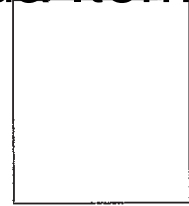




**SHEFFIELD CITY COUNCIL
Licensing Sub Committee
Report**



Report of: Chief Licensing Officer, Head of Licensing

Date: 20 June 2013

Subject: Licensing Act 2003

Author of Report: Matt Proctor

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

Dover Road Club, 1-3 Dover Road, Sheffield, S11 8RH

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

Category of Report: OPEN

REPORT OF THE CHIEF LICENSING OFFICER, Ref No 37 / 13
HEAD OF LICENSING, TO THE LICENSING SUB COMMITTEE

LICENSING ACT 2003

Dover Road Club, 1-3 Dover Road, Sheffield, S11 8RH

1.0 PURPOSE OF REPORT

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

2.0 THE APPLICATION

- 2.1 The applicant is Java Joe Limited.
- 2.2 The application, which was received on 9th May 2013, is attached to this report labelled Appendix 'A'. Any blank pages have been omitted to save paper, but the original application will be available at the hearing.

3.0 REASONS FOR REFERRAL

- 3.1 Representations concerning the application have been received from the following:-
- a) Members of the Public – 6 Objections / Representations - Appendix 'B'
- 3.2 The applicant and public objectors have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'C'.

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 'C'.
- 6.3 Attached at Appendix 'C' 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 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.



Stephen Lonnia
Chief Licensing Officer
Head of Licensing

20th June 2013

Appendix A

The Application

Notes


© This drawing is the property of Self Architects Ltd - Copyright reserved. It cannot be reproduced in any form without express consent of the company. Figured dimensions only are to be taken from this drawing. Do not scale. If in doubt ask.

This drawing is a feasibility sketch only and no design assessment has been undertaken at this stage for a CDM Coordinator. It is based on O.S. Plan information. Licence No. 130020449 and is subject to survey, ground investigation, confirmation of all boundaries (ownership) and all Statutory approvals.



Site Location Plan

Rev	Date	Drawn	Description	Checked

GENERAL	Self Architects 		
	Client: Java Joe		
	Project: 1 Dover Road, Sheffield		
	Title: Site Location Plan		
	Scale: 1:1250 @ A4	Drawn by: SJ	Date: March 2013
	Drawing no: 4042 - 00	Rev: -	Checked: -
<small> 740 St. Andrews Road, Sheffield, S19 9AL T: 0114 258 8025 F: 0114 226 0226 E: design@selfarchitects.co.uk W: www.selfarchitects.co.uk </small>			

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

A2

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

We Java Joe Ltd, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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	
Dover Road Club (being former Polish Ex-Serviceman's Club) 1 -3 Dover Road Ecclesall	
Post town Sheffield	Post code S11 8RH

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- Please tick please complete section (A)
- a) An individual or individuals*
 - 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)

A3

- 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 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 Mrs Miss Ms Other title (For example, Rev)

Surname First names

I am 18 years old or over Please tick

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

I am 18 years old or over Please tick

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)



(B) OTHER APPLICANTS

A4

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

Name Java Joe Ltd
Address 149 Sunbridge Road, Bradford, BD1 2NU
Registered number (where applicable) 8419896
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?
As soon as possible

Day Month Year

--	--	--	--	--	--	--	--	--	--

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

Day Month Year

--	--	--	--	--	--	--	--	--	--

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

N/A

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

This application is to seek to re-license the former Polish Ex-Serviceman's Club on terms not dissimilar to those on which the Licence was previously held under Premises Licence SY 0972 PR but with enhanced conditions.

No changes are proposed to the layout of the premises or to the hours under which the premises should be entitled to operate.

It is intended that the premises shall principally only be open to members of the Club and their bona fide guests.

The details of the location and layout of the premises are identified on the following drawings :-

- Drawing no. 4042-00 - indicative Site Location Plan.
- Drawing no. 4042-02 - detailed licensing drawing showing the licensing area to the ground and first floors and to a scale of 1:100

Please note that the internal areas edged red on the licensing drawing are intended to be used (as required) for all licensable activities.

Please further note that appropriate fire safety precautions will be incorporated within the premises in consultation with the Fire Safety Officer and in accordance with the Fire Risk Assessment.

It is not anticipated that the proposed premises, taken with the operating schedule, will adversely affect crime and disorder or public nuisance.

It is understood that this site is not in an area of cumulative impact.

As above, the site was previously licensed under Premises Licence SY 0972 PR

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

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

A6

Please tick ✓

yes

Provision of regulated entertainment

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

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

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

In all cases complete boxes K, L and M

A

A7

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	00:00	Please give further details here (please read guidance note 3) Principally video entertainment on screens and t.v. screens		
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	10:00	00:00			
Fri	10:00	00:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	10:00	00:00			
Sun	10:00	00:00			

C

A8

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) Principally, but not limited to, snooker, pool and darts or other such traditional games. State any seasonal variations for indoor sporting events (please read guidance note 4) Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)
Day	Start	Finish	
Mon	12:00	00:30	
Tue	12:00	00:30	
Wed	12:00	00:30	
Thur	12:00	00:30	
Fri	12:00	00:30	
Sat	12:00	00:30	
Sun	12:00	00:30	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3) State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4) Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	Both	
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

E

A9

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Live music and amplified voice as stated in part 3 above.		
Mon	12:00	00:30			
Tue	12:00	00:30	State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed	12:00	00:30			
Thur	12:00	00:30	N/A – save as below		
Fri	12:00	00:30			
Sat	12:00	00:30	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	12:00	00:30			
			When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Recorded music, including juke box, with or without a DJ, during normal business hours or as part of functions and including audience participation as specified in part 3 above.		
Mon	12:00	00:30			
Tue	12:00	00:30	State any seasonal variations for playing recorded music (please read guidance note 4)		
Wed	12:00	00:30			
Thur	12:00	00:30	N/A – save as below		
Fri	12:00	00:30			
Sat	12:00	00:30	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	12:00	00:30			
			When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

G

A10

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	12:00	00:30	Please give further details here (please read guidance note 3)	As stated in Part 3 above	
Tue	12:00	00:30			
Wed	12:00	00:30	State any seasonal variations for the performance of dance (please read guidance note 4)	N/A - save as below	
Thur	12:00	00:30			
Fri	12:00	00:30	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)	
Sat	12:00	00:30			
Sun	12:00	00:30			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

All

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) As stated in Part 3 above		
Mon	23:00	00:30			
Tue	23:00	00:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	23:00	00:30			
Thur	23:00	00:30	N/A – save as below		
Fri	23:00	00:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	00:30			
Sun	23:00	00:30	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10:00	00:00			
Tue	10:00	00:00	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)		
Wed	10:00	00:00			
Thur	10:00	00:00	To the extent that the proposed hours as identified are not granted to permit sale of alcohol and such regulated entertainment as authorised hereunder until 00.30 (if not otherwise granted) on Friday, Saturday, Sunday and Monday at bank holiday weekends, Christmas Eve, Boxing Day New Years Day and All Saints Days.		
Fri	10:00	00:00			
Sat	10:00	00:00	New Years Eve: 10:00 to New Years Day – terminal hour as proposed		
Sun	10:00	00:00			

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

Name: Geoff Sleight.....

Address: Heckmondwike

Postcode: WF16 ODG.....

Personal Licence number (if known): KMCPL0083.....

Issuing licensing authority (if known): Kirklees Metropolitan Council

expires:- 10/5/2015.
Anna

Converted to Word by
John Gaunt & Partners
Licensing Solicitors



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)

NONE save for the presence of gaming machines already authorised the use of which is not permitted by persons under the age of 18

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4) Please see box J above
Day	Start	Finish	Non standard timings. Where you intend to use 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) The premises will close 30 minutes after the end of the non-standard timings identified in box J above.
Mon	10:00	01:00	
Tue	10:00	01:00	
Wed	10:00	01:00	
Thur	10:00	01:00	
Fri	10:00	01:00	
Sat	10:00	01:00	
Sun	10:00	01:00	

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)

We have undertaken our own risk assessment to propose the following steps:-

The steps which we have identified in relation to the four licensing objectives are listed below

1. No intoxicating liquor shall be sold or supplied otherwise to the following persons:-
 - a. Members.
 - b. Bona fide guests of Members provided that such a Member enters the name and address of the guest in a book kept by the Club for such purpose.
 - c. Persons attending private, previously organised meetings, lunches, dinners, dances, wedding receptions, birthday parties, engagement parties and other functions of a similar nature which are not open to the public at large.
 - d. Any member of a club, team or sports body in any organised game or contest against the club on the club premises in a pre-arranged match, game or contest and any official attending the premises in connection with such match, game or contest.
 - e. Persons specifically invited by the proprietor and entertained by him at his expense.

2. Names and addresses of members and their guests must be kept on the premises and be available for production and inspection by a Police Constable in uniform.

A13

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

1. The use of door staff will be risk assessed on an ongoing basis by the premises licence holder or premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
2. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
3. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
4. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
5. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.
6. The management of the premises will liaise with police on issues of local concern or disorder.
7. CCTV will be installed with recording facilities such recordings shall be retained for a period of 31 days and made available within a reasonable time upon request by the police, such as to cover the main entrance to the premises.

c) Public safety

No further risks have been identified which need to be addressed, save as below

1. To comply with the reasonable requirements of the fire officer from time to time.
2. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
3. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
4. Toughened glasses will be used in the premises where appropriate.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
3. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
4. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.

e) The protection of children from harm

- 1) The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.
- 2) No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.

A14

- 3) Children under the age of 16 shall not be permitted to enter the premises after 21:00.
- 4) There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
- 5) The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
- 6) Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.

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. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners..... *John Gaunt & Partners*

Date: 8 May 2013.....

Capacity: Solicitors.....

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: John Gaunt & Partners.....

Date:

Capacity: Solicitors.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT



Schedule 11

Consent of individual to being specified as premises supervisor

I, G. SLEIGHT

{full name of prospective premises supervisor}

of [REDACTED]

HECKMOND WIFE

WIFE ODG

{home address of prospective premises supervisor}

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for the grant of a the premises licence by

JAVA JOES LTD

{name(s) of premises licensee}

relating to a premises licence for

1-3 DOVER ROAD, SHEFFIELD, S11 8RH

{name and address of premises to which the application relates}

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

JAVA JOES LTD

{name(s) of premises licensee}

concerning the supply of alcohol at

1-3 DOVER ROAD,
SHEFFIELD, S11 8RH

{name and address of premises to which application relates}.

I also confirm that I am applying for, intend to apply for, or currently hold, a personal licence.

Personal Licence No. KMCPL0083

Personal Licence Issuing Authority : KIRKLEES M.C.

Signed:  G. SLEIGHT

Name (please print):

Dated: 21/3/13

Appendix B

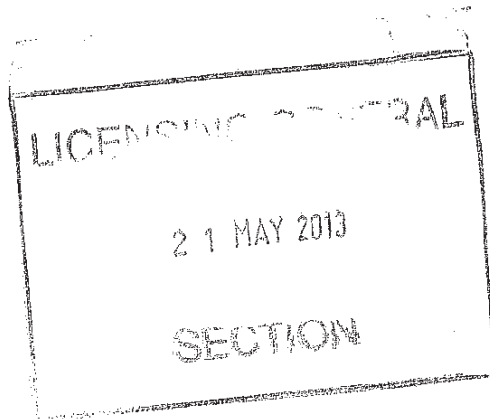
Objections / Representations

BI

Porter Terrace
Sheffield
S11 8QL

20 May 2013

Licensing Authority
Sheffield City Council
Block C
Staniforth Road Depot
Staniforth Road
S93HD



Dear Sirs

Ref: Dover Road Club
1-3 Dover Sheffield S11

We are writing to oppose the proposed licensing hours of the above venue.

The prevention of Public Nuisance.

We think that a licence until 11-00 pm is suffice, due to the premises being in a residential road, and there are houses opposite the entrance to the premises.

With this type of establishment i.e. (Club/Pub) comes disruption to the community due to noise created by customers leaving the premises and taxis arriving for customers and sounding their horns, also deliveries .

Another source of noise and public nuisance outside this type of premises is customers standing outside the door smoking.

Also another problem with noise is when Bins/skips and bottle/glass bins and skips are collected, it could be at an unsociable time.

Therefore we request that the following conditions be attached to the Licensing conditions on the premises

Dover Road Club
1-3 Dover Road Sheffield S11.

- 1a. There will be no movement, sorting or removal of waste bottles, material or other articles nor movement of skips or bins outside the building between 22:00 and 8:30 hours on Monday-Saturday and 22:00 and 9:00 hours on Sunday and bank Holidays. No deliveries to the building to be carried out between those hours.
- 1b. There will no collection of Glass/Bottle Bins/Skips and Refuse Bins/Skips by Collection contractors between 22:00 and 8:30 hours on Monday-Saturday and 22:00 and 9:00 hours on Sunday and Bank Holidays.

Yours faithfully

D.A. Thomas *G. Thomas*

D. A. Thomas (Mrs)

G. Thomas (Miss)

Hollis Georgina (CEX)

6/6

B2

From: Gough Jayne (CEX) on behalf of Licensing(General)
Sent: 24 May 2013 14:51
To: Proctor Matthew; Hollis Georgina (CEX)
Subject: FW: Dover Road Club, 1-3 Dover Road S11 8RH

From: Matthew Simpson [mailto:matthew@██████████.com]
Sent: 24 May 2013 13:27
To: Licensing(General)
Subject: Dover Road Club, 1-3 Dover Road S11 8RH

*Note - sent email @
10:24 28/5/13 requesting
postal address.
GSH.*

Dear Sir

The Community Association covering the residential area within which 1-3 Dover Road lies is Botanical Area Community Association (BACA).

The Committee has asked me to write to you to register our views on this application. All our comments relate to the criterion of prevention of public nuisance. The reference to potential disturbance to families in the middle of normal sleeping hours may also apply to the criterion of protection of children from harm.

Play is being made of the fact that the premises used to be used as the Polish Ex-Servicemen's Club, and as such had a licence for alcohol and entertainment. (the licence was surrendered 22 January 2009).

The proposed future use of the premises cannot be claimed to be comparable. The Polish Ex Servicemen's Club catered for local Polish people, who would arrive and leave on foot. The numbers of such people declined to the point where the club became unviable, hence the closure. The proposed future use would clearly be dependent on people coming from further afield, arriving and leaving by motorised transport.

1-3 Dover Road is on the north side of Ecclesall Road, and is surrounded by family accommodation. It is the south side of Ecclesall Road that is the location for cafes, bars and restaurants.

The intended use would cause public nuisance in the forms both of late night/early morning disturbance to families, and of parking problems.

We oppose this application.

Please contact me by email if you require further information in order to register this objection.

Matthew Simpson
Secretary
Botanical Area Community Association (BACA)
covering Dover, Botanical, Wilson, Wigfull and Bristol Roads

Hollis Georgina (CEX)

From: Licensing(General)
Sent: 30 May 2013 12:32
To: Hollis Georgina (CEX)
Subject: FW: Dover Road Club

From: Mike West [<mailto:mike.west23@>]
Sent: 30 May 2013 12:27
To: Licensing(General)
Subject: Dover Road Club

I write on behalf of the members of Botanical Gate Community Association, in particular those resident in Wadbrough Road.

We wish to oppose the proposed hours for all of the listed activities. We urge the Licensing Committee to restrict these in every case to 23.30

Customers leaving the Club, accessing and driving away their cars parked in the residential streets near the Club will create noises which constitute a public nuisance. Music and other activities within the Club are similarly likely to create noises when doors are opened as people leave.

It has been generally accepted that such public nuisance must be tolerated by residents up to 23.30 in order to permit clubs, restaurants and hot food take away businesses to thrive and serve a proven need.

However the best balance between those needs and the right of residents to enjoy quiet nights is best served by the limit of 23.30.

On behalf of BGCA members

M B West

Walton Road S11 8RE

Rhodes Emma (CEX)

From: Roger Purkiss <purkissroger@[REDACTED]>
Sent: 02 June 2013 18:12
To: Licensing(General)
Subject: Dover Road Club ref 13/01405/LD2

As a local resident I wish to register my objection to the above application mainly on the grounds that it will be a public nuisance but there is also a public safety element.

The former Polish Club is very close to housing on both sides of Dover Road as unlike most other businesses it is on the NORTH side of Ecclesall Road. The hours proposed would mean that music could be played at 0030 hours and this is very likely to be audible outside the building

When in use smokers will stand outside making noise

When the business closes at 0100hrs vehicles will loop round adjacent roads and customers will be noisy on Dover and Ecclesall Road catching taxis.

Dover, Bristol and the other road in this group are quiet residential roads, a business like this operating at the proposed hours and with music will have a significant effect on local residents and does constitute a public nuisance and the additional traffic on the back roads brings added risk and danger

I ask you to decline the application

Yours

Roger Purkiss
[REDACTED] Bristol Road
Sheffield
S11 8RL

B5

Rhodes Emma (CEX)

From: Roger Beaverstock <rcbeaverstock@[REDACTED]>
Sent: 05 June 2013 10:19
To: Licensing(General)
Subject: Licensing Application: 1-3 Dover Rd, S11 8RH

I am writing to object to the above license application.

The premises are on a residential road, and the playing of music, and departure of members and guests in the small hours of the morning will create a substantial nuisance to neighbouring residents.

I also understand that the application is for a business licence, whereas the previous license was a personal one, and therefore this application does not represent a simple continuation of use.

Regards,
R.C. Beaverstock
[REDACTED] Dover Rd
S11 8RH

B6

Rhodes Emma (CEX)

From: Marion Watson <mjwatsonbee@[REDACTED]>
Sent: 06 June 2013 02:04
To: Licensing(General)
Cc: eamonnward@live.co.uk
Subject: Dover Road Club, 1-3 Dover Road, S11 8RH

Dear Sir/Madam,

I wish to comment on the licensing application for the former Polish Ex-Servicemen's Club, 1-3 Dover Road.

My address is [REDACTED] Wilson Road. Our house and garden is adjacent to the area at the rear of the building.

I am very concerned that if the license is granted for opening hours, alcohol, live and recorded music at the times requested this will result in a public nuisance which should not be allowed in a residential area. We are already putting up with noise from time to time from the Millennium Hall (Polish Club) which is loud enough to prevent us from enjoying the use of our garden on a weekend afternoon. Any extension of this kind of live and recorded music to the premises at 1-3 Dover Road is likely to be intolerable. I am particularly concerned that they may want to use the area at the rear of the building for outside seating and drinking, and hire parties. The nuisance this would cause could be very stressful.

Please limit the time for music to evening only finishing by midnight.
Please prohibit outdoor seating and drinking at the rear of the building.

Thank you.

Marion Watson
[REDACTED] Wilson Road
Sheffield
S11 8RN

Appendix C

Hearing Notices / Regulations / Procedures

**Notice of hearing of representations
in respect of the following application:
Application to Grant a Premises Licence**

Java Joe Limited
c/o John Gaunt & Partners
Omega Court
372 – 374 Cemetery Road
Sheffield
S11 8FT

The Sheffield City Council being the licensing authority, on the **9th May 2013** received your application in respect of the premises known as;

Dover Road Club, 1-3 Dover Road, Sheffield, S11 8RH

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

6 members of the public / public groups

on the likely effect of this application and 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 **Thursday 20th June 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: 12th June 2013

Signed: _____
The officer appointed for this purpose
Licensing Officer

Please address any communications to:

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

Licensing.general@sheffield.gov.uk

**Notice of hearing of representations
in respect of the following application:
Application to Grant a Premises Licence**

Botanical Area Community Association
c/o 34 Dover Road
Sheffield
S11 8RH

The Sheffield City Council being the licensing authority, on the **9th May 2013** received an application in respect of the premises known as;

Dover Road Club, 1-3 Dover Road, Sheffield, S11 8RH

During the consultation period, the Council received representations from the following;

- **6 members of the public / or public groups**

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

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

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

- 1) The representations 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, within (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 12 June 2013

Signed: _____

The officer appointed for this purpose
Licensing Officer

Please address any communications to:

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

General.licensing@sheffield.gov.uk

**Notice of hearing of representations
in respect of the following application:
Application to Grant a Premises Licence**

Mrs DA Thomas and Miss G Thomas
■ Porter Terrace
Sheffield
S11 8QL

The Sheffield City Council being the licensing authority, on the **9th May 2013** received an application in respect of the premises known as;

Dover Road Club, 1-3 Dover Road, Sheffield, S11 8RH

During the consultation period, the Council received representations from the following;

- **6 members of the public / or public groups**

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

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Dated: 12 June 2013

Signed: _____
The officer appointed for this purpose
Licensing Officer

Please address any communications to:

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

General.licensing@sheffield.gov.uk

**Notice of hearing of representations
in respect of the following application:
Application to Grant a Premises Licence**

Botanical Gate Community Association
c/o 23 Walton Road
Sheffield
S11 8RE

The Sheffield City Council being the licensing authority, on the **9th May 2013** received an application in respect of the premises known as;

Dover Road Club, 1-3 Dover Road, Sheffield, S11 8RH

During the consultation period, the Council received representations from the following;

- **6 members of the public / or public groups**

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 **20 June 2013 at 10am**; following which the Council will issue a notice of determination of the application.

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Dated: 12 June 2013

Signed: _____

The officer appointed for this purpose
Licensing Officer

Please address any communications to:

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

General.licensing@sheffield.gov.uk

**Notice of hearing of representations
in respect of the following application:
Application to Grant a Premises Licence**

Mr Roger Purkiss
Bristol Road
Sheffield
S11 8RL

The Sheffield City Council being the licensing authority, on the **9th May 2013** received an application in respect of the premises known as;

Dover Road Club, 1-3 Dover Road, Sheffield, S11 8RH

During the consultation period, the Council received representations from the following;

- **6 members of the public / or public groups**

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

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Dated: 12 June 2013

Signed: _____
The officer appointed for this purpose
Licensing Officer

Please address any communications to:

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

General.licensing@sheffield.gov.uk

**Notice of hearing of representations
in respect of the following application:
Application to Grant a Premises Licence**

Mr Roger Beaverstock
■ Dover Road
Sheffield
S11 8RH

The Sheffield City Council being the licensing authority, on the **9th May 2013** received an application in respect of the premises known as;

Dover Road Club, 1-3 Dover Road, Sheffield, S11 8RH

During the consultation period, the Council received representations from the following;

- **6 members of the public / or public groups**

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

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Dated: 12 June 2013

Signed: _____
The officer appointed for this purpose
Licensing Officer

Please address any communications to:

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

General.licensing@sheffield.gov.uk

**Notice of hearing of representations
in respect of the following application:
Application to Grant a Premises Licence**

Marion Watson
Wilson Road
Sheffield
S11 8RN

The Sheffield City Council being the licensing authority, on the **9th May 2013** received an application in respect of the premises known as;

Dover Road Club, 1-3 Dover Road, Sheffield, S11 8RH

During the consultation period, the Council received representations from the following;

- **6 members of the public / or public groups**

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

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Dated: 12th June 2013

Signed: _____

The officer appointed for this purpose
Licensing Officer

Please address any communications to:

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

General.licensing@sheffield.gov.uk

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 – 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.