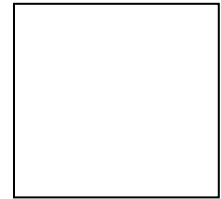




## SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



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

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**Date:** Tuesday 12<sup>th</sup> December 2023 – 10:00am

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**Subject:** Licensing Act 2003

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**Author of Report:** Shimla Finch

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**Summary:** To consider an application to vary a premises licence made under the Licensing Act 2003.

**418 Store, 551 Ecclesall Road, Sheffield S11 8PR**

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

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**Background Papers:** Attached documents  
[Sheffield City Councils Statement of Licensing Policy](#)  
[Revised Guidance issued under section 182 of the Licensing Act 2003](#)

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**Category of Report:** OPEN

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

Ref No: 144/23

418 Store, 551 Ecclesall Road, Sheffield S11 8PR

**1.0 PURPOSE OF REPORT**

1.1 To consider an application for the variation of a premises licence made under Section 34 of the Licensing Act 2003.

**2.0 THE APPLICATION**

2.1 The applicants are Masoud Ibrahim and Amanuel Gebru Araya.

2.2 The application was received by the Licensing Service on the 16<sup>th</sup> October 2023, and is attached to Appendix 'A' of this report.

2.3 The premises runs as a convenience store with off sales of alcohol from 9am to 11pm seven days a week. The application requests the following changes to their premises licence:

- Supply of alcohol for consumption off the premises to 24 hours a day, seven days a week.

2.4 No additional steps have been added by the applicants in their operating schedule at section M in relation to promoting the four licensing objectives with the requested extended hours.

2.4 A full copy of the current Premises Licence is attached at Appendix 'B' which details current times and conditions imposed.

2.5 During the consultation period, the applicant has agreed conditions with South Yorkshire Police regarding CCTV and staff training. A full list of the agreed conditions is attached at Appendix C.

**3.0 REASONS FOR REFERRAL**

3.1 The variation application has been referred to the Licensing Sub-Committee for determination as there are unresolved objections from the following interested parties on the extension of hours requested by the current licence holders:

- 13 x Interest parties / local residents

3.2 A copy of the representations are attached at Appendix 'D' of this report

3.3 The applicant and the objectors have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'E'.

## **4.0 FINANCIAL IMPLICATIONS**

4.1 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.

## **5.0 THE LEGAL POSITION**

5.1 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.

5.2 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.

## **6.0 HEARING REGULATIONS**

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

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

6.3 Attached at Appendix 'E' 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.

## **7.0 APPEALS**

7.1 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.

## **8.0 RECOMMENDATIONS**

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

## **9.0 OPTIONS OPEN TO THE COMMITTEE**

- 9.1 To vary the premises licence in the terms requested.
- 9.2 To vary the premises licence with conditions.
- 9.3 To reject the whole or part of the application.

12<sup>th</sup> December 2023

Chief Licensing Officer, Head of Licensing  
Block C, Staniforth Road Depot  
Sheffield, S9 3HD.

# **Appendix 'A'**

## **Variation Application**

# Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We MR AMANUEL GIEBRU ARYA & MR MASOUD IBRAHIM  
(insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number
-------------------------

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description	
551 Ecclesall Road. S11 8PR.	
Post town	SHEFFIELD
Postcode	S11 8PR

Telephone number at premises (if any)	
Non-domestic rateable value of premises £	

**Part 2 – Applicant details**

Daytime contact telephone number		
E-mail address (optional)		
Current postal address if different from premises address		
Post town		Postcode

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the late night levy? (Please see guidance note 1)  Yes  No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Our Clientel come to our shop at later times, rather than early mornings.

Due to us not being able to open later we aren't making as much money as predicted therefore it is proving difficult to be able to pay bills, staff and keep stock up. + to keep improving our range of stock.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

MAXIMUM 516 PERSON

AT ONE TIME. 418 STORE IS A SMALL CONVENIENT STORE.

**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply**

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

N/A

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

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

YES

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors
				Outdoors
Day	Start	Finish	Please give further details here (please read guidance note 5)	Both
Mon				

Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors
				Outdoors
Day	Start	Finish		Both
Mon			Please give further details here (please read guidance note 5)	
Tue				
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)
Thur				
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)	
Sat				
Sun				

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors
				Outdoors
Day	Start	Finish		Both
Mon			Please give further details here (please read guidance note 5)	
Tue				
Wed				State any seasonal variations for the performance of live music (please read guidance note 6)
Thur				
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)	
Sat				
Sun				

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors
				Outdoors
Day	Start	Finish		Both



Tue			
Wed			State any seasonal variations for performing plays (please read guidance note 6)
Thur			
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)
Sat			N/A
Sun			

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors
				Outdoors
Day	Start	Finish		Both
Mon			Please give further details here (please read guidance note 5)	
Tue				
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)	
Sat				
Sun				

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)	
Day	Start	Finish		
Mon				
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)	
Wed				
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)	
Fri				
Sat				

Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 7)
Sun			

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors
				Outdoors
				Both
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)	
Mon				
Tue				
Wed				<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)
Thur				
Fri				<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)
Sat				
Sun				

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises
				✓ Off the premises
				Both
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)	
Mon	24hr			
Tue	24hr			
Wed	24hr			
Thur	24hr			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7)
Fri	24hr			
Sat	24hr			
Sun	24hr			

Confirmed off sales in email dated 19.10.23

Mon			Please give further details here (please read guidance note 5)
Tue			
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 6)
Thur			
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)
Sat			
Sun			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors
Day	Start	Finish		Outdoors
				Both
Mon			Please give further details here (please read guidance note 5)	
Tue				
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)	
Sat				
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors
				Outdoors
				Both
Mon				
Tue			Please give further details here (please read guidance note 5)	
Wed				
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g). (please read guidance note 6)	
Fri				

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 10).

NIA

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	24 hr		
Tue	24 hr		
Wed	24 hr		
Thur	24 hr		<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)
Fri	24 hr		
Sat	24 hr		
Sun	24 hr		

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Nothing beyond existing general requirements

b) The prevention of crime and disorder

Nothing beyond existing requirements for the prevention of crime and disorder

c) Public safety

Nothing beyond existing public safety requirements

d) The prevention of public nuisance

Nothing beyond existing requirements for the prevention of public nuisance

e) The protection of children from harm

Nothing beyond existing requirements for the protection of children from harm

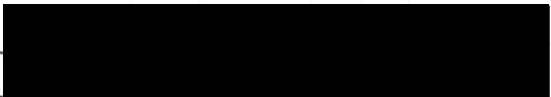
Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

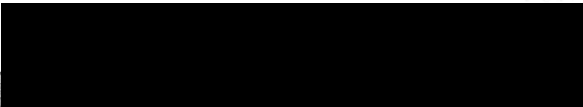
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	30/08/23
Capacity	owner

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	30/08/23
Capacity	owner

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:

# **Appendix 'B'**

## **Current Premises Licence**

# Licensing Act 2003 Premises Licence

Issue No: 1

## SY003094 PR

### LOCAL AUTHORITY



#### Licensing Service

#### Place Portfolio

Block C Staniforth Road Depot  
Staniforth Road  
Sheffield  
S9 3HD

Tel: 0114 2734264

Taxi Enquiries: [taxilicensing@sheffield.gov.uk](mailto:taxilicensing@sheffield.gov.uk)

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

The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

### Part 1 - Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

### 418 Store

551 Ecclesall Road, Sheffield, S11 8PR.

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

the supply of alcohol

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To
J. Supply of alcohol for consumption OFF the premises only			
	Sunday	9:00am	11:00pm
	Monday	9:00am	11:00pm
	Tuesday	9:00am	11:00pm
	Wednesday	9:00am	11:00pm
	Thursday	9:00am	11:00pm
	Friday	9:00am	11:00pm
	Saturday	9:00am	11:00pm





# Licensing Act 2003 Premises Licence

Issue No: 1

## SY003094 PR

### THE OPENING HOURS OF THE PREMISES

Day	Time From	Time To
Sunday	9:00am	11:00pm
Monday	9:00am	11:00pm
Tuesday	9:00am	11:00pm
Wednesday	9:00am	11:00pm
Thursday	9:00am	11:00pm
Friday	9:00am	11:00pm
Saturday	9:00am	11:00pm

#### PLEASE NOTE:

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption OFF the premises only

### Part 2

### NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

**Masoud Ibrahimi**  
[REDACTED]  
[REDACTED]

**Amanuel Gebru Araya**  
[REDACTED]  
[REDACTED]

### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

### NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

**Amanuel Gebru ARAYA** [REDACTED]



# Licensing Act 2003 Premises Licence

Issue No: 1

# SY003094 PR

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR  
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No: **SY08096**

Issued by: **Sheffield**

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

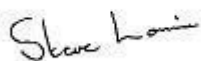
Restricted

## LICENCE DATES

Licence first effective date: **17 May, 2023**

This Premises Licence shall be in force from: **17 May, 2023**

Issue date of this licence: **4 July, 2023**



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**Steve Lonnia**  
Head of Licensing Services  
On behalf of Sheffield City Council (Issuing Licensing Authority)



# Licensing Act 2003 Premises Licence

Issue No: 1

# SY003094 PR



**ANNEXES****ANNEX 1A - MANDATORY CONDITIONS****Mandatory Condition 1 (Section 19 ss 2)**

Where a licence authorises the sale of alcohol then no supply of alcohol may be made under the premises licence -

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

**Mandatory Condition 2 (Section 19 ss 3)**

Where a licence authorises the sale of alcohol then every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

**Mandatory Condition 3 (Section 20)**

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:
  - (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
  - (b) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.
2. In this section -
  - “children” means persons aged under 18; and
  - “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

**Mandatory Condition 4 (Section 21)**

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

**Annex 1B - Mandatory Condition effective from 28<sup>th</sup> May 2014:**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) “permitted price” is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence-
  - (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

**ANNEXES continued ...**

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Annex 1C - Mandatory Conditions effective from 1<sup>st</sup> October 2014:**

- 1.-(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 3.- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.  
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.
4. The responsible person must ensure that-
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

**ANNEXES continued ...****ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

1. There shall be no 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
2. Challenge 25 scheme will operate at all times when the premises are open.
3. An incident and refusal book maintained and such records to be retained.
4. CCTV shall be installed throughout the premises. The images shall be retained for a period of 30 days.
5. Signs to be displayed asking customers to leave quietly.
6. The premises shall clear any litter daily and keep area clear of any rubbish.

**ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**

None

**ANNEX 4 - Plans**

418 Off-Store  
551 Ecclesall Road  
17th April 2023

## LOCAL AUTHORITY



### Licensing Service

#### Place Portfolio

Block C Staniforth Road Depot  
Staniforth Road  
Sheffield  
S9 3HD

Tel: 0114 2734264

Taxi Enquiries: [taxilicensing@sheffield.gov.uk](mailto:taxilicensing@sheffield.gov.uk)

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

The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

## Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### 418 Store

551 Ecclesall Road, Sheffield, S11 8PR.

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To
J. Supply of alcohol for consumption OFF the premises only			
	Sunday	9:00am	11:00pm
	Monday	9:00am	11:00pm
	Tuesday	9:00am	11:00pm
	Wednesday	9:00am	11:00pm
	Thursday	9:00am	11:00pm
	Friday	9:00am	11:00pm
	Saturday	9:00am	11:00pm



# Licensing Act 2003

Issue No: 1

## Premises Licence Summary SY003094 PR

### THE OPENING HOURS OF THE PREMISES

Day	Time From	Time To
Sunday	9:00am	11:00pm
Monday	9:00am	11:00pm
Tuesday	9:00am	11:00pm
Wednesday	9:00am	11:00pm
Thursday	9:00am	11:00pm
Friday	9:00am	11:00pm
Saturday	9:00am	11:00pm

#### PLEASE NOTE:

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption OFF the premises only

### NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Masoud Ibrahimi

Amanuel Gebru Araya

### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

### NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Amanuel Gebru ARAYA

### STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

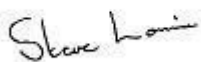
Restricted

### LICENCE DATES

Licence first effective date: 17 May, 2023

This premises licence shall be in force from: 17 May, 2023

Issued date of this licence: 4 July, 2023



Steve Lonnia  
Head of Licensing Services  
On behalf of Sheffield City Council (Issuing licensing authority)





# Appendix 'C'

**Agreed Conditions – South Yorkshire Police**

# South Yorkshire Police – Agreed conditions 07.11.23

- 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)**

- The CCTV system will contain the correct time and date stamp information.
- The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has access the system, the reason why and when.
- Staff will receive training concerning , but not limited to,
  - Vulnerability awareness
  - Crime scene preservation
  - 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.

# Appendix 'D'

**13 x Interested Parties/Local Resident Objections**

## Objector 1 – B Field

**From:** b [REDACTED] field [REDACTED]  
**Sent:** Thursday, October 26, 2023 5:15 PM  
**To:** licensingservice <licensingservice@sheffield.gov.uk>  
**Subject:** 418 store 24 HR alcohol licence application

Dear Sirs

I am writing to express my deep concern about this application. There's absolutely no need for it and will have a negative impact on our local community. I already object to be honest about the vape sales from this place, we know vape sales target children. Who needs 24 hour access for alcohol? Those with addiction issues or late night party goers...of which this is not the solution. We don't need to encourage it further and alcohol is already available up to 11 ish from several nearby places, there's no shortage.

Please do not grant this licence.

Yours sincerely

B [REDACTED] Field  
[REDACTED]

---

## Objector 2 – V Smith

**From:** v [REDACTED] smith [REDACTED]  
**Sent:** Friday, October 27, 2023 11:59 AM  
**To:** licensingservice <licensingservice@sheffield.gov.uk>  
**Subject:** 418 Store, 511 Ecclesall Road

I am writing to register my objection to the application for a 24 hour premises licence at 418 Store, Ecclesall Road. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Granting such a licence would provide a further source of alcohol and food within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local community.

Residents in this area already suffer noise nuisance and antisocial behaviour especially at night. We already suffer litter and bottles strewn in our gardens and there is no need to compound this further by allowing this premise to open for 24 hours.

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

V [REDACTED] Smith  
[REDACTED]  
[REDACTED]

### **Objector 3 – I Jerams**

From: I Jerams [REDACTED]  
Sent: Wednesday, November 1, 2023 5:20 PM  
To: licensingservice <licensingservice@sheffield.gov.uk>  
Subject: 551 Ecclesall Road

Dear Sir/Madam,

I have been alerted to an open licensing application (215723) for the above premises by our local Botanical Area Community Association, although it appears that the application was lodged in May 2023? The application is for 24 hour alcohol sales. Given that local pubs and associated hospitality venues are generally restricted to closing at 12/12.30 at the latest, I would like to object to the above application, as a local resident. We already suffer noise disturbance from student parties and this would offer party goers an opportunity to replenish their alcohol supplies right through the night. Customers would only buy alcohol in the middle of the night if they are aiming to consume it fairly immediately? We would also be concerned about the noise created by people entering or leaving the shop, and any associated problems with litter or drinking on the street.

Many thanks  
I Jerams  
[REDACTED]

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### **Objector 4 – B Harrison**

From: B Harrison [REDACTED]  
Sent: Wednesday, November 1, 2023 5:36 PM  
To: licensingservice <licensingservice@sheffield.gov.uk>  
Subject: Application 215723 515 Ecclesall Rd

I understand that there is an open application to increase the opening hours to sell alcohol to 24 hours per day, 7 days per week.  
I would like to express my objections to this application.

Ecclesall Rd is a combination of residential property and commercial property. It is not and never has been a 24 hour area and, if this licence extension is approved, will give precedence to any other business to follow. At the moment the limit is set to 11.30pm closing and, as an Ecclesall Rd resident, this provides a good balance between commercial and residential needs.

The exception to this is the Lost and Found which has 'private venue' status and regularly causes noise disturbances and increase in the amount of alcohol related litter including broken glass and vomit. If the extended hours are allowed, I assume this licence would remain with the premises, as it has with the L and F, which would provide any future owners to use it how they liked. A very worrying thought for residents in this area.

As we live next to four student houses we face regular noise disturbance from their parties but at least they are limited to how much alcohol they can buy in the middle of the night. We have lived on Ecclesall Rd for 14 years and have enjoyed the buzz and atmosphere but there has been a noticeable increase in the amount of hospitality businesses opening and closing soon after leaving 20+ empty units. We are at saturation point with alcohol venues.

Residents are increasingly concerned at the lack of consideration for their welfare. It is not all HMO's and students.

[REDACTED]  
[REDACTED]

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### Objector 5 – R Purkiss

**From:** R [REDACTED] Purkiss [REDACTED]  
**Sent:** Thursday, October 26, 2023 11:10 AM  
**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>  
**Subject:** OBJECTION; 418 Store, 551 Ecclesall Road Sheffield, S11 8PR

Hello

I want to object most strongly to the application by the business below for 24 hour alcohol sales

From a noise perspective this is a residential area, but the main danger is increased antisocial behaviour and then the precedent it sets for others to apply and the problem to snowball. You only have to look at West Street to see how that has become established as a place for street drinking and begging – this is more or less under control on Ecclesall Road but not if you start allowing similar retail down here. Turn it down please!

R [REDACTED] Purkiss  
[REDACTED]  
[REDACTED]

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### Objector 6 – P Merrett

**From:** P [REDACTED] Merrett [REDACTED]  
**Sent:** Friday, October 27, 2023 12:34 PM  
**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>  
**Subject:** licensing application, 418 store, 551 Ecclesall Road S11 8PR

re: Amanuel Gebru Arya & Masoud Ibrahim  
418 Store, 551 Ecclesall Road Sheffield, S11 8PR  
Licensing Act 2003  
Variation - Amendment of Hours  
Sale of Alcohol (Off premises) – Sunday – Saturday 00:00 – 00:00  
Opening Hours – Sunday – Saturday 00:00 – 00:00

I write to object to the above application for an amendment to licensing hours. I am a resident living very close to this 418 store, and object on the grounds that this 24/7 commercial activity is bound to increase noise, litter and intoxication in the area and therefore very likely cause disturbance to me and the other significant number of residents who live here.

P [REDACTED] Merrett  
[REDACTED]

## Objector 7 – S Rizzo

**From:** [REDACTED] Rizzo [REDACTED]  
**Sent:** Friday, October 27, 2023 11:31 AM  
**To:** licensingservice <licensingservice@sheffield.gov.uk>  
**Subject:** Objection

I am writing to object to the application for a 24 hour opening of the 418 Shop on Ecclesall Road.

Ecclesall Road is saturated with establishments selling alcohol. It doesn't need anymore, especially one that never stops selling it. People seem to be forgetting that there are residents above most shops and residential streets all around. This is a mixed community of students, professionals, young families and elderly people. Who benefits from this? Booze is cheap enough and freely available until the early hours up and down Ecclesall Road and Sharrowvale Road. As a resident of more than 30 years I can guarantee this type of shop is not necessary. I've seen enough come and go over the years. Please think very carefully when you make this decision. Ask yourselves, will the selling of MORE alcohol and the potential behaviour, littering, noise that may follow benefit this community?

S [REDACTED] Rizzo  
[REDACTED]  
[REDACTED]

---

## Objector 8 – R Bennet

**From:** [REDACTED] bennett [REDACTED]  
**Sent:** Thursday, October 26, 2023 3:23 PM  
**To:** licensingservice <licensingservice@sheffield.gov.uk>  
**Subject:** Objection re 418 Ecclesall Road 24 hour licence

Dear Sirs,

I am writing to object to the proposed 24-hour off-sales licence at 418 Ecclesall Road.

You will be aware that planning inspectors have ruled that none of the bars and restaurants on this stretch of Ecclesall Road may open after 11.30pm because the residential nature of the surrounding properties. I believe that should be a factor when considering this licence application.

The application for this licence is clearly designed to attract after hours drinkers who will arrive with only one thing in mind – to top up their intake . The result will undoubtedly lead to public nuisance, and the more successful the business is, in attracting this sort of clientele, the greater that nuisance would become. Indeed I would be concerned about the safety of staff working through the night. We already suffer from noise nuisance and anti-social behaviour at weekends and this would compound that and would probably make it problem every night.

I feel sorry for the applicants as they have clearly invested a great deal in a business which is failing and this licence is, I would suggest, their attempt to keep it going – as is the addition of a greengrocery display at the front of the existing premises.

However, late licences are not justified simply as a means of saving a business. I would suggest you should refuse this application.

R ■ Bennett,  
Communications Secretary,  
Botanical Area Community Association

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## Objector 9 – C De Nardo

From: C ■ Denardo ■  
Sent: Friday, October 27, 2023 11:19 AM  
To: licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>  
Subject: 418 shop licence application. NO.

Dear Sirs,

I would like to object in the strongest possible terms to the requested licence application for a 24 h premises licence at the 418 store in Ecclesall road.

Ecclesall road and the surrounding areas, botanical garden and sharrow vale are already suffering from crime, disorder and antisocial crime.

Granting a licence for a 24 h opening in this area will only fuel more drunkenness more noise, more crime and generally more antisocial behaviour.

A shop opening 24 h will not help the community whatsoever, and there is a real danger that it could become also a meeting point for deliveroo and similar to deliver booze out of hours to our neighbourhood. I therefore say NO, NO, NO!

In this part of sheffield we, the residents, are frankly fed up with antisocial behaviour. A shop like this can only promote more noise and more antisocial behaviour.

In view of the above i would urge the Licence authority to refuse this application.

Regards  
■ de nardo  
■



## Objector 10 – P Kok

**From:** P [REDACTED] Kok [REDACTED]  
**Sent:** Thursday, October 26, 2023 4:14 PM  
**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>  
**Subject:** 418 Store Ecclesall road  
Hello,

I would like to register an objection to the proposed 24 hour license for the 418 store on Ecclesall Road. Currently, the area is already quite loud at night, and a 24 hour license will further disrupt the neighbourhood. There are a lot of families living in the area, and it is important to keep Ecclesall Road a diverse street with mixed residence, shops and restaurants. I have no objection to a normal late night license, but 24 hours really invites people from all over town, as well as delivery vehicles, creating noise and pollution.

Sincerely,  
P [REDACTED] Kok & family  
[REDACTED]

---

## Objector 11 – D Murdo

**From:** D [REDACTED] Murdoch [REDACTED]  
**Sent:** Thursday, October 26, 2023 11:09 PM  
**To:** licensingservice <[licensingservice@sheffield.gov.uk](mailto:licensingservice@sheffield.gov.uk)>  
**Subject:** 418 Store, Ecclesall Road

Dear Sirs

I am writing to strongly register my objection to the application for a 24 hour premises licence at 418 Store, 551 Ecclesall Road Sheffield S11 8PR.

Granting a licence for these premises will not promote local licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Granting this licence would provide a further source of alcohol and food within an area already so heavily populated with licensed premises that crime, disorder and public nuisance is already at problem levels for the local community.

Residents in this area already suffer noise nuisance and antisocial behaviour especially at night. We already face noise, drunken behaviour, littering and parties and there is no need to compound these issues further.

The existing 418 Lounge (with a licence restricted to usual operating hours for the area) already has issues with parking by staff and customers, on double yellow lines and blocking drivers and cyclists (as was pointed out at their application stage but was refuted), as well as other issues.

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

Kind regards,  
D [REDACTED] Murdoch

## Objector 12 – M Daly

**From:** M [REDACTED] Daly [REDACTED]  
**Sent:** Monday, November 6, 2023 4:08 PM  
**To:** licensingservice <licensingservice@sheffield.gov.uk>  
**Subject:** The 418 Store, Ecclesall Road

Dear Licensing Team

I am writing to object to the application submitted by Amanuel Gebru Arya and Masoud Ibrahim for The 418 Store, Ecclesall Road. The applicants are seeking an amendment to their license which would allow them to sell alcohol from Sunday to Saturday 00:00 to 00:00.

I am objecting to this application on the grounds of the public nuisance caused by noise disturbance that would arise from having 24 hours trading of alcohol and the impact that this would have on the wellbeing of residents in the area. I also fail to see a need for 24 hour sale of alcohol in the area.

I urge you not to grant this licence.

Kind regards  
M [REDACTED] Daly  
[REDACTED]

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## Objector 13 – E Gallagher

**From:** E [REDACTED] Gallagher [REDACTED]  
**Sent:** Sunday, November 19, 2023 2:30 PM  
**To:** licensingservice <licensingservice@sheffield.gov.uk>  
**Subject:** 418 Shop Licensing Objection

Dear Sirs

I am writing to register my objection to the application for a 24 hour premises licence at 418 Store, Ecclesall Road. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour. I understand they have requested 24/7 opening hours. These hours will encourage delivery of alcohol around the city at night, which is unnecessary and anti social.

Granting such a licence would provide a further source of alcohol and food within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local community.

Residents in this area already suffer noise nuisance and antisocial behaviour especially at night. We already suffer litter and bottles strewn in our gardens and there is no need to compound this further. In view of the above, I would urge the Licensing Authority to refuse the application.

E [REDACTED]

# Appendix 'E'

Hearing Notices / Regulations / Procedures



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

FAO: Masoud Ibrahim and Amanuel Gebru Araya

Sent via email: [REDACTED] and [REDACTED]

The Sheffield City Council being the licensing authority, on the 16<sup>th</sup> of October 2023 received your application in respect of the premises known as:

**418 Store, 551 Ecclesall Road, Sheffield S11 8PR**

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

- **South Yorkshire Police – now resolved with agreed conditions**
- **13 x Local Resident**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Tuesday 12<sup>th</sup> December 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 representations made, upon which you may ask and be asked questions by the parties to the hearing.
- 2) You may also be asked questions by the parties to the hearing, relating to your application for a licence.

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

Dated: 21<sup>st</sup> November 2023

Signed: Shimla Finch  
The officer appointed for this purpose

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD. [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)



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

To the Objector/Interest Party

Sent via email

The Sheffield City Council being the licensing authority, on the 16<sup>th</sup> October 2023 received an application in respect of the premises known as;

**418 Store, 551 Ecclesall Road, Sheffield S11 8PR**

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

- **South Yorkshire Police – now resolved with agreed conditions**
- **13 x Local Resident**

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Tuesday 12<sup>th</sup> December 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) The representation you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your representations.

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

Dated: 21<sup>st</sup> November 2023

Signed: Shimla Finch  
The officer appointed for this purpose

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD. [licensingService@sheffield.gov.uk](mailto:licensingService@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.

**LICENSING ACT 2003**

**Form LAR 1**  
Regulation 8

Premises: 418 Store, 551 Ecclesall Road, Sheffield S11 8PR  
Type of App: LA03 Variation of a Premises Licence Application  
Hearing Date: 12<sup>th</sup> December 2023 – 10:00am. Sheffield Town Hall

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

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

I [insert name here]

hereby confirm that I have received the Notice of Hearing dated 21<sup>st</sup> November 2023 and notify you as follows **(please complete)**:

I intend to attend the hearing at 10:00am on Tuesday 12<sup>th</sup> December 2023 in Sheffield Town Hall.

I do not intend to attend the hearing

I intend to be represented at the hearing by: .....

I consider the hearing to be unnecessary because: .....  
.....

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

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

**Please see Regulation 8 overleaf**

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

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

## Regulation 8

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

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

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

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

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



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

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

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

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