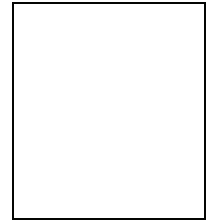




SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 23 April 2013

Subject: Licensing Act 2003

Author of Report: Claire Bower

Summary: To consider a Premises Licence Application made under the Licensing Act 2003.

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

Background Papers: Attached documents

Category of Report: OPEN

LICENSING ACT 2003

Sainsbury's, 26-28 Barber Road, Sheffield, S10 1ED

1.0 PURPOSE OF REPORT

1.1 To consider a Premises Licence Application made under the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is Sainsbury's Supermarkets Ltd.

2.2 The application, which was received on 26 February 2013 is attached to this report labelled **Appendix 'A'**. The proposed plans have been omitted from the report to reduce paper but will be available at the hearing.

3.0 REASONS FOR REFERRAL

3.1 Representations concerning the application for variation have been received from the following :-

- 1 x Local Resident (supporting)
Appendix 'B'
- 9 x Local Residents (objections)
Appendix 'C1' (L Foster)
Appendix 'C2' (J Chapman)
Appendix 'C3' (D Morton)
Appendix 'C4' (P & N Ralph)
Appendix 'C5' (J Symington obo 'Beanies')
Appendix 'C6' (S Morton)
Appendix 'C7' (L Harrison)
Appendix 'C8' (Z Malook – include petition of 700+ signatures which will be available for Members to view at the hearing)
Appendix 'C9' (B Little obo Crookesmoor Community Forum)

3.2 As the representations have not been resolved, the matter is referred to the Licensing Committee.

3.3 The applicant and representatives from 3.1 have been invited to attend the hearing. Copies of the notices will be available at the hearing.

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 HEARINGS 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 'D'**.

6.3 Attached at **Appendix 'D'** is the following: -

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

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 Committee consider necessary for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

9.1 To grant the premises licence in the terms requested.

9.2 To grant the premises licence with conditions.

9.3 To reject the whole or part of the application.

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We Sainsbury's Supermarkets Ltd
(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Sainsbury's 26-28 Barber Road			
Post town	Sheffield	Post code	S10 1ED

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£26,250

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)

- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name Sainsbury's Supermarkets Ltd
Address 33 Holborn London EC1N 2HT
Registered number (where applicable) 03261722
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) 020 7695 6000
E-mail address (optional) N/A

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
2	7	0	3	2	0	1	3

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

Day		Month		Year			

Please give a general description of the premises (please read guidance note1) A supermarket which is to sell a broad range of groceries, household products and alcohol. Situating at 26-28 Barber Road, Sheffield, S10 1ED.

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

--

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

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

Provision of regulated entertainment

Please tick yes

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

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

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

In all cases complete boxes K, L and M

4

NOTE: PAGES 5 TO 13 OF THE APPLICATION HAVE BEEN OMITTED TO SAVE PAPER AS THEY WERE BLANK.

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol! (please read guidance note 4)		
Mon	0600	2400			
Tue	0600	2400			
Wed	0600	2400			
Thur	0600	2400			
Fri	0600	2400			
Sat	0600	2400			
Sun	0600	2400	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 (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Joanne Surguy	
Address 15 Blendon Road Bexley	
Postcode	DA5 1BN
Personal Licence number (if known) 06/00209/BEXLEY/LI	
Issuing licensing authority (if known) London Borough of Bexley	

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 8)

The premises will sell other age restricted products.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) The opening hours of the store are not a licensable activity and the applicant asks that the hours not be restricted by the premises licence.
Day	Start	Finish	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 (please read guidance note 5)
Mon	0000	2400	
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

b) The prevention of crime and disorder

1. The licence holder will ensure that the premises benefit from a CCTV system that operates at all times when licensable activities are taking place.
 2. The system will incorporate a camera covering each of the entrance doors and the main alcohol display area and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
 3. The system will incorporate a recording facility and any recording will be retained and stored in a suitable and secure manner for a minimum of 30 days and will be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
 4. The system must be able to export recorded images to a removable means e.g. CD/DVD and have its own software enabled to allow playback/review.
 5. A member of staff trained in the use of the CCTV system must be available at the premises at all times that the premises are open to the public.
 6. The system will display, on any recording, the correct time and date of the recording.

c) Public safety

The applicant will at all times maintain adequate levels of staff and security. Such staff and security levels will be disclosed, on request, to the licensing authority and police.

d) The prevention of public nuisance

Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

e) The protection of children from harm

The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification bearing the customer's photograph, date of birth and the Proof of Age Standards Scheme (or similarly accredited scheme) hologram.

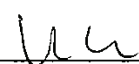
Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	25 February 2013
Capacity	Solicitors duly authorised on behalf of the Applicant

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Winckworth Sherwood LLP (Ref: EMF/26508/1632/RPB) Minerva House 5 Montague Close			
Post town	London	Post code	SE1 9BB
Telephone number (if any)	020 7593 5155		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) efinlay@wslaw.co.uk			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Email of Support

Rhodes Emma (CEX)

From: Licensing(General)
Sent: 14 March 2013 09:30
To: Rhodes Emma (CEX)
Subject: FW: Sainsbury's Development of Hadfield Pub

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

From: Matthew Groves [mailto:migroves@gmail.com]
Sent: 13 March 2013 23:16
To: Licensing(General)
Subject: Sainsbury's Development of Hadfield Pub

Dera Sir/Madam,

I would just like to add my support for the licence application by Sainsbury's to convert the Hadfield Hotel 24- 28 Barber Road into a supermarket.

Firstly increased choice and employment to the local area can only be viewed as a benefit to the area, especially given the increased local population in the near further now that Crookes Valley Methodist Church has begun its conversion to residential dwellings. Second I see no issue with regard to the sale of alcohol at this venue given that a. the venue being a pub already sells alcohol and b. Sainsbury's as a large national retailer have a responsible and vested interested in adhering to law with regard to the sale alcohol. They understand their responsibility and train their staff appropriately to implement the law and participate in scheme such as Challenge 21,25,30 as appropriate to the local needs to insure that alcohol is not sold to those underage (Children).

Yours sincerely,

Matthew Groves,

49 Roebuck Road,
Sheffield,
S6 3QG

07590 051559

Rhodes Emma (CEX)

From: lynnefoster@tiscali.co.uk
Sent: 16 March 2013 14:57
To: Licensing(General)
Cc: planning@sheffield.gov.uk
Subject: Sainsbury's Application, 26-28 Barber Road, S10 1ED

Dear Sirs

As local residents living at 64 Barber Road immediately adjacent to the Co-op store at 68-70 Barber Road and already being disturbed by goods deliveries,

shoppers parking cars to use the store and the cash machine etc, we wish to express

our concern regarding the planning and licensing applications to change the

Hadfield Hotel on Barber Road into a convenience store selling alcohol from

Sunday to Monday, 6.00 - 24.00 hours.

As you will be aware, there are already several stores on Barber Road with extended opening hours selling alcohol within a few hundred yards from this location including the Co-op, Costcutter, Premier Stores, Dram Shop and Oskars to name a few. We feel that allowing yet another supermarket chain to open a store providing exactly the same facilities as ones already there is too much.

Alcohol is already freely available to purchase in this highly populated student area without the addition of another outlet. Friday and Saturday nights are already noisy with the student population going out and returning home in the early hours without providing them with yet another outlet to purchase alcohol for their consumption and increasing the likelihood of public nuisance already experienced. Currently we are being encouraged to be 'drink aware' and reduce alcohol consumption, providing another outlet to purchase alcohol particular from early morning until late at night is surely not helping this campaign. It is already very noisy on Barber Road with student residents returning home in the early hours of the morning either on foot or by taxi, often stopping at the

available cash machines to obtain money.

Also, the address is very close to the traffic lights on Barber Road, which is a main arterial bus route, and will cause traffic problems when goods are being delivered. The road is a clearway so deliveries will have to take place before the clearway comes into operation causing disturbance to local residents early in the morning and then reducing traffic flow during the day for later deliveries.

There is already a Sainsbury Store on the corner of Weston Street which is only about half a mile away near the University and also a further store on South Road. Do we really need a further one?

Lynne and Graham Foster

Rhodes Emma (CEX)

From: Licensing(General)
Sent: 20 March 2013 09:34
To: Rhodes Emma (CEX)
Subject: FW: Re Proposed Sainsbury's on Barber Road

From: John Chapman [mailto:johnnychapman1967@goolemail.com]
Sent: 19 March 2013 21:57
To: Licensing(General)
Subject: Re Proposed Sainsbury's on Barber Road

69 St Thomas Road,
Sheffield
S10 1UW
19.3.2013

To whom it may concern

I am writing to express my concern at the licensing application for the proposed Sainsbury's store on Barber Road. It is for seven days a week from 6 a.m. to midnight. Can I ask who you think needs to buy a drink at 6 in the morning? Don't they need help rather than anything else? It's not as though the area is without an off-licence. There's a Coop licensed for 15 hours a day just a few yards up the road. Why have another one so close?

As the innocent victim of an alcohol-fuelled assault on Howard Road in 2010 I am concerned that an increase in availability of alcohol, especially late at night, will only result in increased crime and anti-social behaviour. Replacing a pub (where behaviour is monitored by the landlord and their staff and there is the possibility of preventing someone from drinking anymore if they have had enough) by an off-licence where there is no such sanction seems a backward step in my view.

Therefore I ask that this licensing application is refused.

Yours Faithfully

John Chapman

Hollis Georgina (CEX)

From: Derek Morton [derekmor@gmail.com]
Sent: 25 March 2013 09:30
To: Licensing(General)
Subject: Licensing application Hadfield Hotel Barber road S10 1ED (Sainsbury's)

I wish to make an objection to the licensing application regarding the Hadfield Hotel Barber Road S10 1ED which is to taken over by Sainsbury's

There are many licensed outlets nearby and adding another can only result in unhealthy competition to sell lowest possible priced alcohol. This is detrimental to health and leads to anti-social behaviour.

I would prefer there to be no license allowed on these grounds:

"Prevention of public nuisance":

If a license is to be granted:

I feel the license should be on the same terms as at nearby stores, eg the Coop which I understand is 8am-11pm. This on the grounds of "the protection of children from harm"

Can I note that I'm surprised you do not have a licensing objective of protecting the public health.?

yours _____

Derek Morton
14 Fir Street
Sheffield
S6 3TH

EJR 26/3/13

31 Harcourt Road,
Crookesmoor,
SHEFFIELD
S10 1DH

Tel: 0114 2668970

Sheffield City Council
Licensing Section
Block C
Staniforth Road Depot
Staniforth Road
Sheffield S9 3HD.



22nd March 2013.

Dear Sir/Madam,

Licensing Application:

Sale of Alcohol for consumption off the premises Sunday to Monday, 06:00 to 24:00 hours. Hours of Opening Sunday to Monday 06:00 to 24:00 hours. Applicant: Sainsbury's, 26-28 Barber Road, S10 1ED.



We write to object to the above licensing application for sale of alcohol from 06.00 - 24.00 hours, Monday to Sunday inclusive.

There can be no possible justification for such lengthy opening hours. It will cause an unacceptable increase in noise and disturbance to the neighbourhood very late at night and also early in the mornings.

It must be noted that there are several other convenience stores with off licences in the immediate vicinity, none of which have such extended opening hours. There is, therefore, no need for another convenience store in the neighbourhood, but we understand there is no way of preventing it. However, we do not want to see a race to the bottom develop between these stores over who stays open latest. We therefore believe that this licence should be restricted to the same opening hours as these other stores - i.e. 8 a.m. to 11 p.m., Monday to Saturday and 10 a.m. to 10.30 p.m. on Sundays.

We trust, therefore, that you will not grant this application as it stands and look forward to hearing from you.

Yours faithfully,

Penelope Ralph *Nicholas Ralph*

Penelope and Nicholas Ralph.

26/3.

Hollis Georgina (CEX)

From: Jan Symington [jan.symington@gmail.com]
Sent: 26 March 2013 12:31
To: Licensing(General); planningdc@sheffield.gov.uk; Smith Jenny (ED)
Cc: bean beanies, bean
Subject: Application by Sainsburys for alcohol licence at 24 -28 Barber Road. S10 1ED



Dear Sir/ Madam,

I am writing to object to the application by Sainsburys for the, "Sale of alcohol for consumption off the premises Sunday to Monday 06:00 to 24:00 hours. (same as proposed hours of opening) at 26-28 Barber Road" (The address is not the same as the main planning application which is 24-28) This could indicate the size of the off licence section.

This application is for the sale of alcohol 18 hours a day 7 days a week is in conjunction with the application to convert the Hadfield Hotel into a Sainsburys Store, application number 13/00695/FUL, to which we are also objecting.

The hours proposed exceed the sale of alcohol as a public house. They also exceed the hours allowed for the Coop to sell alcohol. (8am- 11pm, Mon-Sat & 10am-10.30pm Sunday). This is the nearest national chain supermarket on a par with Sainsburys and is only a few shop doors away at 68-70 Barber Rd.

There are several other outlets where alcohol is available within this local shopping area including a local independent specialising in interesting brands of beer, organic/vegetarian & vegan wines. Yet another chain off licence will threaten local choice & local businesses.

Having alcohol available for these extra long hours is not conducive to the prevention of crime & disorder, or the prevention of public nuisance and could fuel both.

This would lead to a reduction in Public Safety.

As workers in a local business whose legitimate days work often begins in the early hours of the morning, we witness much alcohol fuelled antisocial behaviour. Some of a threatening aggressive nature against other people, some against property. Alcohol has fuelled the bravado of vandals who have broken our & other shops windows, several times.

In a culture where binge drinking is prevalent among young people we need another outlet for alcohol that is open for long hours in a student area like a hole in the head. Alcohol so freely available leads to streets covered in vomit, litter & broken glass.

We urge that this application is refused for the peace & safety of local residents & other businesses. If it is not refused the hours should be restricted in line with the Coop.

Yours

Jan Symington, company director
On behalf of The 10 members of
Beanies Wholefood Cooperative
205 - 207 Crookes Valley Rd
S10 1 BA



Gough Jayne (CEX)

From: Gough Jayne (CEX) on behalf of Licensing(General)
Sent: 27 March 2013 08:26
To: Gough Jayne (CEX)
Subject: FW: Licensing application - Sainsburys Hadfield Hotel 24-28 Barber Road S10 1ED

From: Sue Morton [mailto:suemfirst@yahoo.co.uk]
Sent: 26 March 2013 17:04
To: Licensing(General)
Subject: Licensing application - Sainsburys Hadfield Hotel 24-28 Barber Road S10 1ED

I wish to make an objection to the licensing application regarding the Hadfield Hotel Barber Road S10 1ED submitted by Sainsbury's.

Whilst the premises are at present a public house and of course their remit is to sell alcohol and they have the appropriate License to do so, this is far preferable to a store with a license to sell alcohol for consumption off the premises and for such a long period of the day, 06.00 to 24.00 hours.

In the vicinity of Barber Road, if we start at South Road Walkley and finish at the junction of Barber Road and Crookesmoor Road there are nine shops with alcohol licenses (not including pubs or restaurants). This is more than enough. A further one will increase competition meaning price 'wars' to sell the cheapest.

I therefore object on the grounds that to grant the license could increase public nuisance, could contribute to crime and disorder with the resultant increase in risk to public safety and could further encourage and enable under age drinking.

Yours

Susan Morton
14 Fir Street
Sheffield
S6 3TH

Gough Jayne (CEX)

From: Gough Jayne (CEX) on behalf of Licensing(General)
Sent: 27 March 2013 08:25
To: Gough Jayne (CEX)
Subject: FW: Application by Sainsbury's 26-28 Barber Road, Sheffield

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

From: Lin Harrison [mailto:lin@linharrison.net]
Sent: 26 March 2013 22:00
To: Licensing(General)
Subject: Application by Sainsbury's 26-28 Barber Road, Sheffield

I would like to register my objections to the proposed licensing application. I am aware that this is linked to the request to convert the old Hadfield Pub into a Sainsbury's store and I have objected to this also.

I am a long standing local resident and home owner. I moved to Crookesmoor as it is one of the few surviving real local communities. By this I mean that we have a thriving selection of local shops, pubs and other independent businesses. I value this highly and know many others do also. Granting licence for yet another supermarkets (there are already several other Sainsbury's within easy reach, a Co-op, Asda, Tesco and Nisa store. We absolutely, resolutely do not need another supermarket. What we do need is sensible planning decisions that are in genuine partnership with this thriving local community.

Granting this licence threatens local businesses, particularly The Dram Shop, a unique business highly valued by many locals. It will increase noise, the consumption of cheaply priced alcohol possibly leading to an increase in crime, litter and disorder. I work as a senior clinician within the NHS and see the ill effects of alcohol on a daily basis in my work. This development will also cause a serious health hazard in terms of parking and loading in an area not fit for this purpose.

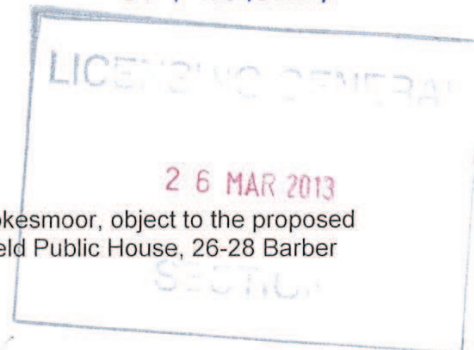
I would like to urge the council to turn down this application in support of this vibrant local community.

Yours sincerely,

Lin Harrison
66 Sydney Road
Crookesmoor
Sheffield
S6 3GH

Respected panel,

61-65 Barber Road
Sheffield
S10 1EA
0114-2670269



We, the undersigned, residents of Walkley and Crookesmoor, object to the proposed opening of a Sainsbury's store to open at The Hadfield Public House, 26-28 Barber Road, Sheffield S10 1EA

We call upon the council to:

1. reject this proposed plan regarding the following application :

Ref: 13/34/00695/ful for LICENSING PREMISES LICENSE
FOR SALE OF ALCOHOL

2. fully consult with local residents on any future proposals

The petition is filed by Costcutter and The CO-OP behalf of local residents of the said area.

We, the undersigned object to the proposed altering of the site on the following basis;

1. Deliveries will cause traffic problems (bus stop outside proposed site also double yellow lines)
2. Drain the life out of the area
3. Noise and disruption
4. Public Safety (Licensing)
5. Safeguarding Children
6. Prevention Of Crime and Disorder

We, the undersigned understand that our local council and decision makers will take our points into consideration when making this very important decision.

All correspondence to be sent to the above address.

Kind Regards

Zakar Malook
Store manager Costcutter

**Gough Jayne (CEX)**

From: Gough Jayne (CEX) on behalf of Licensing(General)
Sent: 27 March 2013 08:25
To: Gough Jayne (CEX)
Subject: FW: Objection to licence application by Sainsbury's 26-28 Barber Road, S10 1ED.

From: Bernard Little [mailto:bernard@bernardlittle.org.uk]
Sent: 26 March 2013 20:35
To: Licensing(General)
Cc: Cecilie Browne; Anna Ravetz; Anne Walker; Michael Wall
Subject: Objection to licence application by Sainsbury's 26-28 Barber Road, S10 1ED.

Dear Sir/ Madam,

I am writing on behalf of Crookemoor Community Forum to object to the application by Sainsburys for the, "Sale of alcohol for consumption off the premises Sunday to Monday 06:00 to 24:00 hours. (same as proposed hours of opening) at 26-28 Barber Road" (The address is not the same as the main planning application which is 24-28) This could indicate the size of the off licence section.

This application is for the sale of alcohol 18 hours a day 7 days a week is in conjunction with the application to convert the Hadfield Hotel into a Sainsburys Store, application number 13/00695/FUL, to which we are also objecting.

The hours proposed exceed the sale of alcohol as a public house. They also exceed the hours allowed for the Coop to sell alcohol. (8am- 11pm, Mon-Sat & 10am-10.30pm Sunday). This is the nearest national chain supermarket on a par with Sainsburys and is only a few shop doors away at 68-70 Barber Rd.

There are several other outlets where alcohol is available within this local shopping area including a local independent specialising in interesting brands of beer, organic/vegetarian & vegan wines. Yet another chain off licence will threaten local choice & local businesses.

Having alcohol available for these extra long hours is not conducive to the prevention of crime & disorder, or the prevention of public nuisance and could fuel both. This would lead to a reduction in Public Safety.

Both temporary and permanent residents in the Crookesmoor area are frequently upset by people making a nuisance of themselves under the influence of alcohol. Note this is very much a mixed community of families, single parents, pensioners, people with disabilities and those in and out of work as well as a whole range of students of different ages and interests who deserve to feel safe and free from unwanted noise in and around their home.

The Forum note the concerns of Beanies the wholefood shop on Crookes Valley Road who state..
" As workers in a local business whose legitimate days work often begins in the early hours of the morning, we witness much alcohol fuelled antisocial behaviour. Some of a threatening aggressive nature against other people, some against property. Alcohol has fuelled the bravado of vandals who have broken our & other shops windows, several times."

In a culture where binge drinking is prevalent among young people we need another outlet for alcohol that is open for long hours in a student area like a hole in the head. Alcohol so freely available leads to streets covered in vomit, litter & broken glass.

We are concerned that the closure of the Hadfield Hotel as a public house where people can drink responsibly under the watchful eye of a responsible landlord is further reason to oppose the Sainsburys planning application.

We urge that this application is refused for the peace & safety of local residents & other businesses.

If it is not refused the hours should be restricted in line with the Coop.

Bernard Little on behalf of Crookemoor Community Forum. 46, Birkendale Road, S6 3NL 0114 2340647.

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



Winckworth Sherwood Solicitors
Your ref: EMF/26508/1632/RPB
Minerva House
5 Montague Close
London
SE1 9BB

The Sheffield City Council being the licensing authority, on the **26 February 2013** received an application in respect of the premises known as **Sainsbury's, 26-28 Barber Road, Sheffield, S10 1ED**

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

- **Local Residents**

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 the **23 April 2013 at 10am**; 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**, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated: 11 April 2013

Signed: _____

The officer appointed for this purpose
Licensing Officer, Place Portfolio

Please address any communications to: Licensing Service, Sheffield City Council Block C Staniforth Road Depot, Staniforth Road Sheffield, S9 3HD.

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

Premises: Sainsbury's
Type of App: LA03_Premises Licence Application
Hearing Date: 23 April 2013

Form LAR 1
Regulation 8

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

Of **Winckworth Sherwood Solicitors
Minerva House
5 Montague Close
London
SE1 9BB**

hereby confirm that I have received the Notice of Hearing dated **11 April 2013** and notify you as follows (**please complete**):

I intend to attend the hearing

I do not intend to attend the hearing

I intend to be represented at the hearing by:

I do not 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.....

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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