### Agenda Item 5

#### SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of:	Chief Licensing Officer, Head of Licensing
Date:	14 <sup>th</sup> December 2020 at 2pm
Subject:	Licensing Act 2003
Author of Report:	Clive Stephenson
Summary:	To consider an application to grant a premises licence made under the Licensing Act 2003.
	Traxx Market Market Place, Chapeltown Sheffield S35 2UU
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 (HEAD OF LICENSING) TO THE LICENSING SUB COMMITTEE LICENSING ACT 2003

Traxx Market, Market Place, Chapeltown Sheffield S35 2UU

#### 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 Chapelgreen Community Enterprise Limited
- 2.2 The application was received by the Licensing Service on the 29<sup>th</sup> September 2020 which is attached to Appendix A of this report.

#### 3.0 REASONS FOR REFERRAL

- 3.1 Representations concerning the application have been received from the following:-
  - 31 x Interested parties who have objected to the application attached at Appendix B
  - 8 x parties who have supported the application attached at Appendix B1
- 3.2 The applicant and objectors who made written representations have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'C'.
- 3.3 The Applicant and South Yorkshire Police have agreed conditions as set out below
  - 1. It is considered that for the nature of the operation door supervisors will not be required however, a risk assessment will be undertaken should unusual events takes place and if they consider it appropriate will employ the same.
  - 2. Drinks may not be removed from the site in open containers save for consumption in any external area provided for that purpose.
  - 3. All drinks to be consumed on site to be supplied in non-glass drinking vessels.
  - 4. A Challenge 25 scheme must operate including a refusals log, signage and the maintenance of staff training records.
  - 5. Staff will receive training on matters concerning underage sales and operating procedures. Records of such training will be kept and made available for inspection of the authorities.
  - 6. The provision of live music shall be agreed with the Environmental Protection Service and South Yorkshire Police, 6 weeks prior to events taking place.
  - 7. Amplified music shall be played at a level that does not exceed background noise levels. A designated member of staff must take a proactive approach to noise control by checking noise levels on the site boundary.

3.4 Members are to note that the applicant has also applied for a markets licence which is dealt with separately by Sheffield City Council's Markets Department.

#### 4.0 POLICIES TO CONSIDER

4.1 Sheffield City Council Statement of Licensing Policy.

#### 5.0 FINANCIAL IMPLICATIONS

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

#### 6.0 THE LEGAL POSITION

- 6.1 The Licensing Act 2003 at section 4 (1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as:
  - a) the prevention of crime and disorder,
  - b) public safety,
  - c) the prevention of public nuisance,
  - d) the protection of children from harm.
- 6.2 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of Licensing Policy and any guidance issued by the Secretary of State under section 182.

#### 7.0 HEARINGS REGULATIONS

- 7.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.
- 7.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'C'.
- 7.3 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.

#### 8.0 APPEALS

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

#### 9.0 RECOMMENDATIONS

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

#### 10.0 OPTIONS OPEN TO THE COMMITTEE

- 10.1 To grant the premises licence in the terms requested.
- 10.2 To grant the premises licence with conditions.
- 10.3 To reject the whole or part of the application.

Steve Lamin

Stephen Lonnia Chief Licensing Officer Head of Licensing Date: 14<sup>th</sup> December 2020

# Appendix 'A' Application



### Sheffield Application for a premises licence Licensing Act 2003

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

\* required information Form errors Some data entered into this form is invalid. Please resolve before continuing. Section 1 of 21 You can save the form at any time and resume it later. You do not need to be logged in when you resume. This is the unique reference for this System reference Not Currently In Use application generated by the system. You can put what you want here to help you Your reference TRAXX track applications if you make lots of them. It is passed to the authority. Put "no" if you are applying on your own Are you an agent acting on behalf of the applicant? behalf or on behalf of a business you own or Yes No work for. **Applicant Details** \* First name Susan \* Family name Griffiths \* E-mail Main telephone number Include country code. Other telephone number Indicate here if you would prefer not to be contacted by telephone Are you: Applying as a business or organisation, including as a sole trader A sole trader is a business owned by one person without any special legal structure. Applying as an individual Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby. **Applicant Business** Is your business registered in Yes ○ No Note: completing the Applicant Business the UK with Companies section is optional in this form. House? Registration number 12565634 If your business is registered, use its **Business** name Chapelgreen Community Enterprise régistered name. Put "none" if you are not registered for VAT. VAT number

Continued from previous page		
Legal status	Private I Imited Company	•
Your position in the business	Director	
Home country	United Wingdom	The country where the headquarters of your business is located.
Registered Address		Address registered with Companies House.
Building number or name	Unit I, Rear of 41	- ;
Street	Station Road	]
District	Chapeltown	]
City ar town	Shelfield	]
County or administrative area	South Yorkshire	]
Postcode	232 5XE	
Country	United Kingdom	]
Section 2 of 21		<del></del>
PREMISES DETAILS		
IAve, as named in section 1, as described in section 2 below ( in accordance with section 12	oply for a premises licence under section 17 of the premises) and I/we are making this application the Licensing Act 2003.	he Licensing Art 2003 for the premises ion to you as the refevant licensing authority
Premises Address		
Are you able to provide a pos	tal address, OS map reference or description of	the premises?
	apireference (*) Description	
Postal Address Of Premises		
Building number or name	TRAXX Market	-
Street	Market Place	- -
District	Chapeltawn	
City or town	Sheffield	
County or administrative area	South Yorkshire	]
Postcode	S35 2UU	
Country	United Kingdom	]
Further Details		
Telephone number		

Non-domestic rateable value of premises (£) 3,200		
Section 3 of 21		
APPLICATION DETAILS		
In what capacity are you applying for the premises licence?		
An individual or individuals		
☑ A limited company / limited liability partnership		
☐ A partnership (other than limited fiability)		
An unincorporated association		
Other (for example a statutory corporation)		
A recognised club		
☐ A charity		
☐ The proprietor of an educational establishment		
☐ A health service body		
A person who is registered under part 2 of the Care Standards Act 2000 (c14) In respect of an Independent hospital in Wales		
A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England		
☐ The chief officer of police of a police force in England and Wales		
Confirm The Fallowing		
lam carrying on or proposing to carry on a business which involves the use of the premises for licensable activities		
☐ Harn making the application pursuant to a statutory function		
<ul> <li>I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative</li> </ul>		
Section 4 of 21		
NON INDIVIDUAL APPEICANTS		
Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other Joint venture (other than a body corporate), give the name and address of each party concerned.		
Non Individual Applicant's Name		
Name Chapelgreen Community Enterprise (TRAXX)		
Details		

Continued from previous page		
Registered number (where applicable)	12565634	!
Description of applicant (for ex	kample partnership, company, unincorporated a	ssociation etc)
Private company limited by gu	arantee without share capital	
Address	<del>-</del>	
Building number or name	Unit 1 Rear of 41	
Street	Station: Road	
District	Chapeltown	
City or town	Sheffield	
County or administrative area	South Yorkshire	
Postcade	S35 2XE	
Country	United Kingdom	
Contact Details		
E-mail		
Telephone number		
Other telephone number		•
* Date of birth		
	dd min yyyy	
Nationality	British	Documents that demonstrate enditiement to work in the UK
	Adul another applicant	
Section 5 of 21		·
OPERATING SCHEDULE		
When do you want the premises licence to start?	03   f   11   f   2020   dd   inm   yyyy	
If you wish the licence to be valid only for a limited period, when do you want it to end	dd mm yyyy	
Provide a general description	of the premises	
licensing objectives. Where yo	ises, its general situation and layout and any oth sur application includes off-supplies of atcohol a oplies you must include a description of where th	nd you intend to provide a place for

Continued from previous page	
TRAXX Market, Market Place, Chapeltown	
Market place to the side of Chapeltown Working Mens Clui	
Market to sell gifts, goods and hot and cold food and drink Bar to sell alcohol - Personal license held by pzuprietor of th	
L	
If 5,000 or more people are	
expected to attend the premises at any one time, ;	
state the number expected to	!
attend	
Section 6 of 21	·
PROVISION OF PLAYS	
See guidance on regulated entertainment	
Will you be providing plays?	
C Yes € No	
Section 7 of 21	
PROVISION OF FILMS	
See guidance on regulated entertainment	
Will you be providing films?	
C Yes € No	<u> </u>
Section 8 of 21	
PROVISION OF INDOOR SPORTING EVENTS	
See guidancs on regulated entertainment	
Will you be providing indoor sporting events?	
C Yes	
Saction 9 of 21	
PROVISION OF BOXING OR WRESTLING ENTERTAINMEN	VTS
See guidance on regulated entertainment	
Will you be providing boxing or wrestling entertainments?	•
(↑ Yes (€ No	
Section 10 of 21	
PROVISION OF LIVE MUSIC	
See guidance on regulated entertainment	
Will you be providing live music?	
Standard Days And Timings	
MONDAY	Give similare in 2d lune steel
Start 09:00	Give timings in 24 hour clock.  End 20:00 (e.g., 16:00) and only give details for the days
Start Start	of the week when you intend the premises  End to be used for the activity.
	1

Continued from previous	page	
TUESDAY		
	Start 09:00	End 20:00
	Start [	End
WEDNESDAY		
	Start 09:00	End 20:00
	Start	Encl
THURSDAY		
	Start 09:00	End 20:00
	Start	End
FRIDAY		
	Start   09:00	Ered 20:00
	Start	End
SATURDAY		
	Start 09:00	End [20:00 ]
	Start	Fnd
SUNDAY		
	Start (10:00	End 20:00
	Start	Find
Will the performance o	of live music take place indoors o	where taking place in a building or other structure tick as appropriate. Indoors may include a bent.
	be authorised, if not already sta r not music will be amplified or t	ated, and give relevant further details, for example (but not inamplified.
Music will be amplified some occasions but like to extend this to other	ely to be recorded music in the r	nt background music to the market place. Live music will be used on najority. Market days are currently Friday and Salurday but may wish
<u>-</u>	· ——	<del></del>
·	ations for the performance of Hy	
For example (but not e	exclusively) where the activity wi	ll occur on additional days during the summer months.
<u> </u>	·	<del></del>
		d for the performance of live music at different times from those listed
in the column on the k	eft, list below	

Continued from previous			
•			n l service s
			on a particular day e.g. Chrisimas Eve.
:Where we require this v !	vo will apply for a particula	ar event licence	
		<u> </u>	
Section 11 of 21			
PROVISION OF RECOR			
See guidance on régula 			
Will you be providing to			
	C No		
Standard Days And Ti	mings		
MONDAY			Give timings in 24 hour clock.
	Start 09:00	End   20:00	(e.g., 16:00) and only give details for the days
	Start	End !	of the week when you intend the premises to be used for the activity.
TUESDAY		<b>2.</b> ,	
	Start 09:00	End 20:00	
		<del></del>	
	Start	End	
WEDNESDAY			
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SUNDAY	' '	L	•
30ND/\r	Start 09:00	Levi Duan	1
		End  20:00	I I
	Start	Enó	] 
Will the playing <b>of re</b> co	rded music take place inde	oors or autdoors or both?	Where taking place in a building or other structure tick as appropriate, indoors may
← Indoors		(7) Bath	include a tent.

•	
Continued from previous ;	
	be authorised, if not already stated, and give relevant further details, for example (but not not music will be amplified or unamplified.
Music will be amplified a Friday and Saturday but	out generally to provide ambient background music to the market place. Market days are currently may wish to extend this to other days in the luture.
State any seasonal variat	Lions for playing recorded music
For example (but not ex	dusively) where the activity will occur on additional days during the summer months.
i	
Non-standard timings. W in the column on the left	There the premises will be used for the playing of recorded music at different times from those listed t, list below
For example (but not ex	clusively), where you wish the activity to go on longer on a particular day e.g. Chilstmas Eve.
Any exception to this wil	l be covered by a separate events licence which we will apply for as appropriate
Section 12 of 21	
PROVISION OF PERFOR	MANCES OF DANCE
See guidance on regulat	ed entertainment
Will you be providing pe	rformances of dance?
← Yes	⊕ No.
Section 13 of 21	<del></del> -
	NG OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF
DANCE See guidance on regulati	and and substraction
	ything similar to live music, recorded music ur
performances of dance?	, <b>,</b>
C. Aés	€ No
Section 14 of 21	. <u> </u>
LATE NIGHT REFRESHM	<u> </u>
Will you be providing lab	e night refreshment?
← Yes	No     No
Section 15 of 21	
SUPPLY OF ALCOHOL	
Will you be selling or sup	plying alcohel?
(₹ Yes	○ No
Standard Days And Tim	ings

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	s briĝes -		
MONDAY		Give	timings in 24 hour clock.
	Start   09:00	End :20:00 (e.g.	. 16:00) and only give details for the days
İ	Start		ic week when you intend the premises e used for the activity.
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	Start 09:00	End 20:00	
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THURSDAY			
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FRIDAY			
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		End	
SATURDAY	<u> </u>	<b></b>	
	Start  09:00	End 20:00	
	Start	End !	
SUNDAY			
	Start: 09:00	End 20:00	
	Start Start	End End	
Will the sale of alcoholit		·	sale of alcohol is for consumption on
		the p	remises selection, if the sale of alcohol
<ul> <li>On the premises</li> </ul>	C Off the premises (#		consumption away from the premises froff, if the sale of alcohol is for
		cons	umption on the premises and away
		Irom	the premises select both,
State arry seasonal varia			!
For example (but not ex	clusively) where the artivity will $\infty$	cur on additional days dur	ing the summer months.
			i
Non-standard Eminys. V column on the left, list b	Where the premises will be used for relow	the supply of alcohol at d	Ifferent times from those listed in the

Canthuaed from previous page.		
For example (but not exclusive	vely), where you wish the activity to go on longer	on a particu ar day e.g. Christmas Eve.
For any such occasions we we	ould apply for a separate events licence	
l		
State the name and details of licence as premises supervise	the individual whom you wish to specify on the or	
Name		
First name	Bradley	
Family name	Smith	
Date of birth		
	dd mm yyyy	
Enter the contact's address		
Building number or name		
Street		
District		
City ar town		
County or administrative area	a (	
Postcixle		
Country		
Personal Licence number	ferrana como	
(if known)	SY07136PER	
Issuing licensing authority		
(If known)	SHERTELD COUNCIL	
	EMISES SUPERVISOR CONSENT	
How will the consent form of be supplied to the authority?	the proposed designated premises supervisor	
C: Flectronically, by the pr	aposed designated premises supervisor	
As an attachment to thi	s application	
Reference number for conser form (if known;	ıt	If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.
Section 16 of 21		· · · · · · · · · · · · · · · · · · ·
ADULT ENTERTAINMENT		

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Continued from previous pag Highlight agy adult entage		ther entwrainme	nt or matters ancillary to the use of the
	a to concurn in respect of children		nt or matters unchary to the use of the
			y to the use of the premises which may give on to have access to the premises, for example
	or semi-hadity, films for restricte		
nóhe			
! !			
Section 17 of 21			
HOURS PREMISES ARE OP	EN TO THE PUBLIC		
Standard Days And Timin	da 		
MONDAY			Give timings in 24 hour clock.
St	art 09:00	End 20:00	(e.g., 16:00) and only give details for the days
St	art art	End -	of the week when you intend the premises to be used for the activity.
TUESDAY			, and the later of
	<del> </del>	Lord Top on	1
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Sta	art [i	End	
SUNDAY			
Sta	art 09:00	End 20:00	] .
Sta	art	End	]
State any seasonal variation			
	u civals) whara the scripity will occu	u on additional d	aver during the cumpage rappibe

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<u> </u>
i Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from
those listed in the column on the left, list below
For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
Section 18 of 21
LICENSING OBJECTIVES
Describe the steps you intend to take to promote the four licensing objectives:
a) General – all four licensing objectives (b,c,d,e)
List here steps you will take to pramote all four licensing objectives together.
Our stallholders and customers safety is our priority. We have staff available during the market to help and assist customers and stallholders. We have a portaleo on site which is serviced every week and we collect refuse and have a waste contractor collect refuse once a week.
b) The prevention of crime and disorder
We monitor numbers of people in the market at any one time to ensure it does not get too crowded. We have one entrance/exit to and from the market and staff manning the gate.
c) Public safety
We monitor numbers of people in the market at any one time to ensure it does not get too crowded
We have a one way system in place and hand saviitiser is available at the entrance/exit and on each stall. We have a first aid lot available at the entrance
All stall holders are required to have public liability insurance and all the appropriate certification if serving food. We have public liability insurance in place.
d) The prevention of public nuisance
We keep noise to a minimum to ensure this does not affect local residents
<u></u>
e) The protection of chilloren from harm
All scall holders are required to have public liability insurance and all the appropriate certification if serving food Children are not allowed into the market unless accompanied by an adult

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Ганы	HISTORY 1	Гипанта	PERMIT	OFFICE AND ADDRESS.	nage

#### Section 19 of 21

#### NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an Individual or an individual in a partnership who is resident in the HK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this mone of two ways: 1) by providing with this application copies or scanned copies of the discurrents listed below (which do not need to be certified), or 2) by providing their share code! to enable the licensing authority to carry out a check using the . Iome Office online right to work checking service (see below).

#### Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national licentity card showing the holder, or a person named in the passport
  as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national
  of a European Economic Area country or Switzerland.
- A Permanent flesidence Card Issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Blometric Immigration Document (Blometric Residence Permit) issued by the Home Office to the holder indicating that the nerson named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay
  Indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document Issued by the Home Office to the Incider with an endorsement
  indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in
  the UK when produced in combination with an official document giving the person's permanent National
  Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, when produced in combination with an official document
  giving the person's permanent National Insurance number and their name issued by a Government agency
  or a previous employer
- A birth or adoption certificate issued in the Channel Islands, the Islands or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Covernment agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an
  official document giving the person's permanent National Insurance number and their name issued by a
  Government agancy or a previous employer.

- A current passport endorser to show that the holder is allowed to stay in the UK and is currently allowed to
  work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a
  ficensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) Issued by the Home Office to the holder which Indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic
  Area state or Switzerland but who is a family member of such a national or who has derivative rights or
  residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the immigration (European Fronconic Area) Regulations 2016, to all person who is not a national of a European Economic Area istate or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but
  who is a family member of such a national or who has derivotive rights of residence in exercising treaty rights in
  the UK including:
  - evidence of the applicant's own identity such as a passport.
  - evidence of their relationship with the European Economic Area family member e.g. a marriage contificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one
    of the following if they have been in the UK for more than 3 months;
    - Working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank.
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (IV) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sicioness insurance in the UK. This can include a private medical insurance policy, an £HIC card or an \$1, \$2 or \$3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

(i) any page containing the holder's personal details including nationality;

- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature:
- (iv) any page containing the date of exping and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provined,

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your license application will not be determined until you have complied with this guidance.

#### Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service,

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their  $\Theta$ -digit share code (provided to them upon accessing the service at <a href="https://www.nov.uk/provided">https://www.nov.uk/provided</a> to them upon accessing the service at <a href="https://www.nov.uk/provided">https://www.nov.uk/provided</a> to the service at https://which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check

In order to establish the applicant's right to work, the check will need to 'notcate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all directionstances because not all applicants will have an iromigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

#### Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience
  does not exceed 500.
- Filtres: no licence is required for 'not-for-prof.t' film exhibition held in community premises, between 08.00 and
  23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the
  screening from a person who is responsible for the premises; and (b) ensures that each such screening abloes
  by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08,00 and 23,00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no ficence is required for a contest, exhibition or display of Greco-Roman
  wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not
  exceed 1000. Combined fighting sports defined as a contest, exhibition or display which combines boxing or
  wrestling with one or more martial arts are licensable as a boxing or wrestling entertainment rather than an
  Indoor sporting event.
- Live music: no licence permission is required for:
  - a performance of unanaplified live music between 08:00 and 23:00 on any day, on any premises,
  - a performance of amplified live music between 08,00 and 25,00 on any day on premises authorised to sellalcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 68.00 and 23,00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser yets consent for the performance on the relevant premises from: (ii) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell atochol
    for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to self-alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 68.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions; no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the cremises of the school where the entertainment is provided by or
    on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

#### Section 21 of 21

#### PAYMENT DETAILS

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

Premises Licence Fees are determined by the nonanisp; domestic rateableambsp; value of the premises.

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

Band A No RV to £4300 £100.00

Band B = 44301 to £33000 £190,00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635,00\*.

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

Band D - £87001 to £12500 £900.00

Band F - £125001 and over £1,905,00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college,

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time Capacity  $5000-9999 \pm 1,000.00$ 

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 #4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000 39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £55,000.00

Capacity 90000 and over £64,000,00

º Fee amount (£)

100.00

#### ATTACHMENTS

#### **AUTHORITY POSTAL ADDRESS**

•

Continued from previous page	
Address	
Building number or name	
Street	
District	
City or town	
County or admilnistrative area	
Postcode	[ <del></del>
Country	United Kingdom
DECLARATION	
LIABILITY PARTNERSHIP: I UNI ENTITLEMENT TO LIVE AND W RELATING TO THE CARRYING BE ENTITLED TO LIVE AND WO FORM IS ENTITLED TO WORK	APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED DERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE JOSK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK ON OF A LICENSABLE ACTIVITY) AND THAT MY I KERNER WILL BECOME INVALID IF I CEASE TO DORK IN THE UK (PLEASE READ GUIDANCE NOTE 15). THE DPS NAMED IN THIS APPLICATION IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING SABLE ACTIVITY) AND THAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO ISSUE SEE NOTE 15).
You must check the box for the	als declaration
Ticking this box indicate	es you have read and understood the above declaration
This section should be completed behalf of the applicant?*  * Full name	ted by the applicant, unless you answered 'Yes' to the question "Are you an agent acting on ((SVS) & CR + (Pr > V))
1 -11-11-1	
* Capacity	DILECTOR
Date (dd/mm/yyyy)	123/10/20
	Add another signatory
with your application.	

BRADURY SMITH

PERSONA LICEURE HEOLOGE 28/10/7.0.

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

IT IS AN OFFENCE UNDER SECTION 248 OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 24 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

# Appendix 'B'

Objections: 33 Objections attached as a PDF, Common letter. 7 X Emailed objections below.

#### Email 13/11/20 -12.39 Krysta Nowill

Hello Michael,

That is the email I did send the email too.

My objection ties in to 2 of the 4 reasons listed:

The prevention of crime and disorder & The prevention of public nuisance:

Having live or recorded music playing out in the open will bring more of the gangs of teenages that already gather outside the local stores on the roundabout. Intimidating, threatening and being a nuisance. There's been numerous amounts of trouble locally, and even had police presence for a number of months with hired security outside the shops.

At the local dance school, they had a reference number to ring the police with due to the increased occurrence of complaints. Multiple community meetings held.

These groups of people do not use the public traffic crossing to safely cross, they just walk out, the exact same for the "adults" who currently walk over to the Traxx Market, they don't wait for traffic to stop or for the light to indicate safe crossing they just walk out in to the path of cars, this tied with all day drinking with no doubt lead to accidents for the poor drivers and/or "self important" people crossing without clear path to do so.

I live on Lound Side and whilst I am all up for bringing business and foot traffic to chapeltown I don't want to be hearing music 12 hours a day. Especially when you work from home, have neighbours with small children and people who work night shifts.

People expect noise from the pubs but these are mainly set back and within four walls, not out in the open with no buildings to dull the noise. Also the fact pubs are not open from 9am.

Chapeltown is not all day nightclub for people without jobs and this will not draw in the right crowd for a somewhat already troubled neighbourhood. By allowing this you are adding to the problem, not being part of the solution.

Having been to support the local market, the stalls are half empty, the numbers of genuine shoppers have dropped, because its become a fairground, not a place to go and relax and enjoy some retail therapy.

We have Sheffield town centre less than 20 minutes away if people did require to go day drinking on a work day if they wish.

I'd like to understand and have an explanation why that even though I am living so close to market, I was only made aware through social media and nothing official was sent, local people have not asked about the impact, but the man who wants to make money & live away from the noise and nuisance isnt questioned.

Regards Krysta From: Mary Jones

Date: 8 November 2020 at 14:30:28 GMT

To: Cc

**Subject: Trax Market Smith Street Chapeltown Sheffield** 

Sent from my iPhone

Dear Jean

I am emailing you to raise my strong objections to the proposal that has been put forward for Trax Market to serve alcohol 7 days a week and to have live and recorded music. As a resident of Smith Street I am concerned about the noise, the rubbish, the drunks that this will create. Parking is a nightmare at the best of times on Smith Street. As a 70 year old I often have to park a long way from my house and carry bags of heavy shopping. There are numerous takeaways and bars already in Chapeltown we do not need anymore. We already suffer from the parking that takes place on Smith Street due to the opening of the Trax Market on Saturdays along with those that park to go to the Gin House at the bottom of the road and Witherspoons.

Yours Sincerely

Mary Jones

This person has also supplied a letter. Within the PDF attachment

From: Clare Gilberthorpe Sent: 12 November 2020 16:03

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

Subject:

#### Good afternoon

I would like to put in objection for traxx market getting a 7 days alcohol/ live music licence. My reason for this is cause my great concern as a resident who lives opposite this site the noise this will cause especially in summer time. I can't even begin to imagine how it could get I warmer weather. This is something that I would have to look out onto every day. Not only this is the anti social behaviour that can happen when people are drinking/drunk. Plus Monday to Friday would have school children who would be walking home, who would possibly have to come in to contact to people who are sat outside drinking. How would deliveries make place? As my street is already tight to turn into through gates and the more cars this will bring to Smith street. As us residents notice when gin bar at bottom Smith street opened up brought even more cars to street. Alot of us with young children finding it impossible to park most nights as it is. I am worried going forward that they would then try to get later licence and the impact it would bring to my street/home. We already have lots of pubs and bars in and around Chapeltown. So i don't see how/ why this would work 7 days a week.

Plus what about all the rubbish this could bring to the market area.

I have had sleepless nights worrying on how this is gonna affect my family home with a young child

Kind regards Clare Gilberthorpe

• This person has also supplied a letter. Within the PDF attachment

From: jade petch

**Sent:** 10 November 2020 17:58

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

**Subject:** Traxx Market Chapeltown

Hello,

I am a resident on Smith Street in Chapeltown. It has been brought to my attention that there are plans to extend the Traxx market licence from a Saturday to 7 days a week.

I would like to put in writing that as a home owner on Smith Street I strongly object to the extended the licence plans including the sale of alcohol.

Residents have not been made aware of the future plans. As a resident, it is us who will live with the daily repercussions of a daily market including noise, litter, traffic and the possibility of large groups of youths congregating.

I feel really disappointed with the council and the Traxx Market group for not informing local residents.

I look forward to hearing from you.

Kindest Regards,

Jade Petch

This person has also supplied a letter. Within the PDF attachment

From: Yvonne Trigg

Sent: 08 November 2020 13:31

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

Subject: Application for License to Sell Alcohol Smith Street, Chapeltown

I am writing as a concerned resident of Smith Street regarding the application for a license to sell alcohol on the existing market site and to trade 7 days a week, Monday through to Sunday. The application for a licence to sell alcohol from **09.00-20.00** will detract from local providers. Living on Smith Street, residents already experience high numbers of individuals passing through in an inebriated state and I am extremely anxious not to have those numbers increased. We have a number of young children walking to and from school every day - I do not wish them to be exposed to those who may have taken the opportunity to access alcohol throughout the day. I, for one, have had my car vandalised by a drunk driver as Smith Street is used for parking in the evenings - I am sure I will not be the only resident who will not wish to have this experience extended throughout the day.

At present, the market is welcomed by residents as it brings trade and entertainment to the area, in spite of the disadvantages for those dealing with heavy traffic from visitors wishing to park on Smith Street, as well as the congestion and inconvenience this causes. My concerns around extending the market license to cover 7 days include the rubbish generated (already substantial), which attracts rats to the area. I am keen to attract business to our existing cafes and bars but this will not happen as the plans, I believe. are to provide food and drink on the market site.

In light of these objections, I would ask you, as a resident, to reject the application for a license to sell alcohol on the above grounds. I look forward to receiving an update on the situation at your earliest convenience.

Kind regards,

Yvonne Trigg

This person has also supplied a letter. Within the PDF attachment

From: Nikki Date: 8 November 2020 at 17:58:06 GMT

**Subject: Market License** 

#### Good Evening,

It's been brought to the attention of the residents of Smith Streets attention, that The Traxx Market along with The Signal Box will be opening for 7 days a week.

I must express my concern over this matter. As a resident of the Street.

The noise, rubbish and traffic that this will incur. Will be not fair to residents, more cars on road which this road is bad enough for parking at the moment.

Rubbish, all empty food packets part packets that these customers will just drop and don't care once they have gone home just like the streets in general.

The noise there is families on this Street which have small children, this needs to be respected instead children may not be able to sleep because of all the rowdy customers and music!!! So at this point I don't agree with this one bit, you need to speak to residents to find out that this is not a good idea, the impact it will have will unbearable for the residents.

I don't disagree with getting the community back up and running, but surely there is better ways to do this.

Kind Regards

Nicola Briscoe

• This person has also supplied a letter. Within the PDF attachment

From: Rose Howell

Sent: 11 November 2020 09:28

**To:** licensingservice < <u>licensingservice@sheffield.gov.uk</u>>

Subject: Fwd: Traxx Market \*Objection\*

Hi All,

I hope you are well.

I have been made aware of a request for a market licence to be extended at Traxx market Chapeltown.

I would like to submit an objection on the grounds that this is causing a serious parking issue on my road (Smith Street, S351WX).

Since the Gin Bar opened at the end of smith street there has been parking issues for residents, this has been further exaggerated since the Traxx market has opened.

The main issue is the amount of visitors wanting to avoid paying for parking in the pay and display carpark and therefore parking on Smith street.

However there is also an issue when parking is full that people park on the double yellow lines at either end of the street. Sheffield council don't seem to of ever patrolled this area and so know one is deterred. This means pulling up the street with very little visibility of who is coming down and having difficulty turning around at the top of the road.

The additional issue which this also brings to the residents of Smith Street is the noise. When pubs and bars close the noise on the street is very loud. I believe this is mainly due groups of people collecting cars parked on smith street.

Do you have a plan to address the parking issues faced by the residents of Smith Street?

Many thanks

#### R. Howell

This person has also supplied a letter. Within the PDF attachment

# Appendix 'B1'

Support Representations X 8

From: Caroline Stiff

**Sent:** 13 November 2020 19:39

**To:** licensingservice < <u>licensingservice@sheffield.gov.uk</u>> **Subject:** TRAXX Market- Application of a license for live music

Hello

I wish to notify you of my support for this license application.

This license application will help a market to develop & bring more benefits to the local area. I believe this market benefits the area of Chapeltown.

Regards Caroline Stiff

#### Catherine wright (emailed)

I believe there is an application in to extend opening hours for the traxx market and bar. I want to state my support.

Chapeltown in an evening was previously a no go area for me and my children as it was a very pub/alcohol oriented atmosphere.

The traxx market has brought a lovely atmosphere, great food and really improved the area. We can go as a family, feel safe in the fresh air and easily able to observe distancing etc. I would welcome additional opening hours.

Kind regards Catherine

---Original Message----From: Jenny Hetherington Sent: 16 November 2020 12:14

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

Subject: Chapeltown Market

Good morning I understand you have the task of renewing a license to be able to run the Traxx market in Chapeltown Sheffield. As we have been trading at this market since it started in July wanted to let you know what a great decision it has been. The Traxx team have done an amazing job in bringing back a real community spirit to a market that has in the past been declining. The feedback from our customers has been very positive and encouraging and all are pleased the market has been brought back to life. The Traxx team have provided toilet facilities, much improved stalls and given back our sense of community spirit. I live locally and know that as a resident of over 40 years of living in Chapeltown take great pride in being part of this new regeneration programme and want to be part of making it happen. The Traxx team ensure this is a safe environment and stick to Covid rules and make sure that both traders and customers adhere to the rules and have even built safe areas where families can eat safely while also enjoying a drink. With all this we hope that the market continues when it can, bringing a much needed weekly event for all to enjoy.

Kind Regards
Jenny Hetherington

From: Julie Humphries

**Sent:** 18 November 2020 14:18

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

Subject: Licence re Traxx Market

I wish to express my support for this application. This market has been the best thing that has happened in Chapeltown for a long time. Its not an attempt to change this into a live music venue as some have tried to say or to take away business from local pubs. It's to enhance what we have.

Its to have occasional live music throughout the year mostly on weekends and bank holidays. The brass band at Christmas, buskers occasionally to add some entertainment (once it's permitted) Some piped background music whilst you shop, and once we are allowed socialise. This application appears to bring it all under one licence rather than have to apply separately for special events.

Many thanks
Julie Humphries

From: Michelle Marshall

**Sent:** 16 November 2020 19:00

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

**Subject:** Traxx Sheffield Market application.

Good afternoon,

I am writing in support of the Traxx Market application.

I am a local resident with a small business that I have worked very hard to develop over the years. My business is jewellery manufacturing and retail.

I was extremely excited when I heard about the the plans that Traxx Sheffield had for developing the new Market area and putting some much needed life back into the community. I welcomed the fact that I could further develop my customer base and at the same time network with similar businesses with a long term view of having some kind of permanent base with Traxx as they develop over the next couple of years therefore putting money back into the local area.

As a resident in this community I feel that it is fantastic that there is a market that people can attend with their families with the choice to have some lunch, dinner and a drink if they wish. I have been there every week since the opening and can't say enough about the hard work and effort that has gone into making this project a success. There also has been extreme effort made to ensure people social distance and this has made the market a great place for people in the community to go out to look round, it is very much a lovely atmosphere especially for families with children and for older people who would not otherwise go out. It is a friendly safe environment for people.

I feel that the bar and the food are an integral part of this market so the experience can be time out rather than a quick nip out to buy goods. This is essential for people's wellbeing at this time!

My Customers, all from the local area, have only said good things to me about the market and how excited they are that the market has started up again after all these years.

Kind regards Chelly Marshall From: Ryan McGillicuddy
Sent: 16 November 2020 14:03

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

Cc: Paul Swift

Subject: -Traxx Market-

Good Afternoon,

I Wanted to reach out to you in regard to the market license application and premises license application at Traxx Chapeltown market.

We have been trading there since it opened and is very well run by the Traxx team, they have great CV-19 safe processes and treat the traders with great respect and dignity.

We are a street food business that operates 3 food stalls at the market and as we have been trading there since early summer we have now employed several local people to work on our food stalls serving customers, we have invested in those employees putting them through several training courses such, CV-19 safety, fire safety, food hygiene, and first aid and many of the staff are single parents relying on this weekend income to support their families, while family have time to look after their children over the weekends.

Without the offer of food and drink at the, market it will not survive as its the main attraction to attend the market and customers purchase from the other traders while grabbing a bite of lunch and a drink in the safe fresh air.

Can I ask you to support us in the application as we have already nearly been wiped out this year with very little support available to us.

I have attached 2 mini films one is a film showing our CV-19 safety measures we implement at Traxx and in our business as whole. Our processes are considered and used as an example of best practise as industry leading in CV-19 safety and quality standards on markets and events by the NMTF (the National market traders federation)

I have also attached a promo film showing the restaurant standard street food we supply at Traxx Chapel Town market every weekend.

Click the link for our CV-19 Safety film:

https://youtu.be/IY5tCLj8PhA

Click the link for our food court film: <a href="https://youtu.be/wJ2TS3WUxvU">https://youtu.be/wJ2TS3WUxvU</a>

Thanks for your time and your support would be hugely appreciated by so many of us who desperately need this income.

Many Thanks

Ryan McG Commercial Director From: Sarah

Sent: 14 November 2020 09:26

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

Subject: TRAXX Market Chapeltown

Good morning,

I would just like to add my support for the license application from TRAXX Market in Chapeltown. The market has been very good for the area and has brought the community together in a very positive way. It has brought new life and energy to the centre and is great for the independent businesses that trade there.

The small addition of the bar is great and having live bands such as the Chapeltown brass band playing at Christmas would be lovely and something we can look forward to in these very uncertain times.

I hope you approve the licence as all anyone wants is to improve and bring joy to the area.

Thank you

Sarah

Terry Bawden (emailed)

#### **Dear Licensing Committee**

I write in support of the licence application put in by Traxx Sheffield to supply alcohol and play live music because I support local projects that attempt to revitalise Chapeltown. Councils should be doing everything possible to promote small businesses rather than attempting to ruin local trade particularly at a time where businesses are going to the wall on a daily basis.

I believe the music & alcohol licences will enhance the local market experience. It is used by families and what better than to enjoy a little tipple listening to live music on a cold winters afternoon?

The request isn't for a late licence like indoor venues. This is purely to add value to the shopping experience. Sheffield as a diverse melting pot of local musical talent. Why shouldn't they be allowed to show off their skills to families in the north of the city? Nothing in these licence applications will detract trade away from inside venues. Public houses are not a choice for most families however what Traxx Sheffield is offering is very much for families.

I ask the council to look favourably on the application given it is innovative, diverse and a modern take on family entertainment.

Thanking you in anticipation.

Yours Sincerely

Terence Bawden

# Appendix 'C'

Hearing Regulations, Notices, Procedure

## Notice of hearing of representations in respect of the following application: <a href="LA03\_Premises Licence Application">LA03\_Premises Licence Application</a>



Susan Griffiths on behalf of the applicant

Sent via email:

The Sheffield City Council being the licensing authority, on the 29<sup>th</sup> September 2020, received an application in respect of the premises known as;

#### Traxx Market, Market Place Chapeltown Sheffield S35 2UU

During the consultation period, the Council received representations from the following authority / interested party:

#### Interested parties

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

The Council now **GIVES YOU NOTICE** that the representation will be considered at a hearing to be held **remotely via Zoom, on Monday 14<sup>th</sup> December at 2pm**; following which the Council will issue a notice of determination of the application.

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

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

- 1) Your response to the representation made, upon which you may ask and be asked questions by the parties to the hearing.
- 2) You may also be asked questions by the parties to the hearing, relating to your application for a licence.

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

Dated: 27th November 2020

Signed: C Stephenson

The officer appointed for this purpose Licensing Strategy and Policy Officer

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

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#### **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 permember to give orally had they not been required to leave.

#### ALL OBJECTORS WERE EITHER EMAILED OR POSTED A COPY OF THIS LETTER

#### **LICENSING ACT 2003**

Notice of hearing of representations

in respect of the following application:

**LA03 Application to Grant a Premises Licence** 

To: Interested Party

The Sheffield City Council being the licensing authority, on 29<sup>th</sup> September 2019 received an application in respect of the premises known as;

Traxx Market, Market Place Chapeltown Sheffield S35 2UU

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

#### Interested Parties

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

The Council now **GIVES YOU NOTICE** that the representation will be considered at a hearing to be held **remotely via Zoom**, **on Monday 14**<sup>th</sup> **December 2020**; following which the Council will issue a notice of determination of the application.

The full report will be available on the link below from 7<sup>th</sup> December 2020: http://democracy.sheffield.gov.uk/ieListMeetings.aspx?Committeeld=155

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:

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

To attend the hearing you will need a valid email address.

If you wish to attend please email <u>licensingservice@sheffield.gov.uk</u> and they will send out joining instructions.

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 or send it to the above email address

Dated: 27<sup>th</sup> November 2020

Signed: \_\_\_Clive Stephenson\_\_\_\_

The officer appointed for this purpose

Page 53<sup>Licensing Officer</sup>

#### 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.

#### <u>Licensing Act 2003 – Hearing Procedure – Regulation 7 (1)</u>

## 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.

Chapeltown
Sheffield S35 1QU
South Yorkshire

Licensing Department Block C Staniforth Road Depot Sheffield S9 3HD

20th November 2020

Dear Licensing Committee

Chapelgreen Community Enterprise Ltd Traxx Market, Market Place Chapeltown, Sheffield S35 2UU



The above company are applying for a Premises Licence to grant the following: Live Music (Sun 10.00 – 20.00. Mon – Sat 9.00 – 20.00) Recorded Music, Supply of Alcohol, Opening Hours (Sun – Sat 9.00 – 20.00)

I have enclosed 30 letters of objection from residents living on Smith Street, which is adjacent to the market and where one of the accesses leads on to the street. The first they knew about this was when notices were placed on two lamp posts presumably by the City Council. Since then one of the residents has set up a petition which has been forward by recorded delivery to Jean Warwick who deals with Market Licences. The letter notifying the residents of the petition was what lead to me getting involved as a Parish Councillor for Chapeltown Ward and preparing this letter for the residents to sign. As you can see several have added their own comments.

As mentioned in the letter, there are several streets in close proximity to the market and a lot of shops and pubs. Another outlet for the sale and consumption of alcohol together with live and recorded music is not acceptable with, according to this application, the possibility of seven days a week for eleven hours a day. This could dilute the trade in the pubs, who have suffered this year due to Covid19, and the shops and create undue noise whilst trading.

I am, also, objecting to this application as a resident of Chapeltown. I do not live close by the market area but would certainly hear any music eminating from it. The area is designated as a market and has been for a long time and that's how it should remain. I'm sure that traders and residents of Chapeltown would be happy to see the market revitalised as a market **not** an open air music venue with the ability to sell alcohol.

I would like to make it clear that I am not acting on behalf of Ecclesfield Parish Council when assisting these residents but as an individual Parish Councillor for Chapeltown Ward.

Yours faithfully

Cllr Anthea Brownrigg Ecclesfield Parish Council

Dear Sir/Madam

#### Re:- Application by Traxx Market under Licensing Act 2003

I am a resident of Smith Street, Chapeltown, Sheffield and I am writing to object to any consideration of approval of this licence for live/recorded music and supply of alcohol.

I have only recently been made aware of this and I am extremely concerned about the affect it will have on my quality of life with loud music being played outside and possible anti social behaviour from people who have been consuming alcohol. This is supposed to be a market, which I have no problem with, but market stalls have been removed in order for this building called The Signal Box to be erected and for outdoor seats to be positioned. We have, within walking distance of the market area, four public houses and a gin bar so I do not see the need for further premises to be given a licence to supply alcohol. This would dilute the trade for them after what has been a bad trading year due to Covid19. Furthermore, who is going to be responsible for removing drunken revellers and by what means? Public houses have there own security for when trouble starts which is likely to happen where alcohol is supplied. Also, there are no toilets on the site so are people going to be urinating in the streets or worse? What risk assessment has been done regarding prevention of anti social behaviour, noise and parking control? Are the local Police aware of this and have they any concerns?

Included in this licence application, if approved, is the ability to play live/recorded music, Sunday to Saturday from 9.00/10.00-20.00. What effect will this have on shops when trading to have live music being played? I ask the Licensing Committee members to consider if they would like to live next door to daily live music and noise from revellers. As previously stated, this is a market <u>NOT</u> an open air music venue.

Finally, there has been no consultation with the residents of Chapeltown particularly the streets that are close to the market area such as Ecclesfield Road, Burncross Road, Loundside, Station Road, Sussex Road, Arundel Road, Falding Street, Cowley Close and Cowley Lane just for starters to ask if they have any objections. These roads would definitely be affected by the live/recorded music and I am certain they would not give approval particularly the apartments on Cowley Close whose residents are over 55's and are within yards of the market. Local pubs and shops have not been consulted either.

I hope the Licensing Committee at Sheffield City Council gives consideration to the quality of life of residents living close by and the damage to trade in existing shops and pubs and dismisses this application in it's entirety.

Yours faithfully

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Name: DAVID HALLIVEE House Number:

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Yours faithfully

House Number: Smith Street. A Concerned Resident of Smith Street.

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Name: 2052 & CARL HOWELL

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Name: BARBARA DICKINSON House Number:

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3 Dil.

there will also be more rubbish and possibly rules

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JASON SIDDAN /.

Smith Street

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A Concerned Resident of Smith Street.

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House Number: A Concerned Resident of Smith Street.

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## Re:- Application by Traxx Market under Licensing Act 2003

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Name: TRACEY BURDETT

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- 1. 20 20 CM

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Name: 5 - 2 R. Crow

Name: House Number: Swath Steed

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Name: H Barrion House Number:

HBONSON

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I am not against the market as a weekend event, but I have seen plans to import suppling containers to buse as use the I day a week the intertions are only to as the "market" grows they will use of I days a week and have thened much nights to draw in crowds. I have yourd conderer Page 81 sectroom is an the Frent are usually in bed for 6:30 pm sor and raise and makes) when is an the frent are usually in bed for 6:30 pm sor and raise and makes) when

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Name: Chemente ASUPA JIV

House Number: SMITH A Concerned Resident of Smith Street.

PARKING IN DUP STREET IS AGREADY A PIGHMANE AS IT 15. I SO HOWE AFTER WOLK , THIPKING YOU COP PAINK
IP YOUR OUP STILLET BUT DO YOU PAINK IP OTHER STILLET
AWAY FROM YOUR HOUSE. I CAP UPDENSTAND PEOPLE FEED OUTLET BUT PUT TO EXPENSE OF OTHER PEOPLE PERSON THE

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Name: Clore GID-ethorz

House Number:

A Concerned Resident of Smith Street.

Culberr

Lordern I have a mum to a young and who will have to look our of my window the this everyday. The costs that people will bring, then leave over night, Sometimes all weekend.

Concern on wholkow its soins to be monged, with drinken leple if their was to couse a scheme.

I am not against Trumpage 85 nside box, but we hadn't had any important or from the short had a soil in the short had any important or from the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the short had a soil in the

When I pound out about it vice forcebook.

I ask then about a letter to residents to let us know plans 3/6/14 down the line.

As plans luides that got put an forcebook is no longer a morket, which people are being told its soins to stay as a morket.

With the andmiss for I down thes case

will bring to my fresh door.

I do think the kell of commaton from Trank to residient has not helped.

They are Sayins they are only going resopen for Sch 100m - Spin and Speca-11 Boens 1e. 4mas Bonk holdans reaster.

UBO PROCE

But I do wonder why ask fer I days because 1 feet 1-27s down line it would turn to more days man fri 15ct.

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Name: Lesley Whit

House Number: 2

A Concerned Resident of Smith Street.

Parking is an increasing isone for besidents
of this street, paricularly weekends, with drinkers
leaving their cars overnight, sometimes all
weekend in the street. A parricular issue is the
regular use of the turning point at the top of
this cut-de-sac besingued as a car paskdespite yellow lives - physical is never enforced
and vehicle turning on the street is hazardors. PTO

I can only add that fuller use of the maket will attract more parking theyally, and survey compromise the Safety and wellbring of the residents of one street. I have also had issues of drinkers returning to their cars late at hight, and entering my front garden and pathway to verificate. I wask you to consider these issues.

Reday Stits.