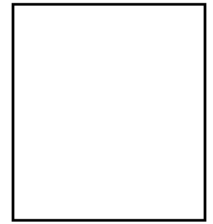




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: **Monday 24th April 2023 at 10am**

Subject: Licensing Act 2003

Author of Report: Daniel Parlett

Summary: To consider an application to grant a premises licence made under the Licensing Act 2003 for **Soho, Units 8 & 9 West One Plaza, Fitzwilliam Street, Sheffield, S1 4JB**

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

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

Category of Report: OPEN

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

Ref No 72/23

Soho, Units 8 & 9 West One Plaza, Fitzwilliam Street, Sheffield, S1 4JB

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a premises licence made under section 17 of the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is Wollaton Trade Ltd.

2.2 The application was received by the Licensing Service on 15th February 2023 and a full copy including the proposed plans are attached at Appendix A of this report.

2.3 During the consultation period the applicant has agreed conditions and changes to operating timings with both South Yorkshire Police (SYP) and with Sheffield City Council's Environmental Protection Service (EPS). Furthermore, conditions have been agreed with Sheffield City Council's Health Protection Service (HPS). A copy of all agreed conditions and timings can be found at Appendix B of the report.

3.0 REASONS FOR REFERRAL

3.1 The application has been referred to the Licensing Sub-Committee due to unresolved representations both from a local resident group and two local residents. The representations are made on the grounds of the prevention of public nuisance and concern the impact that the requested alcohol sale timings will have on local residents in relation to noise nuisance.

3.2 The applicant and residents have agreed some conditions, found at Appendix B, however the representation remains outstanding.

A full copy of all representations is attached at Appendix C of this report.

3.2 It should be noted that the applicant has subsequently agreed to remove part H of the operating schedule from the application.

3.3 The applicant, and all who have submitted valid representations have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix D.

4.0 POLICIES TO CONSIDER

4.1 Sheffield City Council Statement of Licensing Policy.

5.0 FINANCIAL IMPLICATIONS

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

6.0 THE LEGAL POSITION

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

- a) the prevention of crime and disorder,
- b) public safety,
- c) the prevention of public nuisance,
- d) the protection of children from harm.

6.2 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of Licensing Policy and any guidance issued by the Secretary of State under section 182.

7.0 HEARINGS REGULATIONS

7.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.

7.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'D'.

7.3 Attached at Appendix 'D' is the following: -

- a) a copy of the Notice of Hearing;
- b) the rights of a party provided in Regulations 15 and 16;
- c) the consequences if a party does not attend or is not represented at the hearing
- d) the procedure to be followed at the hearing.

8.0 APPEALS

8.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant and those making representations against decisions of the Licensing Authority to the Magistrates' Court.

9.0 RECOMMENDATIONS

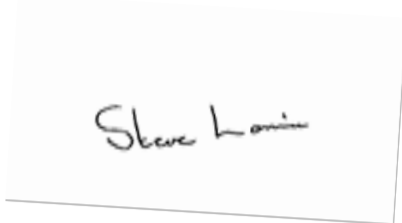
9.1 That Members carefully consider the representations made and take such steps as the Sub Committee consider appropriate for the promotion of the Licensing Objectives.

10.0 OPTIONS OPEN TO THE COMMITTEE

10.1 To grant the premises licence in the terms requested.

10.2 To grant the premises licence with conditions.

10.3 To reject the whole or part of the application.

A rectangular box containing a handwritten signature in black ink that reads "Steve Lonnie".

Stephen Lonnie
Chief Licensing Officer
Head of Licensing

Date: 24th April 2023

APPENDIX A

Application

Application for a premises licence to be granted

under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

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

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description:

10 FITZWILLIAM STREET, WEST ONE PLAZA

Post town:

SHEFFIELD

Postcode:

S1 4JB

Telephone number at premises (if any):

NOT KNOWN

Non-domestic rateable value of premises:

£77,000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

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

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

or

I am making the application pursuant to a:

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr

Mrs

Miss

Ms

Other Title (for example, Rev)

Surname

First names

Date of birth

I am 18 years old or over

Nationality

Current residential address if different from premises address

Post town

Postcode

Daytime contact telephone number

E-mail address (optional)

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

Mrs

Miss

Ms

Other Title (for example, Rev)

Surname

First names

Date of birth

I am 18 years old or over

Nationality

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

Current postal address if different from premises address

Post town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

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

Name

WOLLATON TRADE LTD

Address

71-75 Shelton Street, London WC2H 9JQ

Registered number (where applicable)

13272726

Description of applicant (for example, partnership, company, unincorporated association etc.)

COMPANY

Telephone number (if any)

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day
07

Month
MARCH

Year
2023

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

Day

Month

Year

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

RESTAURANT AND MUSIC BAR PREMISES WITH PRIVATE FUNCTION SUITE ARRANGED ON TWO STOREY LEVELS

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

N/A

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

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

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

In all cases complete boxes K, L and M

A

Plays

Standard days and timings (please read guidance note 7)

Day	Start	Finish
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)

- Indoors
Outdoors
Both

Please give further details here (please read guidance note 4)

State any seasonal variations for performing plays (please read guidance note 5)

Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the table above please list (please read guidance note 6)

B

Films

Standard days and timings (please read guidance note 7)

Day	Start	Finish
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)

- Indoors
Outdoors
Both

Please give further details here (please read guidance note 4)

State any seasonal variations for exhibition of films (please read guidance note 5)

Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the table above please list (please read guidance note 6)

C**Indoor sporting events**

Standard days and timings (please read guidance note 7)

Day	Start	Finish
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

Will the indoor sporting events take place indoors or outdoors or both – please tick (please read guidance note 3)

- Indoors
 Outdoors
 Both

Please give further details here (please read guidance note 4)

State any seasonal variations for indoor sporting events (please read guidance note 5)

Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the table above, please list (please read guidance note 6)

D

Boxing or wrestling entertainments

Standard days and timings (please read guidance note 7)

Day	Start	Finish
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

Will the boxing or wrestling entertainments take place indoors or outdoors or both – please tick (please read guidance note 3)

- Indoors
Outdoors
Both

Please give further details here (please read guidance note 4)

State any seasonal variations for the boxing or wrestling entertainments (please read guidance note 5)

Non standard timings. Where you intend to use the premises for boxing or wrestling entertainments at different times to those listed in the table above, please list (please read guidance note 6)

E

Live music

Standard days and timings (please read guidance note 7)

Day	Start	Finish
Monday	11:00	05:00
Tuesday	11:00	05:00
Wednesday	11:00	05:00
Thursday	11:00	05:00
Friday	11:00	05:00
Saturday	11:00	05:00
Sunday	11:00	05:00

Will the live music take place indoors or outdoors or both – please tick (please read guidance note 3)

Indoors
Outdoors
Both

Please give further details here (please read guidance note 4)

State any seasonal variations for the live music (please read guidance note 5)

NONE

Non standard timings. Where you intend to use the premises for live music at different times to those listed in the table above, please list (please read guidance note 6)

NONE

F

Recorded music

Standard days and timings (please read guidance note 7)

Day	Start	Finish
Monday	11:00	05:00
Tuesday	11:00	05:00
Wednesday	11:00	05:00
Thursday	11:00	05:00
Friday	11:00	05:00
Saturday	11:00	05:00
Sunday	11:00	05:00

Will the recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)

Indoors
Outdoors
Both

Please give further details here (please read guidance note 4)

State any seasonal variations for the recorded music (please read guidance note 5)

Non standard timings. Where you intend to use the premises for recorded music at different times to those listed in the table above, please list (please read guidance note 6)

G

Performances of dance

Standard days and timings (please read guidance note 7)

Day	Start	Finish
Monday	11:00	05:00
Tuesday	11:00	05:00
Wednesday	11:00	05:00
Thursday	11:00	05:00
Friday	11:00	05:00
Saturday	11:00	05:00
Sunday	11:00	05:00

Will the performances of dance take place indoors or outdoors or both – please tick (please read guidance note 3)

- Indoors
Outdoors
Both

Please give further details here (please read guidance note 4)

State any seasonal variations for the performances of dance (please read guidance note 5)

Non standard timings. Where you intend to use the performances of dance at different times to those listed in the table above, please list (please read guidance note 6)

H

Anything of a similar description to that falling within (e), (f) or (g)

Please give a description of the type of entertainment you will be providing
KARAOKE

Standard days and timings (please read guidance note 7)

Day	Start	Finish
Monday	11:00	05:00
Tuesday	11:00	05:00
Wednesday	11:00	05:00
Thursday	11:00	05:00
Friday	11:00	05:00
Saturday	11:00	05:00
Sunday	11:00	05:00

Will the entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)

- Indoors
Outdoors
Both

Please give further details here (please read guidance note 4)

State any seasonal variations for the entertainment (please read guidance note 5)

Non standard timings. Where you intend to use the premises for the entertainment at different times to those listed in the table above, please list (please read guidance note 6)

Late night refreshment

Standard days and timings (please read guidance note 7)

Day	Start	Finish
Monday	23:00	04:30
Tuesday	23:00	04:30
Wednesday	23:00	04:30
Thursday	23:00	04:30
Friday	23:00	04:30
Saturday	23:00	04:30
Sunday	23:00	04:30

Will the late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)

- Indoors
 Outdoors
 Both

Please give further details here (please read guidance note 4)

FOOD AND DRINK TO BE SERVED AND CONSUMED INSIDE THE RESTAURANT, BAR AND FUNCTION SUITE

State any seasonal variations for the late night refreshment (please read guidance note 5)

NONE

Non standard timings. Where you intend to use the late night refreshment at different times to those listed in the table above, please list (please read guidance note 6)

NONE

J

Supply of alcohol

Standard days and timings (please read guidance note 7)

Day	Start	Finish
Monday	11:00	05:00
Tuesday	11:00	05:00
Wednesday	11:00	05:00
Thursday	11:00	05:00
Friday	11:00	05:00
Saturday	11:00	05:00
Sunday	11:00	05:00

Will the supply of alcohol be for consumption – please tick (please read guidance note 3)

- Off the premises
On the premises
Both

Please give further details here (please read guidance note 4)

FOOD AND DRINK TO BE SERVED AND CONSUMED INSIDE THE PREMISES AND ALSO FOR TAKEAWAY

State any seasonal variations for the supply of alcohol! (please read guidance note 5)

NONE

Non standard timings. Where you intend to use the supply of alcohol at different times to those listed in the table above, please list (please read guidance note 6)

NONE

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
MR QIANG ZHANG

Date of birth

Address



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).

Playing record music; Live music performance; Gaming machine; film shows; casino nights; hen/stag night; Stage performance of dance; Karaoke;

L

Hours premises are open to the public

Standard days and timings (please read guidance note 7)

Day	Start	Finish
Monday	11:00	05:00
Tuesday	11:00	05:00
Wednesday	11:00	05:00
Thursday	11:00	05:00
Friday	11:00	05:00
Saturday	11:00	05:00
Sunday	11:00	05:00

State any seasonal variations (please read guidance note 5)

NONE

Non standard timings. Where you intend to use the premises to be open at different times to those listed in the table above, please list (please read guidance note 6)

NONE

M

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

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

1. STAFF WILL BE TRAINED APPROPRIATELY TO UNDERSTAND THE NEED FOR AND IMPORTANCE OF IMPLEMENTING THE OBJECTIVES.

2. THERE WILL BE MORE THAN ONE MEMBER OF STAFF PRESENT FRONT OF HOUSE.

3. CARE OF STAFF AND CUSTOMERS HEALTH AND SAFETY IS PARAMOUNT

b) The prevention of crime and disorder

- 1.THERE WILL BE MORE THAN ONE MEMBER OF STAFF PRESENT FRONT OF HOUSE
2. STAFF WILL DISCREETLY OBSERVE CUSTOMERS BEHAVIOUR.
3. STAFF WILL UNDERTAKE REGULAR TOILET INSPECTIONS TO IDENTIFY INAPPROPRIATE USE OF TOILETS, DRUG USE ETC.
4. STAFF SHALL BE AWARE OF CUSTOMERS ALCOHOL CONSUMPTION AND AVOID SERVING UNREASONABLE LEVELS TO INDIVIDUAL CUSTOMERS
5. A CHALLENGE 25 SCHEME WILL OPERATE INCLUDING A REFUSALS LOG, SIGNAGE AND THE MAINTENANCE OF STAFF TRAINING RECORDS.
6. CLEAR AND LEGIBLE NOTICES SHALL BE DISPLAYED AT ALL EXITS REQUESTING THAT THE PUBLIC RESPECT THE NEEDS OF LOCAL RESIDENTS AND TO LEAVE THE PREMISES AND AREA QUIETLY.
7. CCTV CAMERAS WILL BE IN OPERATION AND ON VIEW TO CUSTOMERS

c) Public safety

- 1.GENERAL HEALTH & SAFETY AND OBSERVATION OF FOOD HYGIENE STANDARDS AND CLEANLINESS OF THE PREMISES AND FOOD PREPARATION AREAS
- 2.PREMISES TO BE REGISTERED WITH THE LOCAL ENV H.
- 3.AVOID OVERCROWDING BY CAREFULL CUSTOMER BOOKING FLOW AND AVOIDING BUILD UP OF WAITING CUSTOMERS AND ENSURE ADEQUATE STAFF FOR TABLE CLEANING AND PREP
- 4.THE PREMISES HAVE BEEN RECENTLY FITTED OUT AND HAVE BUIILDING CONTROL APPROVAL AND SIGN OFF
- 5.PREMISES HAVE DDA COMPLIANT TOILET AND WHEELCHAIR ACCESS

d) The prevention of public nuisance

- 1.GENERALLY BACKGROUND MUSIC TO BE PLAYED ON THE PREMISES
- 2.THE PREMISES ARE MAINLY FOR EATING. HEAVY DRINKING IS NOT CONSIDERED TO BE AN ISSUE GIVEN THE TARGET CUSTOMER BASE FOR PERSONS WANTING TO EAT
- 3.BOTTLE BINS NOT TO BE EMPTIED DURING THE HOURS OF 11PM-7AM
- 4.LITTER BINS TO BE PROVIDED IN THE LPREMISES AS DEEMED NECESSARY AND EMPTIED FREQUENTLY
- 5.THERE ARE NO EXCESSIVE BRIGHT OR MOVING LIGHTS ON THE PREMISES

e) The protection of children from harm

- 1.GENERAL HEALTH & SAFETY.
- 2.PROOF OF AGE SIGNAGE SHALL BE PLACED AT THE BAR AND REQUEST FOR ID POLICY ADOPTED
- 3.NO DRUGS POLICY AND STAFF INSPECTIONS OF GENERAL CUSTOMER BEHAVIOUR AND TOILET CHECKS/INSPECTIONS TO BE ADOPTED
- 4.STAFF TO OBSERVE NO UNREASONABLE LEVELS OF ALCOHOL TO BE CONSUMED BY INDDIVIDUALS ON THE PREMISES
- 5.POOR CUSTOMER BEHAVIOUR INCLUDING FOUL LANGUAGE AND THREATS OF VIOLENCE TO BE DEALT WITH FIRMLY TO AVOID ESCALATION
6. CCTV CAMERAS WILL BE IN OPERATION AND VISIBLE TO CUSTOMERS

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.**

- **Declaration** [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
- The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, 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)

Signature

N J WHITE BSc (Hons) Building Surveyor

Date

19TH JANUARY 2023

Capacity

AGENT – LION DESIGN – CALEDONIA WORKS, 43 MOWBRAY STREET, SHEFFIELD S3 8EN

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

Signature

Date

Capacity

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

Post town

Postcode

Telephone number (if any)

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:

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:

N J WHITE BSc (Hons) BUILDING SURVEYOR

Signature:

NJW

Date 26 JANUARY 2023

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Consent of individual to being specified as premises supervisor

I: MR QIANG ZHANG

Of: [REDACTED]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for:

PREMISES ALCOHOL LICENCE

made by: WOLLATON TRADE LTD

relating to premises licence number: [number of existing licence, if any]

for: SOHO, 10 FITZWILLIAM STREET, WEST ONE PLAZA, SHEFFIELD S1 4JB

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

concerning the supply of alcohol at: SOHO, 10 FITZWILLIAM STREET, WEST ONE PLAZA, SHEFFIELD S1 4JB

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below:

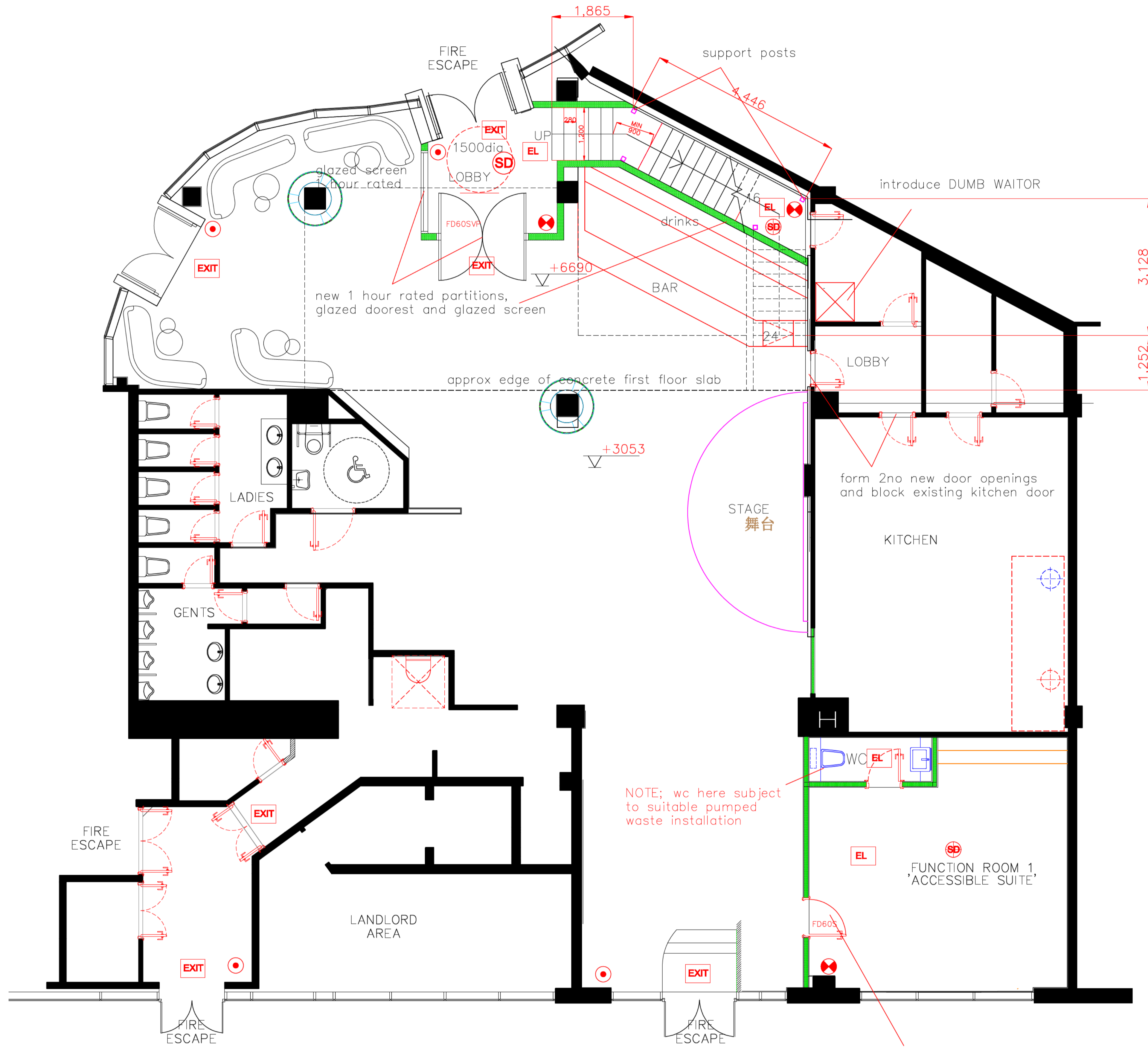
Personal licence number: [REDACTED]
[insert personal licence number, if any]

Personal licence issuing authority: SHEFFIELD CITY COUNCIL
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed 张强

Name (please print) Qiang Zhang

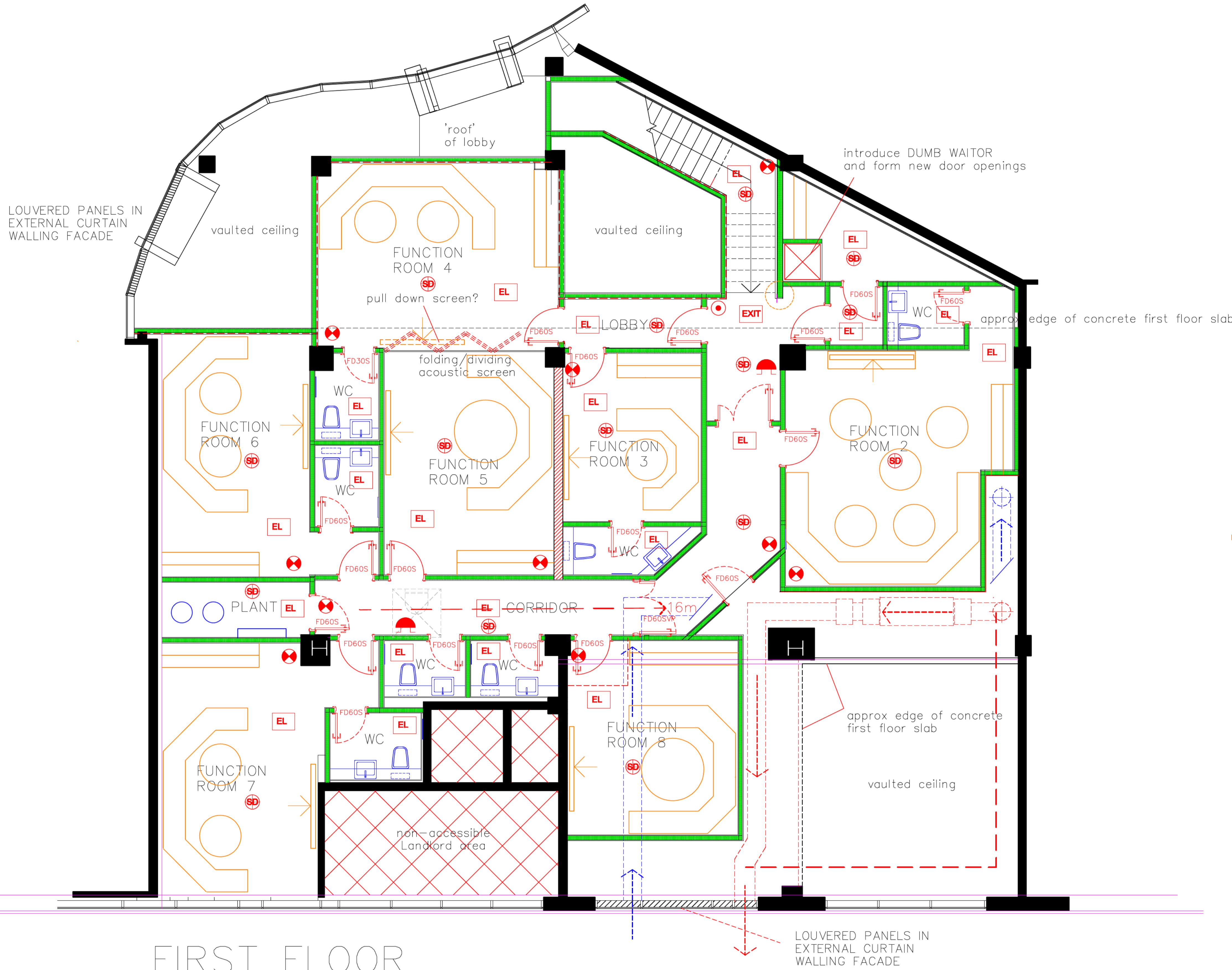
Date 14/02/2023



GROSS FLOOR
AREA APPROX
355m²

GROUND FLOOR
as proposed

 LION DESIGN <small>Building Services • Building Design Consultants • Hotel Interiors</small> <small>CALEDONIA WORKS 48 LOCKWOOD STREET SHEFFIELD S1 2EY</small> <small>Telephone and Fax: 0114 273 8004 Email: liondesign@btinternet.com</small>	
MUSIC BAR UNIT 8 CITY PLAZA WEST ONE SHEFFIELD S1	
GROUND FLOOR PLAN AS EXISTING	
Project no;	Date: NOV 22
Drawing no: 03A	Scale: 100@A1



FIRE SYMBOLS / DOOR SYMBOL KEY

- Wall/ceiling mounted Fire alarm sounder to BS 5839.
- Ceiling mounted Mains linked smoke detectors to BS 5839. Commercial mains detectors to be designed to suite ceiling arrangement.
- Ceiling mounted Mains linked heat detector to BS 5839.
- Wall mounted Call points to BS 5839.
- FB** FB = Wall mounted fire blanket.
- mechanical extract fan 12L/min activated by auto sensor light switch and with 15min over run
- alarm to toilet – panic pull cord and sounder/viul signal placed externally to visible to staff
- Wall mounted water fire extinguisher to BS 5306: Part B: 2000.
- Wall carbon dioxide extinguisher to BS 5306: Part B: 2000.
- EL** EL = Emergency lighting to BS 5266: Part 1: 2005.
- EXIT** EXIT = illuminated fire exit / running man sign.
- CCTV CAMERA
- GAS SHUT OFF
- ELEC DIST BOARD

- 2m? projection screen? pull down?
- 60 min fire/smoke barrier to ceiling void?

FIRST FLOOR
as proposed (refer to sketch plan for preliminary partition layout)

LION DESIGN
Building Services • Building Design Consultants • Hotel Interiors

CALEDONIA WORKS
48 MORTIMER STREET
SHEFFIELD S1 2EJ
Telephone and Fax: 0114 273 8844
Email: liondesign@btinternet.com

MUSIC BAR
UNIT 8 CITY PLAZA
WEST ONE
SHEFFIELD
S1

FIRST FLOOR PLAN AS PROPOSED

Project no;	Date: NOV 22
Drawing no: 04A	Scale: 100@A1

APPENDIX B

Agreed SYP Timings and Conditions

Agreed EPS Timings and Conditions

Agreed HPS Conditions and Ground Floor Plan

Agreed Conditions between Residents and Applicant

Agreed SYP Timings and Conditions

From: SHEFFIELD_Licensing <[REDACTED]>
Sent: Tuesday, March 7, 2023 2:14 PM
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject: FW: Premise licence application-SOHO, 10 Fitzwilliam Street

Good afternoon,

Following receipt of the above application I have now received agreement of the following conditions and reduction in operating times:

- **Reduction in the hours of licensable activities to 01:30 hours each day, closing at 02:00 hours each day.**

Conditions to be included:

- The use of door staff will be risk assessed on an ongoing basis by the licence holder or premise supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
- When SIA registered door supervisors are on duty, the premise licence holder shall maintain at the premises a register containing the following details of all door staff engaged at the premises:
 - Full name
 - Address
 - Date of birth
 - Copy of security industry licence
- The premise licence holder shall maintain a signing in book recording the start and finish times of each person engaged in door staff duties. Both the signing in book and the door staff register shall be retained for a period of 6 months and made available for inspection.
- The use of glass alternative drinking vessels shall be utilised in accordance with the premises assessment of risk.
- No customers carrying opened bottles upon entry shall be admitted to premises.
- There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the Police.
- A CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open (in line with specification July 2020) . The CCTV images will be stored for 30 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder, in line with GDPR guidance. Members of the management team will be trained in the use of the system. CCTV systems installed after 2021 should be full digital systems with wide dynamic range IP cameras (WDR).
- Incident and refusal book maintained, such records to be retained for at least 12 months and available for inspection on request.

- To acquire a suitable number of radio sets for the premises and to take the CCRAC Radio Scheme (City Centre Retails Against Crime) into use at all times when trading, and continue to be a user whilst this system is in use within Sheffield.
- Customers' use of external areas for seated dining or drinking purposes shall cease at 22:00 hours on all days, and all tables and chairs shall be removed or secured to prevent unauthorised use after this time.
- Windows and doors to remain closed during live and recorded music save for access and egress.
- Staff will receive training concerning , but not limited to,:

-Vulnerability awareness

-Crime scene preservation in conjunction with South Yorkshire Police Violent Incident Protocol

-Drugs policies

-Underage sales/Challenge 25 scheme /Proxy Sales/Fake ID's


-CCTV operation (authorised staff only)

-Dispersal

Suitable refresher training to be completed at least once per calendar year commencing the year after their date of employment. A written record to be retained for a minimum of 12 months and shall be made available to the Police and/or Licensing Authority upon request.

Please place on the licence and amend hours accordingly should this granted.

Thanks.


Licensing Assistant
 South Yorkshire Police
 Licensing Department

Agreed EPS Timings and Conditions

On Monday, 13 March 2023 at 17:13:52 GMT, [REDACTED]

<[REDACTED]> wrote:

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

Hello,

I have the following representation to make with regards to Public Nuisance for the application for a Premises Licence for the above premises.

I have a number of concerns for the application as it currently stands, these relate to the buildings ability to retain sound, both through entrance doors and the potential for noise to transfer through the building. The location of noisy plant within the building needs to be considered. The kitchen extraction system needs to be installed, located and designed so it does not cause a problem with either noise or odour. The noise from people outside the venue needs to be considered.

The terminal hour proposed is later than the planning consent for this premises and other licenced premises in the vicinity which have been granted planning consent and Premises licences in the recent past. I am aware of an agreement to a 0200hrs terminal hour with the Police however this is beyond the planning consent for this unit, which I believe should be correctly labelled as Units 8 & 9. At the bottom of this email I have included a link and the wording of condition 20 of 14/03356/FUL which restricts the hours, my proposal below reflects this decision.

I note your agreed condition with the Police for the outside area restriction and this seems reasonable, so I require no further condition in this respect.

I would therefore propose the below amendments/ conditions are attached the premises licence:

- The terminal hour for licensable activity and hours the premises are open to the public should be reduced to between 1100 hours and 0030 hours the following day Sunday to Thursdays and between 1100 hours and 0100 hours the following day on Fridays, Saturdays and the day before Public Holidays.
- No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Environmental Protection Service (EPS). Once installed such plant or equipment shall not be altered.
- Before the premises licence comes into effect, a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall:
 - a. Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
 - b. Be capable of restricting noise breakout from the building to the street to levels not exceeding the prevailing ambient noise level when measured;

- (i) as a 15 minute LAeq, and;
- (ii) at any one third octave band centre frequency as an 15 minute LZeq.

Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the EPS.

[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz].

- No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiter, the design and settings of which shall have received the prior written approval of the EPS.
- No loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time.
- Before the Premises Licence comes into effect a scheme for the installation of equipment to control the emission of fumes and odours from the premises shall be submitted for written approval by the EPS. These details shall include:
 - a. Plans showing the location of the fume extract terminating.
 - b. Acoustic emissions data, including measures to minimise the noise.
 - c. Details of any filters or other odour abatement equipment.
 - d. Details of the system's required cleaning and maintenance schedule.

The kitchen extraction system shall not operate until the approved equipment has been installed and is fully operational and shall thereafter be installed, operated, retained and maintained in accordance with the approved details.

If you wish to discuss the proposed conditions above in further detail then please reply to this email. Alternatively if you are happy to accept the above amendments and have the conditions attached to the premises licence then email back with your agreement.

Regards,

■

■

Environmental Health Officer

Sheffield City Council

Environmental Protection Service

Agreed HPS Conditions and Ground Floor Plan

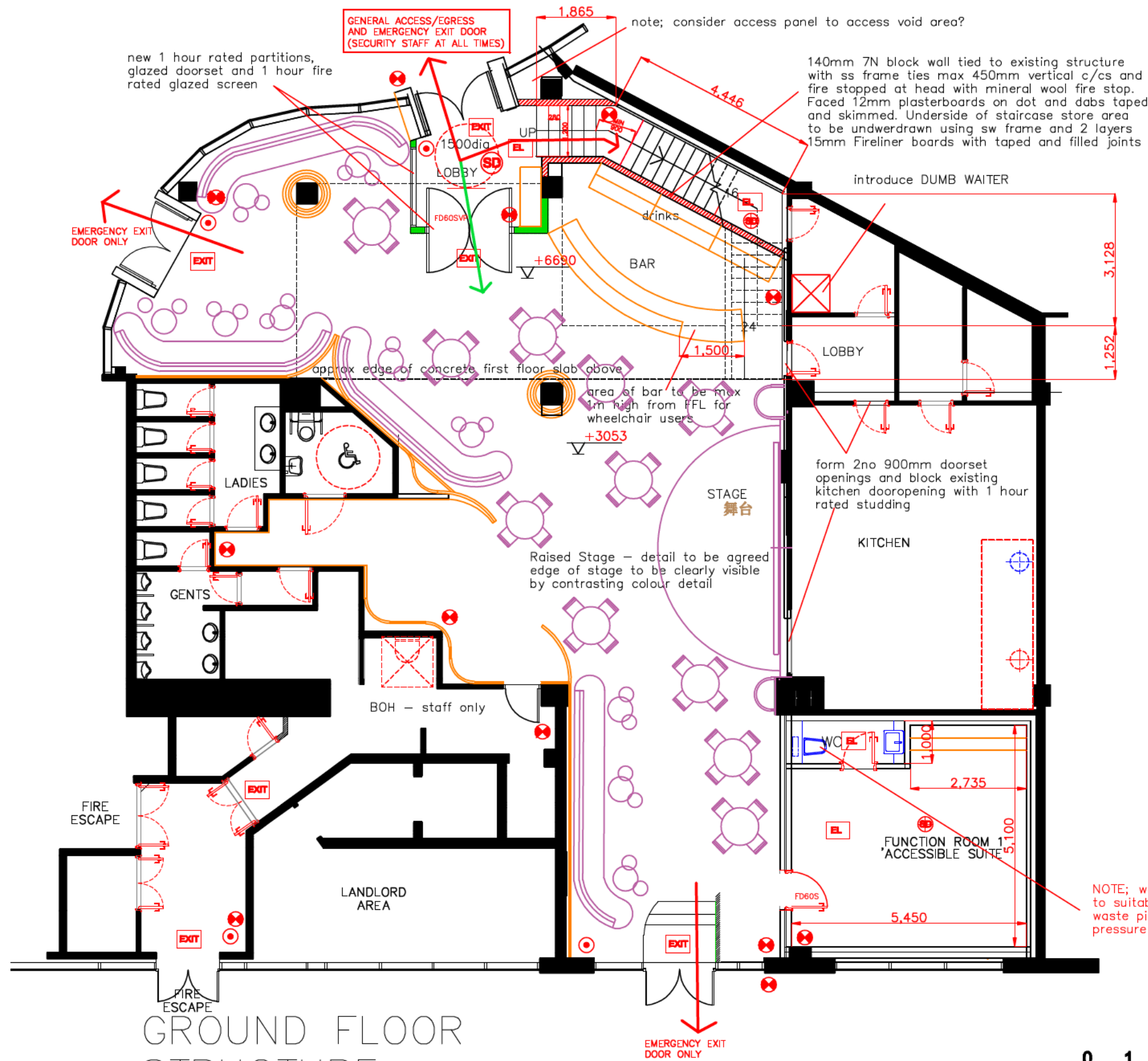
From: [REDACTED]
Sent: Thursday, April 13, 2023 1:01 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: PREMISES LICENCE - 10 FITZWILLIAM STREET, WEST ONE PLAZA

Hi [REDACTED],
Thanks for confirming...I've amended as requested.

[REDACTED],
Please see email trail between myself and [REDACTED]. Please note that the attached plan should replace the original plan and that the following conditions are agreed. On this basis I now withdraw my representation;,

Kind regards
[REDACTED]

1. The ground floor plan which forms part of this application (Drawing No-06B, Dated Nov 22) shows tables and chairs for seated dining. Whilst tables and chairs can be moved, this representative number of tables and chairs shall be maintained at the premises on the ground floor.
2. In the absence of suitable guarding to the stage area, no vertical drinking or dancing shall take place on the stage area, with the exception of professional performances, karaoke or similar.
3. A Building Regulation Completion Certificate shall be submitted to the responsible authority for public safety within a reasonable time period after the premises has opened for business.



STEELWORK NOTES:

- BEAM A1,2 and 3 - Floor support
- BEAM B - Floor support
- BEAM C1 and 2 - Dumb Waiter floor support
- BEAM D - Folding acoustic screen support

General note regarding steelwork:

Ensure adequate temporary propping and support of existing structure is adopted at all times. Use appropriate lifting equipment, crash decks and safety exclusion zones during the works to avoid accidental collapse and/or personal injury. Contractor to prepare task specific Risk Assessments and Method Statements before commencing any work if deemed necessary and/or hold 'TOOLBOX TALK' with operatives to agree sequence of works before commencement.

Refer to the Structural Engineer's detail sheets for any necessary connection details.

All steel sections built into external walls to be painted etch primer and 2 coats bitument paint.

All steel beams to be encased in plasterboard all faces using 2 layers 15mm Fireliner boards with staggered joints taped and filled to provide 1 hour fire resistance.

Padstones - where beams are to be built into walls seat onto 330x215x150mm deep concrete padstones unless alternative stated above

NOTES:

1. Ensure existing structure is adequately temporarily propped to ensure integrity of existing structure and general safety.

2. NEW EXTENDED FLOOR AREAS;

225x75mm C24 joists @ max 400mm c/cs with 22mm WEYROCK flooring screwed and glued joints laid over 2no layers of acoustic plasterboard with staggered joints. Apply acoustic mastic to perimeter.

Incorporate 100mm ROCKWOOL RWA 45 acoustic insulation throughout floor joists.

Fix 2 15mm Fireliner boards to underside with taped and filled joints.

3. PARTITIONS AT FLOOR EDGES AND STAIRWELL ENCLOSURE 1 HOUR FIRE RATED;

Use 100mm metal/sw studs securely fixed at base and head at acoustic MF ceiling level to maintain acoustic and fire separation throughout and faced internally with 18mm ply sheeting, 1 layer 20mm SOUNBLOC board and 2 layers 15mm FIRELINER boards both sides taped and skimmed for paint finish. Incorporate min 50mm ROCKWOOL RWA45 acouston insulation throughout studding.

3. PARTITIONS 1 HOUR FIRE RATED (generally);

All partitions between function rooms and external lings to be either double or triple partitions with 'box in a box' detail (refer to separate construction details). Use 100mm metal/sw studs securely fixed at base and head at acoustic MF ceiling level to maintain acoustic and fire separation throughout and faced internally (with 18mm ply sheeting where needed for robust fixing of fixtures and fittings) and 1 layer 20mm SOUNBLOC board and 2 layer 15mm FIRELINER boards both sides taped and skimmed for paint finish. Incorporate min 50mm ROCKWOOL RWA45 acouston insulation throughout studding.

Note; All partitions to extend to underside of new MF ACOUSTIC FALSE CEILING other than CAVITY BARRIER LINE, wher partitions must extend gto the structural soffit above and be fire stopped using FIRE WOOL and 600mm long steel angles fixed either side : max 1.5m c/cs to prevent collapse.

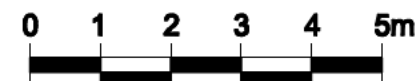
NOTE; wc here subject to suitability of pumped waste pipe length and pressure



MUSIC BAR
UNIT 8 CITY PLAZA
WEST ONE
SHEFFIELD
S1

GROUND FLOOR - STRUCTURE

Project no;	Date; NOV 22
Drawing no; 06B	Scale; 100@A3



GROUND FLOOR STRUCTURE

NOTE; ALL DIMENSIONS TO BE CHECKED PRIOR TO ORDERING FIXTURES - LAYOUT SUBJECT TO LICENSING AND ENVIRINOMENTAL HEALTH DEPT

Agreed Conditions between Applicant and Residents

22.03.2023

1. The DPS or a designated member of staff must take a pro-active approach to noise control, regularly checking outside the premises to ensure that noise breakout of internal noise and noise from patrons using the outside area (e.g. to smoke, drink etc) is managed so as not to cause a nuisance to occupiers of nearby residential properties.
2. Reasonable steps are taken to recognise the rights of local residents and to encourage customers to leave the premises quietly.
3. All external doors and windows to be closed at all times on any day except for the purposes of access, egress or in the case of emergency. Doors shall not be left propped open at any time.
4. Regulated entertainment - recorded music and live music including karaoke should not be audible in or outside nearby residential properties at any time.
5. No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiter, the settings of which shall be set to noise levels so as to be inaudible to the inside and outside of nearby residential properties.
6. No external regulated entertainment - recorded music and live music including karaoke.
7. No external speakers.
8. Sound attenuation works to be installed to prevent noise breakout.
9. An acoustic lobby/lobbies to be installed to prevent noise breakout
10. Signs shall be displayed prominently inside and outside the premises requesting customers to behave in a quiet and considerate manner when entering and leaving the premises and must respect the needs of local residents.
11. Signs shall be displayed prominently inside and outside the premises requesting customers to behave in a quiet and considerate manner when seated outside the premises and must respect the needs of local residents.
12. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
13. Details and proposed positions for site-based signage to encourage a more orderly and neighbourly approach to dispersal from premises and as a deterrent to loitering.
14. Use of Plaza adjacent to Units 8 and 9 for outdoor seating with a maximum of 12 tables.
15. Barriers will be used to control customer movement in external seated drinking area.
16. The supply of alcohol for the outdoor area shall only be to a person seated and vertical drinking should not be allowed at any time.
17. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
18. The licence holder shall ensure that any queue to enter the premises which forms outside the

premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.

19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

20. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day.

21. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) hours on the following day.

22. No deliveries to the premises shall take place between (23.00) and (08.00) hours on the following day.

23. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

24. Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.

25. An incident book shall be kept at the premises and maintained on site at all times. It shall be made available on request to an authorised officer of the local authority or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any complaints received in relation to licensing matters
- (e) any incidents of disorder
- (f) all seizures of drugs or offensive weapons
- (g) any faults in the CCTV system, searching equipment or scanning equipment
- (h) any refusal of the sale of alcohol
- (i) any visit by a relevant authority or emergency service.

Before the above hours of operation commence a detailed management strategy to prevent noise and disturbance issues arising in the plaza area shall be submitted to and approved in writing by the Local Planning Authority and Licencing. Thereafter the approved management strategy shall remain in force at all times and shall not be altered or deviated from without the prior authorisation of the Local Planning Authority and Licencing.

Management Strategy for the use of the Outside Seating Area

Daily Systems

- Outside area to be cleaned and area defined using screens.
- Staff to set up furniture as per agreed plan.
- All furniture to be checked for safety (Added to morning audit).
- Staff assigned to outside area on working floor plan.
- Table number system in place.

11:00 to 19:00 Hours (Day Time Service)

- All outside customers are to be seated within the screened area shown on the attached seating plan.
- The outside area is to be checked constantly for spills and breakages.
- All seating is to be set out and remain as shown on the seating plan, to ensure that the fire exits or main entrance doors are not impeded.
- Customers will be monitored to ensure that they do not move tables and chairs to other positions.

19:00 to 22:00 Hours (Evening Service)

- The acoustic booth/lobby at the entrance will prevent sound from escaping the venue as customers and staff move between it and the external area - no sound apparatus is to be provided externally.
- The acoustic lobby doors should not be propped open at any time and should be kept closed at all times on any day except for the purposes of access or egress.
- A minimum of one member of floor staff will be assigned to the outside area.
- All food menus are to be removed by 20:30, and condiments as the table is cleared, in order to provide sufficient time for any starters, mains and desserts ordered at 20:30 to be eaten and the table vacated and cleared by 22:00 hours.
- Security will be trained on evening practices:
 - o Area to be supervised by security at all times.
 - o Fire doors may not be used as a route to the outside seating area.
 - o All customers must be seated within the designated area at all times. No vertical drinking will be allowed. Security and management to promote a considerate stance to ensure any nearby residents are not disturbed. This is to be achieved through active management of the area, signage on doors, and by way of literature at the table.
 - o Noisy customers including customers shouting or singing will be asked by security and management to refrain to ensure any nearby residents are not disturbed.
 - o No entrance will be available to the outside area after 22:00, by which point customers will have vacated it.
- All furniture to be stacked and secured within the seating area by 22:30, but with no fire exit or main entrance being blocked: This arrangement is because customers will remain within the venue until closing, and the fire doors cannot be blocked for health and safety reasons, whilst the opening of the fire doors or main entrance to enable furniture to be brought inside would lead to noise break-out.
- All staff to be fully aware of the management strategy for outdoor areas and all the conditions contained in Annex 2 of the licence in order to prevent any misunderstanding if a resident makes an informal or formal complaint.
- Designated staff to check again for spills and breakages. Staff will make sure the defined

outside area is fully cleared of bottles, glasses and rubbish including cigarette ends.
Outside area to be cleaned again.

APPENDIX C

Representation – Resident Group

Representation – Resident A

Representation – Resident B

Representation – Resident Group

From: [REDACTED]

Sent: 27 February 2023 11:43

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

Subject: OBJECTION TO 05:00 LICENCE - SOHO Application - The Plaza, 8-9 West One, 10 Fitzwilliam St, Sheffield S1 4JB

OBJECTION TO 05:00 LICENCE - SOHO Application - The Plaza, 8-9 West One, 10 Fitzwilliam St, Sheffield S1 4JB

Application Number: 209223 -

https://licensing.sheffield.gov.uk/1/LicensingActPremises/Search/10641/Detail?APP_ID=1239577

To Licensing Department, Sheffield City Council

1. On behalf of local residents I am objecting to the opening times contained in the application number 209223 for premises proposing to be called SOHO Karaoke Bar in West One Plaza.
2. Of particular concern is the requested opening times of 05:00 every day of the week, which is totally outside the current opening times for the area.
3. These premises are immediately beneath a substantial number of residential apartments in West One building. The business was internally designed as a restaurant, so is unlikely to have the sound-proofing, noise insulation or absorption solutions necessary to retain the noise of a karaoke bar and its 'singers' and prevent it disturbing residents in the same building.
4. Furthermore, when the customers are leaving the premises, they will disturb the large numbers of residents living nearby. This already occurs from Revolution, which has closing times of 01:30 on three nights, but the doors are onto Fitzwilliam Street. In the case of SOHO, the doors open into West One Plaza, where noises echo upwards to living accommodation. That would be totally unacceptable for people living there.
5. Similarly for people living in Glossop Road Baths Building and the Sinclair Building – the noise from departing revellers through the night would be unacceptable, with singing, shouting and taxis all causing disturbance.
6. **The application de facto turns the premises into a night club in an area that is predominantly residential – which is against the planning principles for the city centre.**
7. The Licensing Department and Committee have a responsibility to maintain a balance between the night-time economy and the growing residential population of the area inside the inner ring road. Currently the population is 25,000 and predicted to expand to 35,000 within 7 years. People cannot live here comfortably if the area is turned into a Las Vegas style entertainment world. In which case the Council's re-population strategy is ruined. And ruined for the benefit of a handful of proprietors who don't live in the area, but take over these premises with the aim of making a profit with no consideration for the residents paying Council Tax.
8. The City Council has to make a decision – is the centre going to be predominantly a residential area or an all-night entertainment area? It can't have both unless the all-night entertainment is restricted to a controlled area such as West Street and Carver Street, as has been the policy in the past.
9. We hope the officers and Councillors responsible for these policies will make their decisions based on the enshrined principles of maintaining space between predominantly residential areas and the night-time economy.

Best regards,



Representation – Resident A

Date: 12.03.2023

To: licensing@sheffield.gov.uk

Objection to the open licensing application - 209223

SOHO – KARAOKE MUSIC BAR

Units 8 & 9, West One Plaza, 8 Fitzwilliam Street, Sheffield, S1 4JB

I would like to object to the granting of a licence in the terms it has been applied for because it is highly likely to have an adverse effect on the promotion of the licensing objective “the prevention of public nuisance”.

I will outline my reasons below:

Noise

The main issues with the opening of SOHO as a Karaoke/Music bar are specific activities that are likely to cause public nuisance:

1. Noise from regulated entertainment – recorded music and live music including karaoke.
2. Noise from customers leaving after late night drinking.
3. Noise from customers drinking in the outdoor area – daytime and evening.

My apartment is directly above West One Plaza area along with many other apartments in West One.

History of Units 8 & 9 – 2003-2022

The previous occupants of this unit were **Solita** which closed at 22:00 and **Las Iguanas** which closed from Sun-Thurs at 23.00 and Fri/Sat at 00:00.

The main activity of both of these establishments were as restaurants (class A3) with some drinking establishment activities (class A4), although Las Iguanas originally only had planning consent for class A3. I understand that these classes are now defunct and replaced by 'sui generis'.

So, for the last 20 years we have not had any issues with the unit being used mainly as a restaurant because it clearly attracts a different customer base to a Karaoke/Music bar. SOHO will be a significant change of use for this unit from mainly restaurant to mainly music bar and a later opening time would not protect us from extra noise and disturbance.

Opening Hours

I would also object to the closing time of **02:00**

The following is an excerpt from the UPD:

Policy S10 (Conditions on Development in Shopping Areas), states that new development should not cause residents to suffer from unacceptable living conditions.

The following is an excerpt from Interim Planning Guidance on Night Time Uses (NTU):

Guideline 1 of the NTU guidance identifies specific areas in the city centre where there is a need to provide a greater level of protection against noise and disturbance and recommends that, in these controlled areas,

a 0030-closing time will normally be applied for pubs and clubs (and takeaways). The later opening of restaurant/cafe uses is much less of an issue as they tend to have little impact on nearby residents. The two areas where opening hours are more vigorously controlled are the Heart of the City/Cathedral Quarter and the section of the Devonshire Quarter to the west of Fitzwilliam Street, including West One.

I would suggest a closing time of **00:30** for a temporary period of one year.

SOHO's proposed activities impact on all nearby residents whether they complain or not. From my recent experience of making complaints, it is not easy and requires a lot of time commitment which not all residents have. Therefore, the usual reason given by applicants when asking for approval of planning or licensing is that they are a responsible operator and they have not received any complaints. This could be true but in the last few years we have suffered loss of sleep due to music/customer noise from many of the late-night bars in the West One area – Revolution, Coco, Beju, and Olivia's.

We have also suffered noise disturbance from rowdy and sometimes violent customer behaviour in the Plaza area during daytime hours from the un-managed outdoor seating area operated by Revolution, West One. My complaint to licensing on 01/11/21 outlined many breaches of their planning and licensing conditions but to date the disturbances continue.

I'd like to request that licensing send to me the details of the pavement licence for Devonshire Green (Commercial Properties) Ltd which appeared on the Pavement Licence List in 2021. I believe this covered the whole of West One Plaza including units 8 & 9.

As a possible solution I'd like to suggest the following conditions be applied to SOHO's licence application in addition to the conditions currently shown in Annex 2:

1. The DPS or a designated member of staff must take a pro-active approach to noise control, regularly checking outside the premises to ensure that noise breakout of internal noise and noise from patrons using the outside area (e.g. to smoke, drink etc) is managed so as not to cause a nuisance to occupiers of nearby residential properties.
2. Reasonable steps are taken to recognise the rights of local residents and to encourage customers to leave the premises quietly.
3. All external doors and windows to be closed at all times on any day except for the purposes of access, egress or in the case of emergency. Doors shall not be left propped open at any time.
4. Regulated entertainment - recorded music and live music including karaoke should not be audible in or outside nearby residential properties at any time.
5. No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiter, the settings of which shall be set to noise levels so as to be inaudible to the inside and outside of nearby residential properties.
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7. No external speakers.
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9. An acoustic lobby/lobbies to be installed to prevent noise breakout

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11. Signs shall be displayed prominently inside and outside the premises requesting customers to behave in a quiet and considerate manner when seated outside the premises and must respect the needs of local residents.
12. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
13. Details and proposed positions for site-based signage to encourage a more orderly and neighbourly approach to dispersal from premises and as a deterrent to loitering.
14. Use of Plaza adjacent to Units 8 and 9 for outdoor seating with a maximum of 12 tables.
15. Barriers will be used to control customer movement in external seated drinking area.
16. The supply of alcohol for the outdoor area shall only be to a person seated and vertical drinking should not be allowed at any time.
17. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
18. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day.
21. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) hours on the following day.
22. No deliveries to the premises shall take place between (23.00) and (08.00) hours on the following day.
23. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
24. Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.
25. An incident book shall be kept at the premises and maintained on site at all times. It shall be made available on request to an authorised officer of the local authority or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any complaints received in relation to licensing matters
 - (e) any incidents of disorder
 - (f) all seizures of drugs or offensive weapons
 - (g) any faults in the CCTV system, searching equipment or scanning equipment
 - (h) any refusal of the sale of alcohol
 - (i) any visit by a relevant authority or emergency service.

Before the above hours of operation commence a detailed management strategy to prevent noise and disturbance issues arising in the plaza area shall be submitted to and approved in writing by the Local Planning Authority and Licencing. Thereafter the approved management strategy shall remain in force at all times and shall not be altered or deviated from without the prior authorisation of the Local Planning Authority and Licencing.

Below is a suggested management strategy that should be added to:

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

SOHO – Units 8 & 9, West One Plaza, 8 Fitzwilliam Street, Sheffield. Management Strategy for the use of the Outside Seating Area

Daily Systems

09:00 to 11:00 (Pre-Service)

- Outside area to be cleaned and area defined using screens.
- Staff to set up furniture as per agreed plan.
- All furniture to be checked for safety (Added to morning audit).
- Staff assigned to outside area on working floor plan.
- Table number system in place.

11:00 to 19:00 Hours (Day Time Service)

- All outside customers are to be seated within the screened area shown on the attached seating plan.
- The outside area is to be checked constantly for spills and breakages.
- All seating is to be set out and remain as shown on the seating plan, to ensure that the fire exits or main entrance doors are not impeded.
- Customers will be monitored to ensure that they do not move tables and chairs to other positions.

19:00 to 22:00 Hours (Evening Service)

- The acoustic booth/lobby at the entrance will prevent sound from escaping the venue as customers and staff move between it and the external area — no sound apparatus is to be provided externally.
- The acoustic lobby doors should not be propped open at any time and should be kept closed at all times on any day except for the purposes of access or egress.
- A minimum of one member of floor staff will be assigned to the outside area.
- All food menus are to be removed by 20:30, and condiments as the table is cleared, in order to provide sufficient time for any starters, mains and desserts ordered at 20:30 to be eaten and the table vacated and cleared by 22:00 hours.
- Security will be trained on evening practices:
 - Area to be supervised by security at all times.
 - Fire doors may not be used as a route to the outside seating area.
 - All customers must be seated within the designated area at all times. No vertical drinking will be allowed. Security and management to promote a considerate stance to ensure any nearby residents are not disturbed. This is to be achieved through active management of the area, signage on doors, and by way of literature at the table.

- Noisy customers including customers shouting or singing will be asked by security and management to refrain to ensure any nearby residents are not disturbed.
- No entrance will be available to the outside area after 22:00, by which point customers will have vacated it.
- All furniture to be stacked and secured within the seating area by 22:30, but with no fire exit or main entrance being blocked: This arrangement is because customers will remain within the venue until closing, and the fire doors cannot be blocked for health and safety reasons, whilst the opening of the fire doors or main entrance to enable furniture to be brought inside would lead to noise break-out.
- All staff to be fully aware of the management strategy for outdoor areas and all the conditions contained in Annex 2 of the licence in order to prevent any misunderstanding if a resident makes an informal or formal complaint.
- Designated staff to check again for spills and breakages. Staff will make sure the defined outside area is fully cleared of bottles, glasses and rubbish including cigarette ends. Outside area to be cleaned again.

Please note that the address stated on the licence application is incorrect:

10 Fitzwilliam Street, West One Plaza, Sheffield, S1 4JB

The address should be:

Units 8 & 9, West One Plaza, 8 Fitzwilliam Street, Sheffield, S1 4JB

Can you confirm in writing that you have received my objection?

Regards



From: [REDACTED]
Sent: Wednesday, April 5, 2023 5:00 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: URGENT RESPONCE REQUIRED - SOHO Grant application

Hi All

There are a number of issues with the opening hours of all bars/restaurants that goes back to when West One opened. We have lived here since West One opened in 2003. The original closing time for all food & drink (A3) was 23:30 with no outdoor seating. We supported those times and supported all the businesses in West One. Over the years several applications were made to extend the hours, some refused, then given temporary and finally permanent permission. This is despite many objections from residents and from officers dealing with the applications. Since the extension of hours and outdoor drinking we have had many more noise and anti-social behaviour

issues to deal with which has had an adverse affect on our health and ambience. The permission given to Units 8 & 9 by planning was for a closing time of 01:00
The previous occupants of this unit were **Solita** which closed at 22:00 and **Las Iguanas** which closed from Sun-Thurs at 23.00 and Fri/Sat at 00:00. In reality they never closed at 01:00. So, for the last 20 years we have not had any issues with the unit being used mainly as a restaurant because it clearly attracts a different customer base to a Karaoke/Music bar. SOHO will be a significant change of use for this unit from mainly restaurant to mainly music bar and a later opening time would not protect us from extra noise and disturbance.
Therefore, I would still object to the weekend opening hours until 01:00

The reason for asking for a 'freeze' on new applications for 2 years has been discussed several times but from our experience many bars within the West One area have applied for and been granted extra time on closing hours mainly because residents have not seen the notice placed in the premises for 28 days. Therefore, if we don't happen to see a notice then we can't object to the application. If SOHO have a commitment to not cause a public nuisance to residents, then what reason would they have to vary the licence conditions and hours. A scenario that has already occurred with other bars is that SOHO could agree now to any opening hours we might suggest, be granted a licence then apply for an extension of hours a few weeks later. We obviously don't want this to happen and having a 'freeze' for a fixed time seems reasonable. It is even more worrying that the original application was for 05:00 and this could be their ultimate aim. Therefore, I would still request a 'freeze' on varying the licence after it is active for a period of 2 years.

█: You mention in your email that:

my client is taking great care to establish technical compliance, particularly with regard to noise outbreak.

Could you outline what measures your client are taking to prevent noise breakout?
Are they planning to install acoustic lobbies on all entrances in the plaza and the exit onto Cavendish Street?

Regards

█
█
█
█
█

*Communication sent by Resident A on behalf of Resident A and Resident B

Representation – Resident B

Date: 13.03.2023

To: licensing@sheffield.gov.uk

Objection to the open licensing application - 209223

SOHO – KARAOKE MUSIC BAR

Units 8 & 9, West One Plaza, 8 Fitzwilliam Street, Sheffield, S1 4JB

I would like to object to the granting of a licence in the terms it has been applied for because it is highly likely to have an adverse effect on the promotion of the licensing objective “the prevention of public nuisance”.

I will outline my reasons below:

Noise

The main issues with the opening of SOHO as a Karaoke/Music bar are specific activities that are likely to cause public nuisance:

1. Noise from regulated entertainment – recorded music and live music including karaoke.
2. Noise from customers leaving after late night drinking.
3. Noise from customers drinking in the outdoor area – daytime and evening.

My apartment is directly above West One Plaza area along with many other apartments in West One.

History of Units 8 & 9 – 2003-2022

The previous occupants of this unit were **Solita** which closed at 22:00 and **Las Iguanas** which closed from Sun-Thurs at 23.00 and Fri/Sat at 00:00.

The main activity of both of these establishments were as restaurants (class A3) with some drinking establishment activities (class A4), although Las Iguanas originally only had planning consent for class A3. I understand that these classes are now defunct and replaced by 'sui generis'.

So, for the last 20 years we have not had any issues with the unit being used mainly as a restaurant because it clearly attracts a different customer base to a Karaoke/Music bar. SOHO will be a significant change of use for this unit from mainly restaurant to mainly music bar and a later opening time would not protect us from extra noise and disturbance.

Opening Hours

I would also object to the closing time of **02:00**

The following is an excerpt from the UPD:

Policy S10 (Conditions on Development in Shopping Areas), states that new development should not cause residents to suffer from unacceptable living conditions.

The following is an excerpt from Interim Planning Guidance on Night Time Uses (NTU):

Guideline 1 of the NTU guidance identifies specific areas in the city centre where there is a need to provide a greater level of protection against noise and disturbance and recommends that, in these controlled areas, a 0030-closing time will normally be applied for pubs and clubs (and takeaways). The later opening of restaurant/cafe uses is much less of an issue as they tend to have little impact on nearby residents. The two

areas where opening hours are more vigorously controlled are the Heart of the City/Cathedral Quarter and the section of the Devonshire Quarter to the west of Fitzwilliam Street, including West One.

I would suggest a closing time of **00:30** for a temporary period of one year.

SOHO's proposed activities impact on all nearby residents whether they complain or not. From my recent experience of making complaints, it is not easy and requires a lot of time commitment which not all residents have. Therefore, the usual reason given by applicants when asking for approval of planning or licensing is that they are a responsible operator and they have not received any complaints. This could be true but in the last few years we have suffered loss of sleep due to music/customer noise from many of the late-night bars in the West One area – Revolution, Coco, Beju, and Olivia's.

We have also suffered noise disturbance from rowdy and sometimes violent customer behaviour in the Plaza area during daytime hours from the unmanaged outdoor seating area operated by Revolution, West One.

As a possible solution I'd like to suggest the following conditions be applied to SOHO's licence application in addition to the conditions currently shown in Annex 2:

1. The DPS or a designated member of staff must take a pro-active approach to noise control, regularly checking outside the premises to ensure that noise breakout of internal noise and noise from patrons using the outside area (e.g. to smoke, drink etc) is managed so as not to cause a nuisance to occupiers of nearby residential properties.
2. Reasonable steps are taken to recognise the rights of local residents and to encourage customers to leave the premises quietly.
3. All external doors and windows to be closed at all times on any day except for the purposes of access, egress or in the case of emergency. Doors shall not be left propped open at any time.
4. Regulated entertainment - recorded music and live music including karaoke should not be audible in or outside nearby residential properties at any time.
5. No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiter, the settings of which shall be set to noise levels so as to be inaudible to the inside and outside of nearby residential properties.
6. No external regulated entertainment - recorded music and live music including karaoke.
7. No external speakers.
8. Sound attenuation works to be installed to prevent noise breakout.
9. An acoustic lobby/lobbies to be installed to prevent noise breakout
10. Signs shall be displayed prominently inside and outside the premises requesting customers to behave in a quiet and considerate manner when entering and leaving the premises and must respect the needs of local residents.
11. Signs shall be displayed prominently inside and outside the premises requesting customers to behave in a quiet and considerate manner when seated outside the premises and must respect the needs of local residents.
12. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
13. Details and proposed positions for site-based signage to encourage a more orderly and neighbourly approach to dispersal from premises and as a deterrent to loitering.
14. Use of Plaza adjacent to Units 8 and 9 for outdoor seating with a maximum of 12 tables.
15. Barriers will be used to control customer movement in external seated drinking area.

16. The supply of alcohol for the outdoor area shall only be to a person seated and vertical drinking should not be allowed at any time.
17. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
18. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
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 - a. all crimes reported to the venue
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 - c. any complaints received concerning crime and disorder
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 - e. any incidents of disorder
 - f. all seizures of drugs or offensive weapons
 - g. any faults in the CCTV system, searching equipment or scanning equipment
 - h. any refusal of the sale of alcohol
 - i. any visit by a relevant authority or emergency service.

Before the above hours of operation commence a detailed management strategy to prevent noise and disturbance issues arising in the plaza area shall be submitted to and approved in writing by the Local Planning Authority and Licencing. Thereafter the approved management strategy shall remain in force at all times and shall not be altered or deviated from without the prior authorisation of the Local Planning Authority and Licencing.

Below is a suggested management strategy that should be added to:

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SOHO – Units 8 & 9, West One Plaza, 8 Fitzwilliam Street, Sheffield.

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Daily Systems

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- Outside area to be cleaned and area defined using screens.
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- All furniture to be checked for safety (Added to morning audit).
- Staff assigned to outside area on working floor plan.
- Table number system in place.

11:00 to 19:00 Hours (Day Time Service)

- All outside customers are to be seated within the screened area shown on the attached seating plan.
- The outside area is to be checked constantly for spills and breakages.
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- All staff to be fully aware of the management strategy for outdoor areas and all the conditions contained in Annex 2 of the licence in order to prevent any misunderstanding if a resident makes an informal or formal complaint.

- Designated staff to check again for spills and breakages. Staff will make sure the defined outside area is fully cleared of bottles, glasses and rubbish including cigarette ends. Outside area to be cleaned again.

Please note that the address stated on the licence application is incorrect:

10 Fitzwilliam Street, West One Plaza, Sheffield, S1 4JB

The address should be:

Units 8 & 9, West One Plaza, 8 Fitzwilliam Street, Sheffield, S1 4JB

Can you confirm in writing that you have received my objection?

Regards



APPENDIX D

Hearing Notices and Regulations

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

WOLLATON TRADE LTD

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 15th February 2023 received an application in respect of the premises known as;

Soho, Units 8 & 9 West One Plaza, Fitzwilliam Street, Sheffield, S1 4JB

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

- **Local Resident Group**
- **Local Residents x2**

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 24th April 2023 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: 13th April 2023

Signed: Daniel Parlett

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**

[REDACTED]
Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 15th February 2023 received an application in respect of the premises known as;

Soho, Units 8 & 9 West One Plaza, Fitzwilliam Street, Sheffield, S1 4JB

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

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

- 1) The representation you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your representation.

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD** within five (5) working days before the day or the first day on which the hearing is to be held.

Dated: 13th April 2023

Signed: Daniel Parlett
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.

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.