

Appendix 'C'

Outstanding Objections:

2 x Local Residents

Health Protection Service, Sheffield City Council

Jayne Gough (CEX)

From: Elaine Cresswell
Sent: 26 August 2022 10:24
To: Samuel Worth Chapel Sheffield General Cemetery (Samuel Worth Chapel)
Cc: Dave Hunt; John Boyle; Jayne Gough (CEX); licensingservice
Subject: SRU:708415 GRANT APPLICATION - SAMUEL WORTH CHAPEL - SHEFFIELD GENERAL CEMETERY, CEMETERY AVENUE, SHEFFIELD, S11 8NT

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

26/08/2022

FAO Catie Evans, Trustee
Sheffield General Cemetery Trust
The Gatehouse, Cemetery Avenue
Sheffield S11 8NT

Hello Catie,

SRU:708415 GRANT APPLICATION – SAMUEL WORTH CHAPEL – SHEFFIELD GENERAL CEMETERY, CEMETERY AVENUE, SHEFFIELD, S11 8NT

Thank you for your email dated 17th August 2022.

Public Safety, Style of operation, Capacity and Fire Regulations,

I have spoken with Fire Officer Karl Harrison and we would like to carry out a joint visit to discuss your capacity and style of operation as this is relevant to your licence application. Unfortunately none of the Trust members were able to meet us this week and I am on leave from Friday 28th August until 12th September. From discussion with Karl and with reference to his email of 29th January 2019 my understanding is:

- the maximum confirmed capacity is 60 inside the Samuel Worth Chapel at any one time for a style of operation such as parties/dancing/ DJ/Live music events/wedding receptions etc. with a monitored one in one out system where there are more than 60 people at an event – any additional people would have to be outside the building. This should be in your risk assessment for that event.
- The only exception where numbers in the Chapel can exceed 60 up to a maximum of 100 is for events where the style of operation is an exhibition such as an Art or Photography exhibition where *the consumption of alcohol is restricted to one complimentary glass of wine or equivalent per person, the doors of the chapel are kept open and the numbers in the Chapel monitored by staff trained in fire evacuation procedures for this type of event and a fire risk assessment is in place for that event.*

This will mean that the operating schedule of your Licence application will need to be amended to reflect this distinction for maximum capacity for events based on style of operation and we need to consider suitable conditions on the licence to reflect this.

- I note that the fire risk assessment with your application refers to a capacity for the Chapel of 100 persons without any distinction for the style of operation and I would advise you to review this.

The responsibility for ensuring the Chapel hirers are correctly informed of your fire safety arrangements; the training of staff who hire out the Chapel and the training of staff who monitor events within the parameters of your risk assessments lies with yourselves ie the chapel trustees. See the Health and Safety Executive website for more information on event safety <https://www.hse.gov.uk/event-safety/index.htm>.

Sanitary provision for licenced premises

BS 6465-1 + A1 - Sanitary installations - Part 1: Code of practice for the design of sanitary facilities and scales of provision is the government approved standard referred to in the building regulations and used nationally.

At your request I have looked at the options for different types of building. The most relevant are:

- Table 7: Minimum provision of sanitary appliances for assembly buildings where most WC use is during intervals or other concentrated periods of time. (e.g. Places of entertainment, cinemas, theatres, concert hall). Where the premises is subject to an entertainment licence, the scale of provision needs to be agreed with the licensing authority.
- Table 8: Minimum provision of sanitary appliances for assembly buildings where most WC use is not concentrated in intervals.(eg. Exhibition Centres, Libraries, Museums). (1 Male WC plus 2 Female WC). Where the premises is subject to an entertainment licence, the scale of provision needs to be agreed with the licensing authority
- Table 10: Minimum provision for restaurants and other places where seating is provided for eating and consumption of non- alcoholic drinks. (2 Male WC plus 2 Female WC toilets for 60 persons).

Please note these are minimum standards and do not include staff provision. In all cases there needs to be one unisex accessible WC which can count towards either male or female WC but not both. As you only have 2 WC this is suitable for a capacity of 30 persons at one time and additional toilets will need to be provided.

The best fit for your activities would appear to be Tables 8 and Table 10 (for Table 7 the requirement is higher). As your building is not intended to be permanently occupied but will be licenced for alcohol and regulated entertainment we have concluded for a capacity of 60 persons provision of 3 permanent WC would be a reasonable requirement. Whilst provision of marquees outside reduces the numbers in the Chapel building for fire regulation purposes it does not reduce the number of people requiring toilet provision. For events in excess of 60 additional temporary sanitary provision will need to be considered as part of your event risk assessment. (It is noted from TEN notifications that there are regularly events up to 100 persons, especially weddings and parties where alcohol is available and seating is provided for eating and drinking. Additional temporary toilet provision in these type of events is most likely to be required.

Conclusion

As the internal proposed layout and arrangements are currently unsatisfactory, I have no alternative than to make a formal representation as a responsible authority in respect of Public Safety.

1. I propose you consider installing an additional toilet so you will have 3 WC permanent WC as a minimum, (one of which is unisex wheelchair accessible) as we discussed on site and produce a plan showing this. This would enable me to agree a condition on the licence which would enable you to operate as a licenced premise up to a capacity of 30 until additional provision in accordance with the agreed plan is made.
2. We will need to consider suitable conditions with respect to capacity and style of operation.
3. A permanent fixed residual current device (RCD) must protect the electrical power serving all amplified music equipment used for the purposes of live music or similar entertainment and any outdoor electrical equipment must be suitable for that purpose.
4. Seating arrangements for cinema showings and educational talks may need to conform to the *TECHNICAL STANDARDS FOR PLACES OF ENTERTAINMENT* where there are more than 50 seats. (More information available on request)

Please note that your application for a licence only appears to cover the Chapel building as you have not specified the adjacent lawn area attached to it. If you intend to erect marquees in this area to carry out licensable activities then I recommend you seek advice from the licensing officer. The licensable area will need to be defined in red on the plan.

I hope I have sufficiently clarified the points you have raised. We can discuss these matters further when I come back from leave so we can hopefully resolve these issues and I can remove my representation. I

suggest we arrange a meeting w/c 12th September to include Karl Harrison. Currently I can do any day except Tuesday morning.

Kind regards

Elaine Cresswell

Environmental Health Technician/Health & Safety Inspector, Environmental Regulation, Sheffield City Council, 5th Floor North, Howden House, 1 Union Street, Sheffield, S1 2SH

Tel: 0114 474 1449 (currently working out of office – please use email)

Email: elaine.cresswell@sheffield.gov.uk

Fax: 0114 273 6464

www.sheffield.gov.uk

<http://www.sheffield.gov.uk/content/sheffield/home/business/health-and-safety-enforcement.html>

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From: Samuel Worth Chapel Sheffield General Cemetery (Samuel Worth Chapel) <catieevans@gmail.com>

Sent: 17 August 2022 16:51

To: Elaine Cresswell <Elaine.Cresswell@sheffield.gov.uk>

Cc: Dave Hunt <accounts.swc@gencem.org>; John Boyle <acetylene1234@hotmail.co.uk>

Subject: Re: Samuel Worth Chapel - premises licence

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Elaine

Thanks for your email and for confirming the main issues we discussed yesterday.

With regards to the fire regs - I have attached the recent email from Fire Officer Karl Harrison that whilst our maximum capacity, as a venue with only one exit, is 60 - for those events where the main doors can be kept open (during summer months for example) and we are monitoring the flow of guests in and out of the building, they have confirmed we can accommodate up to 100 people, also assuming we have prepared an individual risk assessment on this basis.

As you have highlighted, we have exceeded the 60 capacity only under the terms of this guidance and would of course, assume that the various authorities would have intervened to turn down a TENs application, had they believed this was presenting an unacceptable risk.

You agreed that you would make enquiries about what, if any, exemptions might be applied to Grade II* listed buildings where the opportunity to expand facilities is restricted due to the nature of the listing. I understand that this is a rare situation as you mentioned and I am aware of certain exemptions being made to listed buildings in the Peak Park but acknowledge this may well be because of the volume of listed buildings out there - so if there are any examples in Sheffield, it would be helpful to understand if the listing status is considered and has provided any level of exemption.

You were kind enough to show me the British Standard requirements for venues and your recommendations are that we fall into the category of a restaurant, as we occasionally hold wedding receptions, where people might be seated to eat and drink for several hours. I am still not quite clear why, when we are rated as a community hall, this is the appropriate classification for the chapel.

I have now had chance to look through the calendar for this year - during the period 1st Jan -31st Dec 2022, we have a total of 8 weddings during this 12 month period, so these tend to be very much occasional events, rather than making up the bulk of our activities. It should also be highlighted that some of our weddings bring in street food vans for their catering, which means guests are served outside and often, our weddings set up marquees, tables and chairs which enable guests to eat and drink outside.

We have also (during this period) run 2 late night music events but these will be taking a different format from now on. The film nights will be revised to ensure they meet with the new proposed capacity and entertainment guidelines. However, I think its essential to highlight that the bulk of our activities are charity and joint fund-raising events, choral evenings, recitals and and spoken word performances, exhibitions, cafes, children's activities and workshops. So, I would be grateful if you could clarify, on the basis of the range of events we provide / host, why we would be perceived as a restaurant and required to meet guidelines on this basis.

If you could let us know the outcome of discussions within your department and be good enough to let us have some clarification on the points above, we would welcome any further discussion and if it would help, a further meeting on site to discuss these points when you have had chance to investigate?

Thanks again for taking the time to come out and to discuss the regulations and we look forward to hearing from you soon. Please could you ensure my fellow Trustees, John Boyle and Dave Hunt (cc'd above) are included in your response.

Kind regards

Catie Evans
Trustee

Sheffield General Cemetery Trust
The Gatehouse, Cemetery Avenue
Sheffield S11 8NT

Tel 0114 268 3486
Instagram - @sheffieldgeneralcemeterytrust
Twitter -@SheffieldGenCem
Facebook - [facebook.com/SheffieldGeneralCemetery](https://www.facebook.com/SheffieldGeneralCemetery)
Website - gencem.org
Chapel bookings - samuelworthchapel@gmail.com

Registered Charity Number 1103158



Re: Samuel Worth Chapel - premises licence

Re: Samuel Worth Chapel - premi

Harrison Karl

RE: Application for a premises licence - Samuel Worth chapel ref 533GC/P08

To: samuelworthchapel@gmail.com, Cc: Jackson Gamma

Hi Catie,

Many thanks for your email.

It is a standard decision that when we have a room w Re: Samuel Worth Chapel - premises licence but one is openi

However as per my visit in 2019, I have no concerns over your intention to annotate within your fire risk ass
nature of your event and limited alcohol served such as a glass or 2 of wine then as per my email below I a

Hope this now settles the matter for you.

Kind regards

Karl

Karl Harrison

Business Fire Safety Inspecting Officer

South Yorkshire Fire & Rescue

Command Headquarters

197 Eyre Street

Sheffield

S1 3FG

Mobile 07887 823180

Kharrison@syfire.gov.uk



**South Yorkshire
FIRE & RESCUE**

From: SYFR Licensing <syfrlicensing@syfire.gov.uk>

Sent: 08 August 2022 10:40

To: Harrison Karl, kharrison@syfire.gov.uk

On 17 Aug 2022, at 12:40, Elaine Cresswell <Elaine.Cresswell@sheffield.gov.uk> wrote:

17th August 2022

Hello Catie, thank you for your time yesterday.

Premises Capacity

I have just spoken with Alex Quant, to clarify the situation with what numbers are allowed in the chapel. Looking back through the TENS events notifications most are well in excess of 60 involving activities such as parties/cinema screenings/wedding receptions and not what I would describe as an 'exhibition' type event (where I understand you are allowed up to 100). I think it is important to obtain clarity from the fire officer on what exactly is allowed for numbers in excess of 60 and I have recommended to Alex that he checks your records on this. I will also contact the fire officer. If the confirmed capacity is 60 inside for activities such as parties/cinema screenings/wedding receptions etc. you can only have 60 people in total

inside at any one time with a one in one out system – any additional people would have to be outside the building.

For clarity, a temporary event notice allows a premises/property to be used for short-term licensable activities, e.g. the sale of alcohol or regulated entertainment, subject to certain conditions and to which the Responsible Authorities can object on a case by case basis. The use of TENS for temporary events does not confer a buildings suitability for a permanent premises licence and it doesn't override your fire safety maximum capacity for the building.

At present the last day for comments is 7th September and I will speak with the licensing department as agreed to see if this time period can be extended due to the complications of listed building status.

Guidance on WC provision:

Building Regulation Approved Document G provides information on the scale of provision and layout of toilets in buildings other than dwellings. For your information: -

For staff toilets paragraph 4.12 refers to The Workplace (Health, Safety and Welfare) Regulations 1992 on the minimum number of sanitary conveniences which must be provided in workplaces. The Approved Code of Practice (ACOP) that supports those Regulations sets out how to calculate that minimum requirement (guidance on those minimum numbers can be found at <https://www.hse.gov.uk/simple-health-safety/workplace-facilities/health-safety.htm>).

For accessible toilets paragraph 4.13 refers to Part M of Schedule 1 to the Building Regulations 2010 which sets out requirements relating to access to and use of buildings and guidance on the provision of suitable sanitary accommodation. Such accommodation may form part of the total number of sanitary conveniences provided within a building.

For the number of customer toilets paragraph 4.14 refers to BS 6465-1:2006 + A1:2009 Sanitary installations. Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances. See table 10 (pg6) in the attached guidance on Health and Safety in licensed premises.

References for information:

- Health & Safety at Work Etc Act 1974; Management of Health and Safety at Work Regulations 1999; The Workplace (Health, Safety and Welfare) Regulations 1992 see: <https://www.hse.gov.uk/>
- The Licensing Act 2003: Sheffield City Council's Statement of Licensing Policy Under the Licensing Act 2003 2021 – 2025 [About licences | Sheffield City Council](#)
- The Building Regulations 2010 - The Merged Approved Documents https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1010058/Single_stitched_together_pdf_of_all_ADs_Jul21_.pdf

If you have any further questions please let me know.

Kind regards

Elaine Cresswell

Environmental Health Technician/Health & Safety Inspector, Environmental Regulation, Sheffield City Council, 5th Floor North, Howden House, 1 Union Street, Sheffield, S1 2SH

Tel: 0114 474 1449 (currently working out of office – please use email)

Email: elaine.cresswell@sheffield.gov.uk

Fax: 0114 273 6464

www.sheffield.gov.uk

<http://www.sheffield.gov.uk/content/sheffield/home/business/health-and-safety-enforcement.html>

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From: Samuel Worth Chapel Sheffield General Cemetery (Samuel Worth Chapel)
<catieevans@gmail.com>
Sent: 11 August 2022 16:46
To: Elaine Cresswell <Elaine.Cresswell@sheffield.gov.uk>
Subject: Samuel Worth Chapel - premises licence

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Hello Elaine,

Thanks for your time this afternoon.

I have attached a copy of the premises licence advert, placed in the Mercury this week, which will give you all the details and hours of our activities.

As I explained, we do not open every day or have a programme of events repeated on a regular basis - our opening times have been agreed because these are hours within which we might have an event or activity - it might be a schools visit, a talk and tour for U3A, a craft or activity workshop, choral event, play or film screening, club night, memorial event, wedding ceremony and/ or reception - so as we discussed, it is used on a very ad-hoc basis, very much on a village hall / community hall basis.

With capacity restricted at around 30 - in line with the requirements for H&S for a building with only 2 w.cs, then the chapel becomes unviable as a venue - so we would need a major rethink on whether to redesign completely inside the building, which would require listed planning consent for any changes to the building (whether they be original or recent).

In all honesty, we would probably struggle to ensure we have a portaloos on site for every event with a larger capacity than 30, as the chapel is situated in a public park, and would be at risk of vandalism - plus, it couldn't be kept on site, as the cemetery is also a Grade II* listed landscape..

We have a toilet at the gatehouse, which I can show you next week when we meet - but this is maybe 300 yards from the chapel itself.

So, any thoughts you might have about how we manage this situation would be very welcome - hopefully once you have seen the chapel again, this might be clearer, so I look forward to seeing you next Tuesday at 1pm at the Gatehouse - Cemetery Avenue, S11 8NT.

Thanks again for your time

Kind regards

Catie

Catie Evans

Trustee
Sheffield General Cemetery Trust
The Gatehouse, Cemetery Avenue
Sheffield S11 8NT

Tel 0114 268 3486
Instagram - @sheffieldgeneralcemeterytrust
Twitter -@SheffieldGenCem
Facebook - [facebook.com/SheffieldGeneralCemetery](https://www.facebook.com/SheffieldGeneralCemetery)

Website - gencem.org
Chapel bookings - samuelworthchapel@gmail.com

Registered Charity Number 1103158

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Jayne Gough (CEX)

Subject: FW: sheffield general cemetery trust licensing application objections

-----Original Message-----

From: john rylance

Sent: 04 August 2022 22:52

To: licensingservice <licensingservice@sheffield.gov.uk>

Subject: Re: sheffield general cemetery trust licensing application objections

My objection still stands I see no reason for a licence application for LNR till the early hours of the morning to be granted to a venue in a residential neighbourhood, not for the proposed licensing to midnight during weekdays and till 01.00 at the weekend. It will have an exceedingly detrimental effect on immediate neighbours and those in surrounding streets as people and taxis/cars make their way to and from the venue.

Moreover the cemetery is a nature reserve that local people and conservation groups have put considerable effort and finance into creating. To allow such a development as is proposed in the application goes against all sense in a nature reserve. It may also contravene the rules and regulations concerning the charitable trust that is making the application.

Yours

John Rylance

Sent from my iPhone

> On 4 Aug 2022, at 14:49, licensingservice <licensingservice@sheffield.gov.uk> wrote:

>

> Hi John,

>

> Thank you for your email, I can confirm that the timings have now been changed as per agreed with the applicant, I have attached the below. Can you confirm if this means that your objection has been withdrawn or whether you would continue with your objection?

>

> Plays , Films, Indoor Sports, Live Music, Recorded Music, Performance

> of Dance, Anything of similar description (ON/OFF) - Sunday to Thursday - 10:00 - 00:00, Friday & Saturday - 10:00 - 01:00 10x events per annum until 02:30 on Friday or Saturday.

>

> Supply of Alcohol (ON/OFF) - Sunday to Thursday - 10:00 - 00:00,

> Friday & Saturday - 10:00 - 01:00 10x events per annum until 02:30 on Friday or Saturday.

>

> LNR (ON AND OFF) - Sunday to Thursday - 23:00 - 00:00, Friday &

> Saturday - 23:00 - 01:00 10x events per annum until 02:30 on Friday or Saturday.

>

> Opening hours - 08:00-00:30 Sun-Thursday, 08:00-01:30 Fri-Sat

> 10 x events per annum until 02:30 on Friday or Saturday

>

> ALL OUTSIDE REGULATED ENTERTAINMENT TO CEASE AT 22:00

>

> Many thanks

> Ryan

>

> -----Original Message-----

> From: john rylance

> Sent: 04 August 2022 12:13

> To: licensingservice <licensingservice@sheffield.gov.uk>

> Subject: sheffield general cemetery trust licensing application

> objections

>

> I wish to object to the application by The Sheffield Genral Cemetery Trust for licensing for events and sale of alcohol at all hours of the day and night, a particularly worrying aspect is for a LNR from 23.00 to 05.00. I am a nearby resident of the area where the proposed application will operate.

- >
- > This building is situated in a residential area, a late licence to cover up to midnight and then up to 05.00 is more akin to a city centre night club than a renovated chapel in a residential suburb, it will draw in crowds of people who want to party till nearly dawn, they will cause disturbance arriving and departing.
- >
- > This area is one that the local community has spent many hours of voluntary work renovating and the chapel has been used for many community and family orientated events. It is not appropriate to now turn it into a early hours of the morning night club type venue.
- >
- > There are areas of the cemetery that are already plagued with drug and alcohol abuse issues, used needles abound in parts, and there is regular incidences of drug consumption in the cemetery at all hours of the night and day, this will only aggravate the problem.
- >
- > I have no objection to a licence that permits family and community orientated events as have already happened there, with reasonable restrictions on hours of operating as appropriate to a residential area. I do object to an application that is more like the operating hours and licence conditions of a night club.
- >
- > Thank you for considering my views, I await the outcome of the
- > application
- >
- > John Rylance
- >
- >
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Jayne Gough (CEX)

Subject: FW: Premises licence Samuel Worth Chapel

-----Original Message-----

From: Karin Hessenberg
Sent: 04 August 2022 21:35
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject: Premises licence Samuel Worth Chapel

Dear Sir / Madam,

I would like to express my objection to this application for serving alcoholic drinks in the General Cemetery until the early hours of the morning.

It would have a detrimental impact on residents of Cemetery Road, by disturbing their right to a peaceful nights sleep.

Furthermore there is a nature reserve in the General Cemetery and there would be unacceptable disturbance to the wildlife, including breeding owls. Has this been taken into consideration by the Sheffield General Cemetery Trust? It is supposed to be looking after the place. It could be in breach of its charitable objectives if it turns into a drinks and events venue as proposed.

As I understand, the planned outdoor events will end at 22.00 hours, so there should be no need to serve any drinks after 23.00 hours.

Thanks for your attention.

Yours sincerely,
Karin Hessenberg

Applicant:

Premises: Address:

Type of Premises:

Ward: Legislation & Type of app:

Application Details:

Sheffield General Cemetery Trust (Charity) Samuel Worth Chapel Sheffield General Cemetery
Cemetery Avenue

S11 8NT

Chapel / Community

Broomhill & Sharrow Vale

Licensing Act 2003

Application for Grant of a Premises Licence Sunday to Saturday:

Plays, Films, Live Music, Recorded Music, Performance of Dance, Anything of similar description

- 00:00 - 00:00 (ON AND OFF) Indoor Sport - 00:00 - 00:00 Supply of Alcohol (ON) - 00:00 -

00:00 LNR (ON AND OFF) - 23:00 - 05:00

14 July 2022

11 August 2022 March Sent from my iPad

Appendix 'D'

Hearing Notices and Regulations



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

Sheffield General Cemetery Trust

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 14th July 2022, received an application in respect of the premises known as;

**Samuel Worth Chapel, Sheffield General Cemetery, Cemetery Avenue, Sheffield, S11 8NT
(Grid Ref: 34132 85883)**

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

- **2 x Local Residents**
- **Environmental Protection Service, Service Sheffield City Council**
- **Health Protection Service, Sheffield City Council**

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

The Council now **GIVES YOU NOTICE** that the representation will be considered at a hearing to be held **At Sheffield Town Hall on Monday 3rd October 2022 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) Your response to the 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: 16th September 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



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

John Rylance
Local Resident

Sent via email: [REDACTED]

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**Samuel Worth Chapel, Sheffield General Cemetery, Cemetery Avenue, Sheffield, S11 8NT
(Grid Ref: 34132 85883)**

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- **2 x Local Residents**
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- 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 representations

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Dated: 16th September 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



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

Karin Hessenberg
Local Resident

Sent via email: [REDACTED]

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- 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 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: 16th September 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



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

Elaine Cresswell
Health Protection Service, Sheffield City Council

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

The Sheffield City Council being the licensing authority, on the 14th July 2022, received an application in respect of the premises known as;

**Samuel Worth Chapel, Sheffield General Cemetery, Cemetery Avenue, Sheffield, S11 8NT
(Grid Ref: 34132 85883)**

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

- **2 x Local Residents**
- **Environmental Protection Service, Service Sheffield City Council**
- **Health Protection Service, Sheffield City Council**

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

The Council now **GIVES YOU NOTICE** that the representation will be considered at a hearing to be held **At Sheffield Town Hall on Monday 3rd October 2022 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) 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 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: 16th September 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

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.

Premises: Samuel Worth Chapel, Sheffield General Cemetery,
Cemetery Avenue, Sheffield, S11 8NT (Grid Ref: 34132 85883)
Hearing Date: 3rd October 2022 – 10am
Application Type: Grant of Premises Licence

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 Elaine Cresswell - Health Protection Service, Sheffield City Council

hereby confirm that I have received the Notice of Hearing dated 16th September 2022 and notify you as follows (**please complete**):

I intend to attend the hearing on Monday 3rd October 2022 at 10.00am in Sheffield Town Hall

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.

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