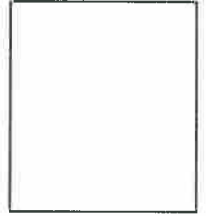




## SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



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

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**Date:** Tuesday 10<sup>th</sup> May 2022 – 10:30am

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**Subject:** Licensing Act 2003

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**Author of Report:** Jayne Gough

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**Summary:** To consider an application to grant a premises licence made under the Licensing Act 2003 for  
**The Devonshire Cat, 49 Wellington Street, Sheffield, S1 4HG**

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

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**Background Papers:** Attached documents  
[Sheffield City Councils Statement of Licensing Policy](#)

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**Category of Report:** OPEN

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

**Ref No 74/22**

**The Devonshire Cat, 49 Wellington Street, Sheffield, S1 4HG**

**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 applicants are Prime Land Limited.

2.2 The application was received by the Licensing Service on the 15<sup>th</sup> March 2022 and is attached at Appendix 'A' of this report.

2.3 During the consultation period, the applicant has agreed conditions with South Yorkshire Police, and these can be found in the report at Appendix 'B'.

**3.0 REASONS FOR REFERRAL**

3.1 Unresolved representations concerning the application have been received from the following and is attached at Appendix 'C':

- 1 x Local Resident – Peter Sephton on behalf of 'Changing Sheff'

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

**4.0 POLICIES TO CONSIDER**

4.1 Sheffield City Council Statement of Licensing Policy.

**5.0 FINANCIAL IMPLICATIONS**

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

**6.0 THE LEGAL POSITION**

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

- 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: 10<sup>th</sup> May 2022

# Appendix 'A'

Application

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

**We Prime Land Limited apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 - Premises details**

Postal address of premises or, if none, ordnance survey map reference or description Devonshire Cat, 49 Wellington Street, Devonshire Quarter	
Post town Sheffield	Post code S1 4HG

Telephone number of premises (if any)

Non-domestic rateable value of premises

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

- |  |                                     |  |
|--|-------------------------------------|--|
| a) An individual or individuals*   | <input type="checkbox"/>            | Please tick ✓<br>please complete section (A) |
| b) a person other than an individual*  |                                     |  |
| i. as a limited company  | <input checked="" type="checkbox"/> | please complete section (B)                  |
| ii. as a partnership   | <input type="checkbox"/>            | please complete section (B)                  |
| iii. as an unincorporated association or   | <input type="checkbox"/>            | please complete section (B)                  |
| iv. other (for example a statutory corporation)  | <input type="checkbox"/>            | please complete section (B)                  |
| c) a recognised club   | <input type="checkbox"/>            | please complete section (B)                  |
| d) a charity   | <input type="checkbox"/>            | please complete section (B)                  |
| e) the proprietor of an educational establishment  | <input type="checkbox"/>            | please complete section (B)                  |
| f) a health service body   | <input type="checkbox"/>            | please complete section (B)                  |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c.14) in respect of an independent hospital | <input type="checkbox"/>            | please complete section (B)                  |
| h) the chief officer of police of a police force in England and Wales  | <input type="checkbox"/>            | please complete section (B)                  |

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick  yes

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

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr  Mrs  Miss  Ms  Other title (For example, Rev)

Surname  First names

Date of Birth:  I am 18 years old or over  Please tick

Nationality:  
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)

Current postal address if different from premises address

Post Town  Postcode

Daytime contact telephone number

Email address (optional)

**Second Individual Applicant (if applicable)**

Mr  Mrs  Miss  Ms  Other title (For example, Rev)

Surname  First names

Date of Birth:  I am 18 years old or over  Please tick

Nationality:  
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)

Current postal address if different from premises address

Post Town  Postcode

Daytime contact telephone number

Email address (optional)

**(B) OTHER APPLICANTS**

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

Name Prime Land Limited
Address 87 Hanging Water Road, Sheffield, S11 7ER
Registered number (where applicable) <b>05644586</b>
Description of applicant (for example, partnership, company, unincorporated association etc.) <b>Private Limited Company</b>
Telephone number (if any)
E-mail address (optional)

**Part 3 – Operating Schedule**

When do you want the premises licence to start?

Day    Month    Year

**Premises Licence to start as soon as possible**

A	S	A	P				
---	---	---	---	--	--	--	--

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

Day    Month    Year

--	--	--	--	--	--	--	--

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

N/A
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**Please give a general description of the premises (please read guidance note 1)**

These premises has previously had the benefit of a Premises Licence being Premises Licence Number SY001039PR. The Premises Licence lapsed due to no fault of the current Applicant.

The current application is for a Premises Licence in substantially the same terms as previously existed.

The application is for a licensed bar and premises to operate with licensable activities as would be effectively the same licensable activities as existed in the previous Premises Licence.

Included with this application is a copy of the layout of the premises being plan number 220/013/X which it is understood was the previously approved licensed layout.

The request for licensable activities is as follows: -

- a. Sale of alcohol for consumption on and off the premises between the hours of 10:00 until 03:00 hours seven days a week.
- b. Other licensable activities as follows:
  - Live music
  - Recorded music
  - Indoor sports
  - Late night refreshment

The relevant boxes on the following pages have been completed.

It is requested that the premises be authorised to open between the hours of 10:00 until 03:30 seven days a week as previously existed.

It is not believed that when the premises was previously licensed they caused particular issues with regard to the prevention of crime and disorder, public nuisance or any of the other licensing objectives.

No DPS is attached or proposed for the premises at the present time but when the site proposes to operate with the sale of alcohol, a suitable application will be made to add a Designated Premises Supervisor at site.



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

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick  yes

**Provision of regulated entertainment (please read guidance note 2)**

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

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

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

**In all cases complete boxes K, L and M**

**A**

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

**B**

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

**C**

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4) As stated in Part 3 above.			
Day	Start	Finish				
Mon	10:00	23:00	State any seasonal variations for indoor sporting events (please read guidance note 5)			
Tue	10:00	23:00				
Wed	10:00	23:00				
Thur	10:00	00:00	N/A – save as below			
Fri	10:00	00:00				
Sat	10:00	00:00				
Sun	10:00	23:30	Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)			
			When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)			

**D**

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

**E**

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10:00	23:00	Please give further details here (please read guidance note 4)  Live music and amplified voice as stated in part 3 above.	Both	
Tue	10:00	23:00			
Wed	10:00	23:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	10:00	23:00			
Fri	10:00	23:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10:00	23:00			
Sun	10:00	23:00		When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)	

**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors <input checked="" type="checkbox"/>	Outdoors <input type="checkbox"/>	Both <input type="checkbox"/>
Day	Start	Finish				
Mon	10:00	23:00	Please give further details here (please read guidance note 4)			
Tue	10:00	23:00				
Wed	10:00	23:00	Recorded music, including juke box, with or without a DJ, during normal business hours or as part of functions and including audience participation as specified in part 3 above.			
Thur	10:00	23:00				
Fri	10:00	23:00	State any seasonal variations for playing recorded music (please read guidance note 5)			
Sat	10:00	23:00				
Sun	10:00	23:00	N/A – save as below			
			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)			
			When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)			

**G**

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

**H**

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

**I**

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	23:00	03:00	Please give further details here (please read guidance note 4)  As stated in Part 3 above	Both	
Tue	23:00	03:00			
Wed	23:00	03:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	03:00	N/A – save as below		
Fri	23:00	03:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat	23:00	03:00			
Sun	23:00	03:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

**J**

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 8)	<input type="checkbox"/> On the premises <input type="checkbox"/> Off the premises <input checked="" type="checkbox"/> Both
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)  Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)  The addition of a non-standard timing to extend the sale of alcohol and late night refreshment by one hour at the commencement of British summertime to replace the hour lost.  New Year's Eve to through usual closing (03:00) on 2 <sup>nd</sup> January.	
Mon	10:00	03:00		
Tue	10:00	03:00		
Wed	10:00	03:00		
Thur	10:00	03:00		
Fri	10:00	03:00		
Sat	10:00	03:00		
Sun	10:00	03:00		

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

**Name:** TO BE ADVISED PRIOR TO OPENING.....

**Date of Birth:** .....

**Address:** .....

**Postcode:** .....

**Personal Licence number (if known):** .....

**Issuing licensing authority (if known):** .....

**K**

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

NONE

**L**

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5) Please see box J above
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon	10:00	03:30	
Tue	10:00	03:30	
Wed	10:00	03:30	
Thur	10:00	03:30	
Fri	10:00	03:30	
Sat	10:00	03:30	
Sun	10:00	03:30	
			Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
			The premises will close 30 minutes after the end of the non-standard timings identified in box J above.

**M**

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

**a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9)**

The steps which we have identified in relation to the four licensing objectives are listed below

**b) The prevention of crime and disorder**

No further risks have been identified which need to be addressed, save as below

1. The use of door staff will be risk assessed on an ongoing basis by the licence holder of premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
2. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
3. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
4. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.
5. The management of the premises will liaise with police on issues of local concern or disorder.
6. CCTV will be installed with recording facilities such recordings shall be retained for a period of 31 days and made available within a reasonable time upon request by the police, such as to cover the main entrance to the premises.

**c) Public safety**

No further risks have been identified which need to be addressed, save as below

1. To comply with the reasonable requirements of the fire officer from time to time.
2. The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.
3. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
4. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.

**d) The prevention of public nuisance**

No further risks have been identified which need to be addressed, save as below

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
3. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
4. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.

**e) The protection of children from harm**

1. The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.
2. Children under the age of 16 shall not be permitted to enter the premises after 21:00 unless dining with an adult or attending a pre booked function.
3. There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
4. The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.

**Checklist:**

**Please tick to indicate agreement**

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

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

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

**Part 4 – Signatures** (please read guidance note 11)



Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• {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).</li> <li>• 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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
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Signature: John Gaunt & Partners ..... 

Date: 15<sup>th</sup> March 2022

Capacity: Solicitors.....

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

Signature: John Gaunt & Partners .....

Date:.....

Capacity: Solicitors.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)	
<b>John Gaunt &amp; Partners Omega Court 372 Cemetery Road</b>	
Post town <b>Sheffield</b>	Post code <b>S11 8FT</b>
Telephone number (if any)	<b>0114 2668664</b>
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) <b>TShield@john-gaunt.co.uk</b>	

**Notes for Guidance**

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.

- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - **Live music:** no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - **Recorded Music:** no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - **Dance:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - **Cross activity exemptions:** no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (Indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to

the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this 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 **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable

evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

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

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

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

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

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

#### **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.

Prime Land Limited  
Devonshire Cat  
49 Wellington Street,  
Devonshire Quarter,  
Sheffield,  
S1 4HG

## New Licence Application

No DPS is nominated at this stage. No DPS Consent has been prepared.

DPS appointment will follow in due course.



# Appendix 'B'

**Agreed Conditions:**  
South Yorkshire Police

## Jayne Gough (CEX)

---

**From:** SHEFFIELD\_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>  
**Sent:** 11 April 2022 11:32  
**To:** licensingservice  
**Subject:** FW: Premise licence application-Devonshire Cat (DEV115/2)

Dear all,

Following receipt of the above application we have now received agreement of the following condition:

- Drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.

Please place on the licence should it be granted.

Thanks.

### Lucy Adams

#### Licensing Assistant

South Yorkshire Police  
Licensing Department  
Mossway Police Station  
Mossway  
Sheffield  
S20 7XX

Telephone number

T: 0114 2523617 (ext:8617 )

Website address - [southyorks.police.uk](https://www.southyorks.police.uk)



#### Licensing Team

Tracey Klein 0114 2523948 internal 718948  
Lucy Adams (Monday/Tuesday) 0114 2523617 internal 718617  
Jo Belton (Wednesday/Thursday/Friday) 0114 2523617 internal 718617  
Ian Armitage 0114 2523618 internal 718618  
Catherine Jarvis 0114 2523163 internal 718163  
Alicia Marsden 0114 2523111 internal 718 111  
Daniel Barraclough 0114 2523556 internal 718556  
John O'Malley 0114 2964536 internal 714308

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

**From:** Tim Shield <TShield@john-gaunt.co.uk>  
**Sent:** 08 April 2022 10:04  
**To:** SHEFFIELD\_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>  
**Subject:** RE: Premise licence application-Devonshire Cat (DEV115/2)



Hi Lucy

My client happy to agree the condition subject to the comment on use of the external area to the front of the premises

Will you confirm with the Licensing Authority?

Thanks

Tim

**From:** SHEFFIELD\_Licensing <[Sheffield.Liquor-Licensing@southyorks.pnn.police.uk](mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk)>  
**Sent:** 04 April 2022 11:20  
**To:** Tim Shield <[TShield@john-gaunt.co.uk](mailto:TShield@john-gaunt.co.uk)>  
**Subject:** RE: Premise licence application-Devonshire Cat (DEV115/2)

Morning Tim,

May I ask if your client has responded regarding the condition?

Many thanks.

**Lucy Adams**

**Licensing Assistant**

South Yorkshire Police

Licensing Department

Mossway Police Station

Mossway

Sheffield

S20 7XX

Telephone number

T: 0114 2523617 (ext:8617 )

Website address - [southyorks.police.uk](http://southyorks.police.uk)



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John O'Malley 0114 2964536 internal 714308

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

**From:** Sue McCourt <[smccourt@john-gaunt.co.uk](mailto:smccourt@john-gaunt.co.uk)> **On Behalf Of** Tim Shield  
**Sent:** 24 March 2022 14:01  
**To:** SHEFFIELD\_Licensing <[Sheffield.Liquor-Licensing@southyorks.pnn.police.uk](mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk)>  
**Subject:** RE: Premise licence application-Devonshire Cat (DEV115/2)

Dear Lucy

I am just following up on the email exchange below.

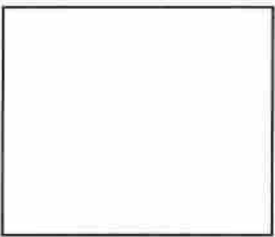
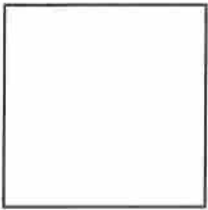
I have spoken to my client. The only query my client has is that there has previously been an area just outside the premises which we believe had some tables and chairs on it and we want provision in the condition you have requested in that regard.

Perhaps you could confirm and then this condition can be agreed.

Kind regards

**Tim Shield**  
Partner  
Sent by Sue McCourt

TShield@john-gaunt.co.uk | www.john-gaunt.co.uk  
T: 0114 266 8664 | M: 07801 924 202 | F



Omega Court | 372-374 Cemetery Road | | S11 8FT

| Personal Licences | OPS Changes | Temporary Event Notices  
APLH Courses | Reviews | Due Diligence | eLearningPlus

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**From:** Sue McCourt On Behalf Of Tim Shield  
**Sent:** 23 March 2022 09:10  
**To:** 'SHEFFIELD\_Licensing' <[Sheffield.Liquor-Licensing@southyorks.pnn.police.uk](mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk)>  
**Subject:** RE: Premise licence application-Devonshire Cat (DEV115/2)

Dear Lucy

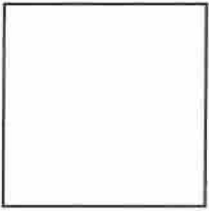
Thank you for your email. I will take my clients instructions on the requested amended condition in relation to no consumption of alcohol except in the external areas provided for that purpose.

I will come back to you on this point.

Kind regards.

**Tim Shield**  
Partner  
26th May 2022

TShield@john-gaunt.co.uk | www.john-gaunt.co.uk  
T: 0114 266 8664 | M: 07801 924 302 | F



Omega Court | 372-374 Cemetery Road | Sheffield | S11 8FT

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For more details on our services please click on the links above.

**From:** SHEFFIELD\_Licensing <[Sheffield.Liquor-Licensing@southyorks.pnn.police.uk](mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk)>  
**Sent:** 21 March 2022 17:19  
**To:** Tim Shield <[TShield@john-gaunt.co.uk](mailto:TShield@john-gaunt.co.uk)>  
**Subject:** Premise licence application-Devonshire Cat

Dear Tim,

Hope you are well.

Following receipt of the premise licence application for the Devonshire Cat, 49 Wellington Street, I have reviewed the proposals and would require the following condition adding to the licence to further promote the licensing objectives.

We would require the restriction to be in place to discourage customers from drinking on the street, particular pertinent during busy event periods such as Tramlines:

\* Drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.

I would be obliged if you could confirm whether your client is happy to adopt this practice.

Many thanks.

**Lucy Adams**  
**Licensing Assistant**  
South Yorkshire Police

Licensing Department  
Mossway Police Station  
Mossway  
Sheffield  
S20 7XX

Telephone number

T: 0114 2523617 (ext:8617 )

Website address - [southyorks.police.uk](http://southyorks.police.uk)



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Partners: Tim Shield (569713) | Michelle Hazlewood (569714)  
Christopher Grunert | Jon Wallsgrove | Patrick Robson | Luke Elford  
Practice Manager: Jonathan Pupius

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We are recruiting through our Police Constable Degree Apprenticeship (PCDA) route which is open to people who don't currently have a degree, and enjoy combining on the job experience with academic learning. [Find out more](#)

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# Appendix 'C'

**Objection:**

1 x Local Resident – Peter Sephton on behalf of 'Changing Sheff'

## Jayne Gough (CEX)

---

**From:** Peter Sephton [REDACTED]  
**Sent:** 12 April 2022 11:48  
**To:** licensingservice  
**Cc:** Ruth Mersereau  
**Subject:** Objection to Devonshire Cat Licence Application  
**Attachments:** 22-04-06-Devonshire Cat Licence Objection.pdf

To Licensing Committee:

Objection to an Application by Devonshire Cat for 3:30am closing times in a predominantly residential area of the City Centre

Applicant: Prime Land Ltd

Premises Address: Devonshire Cat, 49 Wellington Street, Sheffield, S1 4HG

Please find attached our objection to the above application for a late licence – and our request for a reconsideration of the principles for awarding late opening licences in the city centre where densely populated areas are being created.

Best regards

Peter Sephton

Chair of ChangingSheff

[www.ChangingSheff.org](http://www.ChangingSheff.org)

**From ChangingSheff – the residents association for the City Centre**

**Objection to an Application by Devonshire Cat for 3:30am closing times in a predominantly residential area of the City Centre**

Applicant: Prime Land Ltd

**Premises Address: Devonshire Cat, 49 Wellington Street, Sheffield, S1 4HG**

Type of Premises, Public House

Ward: City

Licensing Act 2003 - Grant of Premises Licence

Application Details:

- Indoor Sporting Events 10:00 – 23:00 Mon – Wed, 10:00 – 0:00 Thur- Sat, 10:00 – 23:30 Sun
- Live & recorded music 12:00 – 23:00 Sun – Sat
- **LNR 23:00 – 3:00 Sun - Sat**
- Supply of Alcohol 10:00 – 3:00 Sun – Sat
- **Opening Hours 10:00 – 3:30 Sun - Sat**

Date Received, 15th March 2022

Any representations must be made in writing by: 12th April 2022

**The Objection:**

1. Devonshire Cat has been closed during the Covid pandemic and is applying to reopen under much longer hours – to 3:30am every night.
2. Our objection to this application is a simple one – the building is in the midst of a rapidly developing and predominantly residential part of the City Centre.
3. It is inappropriate for a pub to stay open to 3:30am when surrounded by high occupancy, high rise, residential buildings.
4. Customers leaving at closing time will inevitably make a lot of noise after a social night out. At night, noise travels upwards – a well-known fact by those of us who live in the city centre.
  - a. Unite Students Devonshire Courtyard is immediately adjacent at 49 Wellington St, S1 4HG.
  - b. Immediately opposite to the pub is Unite Students - Westhill Hall, 61 Eldon St, S1 4NJ.
  - c. On the opposite side of narrow Eldon Street is iQ Student Accommodation, Fenton House, 51 Wellington St, S1 4HL
  - d. Further along Wellington Street towards the city centre, on the other side of Trafalgar Street, two huge residential apartment buildings are being erected.



## **A New City Centre Licensing Strategy?**

5. It is recognised that the Washington Pub, at the junction of Fitzwilliam Street and Wellington Street, has a licence to 3am.
6. We hope the Licensing Committee recognises the changing nature of many parts of the city centre into predominantly residential areas, of which this is one.
7. Residents accept that certain locations, like West Street and Carver Street and the frontages of some main streets, will have late opening times.
8. But the Devonshire Cat is situated right in the middle of residential properties housing large numbers of people.
9. Consequently it would be wrong to allow areas currently accommodating high numbers of residents to have to put up with the disruption of noisy revellers leaving a newly licensed pub in the middle of the night that's clearly an outlier in the centre of concentrated residential properties.

### **Our Proposal:**

10. The willingness to grant a new late licence should NOT be related to the fact that it is in the City Centre, so automatically gets a licence.
  - It should be conditional on the amount of residential property in the adjacent area.
  - And on the proximity of other licensed premises that already have a late licence – in other words 'Grandparent Rights'.
11. The purpose of this amendment to the current way of licensing city centre premises is to avoid an excess of middle-of-the-night closing times in densely populated residential areas.
12. Those premises already holding a late licence should be allowed to keep them, as they were there when new residents moved in.
13. However, consideration should be given to the rights of these residents not to have new late night licensed premises opening all around them to cause noise and disturbance through the night.
14. At ChangingSheff we hope the Committee will agree to:
  - (a) Limit these Devonshire Cat hours to those more appropriate for what has primarily become a residential area.
  - (b) Consider a different range of conditions for late opening in the City Centre where densely populated residential areas are concerned, based on population density and previously awarded late-night licences in that locality.

Peter Sephton, Chair of ChangingSheff

David Hussey-Yeo, Secretary for ChangingSheff

ChangingSheff is the residents association for the City Centre

07-04-2022

# Appendix 'D'

## Hearing Notices and Regulations



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

Prime Land Limited  
c/o Tim Shield – John Gaunt and Partners

Sent via email: [tshield@john-gaunt.co.uk](mailto:tshield@john-gaunt.co.uk)

The Sheffield City Council being the licensing authority, on the 15<sup>th</sup> March 2022 received an application in respect of the premises known as;

**The Devonshire Cat, 49 Wellington Street, Sheffield, S1 4HG.**

During the consultation period, the Council received a representation from the following interested party:

- **1 x Local Resident – Peter Sephton on behalf of ‘Changing Sheff’.**

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 the representation will be considered at a hearing to be held **At Sheffield Town Hall on Tuesday 10<sup>th</sup> May 2022 at 10.30am**; 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 representation 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: 28<sup>th</sup> April 2022

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](mailto:licensing@sheffield.gov.uk)

## NOTES

### Right of attendance, assistance and representation

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

### Representations and supporting information

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

### Failure of parties to attend the hearing

20. – (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may:–
- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
  - (b) hold the hearing in the party's absence.
- (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

### Procedure at hearing

21. Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for at regulation 16.
25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –
- (a) refuse to permit that person to return, or
  - (b) permit him to return only on such conditions as the authority may specify, but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

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

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

We Prime Land Limited, c/o Tim Shield - John Gaunt & Partners

hereby confirm that we have received the Notice of Hearing dated 28<sup>th</sup> April 2022 and notify you as follows **(please complete)**:

**We intend to attend the hearing on Tuesday 10<sup>th</sup> May 2022 at 10.30am at Sheffield Town Hall.**

**We do not intend to attend the hearing.**

**We intend to be represented at the hearing by: .....**

**We consider the hearing to be unnecessary because: .....**

.....

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

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

**Please see Regulation 8 overleaf**

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

[licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)

## Regulation 8

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

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

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

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

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

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

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

1. The hearing before the Council is Quasi Judicial.
2. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
3. The Chair will ask the applicants to formally introduce themselves.
4. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
5. Hearing Procedure:-
  - (a) The Licensing Officer will introduce the report.
  - (b) Questions concerning the report can be asked both by Members and the applicant.
  - (c) The Licensing Officer will introduce in turn representatives for the Responsible Authority and Interested Parties who will be asked to detail their relevant representations.
  - (d) Members may ask questions of those parties
  - (e) With the leave of the Chair the applicant or his representative may cross examine the representatives of the Responsible Authorities and Interested Parties.
  - (f) The applicant/licensee (or his/her nominated representative) will then be asked to:-
    - (i) detail the application;
    - (ii) provide clarification on the application and respond to the representations made.
  - (g) The applicant/licensee (or his/her nominated representative) may then be asked questions by members and with the leave of the Chair from the other parties present.
  - (h) The applicant will then be given the opportunity to sum up the application.
  - (i) The Licensing Officer will then detail the options.
  - (j) There will then be a private session for members to take legal advice and consider the application.
6. The decision of the Licensing Committee will be given in accordance with the requirements of the Licensing Act 2003 and regulations made there under.

- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
  - 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.



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

Peter Sephton – on behalf of ‘Changing Sheff’

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 15<sup>th</sup> March 2022 received an application in respect of the premises known as;

**The Devonshire Cat, 49 Wellington Street, Sheffield, S1 4HG.**

During the consultation period, the Council received a representation from the following interested party:

- **1 x Local Resident – Peter Sephton on behalf of ‘Changing Sheff’.**

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 the representation will be considered at a hearing to be held **at Sheffield Town Hall on Tuesday 10<sup>th</sup> May 2022 at 10.30am**; 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 representation 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 representation.

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: 28<sup>th</sup> April 2022

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](mailto:licensing@sheffield.gov.uk)