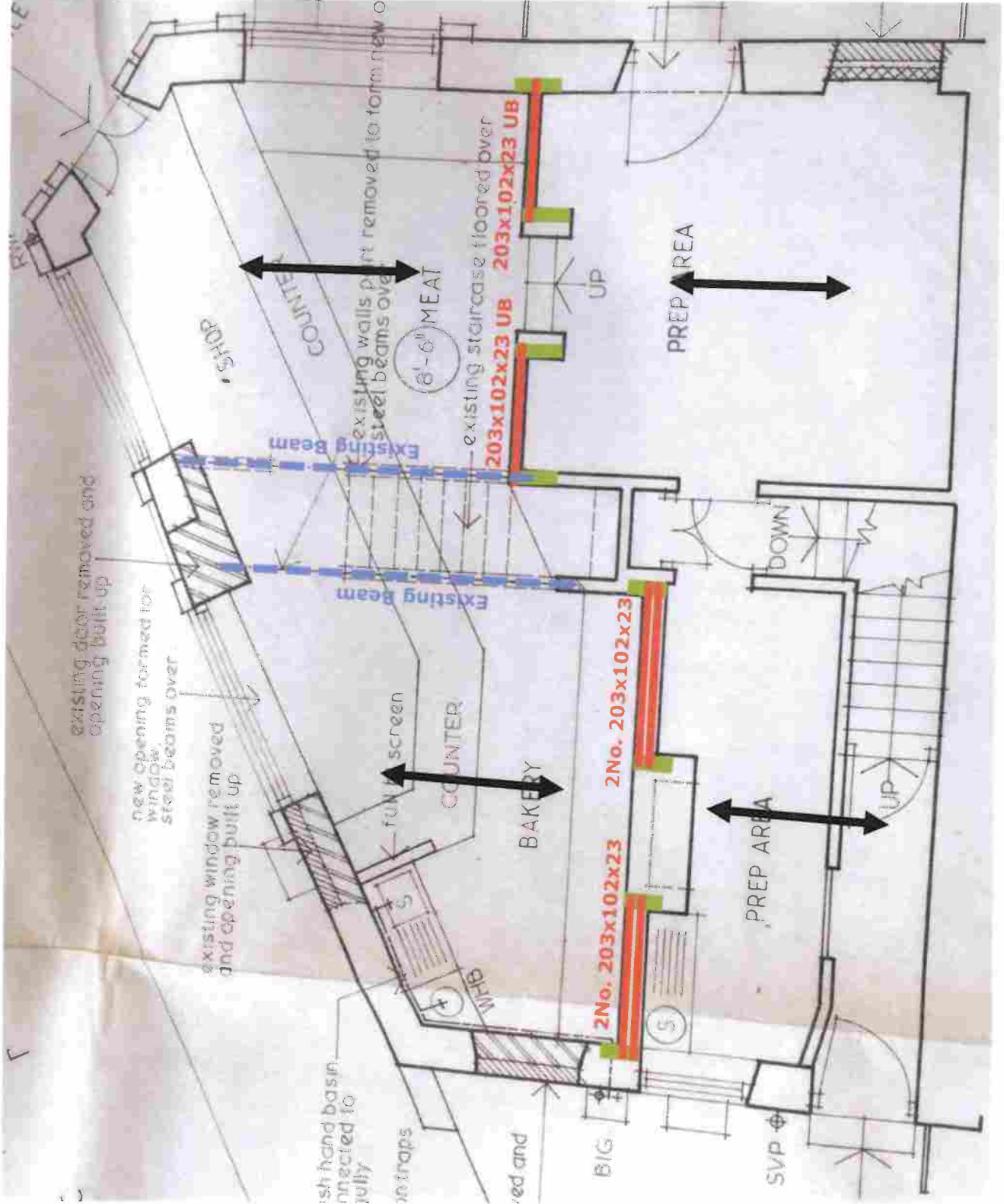
G083 96 Crookes, Sheffield
Sk01 Ground Floor Showing
Structure Over

Oct 19/tb

NOTES

- All Steel min S355.
- Beams to have min 100mm bearing where perpendicular to wall.
- All beams to have minimum 300x100x215 concrete padstone each end.
- Steelwork dimensions to be confirmed on site prior to fabrication.
- Steelwork fire protection requirements TBC with Building Control (exposed).

Assumed span of floor over TBC (worst case)



Appendix B

**Objection:
Health Protection Service, Sheffield City Council**



Objection from
Health and Safety 27/11/19

Parlett Daniel

From: Cresswell Elaine
Sent: 27 November 2019 15:20
To: [REDACTED] licensingservice
Cc: Parlett Daniel; Gibbons Sean (DEL)
Subject: FW: NEW LICENSING APPLICATION: Early Bar, 96 Crookes, Sheffield, S10 1UG SR 657828

Follow Up Flag: Follow up
Flag Status: Flagged

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

27th November 2019

Dear Mr Glover

FW: NEW LICENSING APPLICATION: Early Bar, 96 Crookes, Sheffield, S10 1UG SR 657828

I write with reference to the above application and would inform you that, at this stage, I have no alternative than to make a formal representation (objection) as the Responsible Authority towards public safety due to the internal proposed layout and arrangements shown in the plan, which are unsatisfactory.

I look forward to receiving a revised plan as discussed and hope to contact you tomorrow in order to resolve remaining issues and any conditions that may be required to be placed on the licence.

Kind Regards

Elaine Cresswell

Elaine Cresswell BSc (Hons)

Environmental Health Technician

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: elaine.cresswell@sheffield.gov.uk

www.sheffield.gov.uk

Appendix C

**Agreed Conditions:
South Yorkshire Police
Environmental Protection Service**

Agreed conditions with Police
Licensing 3/11/19.

Parlett Daniel

From: Tate Emily on behalf of licensingservice
Sent: 04 November 2019 09:15
To: Parlett Daniel
Subject: FW: NEW GRANT- EARLY BAR, 96 CROOKES

Follow Up Flag: Follow up
Flag Status: Flagged

From: SHEFFIELD_Licensing [mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk]
Sent: 03 November 2019 07:18
To: licensingservice
Subject: FW: NEW GRANT- EARLY BAR, 96 CROOKES

Good morning,

Following receipt of the above application, we have now received agreement of the following conditions/amendments as per the email below from the applicant:

- A CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open (in line with specification July 2019). 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.
- Staff training records must include induction and refresher training in relation to the protection of children from harm and in relation to the age verification scheme. Records will be maintained in writing and made available to the authorities for inspection on request.
- Customers' use of outside areas shall be for smoking purposes only and no open drinks shall be allowed to be removed from the premise.
- Zero tolerance policy in relation to drugs.

Please place on the licence should it be granted.

Many Thanks,
Catherine

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

Licensing Team
Tracey Klein 0114 2523948 internal 718948
Lucy Adams (Monday/Tuesday) 0114 2523617 internal 718617
Catherine Jarvis (Wednesday, Friday and Thursday morning) 0114 2523617 internal 718617

Alisa Mariden 0114 25231111 internal 718111
Daniel Barralough 0114 2523456 internal 718556
Enforcement officer Ian Armitage 0114 2523618 internal 718618
Enforcement officer Cheryl Topham 0114 2523163 internal 718163
MGR 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: Joe Glover [mailto: [REDACTED]]
Sent: 31 October 2019 14:52
To: SHEFFIELD_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>
Subject: Re: NEW GRANT- EARLY BAR, 96 CROOKES

Hello Catherine,

As per our conversation I am happy for all the below additional conditions to be added.

Thank you for your speedy response

Kind Regards

Joe Glover

Sent from my iPhone

On 31 Oct 2019, at 14:48, SHEFFIELD_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk> wrote:

Dear Mr Joseph Glover,

Following receipt of the application for a premise licence for "Early Bar", 96 Crookes, I have reviewed the proposals and would require the below conditions adding to the licence to further promote the four licensing objectives:

- A CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open (in line with specification July 2019). 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.
- Staff training records must include induction and refresher training in relation to the protection of children from harm and in relation to the age verification scheme. Records will be maintained in writing and made available to the authorities for inspection on request.
- Customers' use of outside areas shall be for smoking purposes only and no open drinks shall be allowed to be removed from the premise.
- Zero tolerance policy in relation to drugs.

I would be obliged if you could confirm whether you are happy for the above to be placed on the licence?

Once confirmation has been received I will forward on to the council for it to be included on the license should they Grant it.

Many Thanks,
Catherine

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

Licensing Team

Tracey Klein 0114 2523948 internal 718948

Lucy Adams (Monday/Tuesday) 0114 2523617 internal 718617

Catherine Jarvis (Wednesday, Friday and Thursday morning) 0114 2523617 internal 718617

Alicia Marsden 0114 2523111 internal 718 111

Daniel Barraclough 0114 2523556 internal 718556

Enforcement officer-Ian Armitage 0114 2523618 internal 718618

Enforcement officer-Cheryl Topham 0114 2523163 internal 718163

MGR John O'Malley internal 714308

Website address - southyorks.police.uk

<image001.png><image002.png><image003.png>

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.

SYP Alerts offers information about local policing issues by text, email or voice message.

Sign-up now at www.sypalerts.co.uk #SignMeUp

<CCTV min spec and Check list July 2019.doc>

This email has been scanned by the Symantec Email Security.cloud service.

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

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

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

Agreed conditions with + APP Amend new
Environmental Protection 22/11/19

Parlett Daniel

From: Crawshaw Michael (CEX) on behalf of licensingservice
Sent: 22 November 2019 09:43
To: Parlett Daniel
Subject: FW: Grant Premises Licence application - 96 Crookes; 'Early Bar Ltd.'

Follow Up Flag: Follow up
Flag Status: Flagged

From: Pates Neal
Sent: 22 November 2019 09:37
To: licensingservice
Cc: [redacted] Health Protection; Sheffield.Liquor-Licensing@southyorks.pnn.police.uk
Subject: FW: Grant Premises Licence application - 96 Crookes; 'Early Bar Ltd.'

Dear Licensing,

In accordance with the applicant's emailed agreement, please implement the EPS recommendations a) to d), as per the email thread below. The agreed points are:

- a) Section F – Recorded Music ; This should be removed entirely
- b) Section J – Supply of Alcohol ; Revise to a terminal hour of 22:40 on all days (to allow for 20 mins 'drinking up' time).
- c) Section L – Opening Hours ; Revise to a terminal hour of 23:00 on all days.
- d) Amend the conditions volunteered in the Operating Schedule under 'Prevention of Public Nuisance' to;
 - i. Except for access or egress, all doors and windows will remain closed after 22:00 hours.
 - ii. Signs near all exits of the premises must clearly communicate that customers must respect the needs of local residents, and leave the premises quietly.
 - iii. The Designated Premises Supervisor or a delegated member of staff shall take a pro-active approach to noise control, checking to ensure that noise from customers in the immediate vicinity of the premises (such as smokers), and those departing the premises, is managed so as not to cause a nuisance to occupiers of nearby residential properties.
 - iv. Licensable activities shall not commence until a scheme of sound attenuation works have been carried out to the written satisfaction of Sheffield City Council's Environmental Protection Service. The scheme shall include a scheme of works based on recommendations made by a suitably qualified acoustic professional, designed to mitigate sound transmission to adjoining noise sensitive properties, including attenuation of noise from any plant or ventilation provisions installed, and the mitigation of structure borne or impact noise (such as from any doors, shutters, furniture movement, etc.).

Let me know if there are any questions.

Kind regards,

Neal

Mr Neal Pates
Environmental Protection Officer

EPS/ Commercial Team
Sheffield City Council
Tel: 0114 273 4601
Email: eps@scs.gov.uk
url: www.scs.gov.uk

From: Joe Glover [mailto: [REDACTED]]
Sent: 21 November 2019 17:02
To: Pates Neal
Cc: licensingservice
Subject: Re: Grant Premises Licence application - 96 Crookes; 'Early Bar Ltd.'

Hi Neal,

Further to our conversation earlier, I am happy to adhere to all the recommendations as below. We will also be seeking a consultant regarding the sound attenuation works required to properly protect neighbouring residence from any excess noise.

Soft closers in doors are going to be in place and the floor covering we are planning is to be vinyl on order to reduce noise from furniture etc.

Kind Regards

Joe

Sent from my iPhone

On 20 Nov 2019, at 16:27, Pates Neal <Neal.Pates@sheffield.gov.uk> wrote:

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

RE: Grant Premises Licence application - 96 Crookes: 'Early Bar Ltd.'

Dear Mr Glover,

I represent Sheffield City Council's Environmental Protection Service (EPS) as Responsible Authority for the Prevention of Public Nuisance for this application. I have reviewed the application and I must inform you of my objection to the application in its current form.

My concerns are largely around the timings for the premises, and the inclusion of Regulated Entertainments. These issues are relevant to the Prevention of Public Nuisance because the premises adjoins residential property (with properties both above, and adjacent). The premises is also on the fringes of the Crookes local shopping centre, and is largely residential in the immediate locality.

The age of the building is such that acoustic separation may be poor, particularly between the ground floor and the flat above (323 School Road). A suitable scheme of sound insulation works will need to be agreed and installed as approved I writing with EPS, prior to the use as a licenced premises commences.

Regardless, EPS advise that the sensitivity of the premises is such that Regulated Entertainments (i.e. Recorded Music) should be removed from this application. The premises are not suited to music being played at above background levels (i.e. at a level which would constitute a licensable activity). Neither entrance has an acoustic lobby, and the layout could not practically accommodate such.

EPS also advise that the use of the premises is limited such that customers are only allowed on the premises until 2300 hours. This is suggested in the opening text of the Operating Schedule, but then contradicted in the hours specified within sections F (Recorded Music), J (Supply of Alcohol) and L (Opening Hours).

So, may I recommend that the following changes are implemented, in the interests of the Prevention of Public Nuisance.

EPS Recommendations

- a) Section F – Recorded Music ; This should be removed entirely

- b) Section J – Supply of Alcohol ; Revise to a terminal hour of 22:40 on all days (to allow for 20 mins 'drinking up' time).
- c) Section L – Opening Hours ; Revise to a terminal hour of 23:00 on all days.
- d) Amend the conditions volunteered in the Operating Schedule under 'Prevention of Public Nuisance' to;
 - i. Except for access or egress, all doors and windows will remain closed after 22:00 hours.
 - ii. Signs near all exits of the premises must clearly communicate that customers must respect the needs of local residents, and leave the premises quietly.
 - iii. The Designated Premises Supervisor or a delegated member of staff shall take a pro-active approach to noise control, checking to ensure that noise from customers in the immediate vicinity of the premises (such as smokers), and those departing the premises, is managed so as not to cause a nuisance to occupiers of nearby residential properties.
 - iv. Licensable activities shall not commence until a scheme of sound attenuation works have been carried out to the written satisfaction of Sheffield City Council's Environmental Protection Service. The scheme shall include a scheme of works based on recommendations made by a suitably qualified acoustic professional, designed to mitigate sound transmission to adjoining noise sensitive properties, including attenuation of noise from any plant or ventilation provisions installed, and the mitigation of structure borne or impact noise (such as from any doors, shutters, furniture movement, etc.).

Please let me know if you are happy to agree the above, or if any changes are sought. The last date for representations is understood to be 27th November 2019. I hope that agreement can be reached, so as to avoid the need for this objection to be carried forward to a hearing by the Licensing Sub-Committee.

Please do feel free to contact me directly by return of email, or using my mobile number, below. In my absence, the EPS team can be contacted using the landline number below.

Kind regards,

Neal

Neal Pates
Environmental Protection Officer

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

Tel: +44 (0)114 273 4651
Mob: +44 (0)7799 528 098
Int: x 53533
Web: <http://www.sheffield.gov.uk/environmentalhealth>

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- specialist cleaning services involving the removal of bodily fluids, used needles and other noxious materials.
- pest control including individual treatments and annual contracts.
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Our rates are competitive. Call 0114 2930356 now for a personalised service.

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

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Appendix D

Hearing Notices and Regulations



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

Elaine Cresswell
Health Protection Service
Sheffield City Council

Sent via email: elaine.cresswell@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the 30th October 2019 received an application in respect of the premises known as;

Early Bar, 96 Crookes, Sheffield, S10 1UG

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

- **Health Protection Service, Sheffield City Council**

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 **17th December 2019 12pm**; 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) 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 five (5) working days before the day or the first day on which the hearing is to be held.

Dated: 3rd December 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



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

Mr Joe Glover
On behalf of Early Bar Ltd

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 30th October 2019 received an application in respect of the premises known as;

Early Bar, 96 Crookes, Sheffield, S10 1UG

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

- **Health Protection Service, Sheffield City Council**

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 **17th December 2019 12pm**; 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: 3rd December 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.

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 **Joe Glover**

Of **Early Bar Ltd**

hereby confirm that I have received the Notice of Hearing dated 3rd December 2019 and notify you as follows **(please complete)**:

I intend to attend the hearing at Town Hall, Sheffield on 17th December 2019 at 12pm

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.