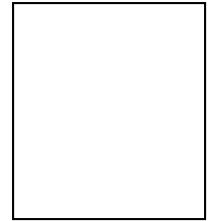




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 17th March 2020 at 11am - Deferred from 10th March 2020

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.

Bluez, 1 Scholey Street, Sheffield, S3 8AP

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 25/20

Bluez, 1 Scholey Street, Sheffield, S3 8AP

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 Anton Smith of Bluez Ltd.

2.2 The application, which was received on 14th January 2020, 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:-

- Health Protection Service, Responsible Authority for Sheffield City Council
- Environment Protection Service, Responsible Authority for Sheffield City Council

3.2 During the consultation period, the applicant has agreed to amend the operating schedule as requested by the Environmental Protection Service, along with volunteering some additional conditions. An amended plan has been requested but this is still outstanding. Details of the amended timings and volunteered conditions are detailed in Appendix 'C'.

3.3 South Yorkshire Fire and Rescue have also provided advice and information to the applicants as part of the consultation, and have given them a 28 day Action Plan to ensure the standard of the premises required under the Regulatory Reform (Fire Safety) Order 2005 are compliant in line with this legislation.

3.4 The applicant and objectors 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

Date: 10th March 2020.

Appendix 'A'

Application



Sheffield
Application for a premises licence
Licensing Act 2003

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

CWP 12201184809

1570. 925796 extno

13/11/2020 11.0
 Rec 14/11/2020

* 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

Other telephone number

Include country code.

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.

Registration number

Business name

VAT number

Legal status

If your business is registered, use its registered name.
 Put "none" if you are not registered for VAT.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

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...

Limited 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.

The subject premise's is situated on Scholey Street, accessed directly off Derek Dooley Way (Inner Ring Road). Providing excellent transport links. One of the main bus routes to the city centre nearby. There are no immediate residential properties. The nearest sensitive residence approximately 60 meters away on the Wicker A6135, a main bus route to the city centre and adjacent to the busy A61. Approx 500 metres away across the busy A6135 and A61 intersection is the Crown Plaza Royal Victoria Hotel.

Continued from previous page...

The current property has been vacant for over a year and is becoming subject to graffiti and vandalism. A Solar company used to operate within the building, but the company only used part of the building. The workshop at the rear has not been used for a number of years.

The proposal is to allow a café within the building for food and refreshments. To allow a events which includes music events & DJ workshops around how to use the equipment. Salsa lessons, social events. To allow students to showcase their skills in the main room and allow entertainment. To allow for bookings for conferences and events.

The property forms part of a collection of former workshops. The premises has been refurbished and provides a good quality business unit providing a large open plan main space (1,057sq ft.) with exposed beams under a pitched roof the plan is that this will be converted into a bar an house a small kitchen. To the sides there are 2 further rooms (120 sq. ft. and 220 sq. ft.). To the rear is a former workshop (435 sq. ft.) which is accessed via the courtyard.

The proposal is that toilets, Females – 4 cubicles 3 sinks, male – 2 cubicles 3 urinals, 2 sinks and 1 unsex toilet with a sink will be fitted to the previous workshop rooms (220sq.ft.) on the right of the main building. There is already a disable toilet fitted within the main room. Installing the toilets will not require any major building work. There is existing sewage manhole right outside that will easily connect to the soil / sewage pipes.

The proposal for the large open plan main space (1,057sq ft.):-

Café - a small kitchen an extractor to be fitted for refreshments a bar
Social and late-night entertainment mainly weekend Friday & Saturdays.

The proposal for the former workshop (435 sq. ft.): -

Day time music DJ workshop
Conference / Training room
Salsa and Dance workshops

On street parking is available close to the premises. Directly across from the premises there are two council public car parks.

The premises are arranged on the ground floor, internal area of 1,838 sq. ft. The business is aimed at 25s and over and customers will need to be a member to access night time bar, Young people under 18years old accompanied by a member would be restricted to leave at 9pm generally or be restricted to access specific area for private bookings only. (See The protection of children from harm).

There is disable access to the premises including a disable toilet within the main area. There will be separate male and female toilets totalling 3 sets of toilets (within the planned side room).

There are two entrances to the building (one on Scholey Street which will be the main entrance and the other at the rear Andrew Lane).

There will be no major modification of the premises apart from the separate male and female toilets.

Bluez will be a unique, exclusive stylish and intimate place where customers can socialise. Bluez will cater for small to medium size groups, individuals and couples. Books for celebrations, funerals, business meetings etc. Our Lounge / Grill / bar is not aimed at clubbers that frequent the larger establishments. Customers can enjoy our variety small range refreshments with our range of alcoholic and non-alcohol cocktails, hot and cold drinks. The courtyard in the summer will be used for BBQ's and will have a tropical theme. Refreshments will be served at the bar until times specified below.

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

Continued from previous page...

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

Standard Days And Timings

MONDAY

Start

End

Start

End

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

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...

Will the exhibition of films 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.

Occasional film evenings

State any seasonal variations for the exhibition of film

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

Non standard timings. Where the premises will be used for the exhibition of film 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.

Bank Holidays 10:00 until 06:00
New Year's Eve (31/12) 10:00 until 06:00
Boxing Day 10:00 until 04:30

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

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

Continued from previous page...

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

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.

Occasional Board games

State any seasonal variations for indoor sporting events

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

Non-standard timings. Where the premises will be used for indoor sporting events 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.

Bank Holidays 10:00 until 06:00
New Year's Eve (31/12) 10:00 until 06:00
Boxing Day 10:00 until 04:30

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

Continued from previous page...

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

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

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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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.

Occasional singers and performers

Continued from previous page...

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.

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.

Bank Holidays 10:00 until 06:00
New Year's Eve (31/12) 10:00 until 06:00
Boxing Day 10:00 until 04:30

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

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...

SATURDAY

Start 10:00

End 04:30

Start

End

SUNDAY

Start 10:00

End 04:30

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.

Occasional music outdoors in the centre courtyard during the summer this will end two hours before the indoor music. Sound levels would be monitored appropriately when amplified music is played.

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.

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.

Bank Holidays 10:00 until 06:00
New Year's Eve (31/12) 10:00 until 06:00
Boxing Day 10:00 until 04:30

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes

No

Standard Days And Timings

MONDAY

Start 10:00

End 02:00

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 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 performance of dance 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.

Occasional dance performances and breakdancers

State any seasonal variations for the performance of dance

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

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

Continued from previous page...

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

Bank Holidays 10:00 until 06:00
New Year's Eve (31/12) 10:00 until 06:00
Boxing Day 10:00 until 04:30

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

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

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WEDNESDAY

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THURSDAY

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End

FRIDAY

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SATURDAY

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End

Continued from previous page...

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.

Cafe will be open for late-night refreshment.

This will encourage customers attending the bar to eat whilst drinking and prevent over drinking.

State any seasonal variations

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

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.

Bank Holidays 10:00 until 06:00
New Year's Eve (31/12) 10:00 until 06:00
Boxing Day 10:00 until 04:30

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="04:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="04:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="04:30"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

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.

Bank Holidays 10:00 until 06:00
New Year's Eve (31/12) 10:00 until 06:00
Boxing Day 10:00 until 04:30

Continued from previous page...

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 / /

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

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.

Continued from previous page...

N/A

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.

TUESDAY

Start

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WEDNESDAY

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THURSDAY

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Start

End

FRIDAY

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End

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End

SATURDAY

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SUNDAY

Start

End

Start

End

State any seasonal variations

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

Continued from previous page...

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.

Bank Holidays 10:00 until 06:00
New Year's Eve (31/12) 10:00 until 06:00
Boxing Day 10:00 until 04:30

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)

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

In order to promote all four licensing objectives the business will:-

Have effective management controls. All staff will be trained to ensure that they have excellent knowledge of the premises licence and the expectations the company requires of them, in particular: -

- No selling of alcohol to underage people with our Challenge 25 Scheme
- The sale of alcohol will cease 15 minutes before closing
- No drunk and disorderly behaviour on the premises area
- Vigilance in preventing the use and sale of illegal drugs at the retail area
- Prevention of violent and anti-social behaviour
- Protecting children from harm
- Partnership working and sharing good practice

All employees' contracts will include staff training on in-house rules and standards, also guidelines regarding Challenge 25 Scheme. in order to promote at all times the four licensing objectives. Any breach by staff would be taken very seriously as it would fail to protect the public and jeopardise our licence. We will work with strategic partnerships with other agencies to ensure compliancy.

Sonia Graham, one of the directors of Bluez Ltd is a qualified HCPC Registered Children's Social Worker in the area of Child Protection with over 25 years post experience. Anton Smith is trained and holds a SIA Badge and has worked in the area of security for over 8 years across Yorkshire. Both hold a Personal License and will manage the business and staff. Anton Smith will be Designated Premises Supervisor.

Promotion all four licensing objectives will include:

- Operating Schedule providing the hours of operation and licensable activities during those hours. Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale
- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.
- CCTV system installed with recording facility and remote monitoring and follow South Yorkshire Police recommendations.
- Alarm system within the premises with remote notification of intrusions.

As a licensed premise, we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures

b) The prevention of crime and disorder

Continued from previous page...

Bluez will be a member's only facility in order to access the venue after 9pm.. Customers will have to register, (with details such as address and date of birth, clear photo and produce ID) once accepted members will have a photo ID card which is scanned when they visit the premises. Membership will help deter those who have a devious history of causing trouble. Furthermore, any anti-social behaviour inside or directly outside the premises will result in a lifetime ban and their membership will be revoked.

A remote recordable state of the art CCTV System installed to monitor the exterior and interior will be installed. Four additional cameras within to monitor other key areas of the premises in order to address the prevention of crime objective. Notices advising that CCTV has been installed on the premises shall be posted up so that they are clearly visible to the public within the licensed premises.

The business would be happy to participate in the piloted the Best Bar None Scheme by the police and partners available for all city centre pubs, bar, clubs and restaurants as the business would wish to be part of this recognised award scheme supported by the Home Office and aimed at promoting responsible management and operation of alcohol licensed premises.

There will be a clear and legible notice displayed outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

Customers drunk or intoxicated will not be allowed into the premises and no selling of alcohol to drunk or intoxicated customers. There will be a zero-tolerance policy which will be displayed and enforced.

Take responsible management of group admissions such as hen and stag groups to ensure the safety of other customers.

Management will conduct a risk assessment per event, to determine if any SIA Door Supervisors will be needed. All SIA Door Supervisors will have valid licenses.

A 'Excluded' and or 'Dispersal' Policy will be in place.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

Prevention and vigilance in illegal drug use at the retail unit area. Zero tolerance on drugs which will be displayed and enforced.

Staff will be well trained in managing potential challenging customers to ensure the premises is used in an orderly and respectful manner and prevent binge drinking.

Customers will not be allowed to take alcohol off the premises or bring their own alcohol on the premises.

During live events, there will be SIA trained staff on premises to prevent crime and disorder within the premises.

c) Public safety

Bluez will be a member's only facility. Customers will have to register, (with details such as address and date of birth and produce ID) Once approved members will have a photo ID card which is scanned when they visit the premises. Membership will help deter those who have a devious history of causing trouble. Furthermore, any anti-social behaviour inside or directly outside the premises will result in a lifetime ban and their membership will be revoked.

As well as management responsibilities, all staff will receive training in the following: -

- Public safety in relation to adherence to environmental health requirements
- Implementation of underage ID checks (Challenge 25)

Continued from previous page...

- Food safety legislation
- Level 2 food hygiene
- Evacuation procedures
- Carrying out risk assessments
- Adhering to occupancy limit requirement
- Health & Safety procedures

Food registration with Sheffield City Council.

Measures to promote sensible drinking will be in place.

Recordable state of the art CCTV System installed to monitor the exterior and interior of the premises.

Appropriate lighting in key areas. Appropriate external lighting.

Mr A. Smith – PLA who will be the DPS who is also a SIA holder and will assess the need to employ Door Supervisors (SIA) as the business develops and as part of the on-going risk assessment of the business.

There will be a register kept on the premises of door supervisors used. The register will be fully completed and signed by the door supervisor and person in charge of the premises prior to any door supervisor commencing any duty and upon completion of any duty. The register will contain the full name and SIA badge number of any door supervisor used at the premises.

A log book or recording system shall be kept on the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

Escape routes and exits, including external exits, shall be maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.

Regular maintenance and checks of the premises. All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and safe. Checks recorded any public safety concerns to be dealt with immediately.

An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.

This business is keen to work in partnership with the local Fire Service and Environmental Health Officer to ensure public safety.

Valid public liability insurance shall be kept in force and a copy of the schedule shall be available for inspection by an authorised officer on request.

d) The prevention of public nuisance

Bluez will be a member's only facility. Customers will have to register, (with details such as address and date of birth and produce ID) for membership and will have a photo ID card which is scanned when they visit the premises. Membership will help deter those who have a devious history of causing trouble. Furthermore, any anti-social behaviour inside or directly outside the premises will result in a lifetime ban and their membership will be revoked.

The late-night café/bar would be only open mainly weekends to registered members only. There would be background music and of course equipment is fitted with a limiter. There would be double entry doors so to minimise any breakout noise.

The nearest sensitive residence approximately 60 meters are 95 Wicker building which is separated by a large unused

Continued from previous page...

commercial building (appears derelict). 95 The Wicker is situated on the busy A6135 a main busy bus route to the city centre from the north of Sheffield as well as adjacent to the A61.

Noise reduction measures will be put in place to address the public nuisance objective would include:-

Clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

Interior soundproofing will be installed to enhance noise reduction and work in par with environmental health.

From 23:30 there will be a restriction of noise breakout from the premises a minimum of seven metres from the rear façade of the property to levels not exceeding: -

All amplified sound will be played through a sound limiter with recommendations from the Environment Health. We will be working with environmental health to ensure appropriate levels.

Residents nearest to the property will be given a 'hotline contact number' in order for any breakout noise to be dealt with immediately, although we are confident the measures will address potential breakout noise.

Although it will be rare for staff to arrive early morning, staff will depart late at night when the business has ceased trading. It is a requirement of staff's working terms and conditions to conduct themselves in such a manner to avoid causing any disturbance to nearby residents.

Dispersal policy will be in place and implemented. Customers will be encouraged not to stand around loudly talking in the street outside the premises.

The business does not allow customers to take food or drink off the premises which will therefore reduce the litter outside the business. Any movement of bins and rubbish outside the premises, which would be unlikely, will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.

Adequate waste receptacles for smokers be provided to avoid cigarette butts outside.

e) The protection of children from harm

Staff will be trained by Sonia Graham (director) who is HCPC registered and experience in Child Protection and safeguarding this training would highlight staff and management requirement to:-

- Challenge anyone who looks underage
- Identify and Inspect ID acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to purchase or drink alcohol in the restaurant
- Identify Child Protection concerns

"Challenge 25" sign will be displayed and enforced. The only acceptable proof of age ID's at the premises are Proof Of Age Standard Scheme (PASS) cards, Passports & photo card driving licences. Staff will be trained in identifying false ID.

Prevent adults buying alcohol for customers underage. As part of Child Protection any adult seen buying alcohol for someone underage will be challenged and reported.

Strict age restrictions will be applied:

Under 18s must be accompanied by a responsible adult. Anyone under 18 years old will have to leave the premises by 21:00 Monday to Thursday and 21:30 Friday to Sunday, unless there it is a private booking and the venue is not open to the public/members.

For private functions bookings, this can only be allowed to be booked by an adult, who would need to agree that they will

Continued from previous page...

be 2 responsible adults who have a duty to support staff in monitoring young people at their function. A risk assessment will be carried out between management and venue hirer, to determine appropriate time for under 18s to leave the venue.

Mixed groups of young people e.g. 16 years – 21 years, the purchase of alcohol will not be permitted in order to prevent underage members of the group being given alcohol.

Any staff breaching the protection of children from harm, following their initial induction training. Will be dismissed as gross misconduct. Training will be carried out by Sonia Graham, HCPC registered Social Worker.

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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 birth or adoption certificate issued 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 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.

Continued from previous page...

- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

Continued from previous page...

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.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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

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	<input type="text" value="Bluez"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
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 >](#)



* required information

Section 1 of 3

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.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 3

CONSENT

Name Of Proposed Premises Supervisor

* First name

* Family name

Address Of Proposed Premises Supervisor

* Building number or name

* Street

District

* City or town

County or administrative area

Postcode

* Country

I hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the following application, and any premises licence to be granted or varied in respect of this application concerning the supply of alcohol at the premises

* Type of application

For instance 'Application for a premises licence' or 'Variation of a premises licence'

Is the application or variation that this consent is being submitted in connection with being supplied electronically to the authority

Yes No Don't know

Reference number of electronic application (if known)

If the application or variation form is already submitted, ask its applicant for the form's 'system reference' or 'your reference'.

Continued from previous page...

Premises Licence Holder

* Name Anton Smith

Address Of Premises

* Building number or name 1

* Street Scholey Street

District

* City or town Sheffield

County or administrative area

Postcode S3 8AP

Premises

Premise licence number

* Name of premises Bluez

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 SY06222 PER

Personal licence issuing authority name Sheffield City Council

Address Of Personal Licence Issuing Authority

Building number or name Licensing Services, Block C

Street Staniforth Road

District

City or town Sheffield

County or administrative area

Postcode S9 4HD

Contact Details Of Personal Licence Issuing Authority

Telephone number 0114 2734264

Section 3 of 3

DECLARATION

* I 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 have set out in this form.

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

Continued from previous page...

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

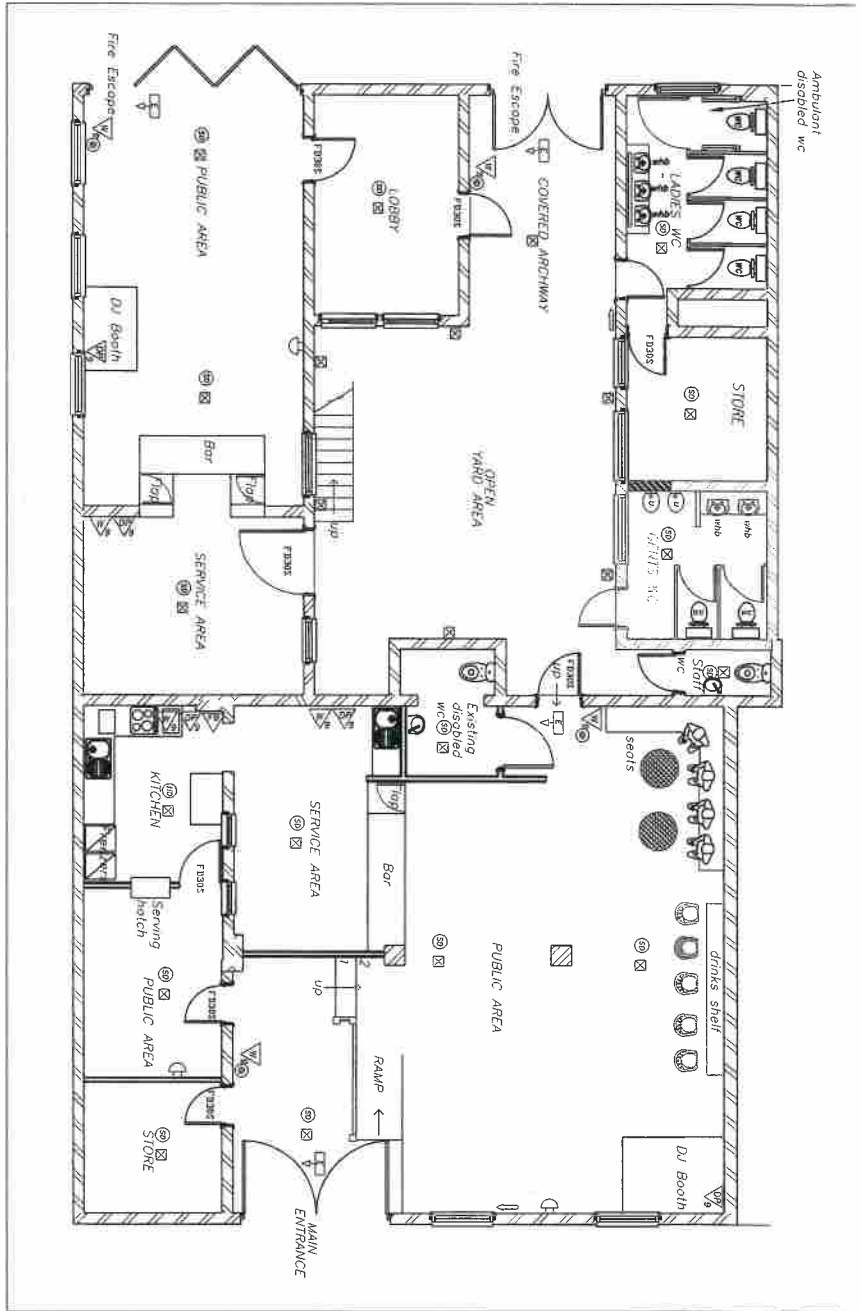
* Capacity

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/change-7> to upload this file and continue with your application.

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



- KEY TO FIRE PRECAUTIONS**
- ☒ Emergency light fittings
 - ☒ Running room illuminated directional exit signs
 - ☒ Glow type directional arrows
 - ☒ Fire alarm call points
 - ☒ Heat detector
 - ☒ Ionising smoke detector
 - ☒ Fire alarm sounder
 - ☒ 9 litre Water Extinguisher
 - ☒ 9 litre Dry Powder Extinguisher
 - ☒ Glass fibre fire blanket
 - ☒ Self closing 30 minute fire door with smoke seals
 - ☒ Disabled alarm light

All work to comply with Building Regulations and all other regulations in force and to satisfy the District Building Inspector

Disabled Toilets - to comply with Building Regulations Approved Document M1/M3 Volume 2 of 2015 Edition using Diagrams 18,19,20 and 21.

Electrics to comply with Part P and a Certificate of compliance to be produced at end of job

Fire Precautions to comply fully with the British Standard and part B Building Regulations

Glazing and manifestation to comply with Building Regulations Part N for glazing

Drainage to comply with Building Regulations Part H

REV.	DATE	DESCRIPTION	CHKD

A.J. MARSH BUILDING SURVEYORS LTD
 97 Beaus Road
 Sheffield
 S11 9RH
 Phone: 0114 236 1634 Mobile: 07966 510669
 e-mail: a.j.marsh@btinternet.com
 www.marshbuildingurveyors.co.uk

Building Surveying, Design, Project Management, CDM Principal Designer

Property Address
 1, Scholey Street,
 Sheffield, S3 8AP.

Project Title
 Proposed Bar

Drawing Title
 Layout as proposed
 with fire precautions

Drawn AJM	Checked
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Scale 1:100 at A3	Date December 2019
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Project No. 2019/42	Drawing No. 2	Rev.
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Appendix 'B'

Objections:

Health Protection Service
Environmental Protection Service

Ruston Carol (Finance)

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 07 February 2020 12:05
To: Ruston Carol (Finance)
Subject: FW: Bluez, 1 Scholey Street, Sheffield, S3 8AP
Attachments: Addressing H&S Sean Gibbons Concerns.pdf

From: Gibbons Sean (DEL)
Sent: 07 February 2020 12:01
To: bluez.sheffield@gmail.com
Cc: licensingservice; Pates Neal
Subject: FW: Bluez, 1 Scholey Street, Sheffield, S3 8AP

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 Anton,

Thank you for your detailed response.

I have put a further response below to the information you have provided (highlighted in yellow).

Could you also confirm that you are providing an amended plan?

Due to the consultation period which ends early next week, I feel that there is little option but to object to the application as it currently stands.

I suggest that we set up a meeting to discuss further,

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*

From: Bluez Sheffield [mailto:bluez.sheffield@gmail.com]
Sent: 06 February 2020 07:54

To: Gibbons Sean (DEL)

Subject: Re: Bluez, 1 Scholey Street, Sheffiled, S3 8AP

Good morning Sean,

Thanks for your email. I have attached a document addressing the concerns you mentioned in your email. I hope we have met your concerns and can come to a mutual agreement. I look forward to **hearing** from you.

Many thanks,

Anton Smith

On Wed, Feb 5, 2020 at 8:13 AM Gibbons Sean (DEL) <Sean.Gibbons@sheffield.gov.uk> wrote:

Dear Anton,

I email further to your licence application and my subsequent visit with Karl Harrison from South Yorkshire Fire Service on 3 February 2020.

Numerous concerns were noted and discussed during the visit as follows;

Asbestos

I would urge you to discuss this With your landlord as a matter of urgency. It would not be unusual for a building of this age and previous usage to contain asbestos, as it was widely used in the past. The absence of an asbestos survey and asbestos register concerns me. There are signs that insulating boards have previously been removed in the covered archway as shown on the plan. There is also a great deal of associated pipe work.

The Control of Asbestos Regulations 2012, places a legal duty on the owner / occupier / managing agent of non-domestic buildings to develop an asbestos management plan.

This means that you must:-

- Find out whether or not there is any asbestos in the building
- Presume that materials contain asbestos unless there is strong evidence to suggest they do not
- Assess the condition of any asbestos found as to whether or not it is likely to be damaged or disturbed to determine the risk of exposure
- Identify if any action is needed to manage the asbestos in the building (i.e. sealing, encapsulation, or removal).
- Keep records of the presence of asbestos in the building and identify.

its location by labelling affected areas and/or drawing up a reference plan

- Warn people who intend to work on the building e.g. contractors, of the presence and location of asbestos to prevent accidental exposure
- Regularly check the condition of asbestos in the building and review and update the plan.

Remember

- Asbestos is only dangerous when disturbed. If it is safely managed and contained it does not present a health hazard.
- Don't remove asbestos unnecessarily. Removing it can be more dangerous than simply containing it.
- If you don't know get expert help

The approved code of practice- "the management of asbestos in non-domestic premises" L127 (2nd edition 2006) is guidance on how to comply with Regulation 4, and is available from the Health and Safety Executive (HSE), by telephone 01787 881165, and from bookshops. Other priced and free publications are also available. Free leaflets, including (A short guide to Managing Asbestos in premises INDG223 (rev 3) ISBN 0 7176 2564 8) can be downloaded from HSE's website: <http://www.hse.gov.uk> - Free Leaflets - Asbestos.

Your comments are noted. An asbestos survey will be required for the premises in connection with my comments made. Under the CDM Regulations (Construction, Design & Management Regs) this would also be required prior to any building works being carried out.

Layout and design

With respect to the plan submitted with the application and my subsequent visit, I have concerns with regards to the proposed layout. There are numerous doors for example that open over steps. This is a concern for any premises, but particularly so for premises proposing to operate until early hours of the morning providing alcohol for consumption on site.

There are no proposals to fixed permanent access to the accessible WC as there is a step which is not shown on the plan (existing disabled wc as shown on plan) and the proposal to use a temporary removable ramp in an area that will potentially see heavy footfall in a thoroughfare is not practical, safe or acceptable.

The plan shows proposed access to the toilet facilities without being covered. Sanitary accommodation should be internally situated, but where this is impractical in existing premises, access must be via a covered passageway and must be adequately lit.

Structural

Parts of the premises subject to this application are showing signs of deterioration. In order to ensure public safety, a structural engineer should assess the premises. Any recommendations as made by a structural engineer with respect to safety must be followed.

The suspended floor in the public area next to the main entrance should be assessed to ensure that it is suitable with respect to the intended capacity and proposed usage (dynamic loading)

You mentioned carrying out alterations to the main entrance. Any alterations should be in accordance with Building Regulations, including Part M.

We will request a structural engineers report for the building to confirm that it is structurally sound.

Other alterations should be agreed and demonstrated in an amended plan.

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.

You must ensure that you provide suitable access and facilities for wheelchair users. In the public area next to Andrew Lane there is no provision or suitable route to an accessible WC.

Agreed

Licensed areas

With respect to any amended plan to be submitted, I would request that the licensed areas be clarified by providing a 'line of licensable activities' and legend on the plan.

Agreed

Certification

A satisfactory electrical certificate must be provided for the premises.

Agreed

A Building Regulation Completion Certificate will be required and must be submitted to the responsible authority for public safety.

Agreed

I strongly recommend that you discuss these issues with your landlord and architect and provide an amended satisfactory plan to address these issues. All works must satisfy Building Regulations. Local Authority Building Control can be contacted on - 0114 273 4168. You can apply online at: buildingcontrol.planningportal.co.uk/

Please do not hesitate to contact me should you wish for me to clarify any of the above. I would also be happy to meet you again, your architect or landlord in order to work towards a satisfactory solution to protect public safety.

I have attached our Code of Practice for Licensed Premises (with respect to public safety) for your convenience.

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

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Asbestos

I would urge you to discuss this With your landlord as a matter of urgency. It would not be unusual for a building of this age and previous usage to contain asbestos, as it was widely used in the past. The absence of an asbestos survey and asbestos register concerns me. There are signs that insulating boards have previously been removed in the covered archway as shown on the plan. There is also a great deal of associated pipe work.

The Control of Asbestos Regulations 2012, places a legal duty on the owner / occupier / managing agent of non-domestic buildings to develop an asbestos management plan.

This means that you must:-

- Find out whether or not there is any asbestos in the building
- Presume that materials contain asbestos unless there is strong evidence to suggest they do not
- Assess the condition of any asbestos found as to whether or not it is likely to be damaged or disturbed to determine the risk of exposure
- Identify if any action is needed to manage the asbestos in the building (i.e. sealing, encapsulation, or removal).
- Keep records of the presence of asbestos in the building and identify its location by labelling affected areas and/or drawing up a reference plan
- Warn people who intend to work on the building e.g. contractors, of the presence and location of asbestos to prevent accidental exposure
- Regularly check the condition of asbestos in the building and review and update the plan.

Remember

- Asbestos is only dangerous when disturbed. If it is safely managed and contained it does not present a health hazard.
- Don't remove asbestos unnecessarily. Removing it can be more dangerous than simply containing it.
- If you don't know get expert help

Regarding the asbestos, we have had advice and visit from 'Sheffield's Asbestos Surveyor' based at Kelham Island confirmed that area in the smoking area you were initially concerned about was just plasterboard and from inspection of the other area, he believes there is no asbestos. However, if needed, he will be able to carry about a management survey of the premises to confirm his findings.

Layout and design

With respect to the plan submitted with the application and my subsequent visit, I have concerns with regards to the proposed layout. There are numerous doors for example that open over steps. This is a concern for any premises, but particularly so for premises proposing to operate until early hours of the morning providing alcohol for consumption on site.

There are no proposals to fixed permanent access to the accessible WC as there is a step which is not shown on the plan (existing disabled wc as shown on plan) and the proposal to use a temporary removable ramp in an area that will potentially see heavy footfall in a thoroughfare is not practical, safe or acceptable.

The plan shows proposed access to the toilet facilities without being covered. Sanitary accommodation should be internally situated, but where this is impractical in existing premises, access must be via a covered passageway and must be adequately lit.

Structural

Parts of the premises subject to this application are showing signs of deterioration. In order to ensure public safety, a structural engineer should assess the premises. Any recommendations as made by a structural engineer with respect to safety must be followed.

The suspended floor in the public area next to the main entrance should be assessed to ensure that it is suitable with respect to the intended capacity and proposed usage (dynamic loading)

You mentioned carrying out alterations to the main entrance. Any alterations should be in accordance with Building Regulations, including Part M.

We have consulted a builder who confirmed that the building is sound. There is no loose brickwork etc. Our plan for the second room (Andrew St) is to level the flooring and install doors (fire exit) and cover the walls. The boards on the windows will be removed and double-glazed windows put in.

To address the 2 concerns mentioned above, we have taken on board your suggestion to have the flooring on one level.

The work has already begun to remove the artificial elevated flooring so that the main room will be on one level. Therefore, there would be no ramp needed and it would be wheelchair accessible to include easy access to the disabled toilet. Having it on one level will address the health and safety concern.

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.

You must ensure that you provide suitable access and facilities for wheelchair users. In the public area next to Andrew Lane there is no provision or suitable route to an accessible WC.

We will be adding a disabled toilet in the room near Andrew Lane, that will be accessible for disabled users only. There will be a plan in place, where disabled patrons would be given a key for the toilet which they returned when they are leaving.

Licensed areas

With respect to any amended plan to be submitted, I would request that the licensed areas be clarified by providing a 'line of licensable activities' and legend on the plan.

We can agree for this to be completed

Certification

A satisfactory electrical certificate must be provided for the premises.

We can agree for this to be completed

A Building Regulation Completion Certificate will be required and must be submitted to the responsible authority for public safety.

We can agree for this to be completed

We understand the concerns EPS & LPA may have but we have spent a lot of time and effort so far and we do not wish to move away from our business model and still want to make this family business feasible and also profitable particularly in a climate of businesses closing. We are happy to work closely with various agencies so a positive outcome for the future of Bluez.

Thanks for your time.

Ruston Carol (Finance)

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 07 February 2020 10:06
To: Ruston Carol (Finance)
Subject: FW: EPS FORMAL OBJECTION: Grant Application - Bluez 1 Scholey Street S3 8AP
Attachments: Addressing Pates Neal Concerns.pdf

Importance: High

From: Pates Neal
Sent: 07 February 2020 09:58
To: Bluez Sheffield
Cc: licensingservice; Gibbons Sean (DEL) - MPS
Subject: RE: EPS FORMAL OBJECTION: Grant Application - Bluez 1 Scholey Street S3 8AP
Importance: High

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 Mr Anton Smith,

Firstly, thank you for responding promptly to the points set out in my last email (included in the thread below). Your attached response is helpful in determining how best to proceed with this matter. Unfortunately, I cannot accept the hours that you have proposed in your response as a suitable basis for your application to proceed, given your reluctance to commission a noise impact assessment by a suitably qualified acoustic professional.

I had attempted to explore a possible mechanism whereby this requirement might be avoided. However, as it is apparent that your required business model still entails a significant degree of late night operation, beyond those ours outlined in my last email, as potential acceptable, I **must now advise you of my formal objection to your application for a premises licence. This objection is made on the grounds of likely public nuisance, in my capacity acting for Sheffield City Council, Environmental Protection Service, Responsible Authority for the Prevention of Public Nuisance.**

In determining to make this objection, I have considered the late hours of operation proposed, and the likelihood that these, combined with the layout and the licensable activities requested, would likely promote the operation of the premises in a manner akin to a nightclub, at least during later evening and night-time hours. I have also consider the current inadequacy of the building envelope to attenuate noise breakout, and the lack of any plans showing how acoustic lobbies might be accommodated. Also, the extensive nature of the improvements and refurbishments that would be required to attenuate amplified sound breakout from a premises operating with Regulated Entertainments into the early hours of the morning. As you are reluctant to engage a consultant to inform a suitable scheme of sound insulation and attenuation works, I have limited confidence that a successful scheme will be designed and implemented.

Whilst the planning and licensing regimes operate separately and independently, I am also mindful that the Local Planning Authority share similar concerns to those set out above. I believe that it assists operators of premises to receive consistent advice from the Council, and always try to achieve this when providing advice in the context of simultaneous planning consultations and licence applications. In this instance I am aware that SCC Planning Service are also minded to require that a noise impact assessment is undertaken, so as to determine a suitable scheme of sound attenuation, and to inform their decision over controlling the hours of use.

The last date for representations by Responsible Authorities is Monday 10th February 2020. This now leaves little time to resolve EPS concerns over noise, hence my formal objection at this stage. However, it is possible that this objection may be withdrawn prior to a hearing by SCC Licensing Sub-Committee, should you be willing to agree to volunteer the following amendments to the application, and conditions to be volunteered. Some of these are already agreed informally, but others now reference a requirement for a noise impact assessment, in light of the late hours required, and the issues as described above.

Amendments to the application to be agreed:

- Amend the hours the premises are open to the public to;
 - 1000 hours to 0130 hours; Sunday to Thursday
 - 1000 hours to 0330 hours; Fridays & Saturdays
- Amend the hours for Live Music, to;
 - 1000 hours to 2300 hours; Sunday to Thursday
 - 1000 hours to 0100 hours; Fridays & Saturdays
- Amend the hours for Supply of Alcohol, Recorded Music, Late Night Refreshment, and any other licensable activities requested, to;
 - 1000 hours to 0110 hours; Sunday to Thursday
 - 1000 hours to 0310 hours; Fridays & Saturdays
- Amend Recorded Music from 'Indoors & Outdoors' to 'Indoors Only'.

Conditions recommended to be volunteered:

- 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 area and departing the premises is managed so as not to cause a nuisance to occupiers of nearby residential properties.
- 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 (EPS). The scheme shall include the formation of an acoustic lobby to the main customer entrance on Scholey Street, and a scheme of works to mitigate sound breakout to the street, including attenuation of noise from any plant or ventilation provisions present or installed. Such scheme of works shall be based on the recommendations of a noise impact assessment by a suitably qualified acoustic professional, and to be approved by EPS prior to the works commencing. The works shall be capable of restricting noise breakout from the building to levels not exceed the prevailing ambient sound level, when measured or calculated at a position 1m from any noise sensitive façade, as a 15 minute LAeq, and at any one third octave band centre frequency as an 15 minute LZeq.
- The premises licence holder shall prominently display a notice at the main exit reminding patrons to leave the premises in a quiet and orderly fashion and to respect the local neighbours' needs.
- Save for access, egress, and in case of emergency all doors and windows shall remain closed whenever any regulated entertainment is taking place on the premises. Doors intended to function as part of an acoustic lobby shall not be propped or fixed open at any time.
- No amplified sound shall be played at above background level except through an in-house amplified sound system(s) fitted with a sound limiting facility capable of limiting the sound level output of the system to a pre-set level which may then be secured in a tamperproof manner. The design and setting of the limiter shall have received the prior written approval of Sheffield City Council's Environmental Protection Service prior to any regulated entertainment taking place on the premises
- A management plan shall be held on site detailing the importance of monitoring and controlling the behaviour of customers in the immediate vicinity of the premises (including smokers), and the dispersion of customers towards the close of trading. Staff shall be suitably trained to implement the management plan and a copy of the plan and any referenced policies shall be made available upon request by the Licensing Authority.
- All ventilation outlets serving the licensed area are to be acoustically baffled.

Please do feel free to contact me directly to discuss the above, with a view to reaching agreement over the points listed.

Kind regards,

Neal

01422 710000

Environmental Protection Officer

Sheffield Council
Environmental Protection Service
Sheffield City Centre
City Hall
100% Green
S1 2BH
Tel: 0114 275 4275
Fax: 0114 275 1100
www.sheffield.gov.uk
<http://www.sheffield.gov.uk/environmentalhealth>

From: Bluez Sheffield [mailto:bluez.sheffield@gmail.com]
Sent: 05 February 2020 15:12
To: Pates Neal
Subject: Re: FW: New Premises Grant Application - Bluez 1 Scholey Street S3 8AP

Good afternoon Neal,

Thanks for your email. I have attached a document addressing the concerns you mentioned in your email. I hope we have met your concerns and can come to a mutual agreement. I look forward to hearing from you.

Many thanks,

Anton Smith

On Tue, Feb 4, 2020 at 4:20 PM Pates Neal <Neal.Pates@sheffield.gov.uk> wrote:

Environmental Protection Service (EPS): Interim advice regarding your current Premises Licence application

Dear Anton,

Following on from our site meeting last Thursday, I have now also had a chance to speak to my colleague Sean Gibbons regarding his concerns over the premises readiness and the health and safety concerns which need to be addressed. I think it is appropriate to outline the EPS position as it stands, though please be aware that many of my concerns over noise break out tie in with needs for structural and layout changes as required for safety purposes.

It is clear that the building will need some significant improvements to come up to required standards, and to be deemed safe for the proposed licenced use. This contradicts some elements of your recent planning submissions, which state that; "There will be no structural work that would need to be carried out. (...) There will be no changes in relation to the character and features of the building." During our meeting, and again with Sean, you have described anticipated changes to the internal layout at the main entrance on Scholey St, so as to create a sound lobby. However, it is not clear how this will be achieved, and this layout does not feature on the plans you have submitted for either planning or licensing purposes (plans which are largely the same).

During our meeting, we discussed problems with the building's sound attenuation, including the acoustically weak skylight panels in the public area facing Scholey St, and problems with the very poor construction of the doors and fire escape from the 2nd public area, exiting onto Andrew Lane. We also discussed the lack of any provisions for ventilation of customer areas, and how this is a potential risk in terms of noise breakout. Some acoustically attenuated form of ventilation should be provided for high noise areas, to prevent problems with windows and doors being opened for ventilation purposes. Noise breakout from public areas via the open central courtyard needs to be considered, in addition to breakout directly to the street. These are the 'headline' noise considerations, and not

intended as an exhaustive list. Generally, both Sean and myself have identified to you that there are many challenges which need addressing, and that you will need to seek professional advice in a number of areas to ensure that appropriate standards are achieved and that changes are implemented in a logical and effective manner.

During our meeting last Thursday you said that you had not engaged an acoustic consultant to undertake a noise impact assessment, as per the advice given in connection with your pre-application planning advice, and more recently in connection with your (current) full planning application. I (on behalf of EPS) maintain the advice that engaging an acoustic consultant would be beneficial in helping ensure good decisions are made in respect of the design and implementation of a noise control strategy, for your proposed business, and for the building. However, it is possible that this step could be omitted, providing some changes were agreed to the proposed business model and the way the premises is used during the night-time.

One more positive outcome from our meeting last week included your agreement that all music on the premises would be played via in-house sound systems only, and that all such equipment would be fitted with a sound limiter device. EPS would need to approve the design and settings of any such equipment, but in principal this does reduce noise breakout risks. It may be that limiter settings would need to be quite modest, dependent upon the extent and quality of the scheme of sound insulation works fitted. Of course, certain standards would need to be achieved in terms of the building's sound insulation. I must take into account that both planning and licensing permissions could extend beyond your own tenancy of the building. A change of planning use, or the grant of a premises licence, may be taken up by a subsequent tenant. It is therefore important to ensure the building is fit for purpose, to protect local amenity and prevent public nuisance.

I therefore think it is necessary to give you an opportunity to address the health and safety concerns identified by Sean, before making any decision on how to control public noise nuisance issues. I understand Sean intends to write to you about this shortly, and your responses will be shared between Sean and myself (and other Responsible Authorities, where appropriate). Most significantly, I will need to see how you propose to implement the changes at the two main doorways, onto Scholey St, and onto Andrew Lane, as these are currently the weakest break out points for noise.

In the meantime, I think it would be helpful to establish your willingness, or otherwise, to agree to some points relevant to noise control. Could you therefore let me know if you would be willing to agree the following, on a voluntary basis;

- Amend the opening hours from the current proposal of 1000 hours to 0300 hours (the following day) on Mondays to Thursdays, and 1000 hours to 0430 hours (the following day) on Friday to Sunday. I'd be seeking a change in the order of; 1000 hours to 0000 hours Sunday to Thursday, and 1000 hours to 0200 hours (the following day) on Fridays and Saturdays.
- Agree that Supply of Alcohol, Late Night Refreshment, Recorded Music and the other regulated entertainments listed should cease 20 mins before the terminal hour, on all days.
- Agree to remove Live Music from the application altogether. This would still allow for live music up until 2300 hours, as unlicensed activity.
- Agree to change Recorded Music from 'indoors and outdoors' to 'indoors only'.
- Agree to a condition requiring all live and recorded music and amplified sound to be via in-house amplification system(s) fitted with approved limiting device(s), to agreed setting(s).
- Agree to a condition requiring prior approval of a scheme of sound insulation works, prior to licensable activities commencing on the premises.

Again, I'd stress that this list is not intended to be exhaustive, but to set a revised framework for the business which would offer EPS and the LPA more confidence in the proposals, and *may* allow for the licensing and planning applications to progress without the need for a full noise impact assessment by a professional acoustic consultant.

Please let me know your initial thoughts at your earliest convenience.

Kind regards,

Neal

Mr Neal Fales

Environmental Protection Officer

EPS Commercial Team

The Hall, City Centre

Canterbury

Phone: 07768 520 000

01226 532890

It is clear that the building will need some significant improvements to come up to required standards, and to be deemed safe for the proposed licenced use. This contradicts some elements of your recent planning submissions, which state that; "There will be no structural work that would need to be carried out. (...) There will be no changes in relation to the character and features of the building." During our meeting, and again with Sean, you have described anticipated changes to the internal layout at the main entrance on Scholey St, so as to create a sound lobby. However, it is not clear how this will be achieved, and this layout does not feature on the plans you have submitted for either planning or licensing purposes (plans which are largely the same).

There would not be any major structural change to the building. No structural, original walls would be taken down therefore the main structure of the building would remain. Prior to the application there was limited access however, following consultation adapting the internal feature to comply with advice.

However, now we have more access and understanding of what needs to be done, plan can be edited to add the lobby area. We needed advice from both fire & safety and Environmental to see if a lobby was necessary.

Sean, for example is concerned with the raised floor levels of the main room. He suggested moving the rise (which is not structural as it clearly it not the original floor, but something added by the previous lease holder) so that the floor it is on one level. We have already begun to remove the artificial elevated flooring and therefore there would be no ramp and as a result addressing the health and safety concern. Again, the ramp is not structural and not part of the original building.

During our meeting, we discussed problems with the building's sound attenuation, including the acoustically weak skylight panels in the public area facing Scholey St, and problems with the very poor construction of the doors and fire escape from the 2nd public area, exiting onto Andrew Lane. We also discussed the lack of any provisions for ventilation of customer areas, and how this is a potential risk in terms of noise breakout. Some acoustically attenuated form of ventilation should be provided for high noise areas, to prevent problems with windows and doors being opened for ventilation purposes. Noise breakout from public areas via the open central courtyard needs to be considered, in addition to breakout directly to the street. These are the 'headline' noise

tenant. It is therefore important to ensure the building is fit for purpose, to protect local amenity and prevent public nuisance.

This would be hugely beneficial for us and will happily work with the EPS in setting the limiter.

I therefore think it is necessary to give you an opportunity to address the health and safety concerns identified by Sean, before making any decision on how to control public noise nuisance issues. I understand Sean intends to write to you about this shortly, and your responses will be shared between Sean and myself (and other Responsible Authorities, where appropriate). Most significantly, I will need to see how you propose to implement the changes at the two main doorways, onto Scholey St, and onto Andrew Lane, as these are currently the weakest break out points for noise.

In the meantime, I think it would be helpful to establish your willingness, or otherwise, to agree to some points relevant to noise control. Could you therefore let me know if you would be willing to agree the following, on a voluntary basis;

- Amend the opening hours from the current proposal of 1000 hours to 0300 hours (the following day) on Mondays to Thursdays, and 1000 hours to 0430 hours (the following day) on Friday to Sunday. I'd be seeking a change in the order of; 1000 hours to 0000 hours Sunday to Thursday, and 1000 hours to 0200 hours (the following day) on Fridays and Saturdays.

Based on the model of the business, it would not be feasible to change the hours so significantly. We are happy to change the times to the following: 10:00—01:30 Sunday to Thursday, 10:0-03:30 Friday and Saturday.

We believe these revised times would work well and based on AU Village that have opening times till 04:00 on Saturdays for their events (plus Tens until 6am), and they have not had any complaints of public nuisance. It does raise the question of why AU Village can maintain 4am but there is a lack of confidence for Bluez to have a similar timeframe.

- Agree that Supply of Alcohol, Late Night Refreshment, Recorded Music and the other regulated entertainments listed should cease 20 mins before the terminal hour, on all days.]

We can agree to this point.

- Agree to remove Live Music from the application altogether. This would still allow for live music up until 2300 hours, as unlicensed activity.

We can agree to 1.00 at weekends instead of 2:00 as live music does not mean bands. We do not envisage having live music every week.

- Agree to change Recorded Music from 'indoors and outdoors' to 'indoors only'.

We can agree to this point.

- Agree to a condition requiring all live and recorded music and amplified sound to be via in-house amplification system(s) fitted with approved limiting device(s), to agreed setting(s).

We can agree to this point.

- Agree to a condition requiring prior approval of a scheme of sound insulation works, prior to licensable activities commencing on the premises.

We can agree to this point.

We understand the concerns EPS & LPA may have but we have spent a lot of time and effort so far and we do not wish to move away from our business model and still want to make this business feasible and also profitable particularly in a climate of business closing.

considerations, and not intended as an exhaustive list. Generally, both Sean and myself have identified to you that there are many challenges which need addressing, and that you will need to seek professional advice in a number of areas to ensure that appropriate standards are achieved and that changes are implemented in a logical and effective manner.

Any ventilation installed will be acoustically baffled. The skylight panels is something that will be looked at but as mentioned, **as we are not having 'sound systems'**, we believe this is not going to be a massive concern.

We planned to address the door in the second public area. We did not envisage keeping it like that. The plan is to change it after the floor levelling has been completed, technically cannot be done before that. The door would help towards the acoustics of that room and furthermore, it would not be used as an entrance but a fire escape. We discussed the fire escape door with the fire representative on his visit about how it needs to be.

During our meeting last Thursday you said that you had not engaged an acoustic consultant to undertake a noise impact assessment, as per the advice given in connection with your pre-application planning advice, and more recently in connection with your (current) full planning application. I (on behalf of EPS) maintain the advice that engaging an acoustic consultant would be beneficial in helping ensure good decisions are made in respect of the design and implementation of a noise control strategy, for your proposed business, and for the building. However, it is possible that this step could be omitted, providing some changes were agreed to the proposed business model and the way the premises is used during the night-time.

One more positive outcome from our meeting last week included your agreement that all music on the premises would be played via in-house sound systems only, and that all such equipment would be fitted with a sound limiter device. EPS would need to approve the design and settings of any such equipment, but in principal this does reduce noise breakout risks. It may be that limiter settings would need to be quite modest, dependent upon the extent and quality of the scheme of sound insulation works fitted. Of course, certain standards would need to be achieved in terms of the building's sound insulation. I must take into account that both planning and licensing permissions could extend beyond your own tenancy of the building. A change of planning use, or the grant of a premises licence, may be taken up by a subsequent

Appendix 'C'

Volunteered Conditions and Amended Timings

Ruston Carol (Finance)

(A) times accepted
(B) awaiting plans
N 1B
EPS

From: Crawshaw Michael (CEX) on behalf of licensingservice
Sent: 10 February 2020 10:52
To: Ruston Carol (Finance)
Subject: FW: EPS FORMAL OBJECTION: Grant Application - Bluez 1 Scholey Street S3 8AP
Attachments: Condition Agreement Neal Pates.pdf

* Amended times *
Awaiting amended plans

From: Pates Neal
Sent: 10 February 2020 10:49
To: Bluez Sheffield
Cc: Gibbons Sean (DEL); licensingservice
Subject: RE: EPS FORMAL OBJECTION: Grant Application - Bluez 1 Scholey Street S3 8AP

Hi Anton,

Thanks for forwarding the attached, confirming your agreement of the various amendments I set out, and volunteering conditions as advised.

I note that you have requested the following seasonal variations;

- Bank Holidays – 10:00 until 04:30
- Boxing Day – 10:00 until 04:30
- New Year's Eve (31/12) – 10:00 until 05:00

✓ amended
12/2/20
M/J/20
at

I'm happy to agree to these seasonal variations as you have requested, and will advise SCC Licensing of such, in due course.

In light of your agreements, I am now optimistic that EPS concerns may be resolved in time to avoid my appearance at SCC Licensing Subcommittee over public nuisance concerns. However, you will note that my earlier email identified the lack of any plans showing how an acoustic lobby might be accommodated at the main entrance on Scholey Street. This is a critical aspect of any effective scheme of sound attenuation works, and I do need to be confident that the layout may be revised so as to include an effective acoustic lobby at the main entrance, whilst also satisfying H&S requirements for safe access and egress, both in normal use and in case of emergency.

So, for the meantime, I intend to keep the attached on file. I shall be pleased to submit this to SCC Licensing, notifying my withdrawal of representations and advising the seasonal variations also agreed, upon receipt of suitable plans showing the main entrance lobby layout, to EPS and HPS satisfaction.

Kind regards,

Neal

Mr Neal Pates
Environmental Protection Officer

EPS Remedial Team
Sheffield City Council
Tel: 0114 276400
Fax: 0114 276400
Ext: 9300

From: Bluez Sheffield [mailto:bluez.sheffield@gmail.com]
Sent: 07 February 2020 17:11
To: Pates Neal
Cc: Gibbons Sean (DEL); licensingservice
Subject: Re: EPS FORMAL OBJECTION: Grant Application - Bluez 1 Scholey Street S3 8AP

Hi Neal,

Thanks for your prompt reply,

We take on board your suggestions and reply. Please see attached document.

Kind Regards,

Anton Smith

On Fri, Feb 7, 2020 at 9:57 AM 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.

Dear Mr Anton Smith,

Firstly, thank you for responding promptly to the points set out in my last email (included in the thread below). Your attached response is helpful in determining how best to proceed with this matter. Unfortunately, I cannot accept the hours that you have proposed in your response as a suitable basis for your application to proceed, given your reluctance to commission an noise impact assessment by a suitably qualified acoustic professional.

I had attempted to explore a possible mechanism whereby this requirement might be avoided. However, as it is apparent that your required business model still entails a significant degree of late night operation, beyond those ours outlined in my last email, as potential acceptable, **I must now advise you of my formal objection to your application for a premises licence. This objection is made on the grounds of likely public nuisance, in my capacity acting for Sheffield City Council, Environmental Protection Service, Responsible Authority for the Prevention of Public Nuisance.**

In determining to make this objection, I have considered the late hours of operation proposed, and the likelihood that these, combined with the layout and the licensable activities requested, would likely promote the operation of the premises in a manner akin to a nightclub, at least during later evening and night-time hours. I have also consider the current inadequacy of the building envelope to attenuate noise breakout, and the lack of any plans showing how acoustic lobbies might be accommodated. Also, the extensive nature of the improvements and refurbishments that would be required to attenuate amplified sound breakout from a premises operating with Regulated Entertainments into the early hours of the morning. As you are reluctant to engage a consultant to inform a suitable scheme of sound insulation and attenuation works, I have limited confidence that a successful scheme will be designed and implemented.

Whilst the planning and licensing regimes operate separately and independently, I am also mindful that the Local Planning Authority share similar concerns to those set out above. I believe that it assists operators of premises to receive consistent advice from the Council, and always try to achieve this when providing advice in the context of simultaneous planning consultations and licence applications. In this instance I am aware that SCC Planning Service are also minded to require that a noise impact assessment is undertaken, so as to determine a suitable scheme of sound attenuation, and to inform their decision over controlling the hours of use.

The last date for representations by Responsible Authorities is Monday 10th February 2020. This now leaves little time to resolve EPS concerns over noise, hence my formal objection at this stage. However, it is possible that this

objection may be withdrawn prior to a hearing by SCC Licensing Sub-Committee, should you be willing to agree to volunteer the following amendments to the application, and conditions to be volunteered. Some of these are already agreed informally, but others now reference a requirement for a noise impact assessment, in light of the late hours required, and the issues as described above.

Amendments to the application to be agreed:

- Amend the hours the premises are open to the public to;
 - 1000 hours to 0130 hours; Sunday to Thursday
 - 1000 hours to 0330 hours; Fridays & Saturdays*amended LAEPC 02/12/20*

- Amend the hours for Live Music, to;
 - 1000 hours to 2300 hours; Sunday to Thursday
 - 1000 hours to 0100 hours; Fridays & Saturdays*✓ 01/11*

- Amend the hours for Supply of Alcohol, Recorded Music, Late Night Refreshment, and any other licensable activities requested, to;
 - 1000 hours to 0110 hours; Sunday to Thursday
 - 1000 hours to 0310 hours; Fridays & Saturdays*✓ 01/11*

- Amend Recorded Music from 'Indoors & Outdoors' to 'Indoors Only'.

Conditions recommended to be volunteered:

- 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 area and departing the premises is managed so as not to cause a nuisance to occupiers of nearby residential properties.

- 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 (EPS). The scheme shall include the formation of an acoustic lobby to the main customer entrance on Scholey Street, and a scheme of works to mitigate sound breakout to the street, including attenuation of noise from any plant or ventilation provisions present or installed. Such scheme of works shall be based on the recommendations of a noise impact assessment by a suitably qualified acoustic professional, and to be approved by EPS prior to the works commencing. The works shall be capable of restricting noise breakout from the building to levels not exceed the prevailing ambient sound level, when measured or calculated at a position 1m from any noise sensitive façade, as a 15 minute LAeq, and at any one third octave band centre frequency as an 15 minute LZeq.

- The premises licence holder shall prominently display a notice at the main exit reminding patrons to leave the premises in a quiet and orderly fashion and to respect the local neighbours' needs.
- Save for access, egress, and in case of emergency all doors and windows shall remain closed whenever any regulated entertainment is taking place on the premises. Doors intended to function as part of an acoustic lobby shall not be propped or fixed open at any time.
- No amplified sound shall be played at above background level except through an in-house amplified sound system(s) fitted with a sound limiting facility capable of limiting the sound level output of the system to a pre-set level which may then be secured in a tamperproof manner. The design and setting of the limiter shall have received the prior written approval of Sheffield City Council's Environmental Protection Service prior to any regulated entertainment taking place on the premises
- A management plan shall be held on site detailing the importance of monitoring and controlling the behaviour of customers in the immediate vicinity of the premises (including smokers), and the dispersion of customers towards the close of trading. Staff shall be suitably trained to implement the management plan and a copy of the plan and any referenced policies shall be made available upon request by the Licensing Authority.
- All ventilation outlets serving the licensed area are to be acoustically baffled.

Please do feel free to contact me directly to discuss the above, with a view to reaching agreement over the points listed.

Kind regards,

Neal

Neal Pitzer

Environmental Protection Officer

Sheffield City Council

Environmental Protection & Control Services
15, Exchange Street

Sheffield S1 2EG

1 Union Street

Sheffield

S1 2JF

Environmental Health
Sheffield City Council

0114 275 4000

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

From: Bluez Sheffield [mailto:bluez.sheffield@gmail.com]

Sent: 05 February 2020 15:12

To: Pates Neal

Subject: Re: FW: New Premises Grant Application - Bluez 1 Scholey Street S3 8AP

Good afternoon Neal,

Thanks for your email. I have attached a document addressing the concerns you mentioned in your email. I hope we have met your concerns and can come to a mutual agreement. I look forward to hearing from you.

Many thanks,

Anton Smith

On Tue, Feb 4, 2020 at 4:20 PM Pates Neal <Neal.Pates@sheffield.gov.uk> wrote:

[Environmental Protection Service \(EPS\): Interim advice regarding your current Premises Licence application](#)

Dear Anton,

Following on from our site meeting last Thursday, I have now also had a chance to speak to my colleague Sean Gibbons regarding his concerns over the premises readiness and the health and safety concerns which need to be addressed. I think it is appropriate to outline the EPS position as it stands, though please be aware that many of my concerns over noise break out tie in with needs for structural and layout changes as required for safety purposes.

It is clear that the building will need some significant improvements to come up to required standards, and to be deemed safe for the proposed licenced use. This contradicts some elements of your recent planning submissions, which state that; "There will be no structural work that would need to be carried out. (...) There will be no changes in relation to the character and features of the building." During our meeting, and again with Sean, you have described anticipated changes to the internal layout at the main entrance on Scholey St, so as to create a sound lobby. However, it is not clear how this will be achieved, and this layout does not feature on the plans you have submitted for either planning or licensing purposes (plans which are largely the same).

During our meeting, we discussed problems with the building's sound attenuation, including the acoustically weak skylight panels in the public area facing Scholey St, and problems with the very poor construction of the doors and fire escape from the 2nd public area, exiting onto Andrew Lane. We also discussed the lack of any provisions for ventilation of customer areas, and how this is a potential risk in terms of noise breakout. Some acoustically attenuated form of ventilation should be provided for high noise areas, to prevent problems with windows and doors being opened for ventilation purposes. Noise breakout from public areas via the open central courtyard needs to be considered, in addition to breakout directly to the street. These are the 'headline' noise considerations, and not intended as an exhaustive list. Generally, both Sean and myself have identified to you that there are many challenges which need addressing, and that you will need to seek professional advice in a number of areas to ensure that appropriate standards are achieved and that changes are implemented in a logical and effective manner.

During our meeting last Thursday you said that you had not engaged an acoustic consultant to undertake a noise impact assessment, as per the advice given in connection with your pre-application planning advice, and more recently in connection with your (current) full planning application. I (on behalf of EPS) maintain the advice that engaging an acoustic consultant would be beneficial in helping ensure good decisions are made in respect of the design and implementation of a noise control strategy, for your proposed business, and for the building. However, it is possible that this step could be omitted, providing some changes were agreed to the proposed business model and the way the premises is used during the night-time.

One more positive outcome from our meeting last week included your agreement that all music on the premises would be played via in-house sound systems only, and that all such equipment would be fitted with a sound limiter device. EPS would need to approve the design and settings of any such equipment, but in principal this does reduce noise breakout risks. It may be that limiter settings would need to be quite modest, dependent upon the extent and quality of the scheme of sound insulation works fitted. Of course, certain standards would need to be achieved in terms of the building's sound insulation. I must take into account that both planning and licensing permissions could extend beyond your own tenancy of the building. A change of planning use, or the grant of a premises licence, may be taken up by a subsequent tenant. It is therefore important to ensure the building is fit for purpose, to protect local amenity and prevent public nuisance.

I therefore think it is necessary to give you an opportunity to address the health and safety concerns identified by Sean, before making any decision on how to control public noise nuisance issues. I understand Sean intends to write to you about this shortly, and your responses will be shared between Sean and myself (and other Responsible Authorities, where appropriate). Most significantly, I will need to see how you propose to implement the changes at the two main doorways, onto Scholey St, and onto Andrew Lane, as these are currently the weakest break out points for noise.

In the meantime, I think it would be helpful to establish your willingness, or otherwise, to agree to some points relevant to noise control. Could you therefore let me know if you would be willing to agree the following, on a voluntary basis;

- Amend the opening hours from the current proposal of 1000 hours to 0300 hours (the following day) on Mondays to Thursdays, and 1000 hours to 0430 hours (the following day) on Friday to Sunday. I'd be

seeking a change in the order of; 1000 hours to 0000 hours Sunday to Thursday, and 1000 hours to 0200 hours (the following day) on Fridays and Saturdays.

- Agree that Supply of Alcohol, Late Night Refreshment, Recorded Music and the other regulated entertainments listed should cease 20 mins before the terminal hour, on all days.
 - Agree to remove Live Music from the application altogether. This would still allow for live music up until 2300 hours, as unlicensed activity.
 - Agree to change Recorded Music from 'indoors and outdoors' to 'indoors only'.
 - Agree to a condition requiring all live and recorded music and amplified sound to be via in-house amplification system(s) fitted with approved limiting device(s), to agreed setting(s).
- Agree to a condition requiring prior approval of a scheme of sound insulation works, prior to licensable activities commencing on the premises.

Again, I'd stress that this list is not intended to be exhaustive, but to set a revised framework for the business which would offer EPS and the LPA more confidence in the proposals, and *may* allow for the licensing and planning applications to progress without the need for a full noise impact assessment by a professional acoustic consultant.

Please let me know your initial thoughts at your earliest convenience.

Kind regards,

Neal

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This Email, and any attachments, may contain non-public information and is intended solely for the individual(s) to whom it is addressed. It may contain sensitive or protectively marked material and should be handled accordingly. If this Email has been misdirected, please notify the author immediately. If you are not the intended recipient you must not disclose, distribute, copy, print or rely on any of the information contained in it or attached, and all copies must be deleted immediately. Whilst we take reasonable steps to try to identify any software viruses, any attachments to this Email may nevertheless contain viruses which our anti-virus software has failed to identify. You should therefore carry out your own anti-virus checks

before opening any documents. Sheffield City Council will not accept any liability for damage caused by computer viruses emanating from any attachment or other document supplied with this e-mail

Amendments to the application to be agreed:

- Amend the hours the premises are open to the public to;
 - o 1000 hours to 0130 hours; Sunday to Thursday
 - o 1000 hours to 0330 hours; Fridays & Saturdays
- Amend the hours for Live Music, to;
 - o 1000 hours to 2300 hours; Sunday to Thursday
 - o 1000 hours to 0100 hours; Fridays & Saturdays
- Amend the hours for Supply of Alcohol, Recorded Music, Late Night Refreshment, and any other licensable activities requested, to;
 - o 1000 hours to 0110 hours; Sunday to Thursday
 - o 1000 hours to 0310 hours; Fridays & Saturdays
- Amend Recorded Music from 'Indoors & Outdoors' to 'Indoors Only'.

Conditions recommended to be volunteered:

- The Designated Premises Supervisor or a delegated member of staff shall take a proactive approach to noise control, checking outside the premises to ensure that the breakout of internal noise and noise from patrons using the external area and departing the premises is managed so as not to cause a nuisance to occupiers of nearby residential properties.
- 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 (EPS). The scheme shall include the formation of an acoustic lobby to the main customer entrance on Scholey Street, and a scheme of works to mitigate sound breakout to the street, including attenuation of noise from any plant or ventilation provisions present or installed. Such scheme of works shall be based on the recommendations of a noise impact assessment by a suitably qualified acoustic professional, and to be approved by EPS prior to the works commencing. The works shall be capable of restricting noise breakout from the building to levels not exceed the prevailing ambient sound level, when measured or calculated at a position 1m from any noise sensitive façade, as a 15 minute LAeq, and at any one third octave band centre frequency as an 15 minute LZeq.
- The premises licence holder shall prominently display a notice at the main exit reminding patrons to leave the premises in a quiet and orderly fashion and to respect the local neighbours' needs.
- Save for access, egress, and in case of emergency all doors and windows shall remain closed whenever any regulated entertainment is taking place on the premises. Doors intended to function as part of an acoustic lobby shall not be propped or fixed open at any time.
- No amplified sound shall be played at above background level except through an in-house amplified sound system(s) fitted with a sound limiting facility capable of limiting the sound level output of the system to a pre-set level which may then be secured in a tamperproof manner. The design and setting of the limiter shall have received the prior written approval of Sheffield City Council's Environmental Protection Service prior to any regulated entertainment taking place on the premises
- A management plan shall be held on site detailing the importance of monitoring and controlling the behaviour of customers in the immediate vicinity of the premises (including smokers), and the dispersion of customers towards the close of trading. Staff shall be suitably trained to implement the management plan and a copy of the plan and any referenced policies shall be made available upon request by the Licensing Authority.
- All ventilation outlets serving the licensed area are to be acoustically baffled.

Hi Neal,

Thanks for your reply.

We are happy to comply to the above conditions and amended timings. However, we would want to adjust the timings for seasonal variations which was in the original application adding an hour for 'open to the public' under seasonal variations.

Bank Holidays – 10:00 until 04:30

Boxing Day – 10:00 until 04:30

New Year's Eve (31/12) – 10:00 until 05:00

We will get a Noise Impact Assessment completed as soon as possible.

Kind Regards,

Anton Smith

Appendix 'D'

Hearing Notices and Regulations



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

Sean Gibbons
Health Protection Service (HPS)

Sent via email: sean.gibbons@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the 14th January 2020 received an application in respect of the premises known as;

Bluez, 1 Scholey Street. Sheffield, S3 8AP

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

- **Health Protection Service – Responsible Authority**
- **Environmental 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 **Tuesday 10th March 2020 at 10am**; 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: 14th February 2020

Signed: **Jayne Gough**
The officer appointed for this purpose
Licensing Strategy and Policy 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

Neal Pates

Environmental Protection Service (EPS), Sheffield City Council

Sent via email: neal.pates@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the 14th January 2020 received an application in respect of the premises known as;

Bluez, 1 Scholey Street. Sheffield, S3 8AP

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

- **Health Protection Service – Responsible Authority**
- **Environmental 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 **Tuesday 10th March 2020 at 10am**; 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: 14th February 2020

Signed: **Jayne Gough**
The officer appointed for this purpose
Licensing Strategy and Policy 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**

Bluez Ltd
c/o Mr Anton Smith

Sent via email: bluez.sheffield@gmail.com

The Sheffield City Council being the licensing authority, on the 14th January 2020 received an application in respect of the premises known as;

Bluez, 1 Scholey Street, Sheffield, S3 8AP

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

- **Health Protection Service – Responsible Authority**
- **Environmental 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 **Tuesday 10th March 2020 at 10am**; 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: 14th February 2020

Signed: **Jayne Gough**
The officer appointed for this purpose
Licensing Strategy and Policy 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 **Anton Smith**
Of **Bluez Ltd**

hereby confirm that I have received the Notice of Hearing dated 14th February 2020 and notify you as follows (please complete):

I intend to attend the hearing at Town Hall Sheffield on 10th March 2020 at 10am

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.