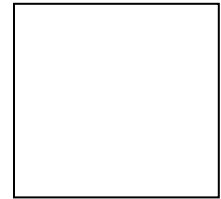




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: Tuesday 23rd April 2024 – 10:00am

Subject: Licensing Act 2003

Author of Report: Jayne Gough

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

Chong Qing, 290 Glossop Road, Sheffield, S10 2HS

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](#)
[Revised Guidance issued under section 182 of the Licensing Act 2003](#)

Category of Report: OPEN

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

Ref No: 41/24

Chong Qing, 290 Glossop Road, Sheffield, S10 2HS

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 Ching Qing Restaurant Ltd.

2.2 The application was received by the Licensing Service on the 19th February 2024, and is attached to Appendix 'A' of this report.

2.3 The application requests the following changes to their premises licence:

- Extend the hours for the provision of Late Night Refreshment to 23:00 – 03:00 hours, 7 days a week to accommodate new BBQ snack options for Chinese students who enjoy late night snacks, which the premises operators have received many request for.

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 agreed with one of the objectors to add a condition to the licence (if granted) to alleviate concerns regarding extra noise nuisance which may be generated from late night delivery drivers, stating:

- **No delivery service is permitted between the hours of 00:00hrs - 03:00hrs on any day of week**

This agreement and associated correspondence can be found 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:

- 1 x Local Resident Association – Changing Sheff
- 1 x Local Resident

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.

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

23rd April 2024

Appendix 'A'

Variation Application



Sheffield
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@sheffield.gov.uk
 Telephone: 0114 2734264

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Note: completing the Applicant Business section is optional in this form.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

34,500

Section 3 of 18

VARIATION

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

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

Yes No

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 to the
late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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.

The current premises is a restaurant, with the counter and bar and toilet is on the left of the entrance, and the tables to the right. The kitchen is situated at the back. We would like to change our opening hours to accommodate our new BBQ snacks options for Chinese students who enjoy late night snacks, which we have received many request for.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to
vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to
vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Continued from previous page...

The only change to request to our licence is the request of extending opening hours. Supply of alcohol will be stopped at given time, and any individual who appears to be intoxicated will not be served any alcohol on the premises.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

100.00

DECLARATION

I/WE UNDERSTAND THAT 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.

Ticking this box indicates you have read and understood the above declaration

Continued from previous page...

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text" value="Tianhui Zhuo"/>
* Capacity	<input type="text" value="Company Director"/>
* Date	<input type="text" value="17"/> / <input type="text" value="02"/> / <input type="text" value="2024"/> dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/sheffield/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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.

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

Hi,



Please accept my apologies in the error, yes we would like to provide non alcoholic refreshments to 03:00 as well. Please could this be corrected or would we have to resubmit application.

Kind Regards,
Tianhui Zhuo

Good Morning

We have received your application to vary the licence.

You have specified you are extending the hours to accommodate late night snacks, can you confirm you are also wanting to extend the hours for late refreshment as well? You are currently licenced until 00:00. Is this also to be until 03:00?

Kind regards

Licensing Analyst and Processing Officer, Licensing Hub

Appendix 'B'

Current Premises Licence

Licensing Act 2003

Premises Licence

Issue No: 12

SY000531 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

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, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

Chong Qing Restaurant

290 Glossop Road, Sheffield, S10 2HS.

Telephone 0114 2728260

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To
F. Playing of recorded music (Indoors)			
	Sunday	11:00am	12:30am
	Monday	11:00am	12:30am
	Tuesday	11:00am	12:30am
	Wednesday	11:00am	12:30am
	Thursday	11:00am	12:30am
	Friday	11:00am	12:30am
	Saturday	11:00am	12:30am
I. Late night refreshment (Indoors)			
	Sunday	11:00pm	11:30pm
	Monday	11:00pm	Midnight
	Tuesday	11:00pm	Midnight
	Wednesday	11:00pm	Midnight
	Thursday	11:00pm	Midnight
	Friday	11:00pm	Midnight
	Saturday	11:00pm	Midnight
	New Years Eve (31/12)	11:00pm	5:00am
	New Years Day (01/01)		23:00 to Standard Terminal Hour



Licensing Act 2003

Premises Licence

Issue No: 12

SY000531 PR

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity	Day	Time From	Time To
J. Supply of alcohol for consumption ON the premises only			
	Sunday	11:00am	Midnight
	Monday	11:00am	Midnight
	Tuesday	11:00am	Midnight
	Wednesday	11:00am	Midnight
	Thursday	11:00am	Midnight
	Friday	11:00am	Midnight
	Saturday	11:00am	Midnight
	Christmas Day (25/12)	Noon	Midnight
	New Years Eve (31/12)	11:00am	Midnight
	New Years Day (01/01)	Midnight	11:00pm

THE OPENING HOURS OF THE PREMISES

Day	Time From	Time To
Sunday	11:00am	12:30am
Monday	11:00am	12:30am
Tuesday	11:00am	12:30am
Wednesday	11:00am	12:30am
Thursday	11:00am	12:30am
Friday	11:00am	12:30am
Saturday	11:00am	12:30am
Christmas Day (25/12)	11:00am	12:30am
New Years Eve (31/12)	11:00am	Midnight
New Years Day (01/01)	Midnight	11:30pm

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.

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

Part 2

Tianhui Zhuo

Tian Hui ZHUO

1 St James Gardens, Barrow In Furness, LA14 5AP.



Licensing Act 2003 Premises Licence

Issue No: 12

SY000531 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: [REDACTED]

Issued by: **Birmingham**

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

Restricted

LICENCE DATES

Licence first effective date: 24 November, 2005

This Premises Licence shall be in force from: 23 May, 2023

Issue date of this licence: 26 May, 2023

Steve Lonnia

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



**Licensing Act 2003
Premises Licence**

Issue No: 12

SY000531 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 28th 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

ANNEXES continued ...

prevent the supply in question; and
(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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 1st 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;

Licensing Act 2003

Premises Licence

Issue No: 12

SY000531 PR

ANNEXES continued ...

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.

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. CCTV is to be installed internally and recordings will be kept for a minimum of 7 days.
3. The Challenge 21 Scheme will be adopted and implemented when the premises are open.
4. Music will only be permitted at a low level background noise and will not be audible to anyone living nearby.

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans

Plan Reference: Orient Express, 290 Glossop Road

Drawing No: 492-02

Dated: Jun 2011



Premises Licence Summary SY000531 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
 General Licensing: licensingservice@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

Chong Qing Restaurant

290 Glossop Road, Sheffield, S10 2HS.

Telephone 0114 2728260

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

Activity	Day	Time From	Time To
F. Playing of recorded music (Indoors)			
	Sunday	11:00am	12:30am
	Monday	11:00am	12:30am
	Tuesday	11:00am	12:30am
	Wednesday	11:00am	12:30am
	Thursday	11:00am	12:30am
	Friday	11:00am	12:30am
	Saturday	11:00am	12:30am
I. Late night refreshment (Indoors)			
	Sunday	11:00pm	11:30pm
	Monday	11:00pm	Midnight
	Tuesday	11:00pm	Midnight
	Wednesday	11:00pm	Midnight
	Thursday	11:00pm	Midnight
	Friday	11:00pm	Midnight
	Saturday	11:00pm	Midnight
	New Years Eve (31/12)	11:00pm	5:00am
	New Years Day (01/01)		23:00 to Standard Terminal Hour



Premises Licence Summary SY000531 PR

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity	Day	Time From	Time To
J. Supply of alcohol for consumption ON the premises only			
	Sunday	11:00am	Midnight
	Monday	11:00am	Midnight
	Tuesday	11:00am	Midnight
	Wednesday	11:00am	Midnight
	Thursday	11:00am	Midnight
	Friday	11:00am	Midnight
	Saturday	11:00am	Midnight
	Christmas Day (25/12)	Noon	Midnight
	New Years Eve (31/12)	11:00am	Midnight
	New Years Day (01/01)	Midnight	11:00pm

THE OPENING HOURS OF THE PREMISES

Day	Time From	Time To
Sunday	11:00am	12:30am
Monday	11:00am	12:30am
Tuesday	11:00am	12:30am
Wednesday	11:00am	12:30am
Thursday	11:00am	12:30am
Friday	11:00am	12:30am
Saturday	11:00am	12:30am
Christmas Day (25/12)	11:00am	12:30am
New Years Eve (31/12)	11:00am	Midnight
New Years Day (01/01)	Midnight	11:30pm

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.

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

Tianhui Zhuo

Tian Hui ZHUO



Licensing Act 2003

Issue No: 12

Premises Licence Summary SY000531 PR

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

Restricted

LICENCE DATES

Licence first effective date: 24 November, 2005

This premises licence shall be in force from 23 May, 2023

Issued date of this licence: 26 May, 2023

Steve Lonnia

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



Appendix 'C'

**Agreed Condition and associated
correspondence**

Hi [REDACTED],

Apologies for the delay in response.

Regarding Mr Booth's concerns, we are willing to incorporate the delivery times within the license and make an agreement for the premise license. However, regrettably, we cannot agree to just only selling BBQ snacks at midnight, although our intentions are to extend the hours to accommodate the additional requests, as a business, we will not turn away the opportunity for income if customers request things from our current menu.

Additionally, we appreciate Mr Shepton's concerns but as our application is not a variation on the sale alcoholic beverages beyond our current time, and have no intent of doing so, does this not make number 6 an invalid point? If we had intention of doing this, this would need to be part of the application process thus he would have a valid reason for objection in line with these concerns. His statement is talking about other businesses in general which have the possibility of extending it to 03:00... and in that case they too would need to go through the application process. We are not willing to take the risk of having our premises license revoked/ receiving a fine, nor facing the worst of a prison sentence, albeit rare.

I would like to thank you in this matter, and your assistance throughout. If necessary, we will just wait for a hearing.

Kind regards,
Tianhui Zhuo

Good afternoon Tianhui,

Following on from my email below, I have received a response from Mr Booth with regard to his objection. He has asked if we can condition the licence to restrict a delivery service after midnight. Can you confirm if you are happy for the below condition to be included on the Premises Licence should the application be granted?

'No delivery service permitted between the hours of 00:00-03:00hrs on any day of week'

In addition Mr Booth has asked if we can place a restriction on the sale of hot food to be the provision of BBQ snacks only after midnight. I have advised Mr Both this is not a condition that can be placed on the licence nor enforced since the type of hot food or drink wouldn't undermine any of the core licensing objectives. However, can you advise if you only intend to sell BBQ snacks or will your full menu be available during the proposed extended hours?

Kind Regards,

Licensing Enforcement & Technical Officer

Appendix 'D'

**Resident Association Objection
Local Resident Objection**

Objection to the open application 218929 which is a Variation Application for a extended Premises Licence for Chong Qing Restaurant, 290 Glossop Road, Sheffield, S10 2HS

Premises Licence Number: SY000531

Applicant: Tian Hui Zhuo

This objection is being made by ChangingSheff on behalf of residents living in the area around the Chong Qing restaurant.

ChangingSheff is the Residents' Association for 27,000 people now living in the City Centre.

1. The reason for the objection is the prevention of public nuisance within the licensing objectives of "the prevention of crime and disorder; public safety; the prevention of public nuisance; the protection of children from harm".
2. This is predominantly a residential area behind the fronted food outlets on Glossop Road. The disruptive nature of food collection services like Deliveroo and Just Eat create noise and disturbance for people living locally. The bicycle couriers stand outside and talk; the car using ones stop outside to collect an order and blow their horns to tell someone to bring it out. This is not conducive for a good night's sleep.
3. Glossop Road Baths building, opposite, is residential with 21 apartments, as is the Sinclair building nearby and on the opposite side of Glossop Road there are Victoria Street and Gell Street, which are entirely residential.
4. For years applications for early morning closing by Wetherspoon's Swim Inn in the Glossop Road Baths building were successfully opposed on the basis of this being a primarily residential area. The Swim Inn is shown in the photo in relation to the business of Chong Qing and the Licensing Committee accepted residents' view that Glossop Road should not be allowed to become an extension of West Street in terms of the night-time economy. Eventually J D Wetherspoon closed the pub because there wasn't enough business in this predominantly residential area.
5. For many years the western boundary for the late night economy on West Street was recognised as Fitzwilliam Street. That was until the West One Plaza outlets such as Revolution persuaded the Council to extend their opening times, but not to 3am.
6. Subsequently the western boundary has been regarded as Cavendish Street, following which alteration the residents in West One apartments have had their quiet enjoyment and sleep disrupted by noise from people using the licenced premises beneath them.
7. This is not a 'night-time-economy' area and it is difficult to see any reason to move the recognised break point once again simply to permit 3am closing for a Chinese restaurant whose custom after midnight will primarily be courier collection and the entire disturbance this creates.
8. The City Council's own 'Our City-Our Future' document states:
Safeguarding Sensitive Uses from Noise and Nuisance:
 - a) 4.46. Noise pollution can have significant adverse impacts on people's health and mental well-being. It is therefore important to ensure that people's living conditions are not disturbed by excessive noise and nuisance (including fumes and odours). Noise and nuisance mitigation measures, including restrictions on times of opening for late night uses may be a condition of

planning permission. Outdoor seating areas have less opportunity for mitigation and therefore may have greater restrictions.

- b) POLICY NC14: SAFEGUARDING SENSITIVE USES FROM NOISE, ODOURS AND OTHER NUISANCE
- c) At application, the closing time of drinking establishments, hot-food takeaways, nightclubs, amusement centres, casinos and music performance venues may be limited to:
 - i. 12:30am in the City Centre Night-time Quiet Areas; and
 - ii. 11.30pm in all District and Local Centres and in Residential Zones

- 9. A recently issued letter from South Yorkshire Police about a different application shows how lively West Street is where it allows late opening. It was making representation to an application on West Street based on *'the prevention of crime and disorder and public safety'*. Included were the words *"With the premise being located on one of the busiest streets of the drinking circuit in the city centre and with similar establishments closing earlier, we feel there may be potential for higher levels of custom in the early hours leading to potential issues with those in drink"*.
- 10. This exemplifies our view about the application to extend late opening to Glossop Road. It is not warranted, would set a precedent for others to follow and could extend the late night economy and its drinking culture into a residential area.
- 11. We hope the Licensing Committee members will agree that this is an un-necessary expansion of the West Street night-time economy that, if granted, would lead other premises in the vicinity to use it as a lever to apply for through-the-night opening times, thus adversely changing the residential conditions along Glossop Road under which people came to live in the area.

Peter Sephton

Chair of ChangingSheff

www.ChangingSheff.org

email: Hello@ChangingSheff.org

24-03-05-Objection to Chong Qing 3am Opening

ChangingSheff is the residents' association for 27,000 people living in the city centre



Chong Qing restaurant has the red facade this side of the bus.

On the left is Glossop Road Baths building (21 apartments), then Victoria Street (residential), then opposite the bus is Gell Street (Victorian residential)

Cavendish Street is 30 metres behind the camera location

Thanks for this explanation of what is being proposed by Chong Qing Restaurant at 290 Glossop Rd in its 03:00 application. Apologies for a slow response, but I was heading to Phoenix from Friday and over the weekend, from where I'm now replying. Repeating the key parts of your email and my comments (in red) we have:

1. The current licence permits;
2. The playing of recorded music - 11:00-00:30hrs 7 days a week.
3. Late night refreshment - 11:00-00:00hrs Mon-Sat and until 23:30hrs on Sundays.
4. The retail sale of alcohol (on) 11:00-Midnight 7 days a week. – **These are all acceptable, as the current times**
5. There are non-standard timings but the applicant hasn't requested that these be changed. The applicant does however propose to extend both the opening hours and provision of late night refreshment to 03:00 hours 7 days a week. **This is a difficult service to specify – “Late night refreshment”. The challenge for residents is the danger of creating a precedent that other premises will use as a loophole to move the late-night economy from West Street into Glossop Road and to the ring road. From Cavendish Street to Upper Hanover Street has been a café and small business area, but this would soon change if 03:00 closing was seen to be available.**
6. I have included below the details on nature of the proposed variation, contained within the application. The question has been asked to the applicant as to whether this will be on a sit down or take-away basis. **It is worth noting that alcohol would still cease by midnight on any given day** - **This is an interesting aspect of the application but how can this 'no alcohol' be enshrined in Council principles? How does the line in the sand stay in place when others apply for 03:00 WITH alcohol sales? And if all restaurants – Efes, Maveli, Grappa, Pepper Greenhouse under new management – ask for 03:00 with alcohol and the Licensing Committee accepts, the residential area will change into an extension of West Street and all the drunken revelry - and attempted murders - that brings with itand that existing condition 4, under annex 2, prevents music from being played beyond background level.**
7. **Our concern is the expansion of through-the-night opening with alcohol away from the existing and accepted areas into most of the space inside the ring road. There are currently no regulations to stop this but as the population grows to 35,000, there will be no-where to get a good night's sleep when that happens. Currently there is a line at Cavendish Street and it's difficult to see how that line can be held if any form of 03:00 opening takes place beyond it. The story of Chinese students wanting non-alcoholic snacks at 03:00 sounds plausible, but others could provide equally persuasive arguments to explain why they want the same concession....and subsequently apply for licences to match their 03:00 opening times.**
8. The current premises is a restaurant, with the counter and bar and toilet is on the left of the entrance, and the tables to the

right. The kitchen is situated at the back. We would like to change our opening hours to accommodate our new BBQ snacks options for Chinese students who enjoy late night snacks, which we have received many request for.

9. I appreciate that the proposed extended hours may create additional footfall within the area, but the target audience is not those participating within the drinking circuit. I have asked the question of how the 'snacks' will be collected, either in person, or by delivery to which I'm waiting on a reply.

I hope that the additional information may sway your decision on objecting to the variation application and I await your response due course.

Unfortunately it won't change our stance Gareth, for the reasons given here. It explains why we have been asking for clearer rules on where middle-of-the-night opening can be allowed and how far this slowly creeps into the traditional and new residential areas. These are the inevitable early skirmishes and we can only keep challenging this chipping away and creeping expansion until the Council creates some rules that clearly delineate residential from the night-time economy.

Sorry not to be more accommodating,

Best regards

Peter

P J Sephton

Chair of www.ChangjingSheff.org - the residents' association for 27,000 people living in Sheffield city centre

From: Sent: 08 March 2024 13:06

To: Peter Sephton

Subject: RE: Objection to application 218929 for 3am opening at Chong Qing Restaurant

Good Afternoon Peter,

I can confirm receipt of your attached formal representation made against the variation for Chong Qing Restaurant Premises Licence application.

Your representation has been determined as valid since its contents relate to the likely impact of undermining one or more of the four core licence objectives should the licence be granted.

We may try to mediate between parties (applicant and objector/s) to try to come to an amicable solution within the consultation period, where possible, and avoid the need to facilitate a formal hearing.

If agreement cannot be achieved all parties will then be invited to attend a hearing of the Licensing Sub-Committee to determine the application.

PLEASE NOTE: The information and link below outlines what we must do with your information after the submission of a valid representation.

<https://www.sheffield.gov.uk/home/business/licences-permits-registrations/about-licences>

Once you have submitted your comments to us, the letter or email will become a public document and will be shared with the premises licence applicant and/or their solicitors. It will also be included in any report that is written for presentation to the Licensing Sub-Committee should a hearing be required. A copy of this report is published online and becomes a public document.

It is our policy to redact the objectors contact details along with their address, leaving only the objectors name, street name and town which they reside. This is also the case with the objectors details contained within any public document. Should the applicant or agent request the objectors full address details, we are obliged to provide them accordingly.

If you do not wish for any/some of the information provided to be in the public domain, please contact the service within 5 days of the closing date for representations and we can redact the necessary information or withdraw it altogether if you wish.

I've noted your points and I would like to highlight the premises current licensable times along with the proposed changes to the current Premises Licence. The current licence permits;

The playing of recorded music - 11:00-00:30hrs 7 days a week.

Late night refreshment - 11:00-00:00hrs Mon-Sat and until 23:30hrs on Sundays.

The retail sale of alcohol (on) 11:00-Midnight 7 days a week.

There are non-standard timings but the applicant hasn't requested that these be changed. The applicant does however propose to extend both the opening hours and provision of late night refreshment to 03:00 hours 7 days a week.

I have included below the details on nature of the proposed variation, contained within the application. The question has been asked to the applicant as to whether this will be on a sit down or take-away basis. It is worth noting that alcohol would still cease by midnight on any given day and that existing condition 4, under annex 2, prevents music from being played beyond background level.

The current premises is a restaurant, with the counter and bar and toilet is on the left of the entrance, and the tables to the right. The kitchen is situated at the back. We would like to change our opening hours to accommodate our new BBQ snacks options for Chinese students who enjoy late night snacks, which we have received many request for.

I appreciate that the proposed extended hours may create additional footfall within the area, but the target audience is not those participating within the drinking circuit. I have asked the question of how the 'snacks' will be collected, either in person, or by delivery to which I'm waiting on a reply.

I hope that the additional information may sway your decision on objecting to the variation application and I await your response due course.

Kind Regards,
Licensing Enforcement & Technical Officer

To: licensing@sheffield.gov.uk

Objection to the open application **218929** which is a Variation Application for Premises Licence for:

Chong Qing Restaurant
290 Glossop Road, Sheffield, S10 2HS
Premises Licence Number: SY000531
Applicant: Tian Hui Zhuo

I would like to object to the granting of an extension to the licensable activities to 3:00 am daily 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 extended opening of **Chong Qing Restaurant** are specific activities that are likely to cause public nuisance:

1. Noise from taxis & delivery drivers collecting food.
2. Noise from car horns of taxis & delivery drivers.
3. Noise from customers leaving and congregating directly outside premises.

Any further extension to their opening hours would just add to the already significant issues we face with noise disturbance in this area.

Opening Hours – Further Information

Extracts from Our City-Our Future:

Safeguarding Sensitive Uses from Noise and Nuisance

4.46. Noise pollution can have significant adverse impacts on people's health and mental well-being. It is therefore important to ensure that people's living conditions are not disturbed by excessive noise and nuisance (including fumes and odours). Noise and nuisance mitigation measures, including restrictions on times of opening for late night uses may be a condition of planning permission. Outdoor seating areas have less opportunity for mitigation and therefore may have greater restrictions.

POLICY NC14: SAFEGUARDING SENSITIVE USES FROM NOISE, ODOURS AND OTHER NUISANCE

At application, the closing time of drinking establishments, hot-food takeaways, nightclubs, amusement centres, casinos and music performance venues may be limited to:

- a) 12:30am in the City Centre **Night-time Quiet Areas (See map below in appendix 1)**; and
- b) 11.30pm in all District and Local Centres and in Residential Zones

Although Chong Qing is just outside of this area – it is directly opposite the northern boundary on Glossop Road - there is no physical barrier between us and their premises so in reality their proposed activities until 3am will impact on us directly and in a negative way.

One of the consequences of later opening times is the extra noise from taxis using their car horns, cars with loud modified exhausts cruising along West Street/Glossop Road and noise from customers congregating outside the premises shouting, screaming and 'singing'. Although this can't be directly controlled by the licensed premises, the fact that they and other restaurants/take aways are open late **attracts** these other services & people to the area. The cars, taxis, delivery drivers and customers simply wouldn't be in this area causing noise nuisance unless a licenced premises is open. The more occurrences of this anti-social behaviour are not acceptable and if this licence is extended to 3am many similar restaurants/take aways will follow suit in applying for extended opening hours.

Chong Qing don't currently have any conditions on their licence that relates to noise nuisance. Below is an example of something that could be placed in annex 2/3 of their licence:

The premises shall have in place and comply with at all times an operating plan for the delivery of take away meals that shall include measures to avoid nuisance to residents from vehicles and staff movements, both at collection and drop off.

Over the last few years, there has been a significant increase in noise nuisance from the bars/restaurants/take-aways being open until 3am along Glossop Road/West Street. There is little or no police presence and the NTET (Night Time Enforcement Team) can't react to noise incidents on the night. Premises have to be on NTET's list. The process of getting a premises added to their list requires a resident to fill in a monitoring sheet for a few weeks, detailing how and when the premises are causing a disturbance so that they are satisfied that it's an ongoing problem rather than a one off. Therefore, trying to get a response to any so called 'one off' is impossible and puts residents in the position of having to monitor incidents during unsocial hours for a number of weeks before any action or response is considered.

Up to 35 000 people are projected to be living within 750m of City Hall. Sheffield Council & licensing need to maintain an appropriate balance between the rights of residents to quiet enjoyment and undisturbed use of their home with the activities of restaurants/take-aways in the night-time economy.

Can you confirm in writing that you have received my objection?
I would like to attend and speak at any sub-committee hearing.

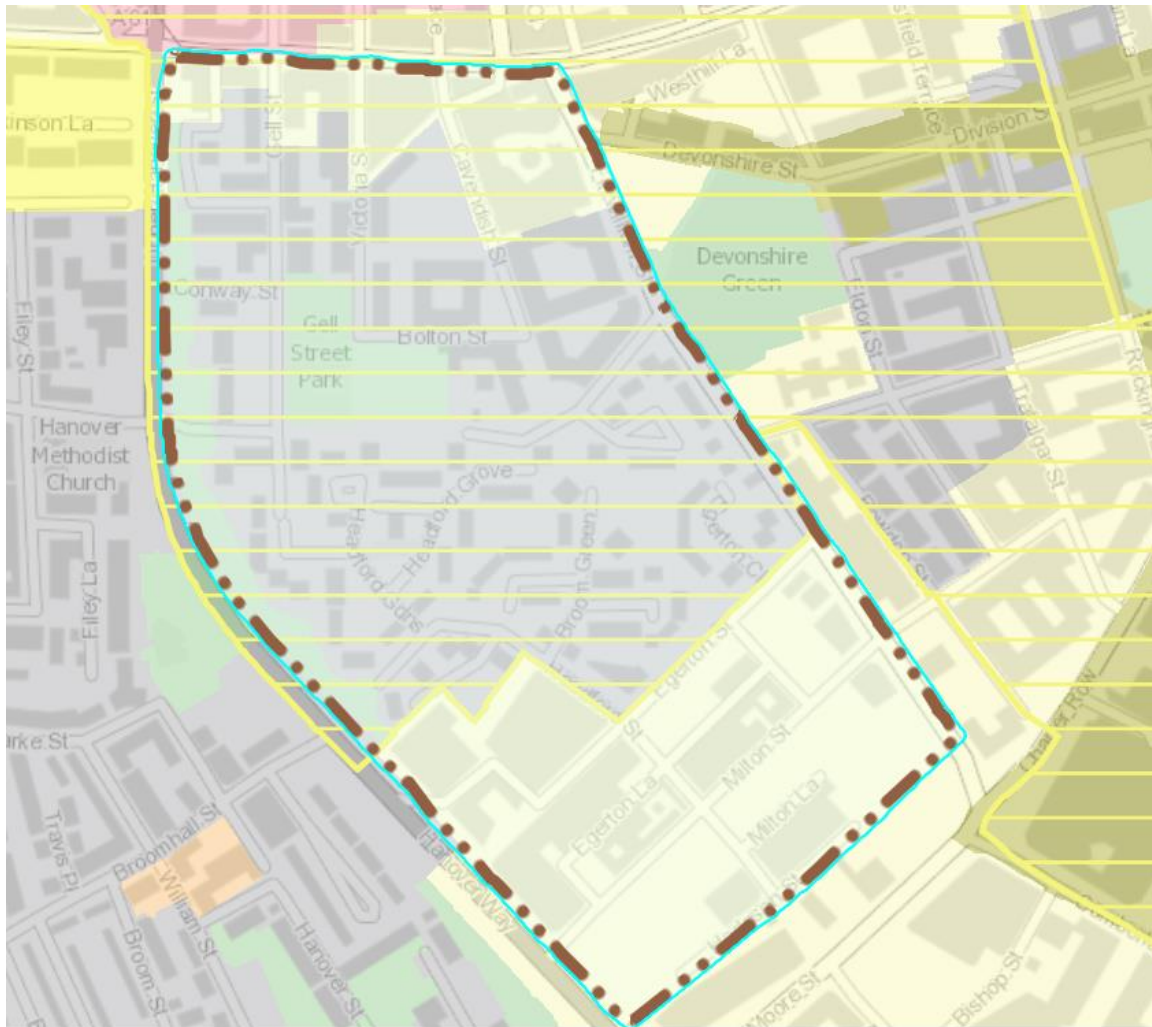
Regards

Mark Booth

██████████ Sheffield Residents Association

Appendix 1

Devonshire Quarter – Night-time Quiet Area – Brown dash/dot line shows the boundary to this area. **West One** is within this area. [REDACTED] West One development.



Hi

I'd like to wait until Peter replies first because if he is still in the USA at the time of a potential sub committee meeting then he wouldn't be able to attend. Peter made other points about the creep of late opening further along Glossop Road which I agree with but wasn't specifically in my objection.

Although my description below isn't directly related to Chong Qing it hopefully gives an indication of how we are disturbed on a regular basis by customers of these late night restaurant/takeaways.

We had a terrible night because of disturbance from lots of groups of students from about 11pm through to 4am.

They tend to be in groups wearing specific society/sport t-shirts so maybe there is some rivalry between the groups.

At 3 am I got up and filmed various groups shouting, chanting & screaming mainly stood outside Aslans. They are completely oblivious to their surroundings so I know they are not deliberately trying to disturb our sleep but not once did anyone from the takeaways/off licences come out to remind them to either keep the noise down or move on.

The businesses along this stretch of West Street should have some responsibility to control some of the behaviour directly outside their premises.

I'll look at the licences for them to see if they have conditions relating to the DPS patrolling outside to reduce noise disturbance.

I'll continue to collect evidence on student nights- usually Wednesday but it's been every night since St.Patrick's day!

I don't particularly want to but I guess you need some evidence before you can review a licence & add conditions.

I'll also write to both Universities to see if anyone there can help. Peter: Do you have any contacts?

Regards from a very tired
Mark

Good Afternoon Mark,

I've received the below response from the applicant;

Regarding Mr Booth's concerns, we are willing to incorporate the delivery times within the license and make an agreement for the premise license. However, regrettably, we cannot agree to just only selling BBQ snacks at midnight, although our intentions are to extend the hours to accommodate the additional requests, as a business, we will not turn away the opportunity for income if customers request things from our current menu.

As you will note the applicant has agreed to the additional condition to restrict a delivery service after midnight which will be a licence condition should the variation application be granted. Unfortunately, he has also advised that they will not turn away custom for items contained within their current menu.

Can you please confirm your current stance on your representations.

Kind Regards, **Licensing Enforcement & Technical Officer**

Appendix 'E'

Hearing Notices / Regulations / Procedures



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

Ching Qing Restaurant Ltd

Sent via email: Tianhuizhuo53@gmail.com

The Sheffield City Council being the licensing authority, on the 19th February 2024 received your application in respect of the premises known as:

Chong Qing, 290 Glossop Road, Sheffield, S10 2HS

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

- 1 x Local Residents Group – Changing Sheff
- 1 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 23rd April 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 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: 9th April 2024

Signed: Jayne Gough

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



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

To: Peter Sefton, on behalf of Changing Sheff

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 19th February 2024 received your application in respect of the premises known as:

Chong Qing, 290 Glossop Road, Sheffield, S10 2HS

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

- **1 x Local Residents Group – Changing Sheff**
- **1 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 23rd April 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 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: 9th April 2024

Signed: Jayne Gough
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



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

To: Mark Booth

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 19th February 2024 received your application in respect of the premises known as:

Chong Qing, 290 Glossop Road, Sheffield, S10 2HS

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

- **1 x Local Residents Group – Changing Sheff**
- **1 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 23rd April at 10:00am**; following which the Council will issue a notice of determination of the application.

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

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Dated: 9th April 2024

Signed: Jayne Gough

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

NOTES

Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

Notice of actions following receipt of notice of hearing

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

I/We **Ching Qing Restaurant Ltd**

hereby confirm that I have received the Notice of Hearing dated 9th April 2024 and notify you as follows **(please complete)**:

- I intend to attend the hearing at 10:00am on Tuesday 23rd April 2024 in Sheffield Town Hall.
- I do not intend to attend the hearing
- I intend to be represented at the hearing by:
- I consider the hearing to be unnecessary because:
.....
- I request thatshould appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

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

Please see Regulation 8 overleaf

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