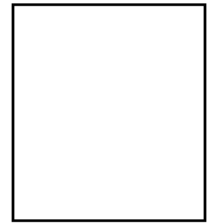




## SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



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

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**Date:** **Monday 14<sup>th</sup> November 2022 – 10:00am**

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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 **428 Ecclesall Road, Sheffield, S11 8PX**

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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 158/22**

**428 Ecclesall Road, Sheffield, S11 8PX**

**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 Masoud Ibrahim and Amanuel Gebru Araya.

2.2 The application was received by the Licensing Service on the 20th September 2022 and is attached at Appendix 'A' of this report.

2.3 There have been no comments or agreed conditions received from the Responsible Authorities.

2.4 The Licensing Service has received comments of support for the application from a local resident and are attached to 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 Councillor
- 12 x Local Residents
- 1 x Local Resident Community Association

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 10 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.

*Steve Lonnie*

Stephen Lonnie  
Chief Licensing Officer  
Head of Licensing

Date: 14<sup>th</sup> November 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.

I/We Masoud Ibrahim; & Amanuel Gebru ARAYA  
(Insert name(s) of applicant)

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

20 SEP 2022

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
428 Ecclesall Road			
Post town	Sheffield	Postcode	S11 8PX
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£	

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <u>GEBRU ARAYA</u>			First names <u>Ammanuel GEBRU</u>		
Date of birth	[REDACTED]	I am 18 years old or over	<input checked="" type="checkbox"/>	Please tick yes	
Nationality	[REDACTED]				
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	[REDACTED]				
Post town	<u>Sheffield</u>			Postcode	[REDACTED]
Daytime contact telephone number	[REDACTED]				
E-mail address (optional)	[REDACTED]				

**(B) OTHER APPLICANTS**

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY					
A	S	A	P				

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

DD	MM	YYYY					

Please give a general description of the premises (please read guidance note 1)

Supermarket selling exotic fruits, flowers, general groceries and alcohol

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M



**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Wed					
Thur			<b>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</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Wed					
Thur			<b>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</b> (please read guidance note 6)		
Fri					
Sat					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Tue			
Wed			
Thur			<b><u>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</u></b> (please read guidance note 6)
Fri			
Sat			
Sun			

D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<b><u>Please give further details here</u></b> (please read guidance note 4)	
Thur			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)	
Fri			<b><u>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</u></b> (please read guidance note 6)	
Sat				

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Wed					
Thur			<b>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</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**F**

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

**G**

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

**H**

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

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>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</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 5)		
Mon	08:00	01:00			
Tue	08:00	01:00	<b><u>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</u></b> (please read guidance note 6)		
Wed	08:00	01:00			
Thur	08:00	08:00			
Fri	08:00	01:00			
Sat	08:00	01:00			

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

Name	
Date of birth	
Address <i>DPS to be added at a later date</i>	
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).**

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	<i>08:00</i>	<i>01:00</i>	
Tue	<i>08:00</i>	<i>01:00</i>	
Wed	<i>08:00</i>	<i>01:00</i>	
Thur	<i>08:00</i>	<i>01:00</i>	
Fri	<i>08:00</i>	<i>01:00</i>	
Sat	<i>08:00</i>	<i>01:00</i>	
<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left. please list</b> (please read guidance note 6)			<i>- Sunday 08:00 - 01:00</i>

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

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

Alcohol refusal log to be kept and up to date

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

Challenge 25 to be in place - ID required  
CCTV to be installed and kept for a minimum of 30 days

**c) Public safety**

Fire exits to be kept clear at all times

**d) The prevention of public nuisance**

Signs to be displayed to ask customers to leave quietly  
Pick up litter from outside shop daily

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

No alcohol sales to be made to anybody underage.  
Challenge 25 to be in place and staff trained

**Checklist:**

**Please tick to indicate agreement**


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

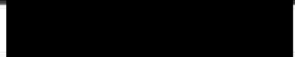
**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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** (see guidance note 12). **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>
Signature	
Date	16/9/22
Capacity	Ammanuel Gebri

**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	
Date	16/9/22
Capacity	Masood Ibrahim

**Contact name** (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)



## Privacy Notice – Licensing Act 2003

### How we will use your information

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

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

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

- Licensing Act 2003

### Who we will share your information with

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

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

### How long we will keep your information

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

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

### What are your rights

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

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

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

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

Name:

Masoud Ibrahim Page 25 Ammanuel Gebru

Signature:

[Redacted Signature]

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

## 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 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

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. Right to work/immigration status:**

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability 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 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 the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensing activity. They do this in one of two ways:

1. by providing with this application copies or scanned copies of the documents which an applicant may provide to demonstrate their entitlement to work in the UK (which do not need to be certified) that are published on GOV.UK and in guidance issued under section 182 of the Licensing Act 2003.
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)

**Home Office online right to work checking service.**

As an alternative to providing a copy of original documents, 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.

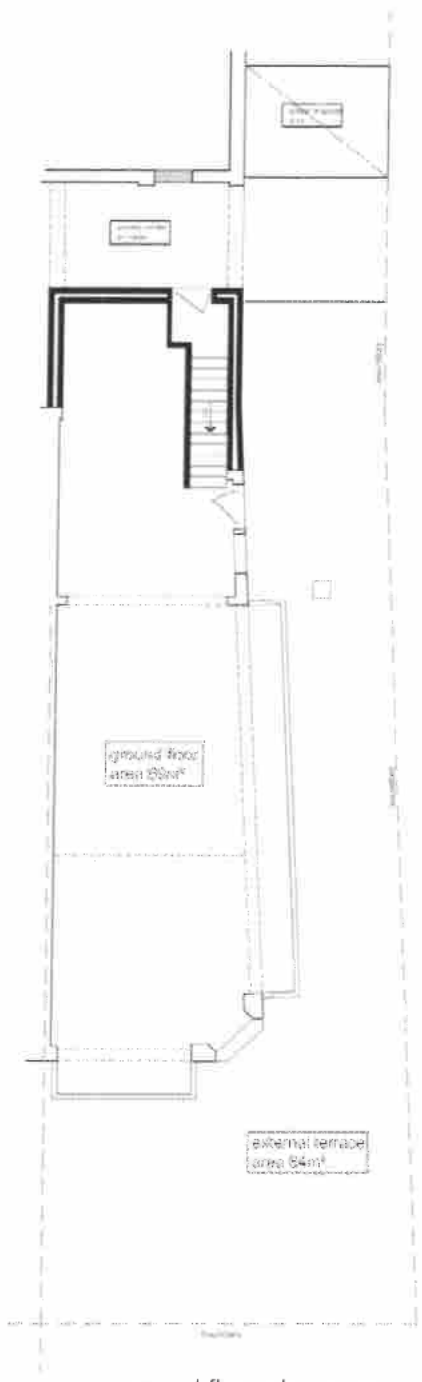
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided with 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 shared digitally. 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 copied of the documents as set out above.

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 wish to share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

428 ECCLESALL ROAD  
20.09.22



ground floor plan areas



basement area

# Appendix 'B'

## Supporting Comments

Good afternoon.

I am writing in regards to an off license opening at 428 Ecclesall road. I believe it would be a very good location for an off license to open. There is always a long wait and expensive prices at Tesco, which is very inconvenient and not ideal for the students in the area. Therefore, there being an off license across the road would be a prime location, perfect for local residents like myself. There needs to be more on this road, it's a student area and an off licence is perfect for students. There is also a need for more independent business, which this business would be perfect for. I believe it is important to support small, local businesses, a belief many other will also hold. Thank you for your time.

Regards, Alice Collier

# Appendix 'C'

## **Outstanding Objections:**

1 x Local Councillor

12 x Local Residents

1x Local Resident Association

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

From: A Etheridge

Sent: 04 October 2022 18:34

To: licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>

Subject: Objection to Licencing application for 428 Ecclesall Road

Regarding:

Licence Application by Masoud Ibrahim and Amanuel Gebru Araya

Address: 428 Ecclesall Road, Sheffield, S11 8PX Type of Premises: Supermarket

Ward: Broomhill and Sharrow

Legislation and Type of Application: Licencing Act 2003 Grant of Premises

Application Details: Change of layout : Supply of Alcohol Sunday-Saturday 0800-0100 Opening Hours Sunday-Saturday 0800-0100

Dear Sirs,

I write to you to register my opposition and objection to the granting of a licence for the above named parties and premises under the conditions applied for. The reasoning for my objection in this instance is primarily that I believe that granting a licence to this establishment to serve alcohol until 0100am daily where the premises borders to a predominantly residential area will result in an increase to noise, disorder and antisocial behaviour, with potential to also increase criminal behaviour by inebriated people coming in to the surrounding area late into the night.

Ecclesall Road is already well served for supermarkets and 'off-licences', alongside other places where alcohol is readily available, the majority of which do not have licence conditions operable and valid past 11.30pm and even under these earlier closing conditions than the current applicants, nuisance noise and antisocial behaviour has increased over the past 20 years as the number of establishments serving alcohol within the area generally has grown within that time frame.

As a long time resident of Wadsworth Road myself, which adjoins the road of the proposed location, I am frequently a witness to night time nuisance noise that seems amplified and echoes up the roads late at night. This has often disturbed my household which includes my 87 year old Grandmother who suffers from heart failure and any sleep disturbances have a big impact on her. I have also often conversed with noise disturbed neighbours, it waking their children and other professionals such as medics who inhabit our area, the noise preventing them from getting an adequate nights rest and which subsequently has a detrimental affect to their work performance the following day. This residential area remains heavily multi-generational and sleep deprivation becomes a health and safety issue to us.

Whilst speaking of potential health and safety concerns of this application, the current layout of the store frontage and its proximity to a pedestrian crossing i.e. traffic lights, might also become a health and safety issue if glass bottles are dropped whilst exiting the premises/awaiting the lights. There are currently uneven/loose steps without any hand rails at the current store front which should be resolved in any case as a priority, whatever happens with this location. The side-street area is also currently quite dark with overhanging street trees and uneven paving at the bottom of Thompson Road which would be of greater hazard to people late at night, especially if they have consumed alcohol already.

Lastly I would like to advise you that there has been an escalation in late night antisocial behaviour on Ecclesall Road within the past 5 years. One such example being youths shooting fireworks at passing vehicles on the main road around Hallam University Collegiate campus in Autumn 2020. Please note that this incident was in close proximity to other 'late night' convenience stores that provide alcohol sales. I would argue that it stands to reason that if you increase the number and availability of this type of establishment and its ability to serve alcohol and other



potentially hazardous items late into the evening, the incidence of these types of incidents is highly likely to increase.

I would request that the Licencing Authority carefully consider these above concerns whilst you review this application, and refuse the granting of the licence in this instance.

Thank you

Yours Faithfully

Andrew Etheridge

**From:** Bill McDonnell  
**Sent:** 05 October 2022 11:19  
**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>  
**Subject:** 428 Ecclesall Road

Licence application by Masoud Ibrahim & Amanuel Gebru Araya  
428 Ecclesall Road Sheffield S11 8PX

*Dear Sirs*

*We are writing to register our objection to the application for a premises licence shown above. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.*

*Granting a licence would provide a further source of alcohol and takeaway food within an area already so heavily populated with licensed premises that crime, disorder, vermin and public nuisance have already reached problem levels for the local community. Late night noise from people walking up the street and partying causes much disruption throughout the week preventing school-age children, working people and pensioners having a good night's sleep. Parking is in short supply in this area, such a shop would encourage cars to be parked in the middle of the road causing a hazardous disturbance. Allowing the purchase of alcohol until 1am can only make this problem worse.*

*Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night. We already suffer litter from takeaways and shops strewn in our gardens and there is no need to compound this further.*

*The noise nuisance from these premises will be made unacceptable if food and alcohol be purchased and therefore consumed as people return home as the nature of the layout of roads means all noise carries up the road since the width and the terraced housing means it acts like a funnel. Thus noise at the bottom of the street can be heard at the top. This is unacceptable.*

*Many other establishments have been denied a licence after 11.30 and there is therefore no reason to grant this establishment a licence after 11 or 11.30pm*

*In view of the above, I would urge the Licensing Authority to refuse the application.*

*Yours faithfully*

*William and Margaret McDonnell*

**Sent:** 29 September 2022 15:49

**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>

**Subject:** Ref licence application 428 Ecclesall Road

Licence application

428 Ecclesall Road Sheffield S11 8PX

Type of Premises: Supermarket

Ward: Broomhill and Sharrow

Legislation & Type of app: Licensing Act 2003 Grant of Premises Application Details:

Change of layout: Supply of Alcohol Sun-Sat 08:00 – 01:00 Opening Hours Sun-Sat 08:00 – 01:00

Dear Sirs

I write to you as the Chair of the Botanical Gate Community Association representing the residents of the Roads: Thompson, Khartoum, Walton and Wadbrough. I wish to register my objection to the application for a premises licence shown above. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour in a residential area.

I am also very concerned in that the 'Type of premises' is listed above as 'Supermarket' yet the 'Notice' affixed to the Heras fencing outside the premises states that the application is for:

'The provision of late-night refreshment'

'Sale by retail of alcohol'

'The provision of regulated entertainment'

How does a supermarket require a licence for 'late night refreshment' and 'regulated entertainment'? I would appreciate clarification on this point.

Granting a licence would provide a further source of alcohol and takeaway food within an area already so heavily populated with licensed premises that disorder and public nuisance have already reached problem levels for the local community. Many other establishments have been denied a licence after 11.30 and there is therefore no reason to grant this establishment a licence after 11 or 11.30pm

Late night noise from people walking up the street and partying causes much disruption throughout the week preventing children, university students and working people having a good night's sleep. Allowing the purchase of alcohol until 1am will only make this problem worse. Residents in this area already suffer frequent noise nuisance and antisocial behaviour. We already suffer litter from takeaways food venues strewn in our gardens and there is no need to compound this further.

The noise nuisance from these premises will be made unacceptable if alcohol could be purchased and, therefore, consumed as people return home as the nature of the layout of roads means all noise carries up the road since the width and the terraced housing means it acts like a funnel. Thus, noise at the bottom of the street can be heard at the top. This is unacceptable.

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully Ian Smith, Chair Botanical Gate Community Association

**From:** carlo de nardo  
**Sent:** 09 October 2022 20:35  
**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>  
**Subject:** Objection to the application 428 Ecclesall road S11 8PX

Dear Sir/mad

I am writing to let you know of my strong objection to the application for a premises licence as requested for 428 Ecclesall road , Sheffield S 11 8PX (supermarket, sales of alcohol till 1 am)

My objection is purely on the ground of the PREVENTION OF CRIME, DISORDER AND ANTISOCIAL BEHAVIOUR that a shop like this, trying to sell alcohol till 1 am, will cause to our residential area.

Granting a licence till 1 am will cause late noise by drunken shoppers, antisocial behaviour, litter, dangerous parking (there is NO parking!), and noise of idle engines. This could be made worst if a delivery service is also offered.

By allowing people to buy alcohol so late during the evening will of course create noise. This will prevent residents from sleeping during the night! There are flats above those premises and houses in the vicinity of this planned supermarket.

Our road already suffers litter from nearby takeaways, and frankly it will be horrible if we had to deal with more of that (including an increase in vomit on the road)

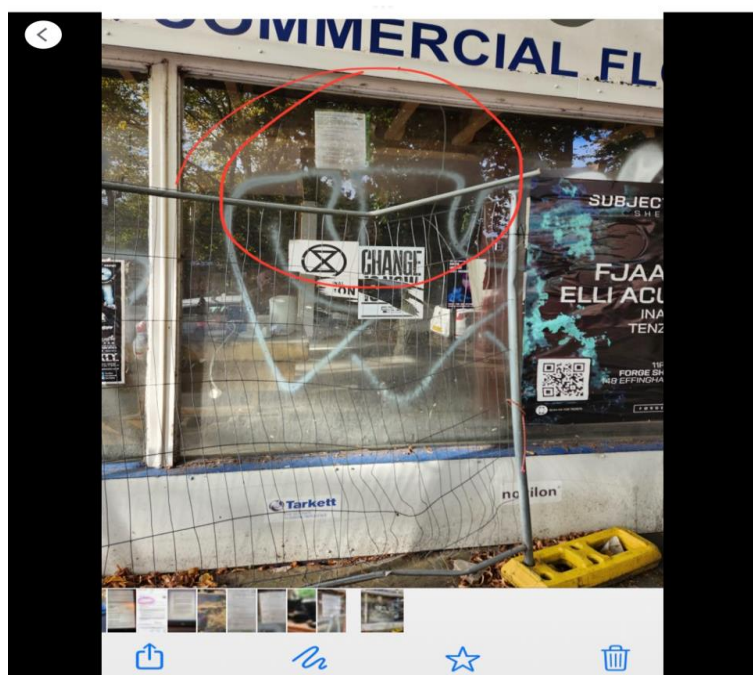
Many other shops nearby have been denied a licence after 11:30. Granting an exception up to 1 am will send a wrong message.

I also want to point out that the road outside the premises is very dark due to trees and bad lighting and feels very unsafe for people.

Finally pls note that the sign informing the residents about this new shop is positioned so high in the window, that you need to be 8 ft tall to read it! On top of that there is also a fence stopping people to have a look at the note. Frankly i find this really disturbing....(pls see the picture attached to this email)

In view of all the above I urge the Licensing Authority to refuse the application to grant the sell of alcohol till 1 am.

Regards  
Carlo de nardo



**From:** Turgoose

**Sent:** 17 October 2022 14:40

**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>

**Subject:** Objection to Licensing application for Applicant: Masoud Ibrahim & Amanuel Gebru Araya, 428 Ecclesall Rd

Dear Sirs

I am writing to register my objection to the application for a premises licence shown below.

The reason for my objection is because the application seeks a licence till 1am for these premises. As this is later than the normal licencing times for surrounding bars and pubs (11.30) it will therefore not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

The bottom area of Thompson Road is poorly lit and I am already concerned for the safety of my daughter when she comes back home after a night out. She herself does not feel safe because of the poor lighting around the area of the Botanical Garden gates and around the cars parked below this.

Granting a later licence (beyond 11.00 to 11.30) in the local area would mean that along with greater numbers of people around late at night, it would probably also attract people with alcohol and drug problems who may loiter around the shop. This would lead to the area being less safe both for my daughter, the large number of students who live on in the roads above the shop and for anyone else who has to return home late at night.

Many other establishments have been denied a licence after 11.30 and there is therefore no reason to grant this establishment a licence after 11 or 11.30pm

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully

Chris Turgoose

**From:** Brian Holmshaw (Green CLLR)

**Sent:** 30 September 2022 12:22

**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>

**Subject:** Licence application by Masoud Ibrahim & Amanuel Gebru Araya 428 Ecclesall Road

Licence application by Masoud Ibrahim & Amanuel Gebru Araya

428 Ecclesall Road Sheffield S11 8PX Type of Premises: Supermarket

Ward: Broomhill and Sharrow Vale

Legislation & Type of app: Licensing Act 2003 Grant of Premises Application Details: Change of layout: Supply of Alcohol on a Sun-Sat 08:00 – 01:00 Opening Hours Sun-Sat 08:00 – 01:00

Broomhill and Sharrow Vale Green Party would like clarity on the nature of this establishment. We have been informed that the notice at the front of the building refers to it as a place of late night entertainment, not a supermarket. If this is the case and it is a supermarket will this notice be removed, and the premises application re-advertised correctly? If this is a late night entertainment establishment there will need to be a suitable curfew conditions applied for the use of outdoor seating if the applicants request it.

Secondly, while they add to the vibrancy and vitality of the area we are worried about the growth of drinking establishments in this part of the ward, their impact on the residential population living nearby and on the health and wellbeing of the people of Sheffield. Is there a maximum number of drinking clubs, bars, pubs and alcohol serving premises on a given length of street? Can you provide me with details of conditions that can be applied to limit the number of such premises in a given area?

Finally the opening hours need to be restricted in line with the 11.30pm planning curfew that operates in the Ecclesall Rd area, last upheld by the Planning Inspectorate in February 2014 at 283 Ecclesall Road.

Cllr Brian Holmshaw  
Broomhill and Sharrow Vale Green Party

Brian Holmshaw  
Green Party Councillor, Broomhill and Sharrow Vale  
Deputy Chair, Education, Children and Families Committee

**From:** Gay Penfold

**Sent:** 30 September 2022 13:01

**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>

**Subject:** Licence application by Masoud Ibrahim & Amanuel Gebru Araya 428 Ecclesall Road S11 8PX

I am writing to register my objection to the application for a premises licence shown above. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour. I request that the Licensing Authority refuse the application on the basis of the comments and objections I have raised in this e mail.

I am dismayed that there is yet another late night licensing application for yet another premises on Ecclesall Road. This road is fast becoming an alternative to West Sreet for premises selling and serving alcohol. As such we residents have to put up with increasing amounts of disorder and antisocial behaviour, late night noise in the whole of this mixed residential area, and resultant litter. The noise from people going to and leaving the many bars in this area , particularly late at night, causes disruption throughout the week preventing residents from sleeping.

The bottom of Thompson Road, which should in my view be protected as a gateway to one of Sheffield's assets, namely the Botanical Gardens, is already dark and often littered resulting in an uninviting, and unattractive road. (This particular property has been a building site/eyesore for at least three years.)

Allowing the purchase of alcohol until 1am will just make these existing problems worse and exacerbate noise levels because due to the layout of roads in the area any and all loud noise at the bottom of the road is carried up the road and into the surrounding area.

As there are many other establishments who been denied a licence after 11.30 there is therefore no reason to grant this establishment a licence after 11 or 11.30pm

Thank you  
Gay Penfold

**From:** Lucy Rumney  
**Sent:** 29 September 2022 12:48  
**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>  
**Subject:** Objection to 428 Ecclesall Road licence application

Dear licensing

We object to this application as it will lead to further noise, anti social behaviour and crime. There are already many premises in this area selling alcohol and take-away food. A late license till 1 am will compound the existing problems residents suffer in the early hours and during the the night of lack of sleep and disturbances. Mounting evidence suggests this can cause serious health issues. We urge you to restrict the license to 11 pm or 11.30 pm at the latest in line with existing local licences and so that there is no precedent for future applications.

Regards

Lucy Rumney and David Rees



**From:** Martyn Woodhouse  
**Sent:** 16 October 2022 17:44  
**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>  
**Subject:** License application for 428 Ecclesall Road, Sheffield, S118PX

Dear Sir or Madam,

We are writing to register our objection to the application for a premises licence at the address shown above. We oppose the granting of the licence on the basis that the area is already at saturation point with outlets selling alcohol takeaway food and other merchandise. Granting this licence would not be in keeping with healthy living the city should be promoting. Granting a licence will also not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour. The area's crime, disorder and public nuisance have already reached problem levels for the local community. Late night noise from people walking up the street and partying causes much disruption throughout the week preventing everyone's right to a good nights sleep. Allowing the purchase of alcohol until 1am can only make this problem worse.

Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night. We already suffer litter from takeaways and shops strewn in our gardens and there is no need to compound this further.

The noise nuisance from these premises will be made unacceptable if could be purchased and therefore consumed as people return home as the nature of the layout of roads means all noise carries up the road. Thus noise at the bottom of the street can be heard at the top. This is unacceptable.

Many other establishments have been denied a licence after 11.00pm

In view of the above, We would urge the Licensing Authority to refuse the application.

Yours faithfully

Martyn Woodhouse/ Susan Carson

**From:** Mary Derby  
**Sent:** Sunday, 9 October 2022, 2:20 pm  
**To:** [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)  
**CC:**

Dear Sirs

We are writing to register our objection to the above application for the premises licence shown above.

Granting of this license would provide yet another, unnecessary source of late night alcohol and takeaway food in an area already more than well served with these types of establishment.

As residents of the area we already have to deal with the consequences of late night noise and anti-social behaviour, particularly difficult for families with children. Alongside this there is litter from takeaways, discarded drinks bottles and general rubbish which is already unacceptable. Granting of this licence would only add to and exacerbate the issues being encountered already.

Yours sincerely

Mary and Jonathan Derby

**From:** Orla Gallagher  
**Sent:** 17 October 2022 13:49  
**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>  
**Cc:** gary alcock  
**Subject:** 428 Ecclesall Road, Sheffield, S11 8PX

**Reference: 428 Ecclesall Road, Sheffield, S11 8PX**

Dear Licensing Services,

We wish to register our objection to the application for a licence for the premises referenced above.

Granting a licence for these premises would not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour, and would provide a further source of alcohol and takeaway food on a residential street.

Our area is already so heavily populated with licensed premises that crime, public nuisance and antisocial behaviour have been at problem levels for the local community.

This includes noise late at night from people walking up the street, including returning from partying.

The layout of our streets means that the noise funnels up the streets, and noise from the bottom of the street may be heard at the top of the street.

Late night noise often disturbs residents sleep, while the litter frequently discarded on our streets from shops and takeaways requires us to carry out regular community street cleaning to remove rubbish.

These problems will only increase if the purchase of alcohol until 1am from this premises is permitted.

In line with other local establishments which have been limited to a closing time of 11.30pm, there is no reason to grant this establishment a licence to open after this time.

On these grounds, we would urge the Licensing Authority to refuse the application.

Yours faithfully,

Gary Alcock & Orla Gallagher,

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

From: Patricia Morgan

Sent: 27 August 2021 11:26

To: licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>

Subject: 428 Ecclesall Road

I'm writing to object to the proposed late night music and alcohol license for Lounge 418 on Ecclesall Road.

I am a resident of the Groves, a cluster of residential roads that adjoin Ecclesall Road.

We already experience significant late night noise from Ecclesall Road when people walk home late at night and this is already a cause of concern for people living on the lower parts of Southgrove and Broomgrove Road as well as for residents on Ecclesall Road itself.

The prevention of Public Nuisance

A late night drinks license would establish this part of Ecclesall Road as a place to go to after normal pubs close and would invariably attract people already worse for wear and unlikely to be capable of considerate behaviour. We already have to deal with noisy late night student parties and loud car revving at all hours. We need less late night noise not more. A late night licence will attract more noise and give our local student population the impression their late night noise behaviour is normal. Some of the homes in the Groves are adjacent to Lounge 418 and will directly be affected by late night noise.

Trisha Morgan

**From:** Rosemary A Staniforth

**Sent:** 09 October 2022 20:59

**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>

**Subject:** Objection to license: Supply of alcohol Sun-Sat 08:00 - 01:00, 428 Ecclesall Road Sheffield S11 8PX

To whom it may concern

I am writing to register my objection to the late night licensing of the supply of alcohol at 428 Ecclesall Road, Sheffield S11 8PX on the grounds that we need to prevent an increase in crime, disorder and antisocial behaviour.

As a residential area, we are a mixture of families, students and elderly individuals, most of which enjoy a quiet life in order to work, play and study. We often struggle to maintain the view that noise and late night parties after 11 o'clock are not acceptable. We work closely with universities, neighbourhood associations and neighbours to educate the younger members of our community regarding this fact. A late night supermarket selling alcohol will reverse this hard work and encourage all night parties and a culture of antisocial behaviour.

While I am happy to support local businesses, I strongly oppose the proposed late night opening time for this premises, which will encourage further traffic up and down our residential roads which funnel noise from Ecclesall road into our bedroom windows.

Yours sincerely,

Rosemary Staniforth

**From:** vivsmith  
**Sent:** 09 October 2022 15:51  
**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>  
**Subject:** Objection to application

Licence application by Masoud Ibrahim & Amanuel Gebru Araya  
428 Ecclesall Road Sheffield S11 8PX Type of Premises: Supermarket  
Ward: Broomhill and Sharrow  
Legislation & Type of app: Licensing Act 2003 Grant of Premises Application Details: Change of layout: Supply of Alcohol Sun-Sat 08:00 – 01:00 Opening Hours Sun-Sat 08:00 – 01:00

Dear Sirs

I am writing to register my objection to the application for a premises licence shown above. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Granting a licence would provide a further source of alcohol and takeaway food within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local community. Late night noise from people walking up the street and partying causes much disruption throughout the week preventing children and working people having a good night's sleep. Allowing the purchase of alcohol until 1am can only make this problem worse.

Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night. We already suffer litter from takeaways and shops strewn in our gardens and there is no need to compound this further.

The noise nuisance from these premises will be made unacceptable if alcohol could be purchased and therefore consumed as people return home as the nature of the layout of roads means all noise carries up the road since the width and the terraced housing means it acts like a funnel. Thus noise at the bottom of the street can be heard at the top. This is unacceptable.

Many other establishments have been denied a licence after 11.30 and there is therefore no reason to grant this establishment a licence after 11 or 11.30pm

At the time of writing there is one notice on the window but the details of this do not correspond to the license applied for - it says a license for late night entertainment but no times are stated

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully

Vivienne Smith

Secretary

Botanical Gate Community Association representing Thompson, Khartoum, Walton Wadbrough Roads and the stretch of Ecclesall Road from Thompson to Wadbrough Road

# Appendix 'D'

## Hearing Notices and Regulations



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

Alice Collier  
Local Resident

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 20<sup>th</sup> September 2022 received an application in respect of the premises known as;

**428 Ecclesall Road, Sheffield, S11 8PX**

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

- **12 x Local Residents**
- **1 x Local Councillor**
- **1 x Local Resident Community Association**

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

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Dated: 4<sup>th</sup> November 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)





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

Andrew Etheridge  
Local Resident

Sent via email: [REDACTED]

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Dated: 4<sup>th</sup> November 2022

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

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

Bill McDonnell  
Local Resident

Sent via email: [REDACTED]

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

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

Ian Smith  
on behalf of the Botanical Gate Community Association

Sent via email: [REDACTED]

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Dated: 4<sup>th</sup> November 2022

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

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

Carlo De Nardo  
Local Resident

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 20<sup>th</sup> September 2022 received an application in respect of the premises known as;

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- **1 x Local Councillor**
- **1 x Local Resident Community Association**

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Dated: 4<sup>th</sup> November 2022

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

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

Chris Turgoose  
Local Resident

Sent via email: [REDACTED]

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

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**Notice of hearing of representations  
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LA03 Premises Licence Application**

Councillor Brian Holmshaw

Sent via email: [REDACTED]

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Dated: 4<sup>th</sup> November 2022

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Licensing Strategy and Policy Officer

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

Gay Penfold  
Local Resident

Sent via email: [REDACTED]

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Licensing Strategy and Policy Officer

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**Notice of hearing of representations  
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LA03 Premises Licence Application**

Lucy Rumney  
Local Resident

Sent via email: [REDACTED]

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Licensing Strategy and Policy Officer

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**Notice of hearing of representations  
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Mary Derby  
Local Resident

Sent via email: [REDACTED]

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Licensing Strategy and Policy Officer

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**Notice of hearing of representations  
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LA03 Premises Licence Application**

Martyn Woodhouse  
Local Resident

Sent via email: [REDACTED]

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Licensing Strategy and Policy Officer

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**Notice of hearing of representations  
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LA03 Premises Licence Application**

Orla Gallagher  
Local Resident

Sent via email: [REDACTED]

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Licensing Strategy and Policy Officer

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

Patricia Morgan  
Local Resident

Sent via email: [REDACTED]

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The officer appointed for this purpose  
Licensing Strategy and Policy Officer

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

Rosemary Staniforth  
Local Resident

Sent via email: [REDACTED]

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Dated: 4<sup>th</sup> November 2022

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

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---

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

Viv Smith  
Local Resident

Sent via email: [REDACTED]

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- **1 x Local Resident Community Association**

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Dated: 4<sup>th</sup> November 2022

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The officer appointed for this purpose  
Licensing Strategy and Policy Officer

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

Masoud Ibrahim & Amanuel Gebu Araya

Sent via email: [REDACTED]

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- **1 x Local Resident Community Association**

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- 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: 4<sup>th</sup> November 2022

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

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## 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 Masoud Ibrahim & Amanuel Gebu Araya

hereby confirm that we have received the Notice of Hearing dated 4<sup>th</sup> November 2022 and notify you as follows **(please complete)**:

We intend to attend the hearing on Monday 14<sup>th</sup> November 2022 at 10.00am

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.

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