

Licensing Sub-Committee

**Thursday 13 September 2012 at 10.00
am**

**To be held at the Town Hall, Pinstone
Street, Sheffield, S1 2HH**

The Press and Public are Welcome to Attend

Membership

**Councillors John Robson (Chair), Jillian Creasy and George Lindars-Hammond
Geoff Smith (Reserve)**

PUBLIC ACCESS TO THE MEETING

The Licensing Committee carries out a statutory licensing role, including licensing for taxis and public entertainment.

As a lot of the work of this Committee deals with individual cases, some meetings may not be open to members of the public.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday, or you can ring on telephone no. 2734552.

You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

If you require any further information please contact Harry Clarke on 0114 273 6183 or email harry.clarke@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**LICENSING SUB-COMMITTEE AGENDA
13 SEPTEMBER 2012**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Licensing Act 2003 - Mosborough Off Licence, 56 High Street, Sheffield S20 5AE**
Report of the Chief Licensing Officer

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

The existing Standards regime will be abolished from 1st July, 2012 by the Localism Act 2011. From this date, the way that your interests need to be registered and declared will change. Prejudicial and personal interests will no longer exist and they have been replaced by Disclosable Pecuniary Interests (DPIs).

The Act also requires that provision is made for interests which are not Disclosable Pecuniary Interests and requires the Council to introduce a new local Code of Conduct for Members. It is intended that provision will be made in the new Code for dealing with "personal" interests.

The Regulations in relation to Disclosable Pecuniary Interests have only recently been published by the Government and guidance is being developed for circulation to you prior to 1st July.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

Advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email lynne.bird@sheffield.gov.uk

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**SHEFFIELD CITY COUNCIL
Committee Report**

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Report of: Chief Licensing Officer (Head of Licensing)

Date: 13th September 2012

Subject: Licensing Act 2003

Author of Report: Andy Ruston – 203 7752

Summary: To consider an application for the review of a premises licence

Recommendations: That members note the content of the report and any further information supplied.

Background Papers:

Category of Report: OPEN

Google

To see all the details that are visible on the screen, use the Print link next to the map.





**REPORT OF THE CHIEF LICENSING OFFICER,
HEAD OF LICENSING, TO THE LICENSING SUB COMMITTEE**

Ref No 71/12

LICENSING ACT 2003

**Review of Premises Licence – Mosborough Off Licence, 56 High Street,
Sheffield, S20 5AE.**

1.0 PURPOSE OF REPORT

- 1.1 To consider an application for the review of a premises licence made under Section 51 of the Licensing Act 2003 in relation to the premises known as Mosborough Off Licence, 56 High Street, Sheffield, S20 5AE . A copy of the current premises licence is attached at Appendix 'A'.

2.0 THE APPLICATION

- 2.1 The applicant is South Yorkshire Police.
- 2.2 The application, which was received on 24th July 2012, is attached to this report labelled Appendix 'B'.
- 2.3 The grounds for the review are based on the following aspects of the 2003 Licensing Act objectives:-

Prevention of Crime and Disorder
Prevention of Public Nuisance
Protection of Children from Harm

- 2.4 The application form details further the grounds for review.

3.0 REASONS FOR REFERRAL

- 3.1 The Licensing Authority must under the Act refer any application for review to the Licensing Committee, unless it is withdrawn, or if representations are made by an interested party that the Licensing Authority are of the opinion that they are frivolous or vexatious.
- 3.2 The Licensing Authority has, during the representation period received representations from the following:-
- a) Sheffield Safeguarding Children Board Appendix 'C'
- 3.3 The applicant, the Premises Licence Holder and any other person that has made representations have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'D'.

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 52(3) requires that the Licensing Authority must, having regard to the application and any relevant representations, take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

- 5.2 Section 52(4) states:

“The steps are –

- a) To modify the conditions of the licence;
- b) To exclude the licensable activity from the scope of the licence;
- c) To remove the designated premises supervisor;
- d) To suspend the licence for a period not exceeding three months;
- e) To revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted, or any new condition added.”

- 5.3 If members decide to take the steps referred to in (a) or (b) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

- 5.4 The Licensing Act 2003 at section 52(11) states that:

“A determination under this section does not have effect –

- a) until the end of the period given for appealing against the decision, or
- b) if the decision is appealed against, until the appeal is disposed of.”

- 5.5 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.

- 5.6 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of the 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 'E'.
- 6.3 Attached at Appendix 'E' is the following: -
- a) a copy of the Notice of Hearing;
 - b) the rights of a party provided in Regulations 15 and 16;
 - c) the consequences if a party does not attend or is not represented at the hearing
 - d) the procedure to be followed at the hearing.

7.0 APPEALS

- 7.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant; the holder of the premises licence and those making representations against decisions of the Licensing Authority to the Magistrates Court.

8.0 RECOMMENDATIONS

- 8.1 That members carefully consider the application for review along with any other representations made and take such steps as detailed in paragraph 5.2 above that the Committee consider necessary for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1
- a) modify the conditions of the licence;
 - b) exclude a licensable activity from the scope of the licence;
 - c) remove the designated premises supervisor;
 - d) suspend the licence for a period not exceeding three months;
 - e) revoke the licence; or
 - f) reject the application for review.

Steve Lonnia,
Chief Licensing Officer, Head of Licensing
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot
Sheffield
S9 3HD.

30th August 2012

APPENDIX A



THE LICENSING ACT 2003

Premises Licence No: SY 0946 PR

ISSUE NO: 5

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

PART 1 – Premises details

56 High Street
SHEFFIELD S20 5AE

Telephone Number: 0114 2475946

Where the licence is time limited, the dates:

Not applicable.

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities:

1. Sale by retail of alcohol:

(a) for consumption off the premises

Sunday	10:00 to 22:30 hours
Monday	08:00 to 23:00 hours
Tuesday	08:00 to 23:00 hours
Wednesday	08:00 to 23:00 hours
Thursday	08:00 to 23:00 hours
Friday	08:00 to 23:00 hours
Saturday	08:00 to 23:00 hours
Good Friday	08:00 to 22:30 hours
Christmas Day	12:00 to 15:00 and 19:00 to 22:30 hours

The opening hours of the premises:

Sunday	10:00 to 22:30 hours
Monday	08:00 to 23:00 hours
Tuesday	08:00 to 23:00 hours
Wednesday	08:00 to 23:00 hours
Thursday	08:00 to 23:00 hours
Friday	08:00 to 23:00 hours
Saturday	08:00 to 23:00 hours
Good Friday	08:00 to 22:30 hours
Christmas Day	12:00 to 15:00 and 19:00 to 22:30 hours

PLEASE NOTE:

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

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

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Sale by retail of alcohol for consumption off the premises.

PART 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

Peter William Thompson

[Redacted address]

Spinkhill
Sheffield S21 3YB

Richard Martin

[Redacted address]

Mosborough
Sheffield S20 5BQ

Telephone Number: [Redacted] [Redacted]

Registered number of holder, for example company number, charity number (where applicable):

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Peter William Thompson

[Redacted address]

Spinkhill
Sheffield S21 3YB

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:

Personal Licence Number: SY 3321 Per
Issuing Authority: Sheffield City Council

State whether access to the premises by children is restricted or prohibited:

Restricted.

This Premises Licence shall be in force from the Second Appointed Day.

Issued on: 15th November, 2005

.....
Director of Legal Services
On behalf of Sheffield City Council (issuing licensing authority)

Sheffield City Council – For Office use only		
Variation of Premises Licence		
Variation of DPS	3	Granted on 8 th December 2009
Transfer of Premises Licence	3	Granted on 8 th December 2009

Annex 1 – Mandatory Conditions

Mandatory Condition 1 (Section 19 ss 2)

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

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

Mandatory Condition 2 (Section 19 ss 3)

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

Mandatory Condition 3 (Section 20)

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:

- (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
- (b) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.

2. In this section -

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory Condition 4 (Section 21)

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

Annex 2 – Conditions consistent with the operating schedule

Any embedded permissions and restrictions attached to the justices off licence including those specified at Appendix 1.

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Appendix 1

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APPENDIX B



Re: Mosborough Off Licence, 56 High Street, Sheffield S20 5AE.

Premise Licence Holders – Mr Peter THOMPSON & Mr Richard MARTIN.

Designated Premises Supervisor – Mr Peter THOMPSON

INDEX TO BUNDLE OF DOCUMENTS

Compiled on 10th July 2012

LICENSING GENERAL

11:30
24 JUL 2012

SECTION

DOCUMENT
Application for Review (S51) dated 11 th July 2012
Community Impact Statement from Inspector Jason BOOTH dated 18 th July 2012
Statement of PC LOCKWOOD dated 25/05/2011
Statement of PC GRAY dated 25/05/2011
Statement of Volunteer dated 25/05/2011
Statement of PC LOCKWOOD dated 16/11/2011
Statement of PCSO TAYLOR dated 16/11/2011
Statement of Volunteer dated 16/11/2011
Copy of Confirmation of Information / Training Pack and letter to DPS dated 22/11/2011
Statement of Acting Special Sergeant BYNE dated 30/05/2012
Statement of Special Constable OVEREND dated 30/05/2012
Statement of Volunteer dated 30/05/2012
Statement of PC LOCKWOOD dated 23/06/2012
Statement of Special Constable OVEREND dated 23/06/2012
Statement of Volunteer dated 23/06/2012
Copy of Closure Notice dated 27/06/2012 plus Acceptance email dated 01/07/2012
Copy of Letter to Mr MARTIN dated 10 th July 2012 containing Fixed Penalty Waiver Course offer
Copy of Premise Licence SY 0946 PR Issue No: 5

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I Elizabeth PAYNE (for and on behalf of the Chief Constable, South Yorkshire Police)

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Mosborough Off Licence 56 High Street Mosborough	
Post town Sheffield	Post code (if known) S20 5AE

Name of premises licence holder or club holding club premises certificate (if known)
Mr Peter THOMPSON & Mr Richard MARTIN

Number of premises licence or club premises certificate (if known)
SY 0946 PR

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises



(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address South Yorkshire Police Liquor Licensing Dept Attercliffe Police Station 60 Attercliffe Common Sheffield S9 2AD
Telephone number (if any) 0114 2523163
E-mail address (optional) sheffield_licensing@southyorks.pnn.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

The grounds for this review are based on the following aspects of the 2003 Licensing Act objectives: -

Prevention of Crime & Disorder
Prevention of Public Nuisance
Protection of Children from harm

Mosborough Off Licence, 56 High Street, Sheffield, was issued with a Premises Licence No SY 0946 PR on the 15th November 2005. The Premises Licence Holders are shown as Mr Peter THOMPSON and Mr Richard MARTIN and the Designated Premises Supervisor is Mr Peter THOMPSON.

The premises have been the subject of recent test purchase operations. Since 25th May 2011 it has failed the test three times. Full details of these test purchase operations are within this report.

These test purchase operations are conducted to provide a positive response and action following complaints from the public and observations by police staff that many instances of anti-social behaviour involve young people under the age of 18 years, who have acquired alcohol and/or are under the influence of alcohol.

Many instances of concern by local residents relate to shopping precincts, park areas and other similar hotspots, which suffer from graffiti, criminal damage and threatening behaviour by these young people towards other law abiding members of the public.

The issue of child safety is also raised, in that alcohol acquired by young people illegally is often passed to even younger children and over indulged by all, thereby causing serious concern for health and safety.

Please provide as much information as possible to support the application
(please read guidance note 2)

Test Purchase Operations and Intervention carried out over the last 14 months: -

1. Wednesday 25th May 2011

One x 500ml can of Budweiser Lager was sold to a police volunteer, 15 years old by a member of staff namely, Natalie MISSERE.

A Fixed Penalty Notice No. A0071848 3 was issued attracting a penalty of £80.00

2. Friday 24th June 2011 premises passed test purchase.

3. Friday 22nd July 2011 premises passed test purchase.

4. Thursday 4th August 2011 premises passed test purchase.

5. Tuesday 25th October 2011 premises passed test purchase.

6. Wednesday 16th November 2011

One x bottle 75cl bottle of Chardonnay wine value £4.99 was sold to a female police volunteer, 15 years old by a member of staff namely, Christine WHEAT.

A Fixed Penalty Notice No. A00757624 was issued attracting a penalty of £80.

7. On the 22nd of November 2011 the premises were visited by Police Licensing Officers who spoke with a member of staff, Anna MARTIN. The failed test purchase on the 16th of November was discussed and an information pack relating to Safeguarding Children, Trading Standards and various information about possible police action was passed over. A letter to the DPS, Mr THOMPSON was forwarded by the police Licensing Team informing him of the pack and for it to be circulated to other members of staff working at the premises.

8. Friday 23rd March 2012 premises passed test purchase.

a Wednesday 30th May 2012

One x bottle of Bulmers Berry Cider was sold to a male volunteers, 16 years old by a member of staff namely, Amy MASON.

A Fixed Penalty Notice No. A0078197 5 was issued attracting a penalty of £80.00

10. On Wednesday 20th June a member of staff from South Yorkshire Police Licensing Team (Elizabeth Payne) and a member of staff from Sheffield Children's Safeguarding Board (Julie Hague) attended at the premises to meet with Mr MARTIN and Mr THOMPSON to discuss the previous test purchase failures and offer further support, training advice and guidance. However upon Ms Payne and Ms Hague arriving at the premises there was no answer to their knocking. Subsequent telephone conversations followed whereby Mr MARTIN and Mr THOMPSON advised that they had waited inside the premises from 8.30am to 8.45am and then left. However Ms Hague had left an answerphone message requesting the meeting time be changed to 9am. The meeting was re-scheduled for 9am on Monday 25th June 2012.



11. Saturday 23rd June 2012

One bottle of Bulmers Cider was sold to two volunteers, aged 16 & 17 years old by Premise Licence Holder Richard MARTIN.

A Fixed Penalty Notice No. A0078200 9 was issued attracting a penalty of £80.00. Mr MARTIN has since been offered the opportunity to attend the Fixed Penalty Notice Waiver Training Course.

12. Monday 25th June 2012

Ms Hague of Sheffield Children's Safeguarding Board and Ms Payne of South Yorkshire Police's Licensing team attended at the premise to meet with Mr MARTIN and Mr THOMPSON regarding previous Test Purchase failures. At the meeting the fact that a further failure had taken place over the weekend was discussed. Ms Payne advised that an application for a premise review would be submitted by South Yorkshire Police, and that they would also look to serve a Voluntary Closure Notice. General advice was given regarding training records (the store did not have any), checking of ID, refusals logs, and the use of signage. Ms Hague offered two places on the multi-agency training course which is due to be held on 11th July 2012. A duplicate training pack (same as the one given in November 2011) was left at the premise for later perusal.

13. Wednesday 27th June 2012-07-03

A Voluntary Closure Notice for a period of 96 hours (08:00hrs 13th July 2012 to 22:30hrs 15th July 2012) was served on the premises. Written acceptance of the Closure was received by email on 1st July 2012. We can confirm that the closure was adhered to.

Although three failures within a 12 month period are required to enable the initiation of a premise licence review, we have detailed a further failure above which falls outside of the twelve month period, but which we believe is relevant to this application.

Clearly it can be seen that no regular system of age related checks or challenge are made as standard practice, thereby leading to a presumption that alcohol is regularly traded to persons under age with little or no regard to the law or the licensing objectives.

Although intervention has been made with these premises by the Police, Childrens Safeguarding Board and Trading Standards they still sell alcohol to persons under the age of 18 years old.

The request for a review of a premises licence is not taken lightly by South Yorkshire Police, as it is well understood what effect this will have on trade and the prospects of the business. However there appears to be an obvious lack of responsibility by the Premises Licence Holders and the DPS.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application Day

Month

Year

If you have made representations before relating to this premises please state what they were and when you made them

No representations have been made in the past.

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

24/7/12

Capacity Licensing Officer - South Yorkshire Police

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) E Payne SYP Licensing Team Attercliffe Police Station 60 Attercliffe Common	
Post town Sheffield	Post Code S9 2AD
Telephone number (if any) 0114 2523163	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.



South Yorkshire
POLICE

Sheffield City Council Licensing
Block C
Staniforth Road Deport
609 Staniforth Road
Sheffield
S9 3GZ

Date: 24th July 2012

Dear Sir / Madam,

Re: Licensing Review – Mosborough Off Licence, 56 High Street, Sheffield, S20 5AE

Please find attached papers which South Yorkshire Police will rely upon at a Licensing Review at the Town Hall, Sheffield in relation to the above named premises.

The papers have also been served upon all Responsible Authorities and the Premise Licence Holders.

Yours Sincerely

E Payne
South Yorkshire Police Licensing Team
Attercliffe Police station
60 Attercliffe Common
Sheffield
S9 2AD.

Tel – (0114) 2523163

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

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Statement of Jason BOOTH.....

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: INSPECTOR.....

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature (witness) Date:

Tick if witness evidence is visually recorded (supply witness details on rear)

My name is Jason BOOTH, I am a police Inspector currently responsible for the East Safer Neighbourhood Area which includes Woodhouse and Mosborough.

One of my primary functions is problem solving around quality of life issues, community safety, and responding to long term problems within the community either as a partnership with other interested agencies, or as a stand-alone police service. In doing this I consult with the community, speak to my partners and ensure that lines of communication are open between South Yorkshire Police and those who represent the communities.

The issue of alcohol and its effect on behaviour is taken very seriously within the East sector. Indeed Woodhouse was the first area within Sheffield to obtain a Designated Public Place Order (DPPO) which ensures that people are not allowed to congregate within public areas and consume alcohol. The effect of the order has been positive, and can be linked to a decrease of alcohol fuelled crime and disorder throughout the East sector.

I can confirm that the effect of alcohol on young people is very detrimental not only to the young people themselves, but also the local community which is why , as an area, we place great weight on the importance of carrying out Test Purchase Operations. These are done with the aim of identifying premises

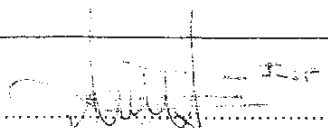
Signature: Signature Witnessed by:

Continuation of Statement of: ~~SIMON DAVID LEASE~~

which do not have stringent procedures and policies in place to help ensure that they are only selling alcohol to over 18s. Once identified we work with local partner agencies to offer support, advice and training to try and reduce the possibility of these premises committing the offence of underage sales again.

As the other evidence within this bundle shows, Mosborough Off Licence have failed four test purchase operations in the space of 13 months, the final two failures being made within a period of fourteen days.

The premises have also passed some operations, however I have grave concerns with regards to the management of the premise. As stated above the effects of alcohol on young people can lead to an increase in Anti-Social and criminal behaviour which negatively impacts on the local community. Therefore I am eager to ensure that premises such as the Mosborough Off Licence are made aware of the impact of their failure to prevent sales to underage people, and that in future they take all reasonable steps available to ensure that this does not happen again.

Signature:  Signature Witnessed by:

Continuation of Statement of Robert Lockwood

A short while later both the Police Officer and the young volunteer came out of the store and approached me. The young volunteer was in possession of

1 x ~~Sacred~~ can ~~beverage~~ ~~type~~

which was handed over and ~~later suitably disposed of~~ / *entered into the property store at

~~Miss Wray~~ Police Station.

The young volunteer fully informed PC ~~Gray~~ and myself of the circumstances which had just occurred.

I then went inside the store and approached a member of staff, who I now know to be:-

Natalie Louise ~~MISSORE~~

I introduced and identified myself and explained the test purchase operation. The offence of selling alcohol to an under aged person was outlined and ~~MISSORE~~ was cautioned.

Reply ~~None~~

I completed a fixed penalty notice for the offence of selling alcohol to a person under the age of 18 years, Contrary to Section 146 of the Licensing Act 2003. The fixed penalty process and payment procedure was explained. (PNO A00718483)

*Any further replies

Signature: R. Lockwood RS17 Signature Witnessed by:

RESTRICTED (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN

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Statement of TRADE CLERK

Age if under 18 OVER 18 (If over 18 insert "over 18") Occupation: SALARY CONSTABLE 7097

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature [Handwritten Signature] Date: 25/05/2011

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable in the South Yorkshire Police, currently stationed at HYTERCLIFFE Police Station.

On WEDNESDAY the 25TH of MAY 2011 I attended at WOODHOUSE Police Station and was briefed in relation to a planned test purchase operation, namely the purchase of alcohol from off-licences.

Also present was [Redacted Name] a Young Volunteer with South Yorkshire Police. A photographic image was taken of *his/her appearance at that time and is produced as evidence duly labelled and signed by me.

At 1940 hours that same day I entered an off-licence trading under the name of MOSBOROUGH OFF LICENCE

Located at HIGH STREET, MOSBOROUGH, SHEFFIELD

Signature: [Handwritten Signature] Signature Witnessed by: _____

RESTRICTED (when complete)

Continuation of Statement of: TEODIE GRAY

I was shortly followed by the above mentioned Young Volunteer who I observed select the following alcoholic item(s) 1 X SCOTCH CAN OF BUNABUSLE CIGARETTES

*He/she took the item(s) to the till area and presented it to the member of staff serving, who I would describe as follows: -

WHITE MALE, UITE 20'S, SLIM BUILD, AROUND 400, NOT NEAR THE SHOULDERS WEARING A DARK TOP WITH A WHITE SKIRT AND COLORED BOOTS.

Delete if inappropriate

~~The member of staff asked the Young Volunteer if he/she had any form of identification. The Young volunteer informed them that they did not.~~

The member of staff informed the Young Volunteer that the purchase price was £1.35. who then handed the money to them before leaving the store with the purchased goods. I observed this purchase from a close and unobstructed distance in good light. I also then left the store.

Outside the store the Young Volunteer fully informed *PC / ~~PCSO~~ Lockwood and myself of the circumstances which had just occurred. They also handed over the alcoholic purchase, which was ~~later suitably disposed of~~ *entered into the property store at messiah

Police Station

Signature: Teodie Gray Signature Witnessed by:

RESTRICTED (when complete)



WITNESS STATEMENT

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

URN

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Statement of

Age if under 18 15 (If over 18 insert "over 18") Occupation: Student

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature Date: 25.5.2011

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named person and live at an address known to South Yorkshire Police. I am currently a young volunteer within the South Yorkshire Police and I am 15 years of age, born

I have received training to act as the purchaser for the purpose of test purchase operations.

On Wednesday the 25th of May 2001 I attended at Mosborough Police Station and was briefed in relation to a planned test purchase operation, namely the purchase of alcohol from off-licences. A photographic image was taken of my appearance at that time.

At 19.40 hours the same day I entered an off-licence trading under the name of Mosborough off-licence located at High Street, Mosborough, Sheffield

Also in the store at that time was a plain clothes Police Officer PC 7097 Gray

I selected the following alcoholic item(s) 1 x Small can budweiser lager

I took the item(s) to the till area and presented it/them to the member of staff serving. I would

describe this person as follows: -

Signature: Signature Witnessed by: R. [Signature]
PC 517

RESTRICTED (when complete)

29

Continuation of Statement of [redacted]

white female, aged late 20s, short brown hair,
slim build wearing a black top

Delete if inappropriate

The member of staff asked me if I had a form of identification and I informed them that I did not.

The member of staff informed me that the price was £1.35 and I handed the money to them
before leaving the store with the purchased goods

Outside the store I informed PC Lockwood and SPC/PCSO Gray of what
had happened inside the store and handed the alcoholic purchase to PC/PCSO Lockwood

In respect of the above matter, if I had been challenged I would have fully admitted my age and left
the premises without making a purchase.

I took no further part in this matter.

Signature: [redacted] Signature Witnessed by: [Signature]

WITNESS STATEMENT

CJ Act 1967, s.9 MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

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Statement of Robert Lockwood

Age if under 18 Over 18 (if over 18 insert "over 18") Occupation: PC 517

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature R. Lockwood Date: 16/11/11

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable in the South Yorkshire Police, currently stationed at Woodhouse Police Station.

On Wednesday the 16th of November 2011 I attended at Woodhouse Police Station and was briefed in relation to a planned test purchase operation, namely the purchase of alcohol from off-licences.

Also present was [redacted] a young volunteer with South Yorkshire Police.

A photographic image was taken of his/her appearance at that time and is produced as evidence duly labelled and signed by me.

At 19:50 hours that same day I ^{stood outside} ~~entered~~ an off-licence trading under the name of Masborough Off License

Located at High Street, Masborough, Sheffield

Signature: R. Lockwood Signature Witnessed by: PC 517

Continuation of Statement of: Robert Lockwood

Page 2

I was shortly followed by the above mentioned young volunteer who I observed select the following alcoholic item(s) 1 x 75cl bottle of Velsare Chardonnay wine

He/she took the item(s) to the till area and presented it to the member of staff serving who i would describe as follows:-

white female, slim build, around 5'3" tall,
straight blonde hair, aged mid 50's

*Deletes as appropriate

~~The member of staff asked the young volunteer if he/she had any form of identification. The young volunteer informed them they did not.~~

The member of staff informed the young volunteer that the purchase price was £ 11.09 who then handed the money to them before leaving the store with the purchased goods. I observed the purchase from a close and unobstructed distance in good light. I also then left the store.

Outside the young volunteer fully informed PC/PCSO Taylor and myself of the circumstances which had just occurred. They also handed over the alcoholic purchase which was later ~~suitably disposed of~~ entered into the property store at Miss Wray Police Station.

I took no further part in the matter

Signature: R. Lockwood Signature Witnessed by: PC/PCSO Taylor

RESTRICTED (Distribution Control)

WITNESS STATEMENT

(CJ Act 1967, S.M.C. Act 1980, ss. 5A(3)(a) and 5B, M.C. Rules 1981, 176)

URN [] [] [] [] [] [] [] [] [] []

Statement of Daniel Taylor

Age if under 18 018 (If over 18 insert "over 18") Occupation: PCSO 5324

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature [] Date: 16/11/11

Tick if witness evidence is visually recorded [] (supply witness details on rear)

I am a Police Constable / *Police Community Support Officer in the South Yorkshire Police, currently stationed at Woodhouse Police Station.

On Wednesday the 16th of November 2011 I attended at Woodhouse Police Station and was briefed in relation to a planned test purchase operation, namely the purchase of alcohol from off-licences.

Also present was [redacted] a young volunteer with South Yorkshire Police.

DT At 19.50 hours that same day I was on duty in full uniform when PC Lockwood stood outside an off-licence trading under the name of Mosborough off license entered located at High Street, Mosborough, Sheffield

This officer was shortly followed by the above mentioned young volunteer, intending to make a test purchase of alcohol.

Signature: [] Signature Witnessed by: []

TELEPHONE: (011) 438 0000 (011) 438 0000

Continuation of Statement of: Daniel Taylor

Page 2

A short while later both the Police Officer and the young volunteer came out of the store and approached me. The young volunteer was in possession of

1x 75 cl bottle Versave Chardonnay wine

which was handed over and ~~later suitably disposed of~~ / *entered into the property store at

Moss Way Police Station.

The young volunteer fully informed PC Lockwood and myself of the circumstances which had just occurred.

I then went inside the store and approached a member of staff, who I now know to be: -

Christine Wheat

I introduced and identified myself and explained the test purchase operation. The offence of selling alcohol to an under aged person was outlined and Wheat was cautioned.

Reply NO reply

I completed a fixed penalty notice for the offence of selling alcohol to a person under the age of 18 years, Contrary to Section 146 of the Licensing Act 2003. The fixed penalty process and payment procedure was explained.

*Any further replies

Signature: [Signature] Signature Witnessed by:

RESTRICTED (when complete)

34

WITNESS STATEMENT

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

URN [] [] [] []

Statement of [REDACTED]

Age if under 18 15 (If over 18 insert "over 18") Occupation: Schoolgirl

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature [REDACTED] Date: 16/11/11

Tick if witness evidence is visually recorded [] (supply witness details on rear)

I am the above named person and live at an address known to South Yorkshire Police. I am currently a young volunteer within the South Yorkshire Police and I am 15 years of age, born [REDACTED]. I have received training to act as the purchaser for the purpose of test purchase operations.

On Wednesday the 16th of November 2011 I attended at Woodhouse Police Station and was briefed in relation to a planned test purchase operation, namely the purchase of alcohol from off-licences. A photographic image was taken of my appearance at that time.

At 19.50 hours the same day I entered an off-licence trading under the name of [REDACTED] located at High Street, Mosborough, Sheffield outside

Also in the store at that time was a plain clothes Police Officer, PC SIF Lockwood

I selected the following alcoholic item(s) 75cl bottle Versave Chardonnay wine

I took the item(s) to the till area and presented it/them to the member of staff serving. I would

describe this person as follows: -

Signature [REDACTED] Signature Witnessed by: R. Lockwood PC SIF

RESTRICTED (when complete)

Continuation of Statement of [redacted]

white females, slim build, around 5'3" tall,
straight blonde hair aged in her 50's.

Delete if inappropriate

~~The member of staff asked me if I had a form of identification and I informed them that I did not.~~

The member of staff informed me that the price was £4.09 and I handed the money to them before leaving the store with the purchased goods

Outside the store I informed PC Lockwood and *PC/PCSO Taylor of what had happened inside the store and handed the alcoholic purchase to PC/PCSO

In respect of the above matter, if I had been challenged I would have fully admitted my age and left the premises without making a purchase.

I took no further part in this matter.

Signature [redacted]

Signature Witnessed by: R. Lockwood PC517

I ANNA MARTIN.....

of ~~MOSS ROUGH~~ OFF LICENCE (56 High Street)

confirm that on the 22/11/2011.....

received an information pack relating to test purchase operations and includes various information from Sheffield Safeguarding Children Board, South Yorkshire Police, Trading Standards and Sheffield Licence Watch.

Signature *A. L. Martin*.....

Date 22/11/2011.....

Contact details

Mobile [REDACTED].....

Landline [REDACTED].....

E Mail address [REDACTED].....



South Yorkshire
POLICE

37

Mr P Thompson



Date: 22nd November 2011

Dear Mr Thompson,

Re: Mosborough Off Licence, 56 High Street, Sheffield.

As the Designated Premises Supervisor and Premise Licence Holder for Mosborough Off Licence we write to inform you that a visit has today been made to these premises by the Police Licensing Team. This is with regards to a failed test purchase operation on the 16th of November 2011.

We spoke to the person responsible for the off licence today, Anna Martin. Ms Martin was given an information pack relating to various information from the Police, Safeguarding for Children's Board and Trading Standards. Please ensure that you obtain the pack from Ms Martin and that wherever possible it is circulated to members of your staff for their information.

The details of the failed test purchase on the 16th November has been forwarded to the Safeguarding Board and Trading Standards as a matter of course.

If you have any questions regarding this matter please do not hesitate to contact.

Yours sincerely

Lizzie Payne

South Yorkshire Police Licensing Team
Attercliffe Police Station
60 Attercliffe Common
S9 2AD
Tel – (0114) 2523618
E Mail – Sheffield.Liquor-Licensing@southyorks.pnn.police.uk

RESTRICTED (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN [] [] [] []

Statement of Christopher Blyde

Age if under 18 over 18 (If over 18 insert "over 18") Occupation: Acting Special Sergeant

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature [Signature] Date: 30.05.12

Tick if witness evidence is visually recorded [] (supply witness details on rear)

I am a SPECIAL Police Constable / Police Community Support Officer in the South Yorkshire Police, currently stationed at MOSS WAY Police Station.

On Wednesday the 30th of May 2012 I attended at Woodhouse Police Station and was briefed in relation to a planned test purchase operation, namely the purchase of alcohol from off-licences.

Also present was [Redacted] a Police Volunteer with South Yorkshire Police.

At 20:00 hours that same day I was on duty in full uniform when PC Lude OVEREND entered an off-licence trading under the name of Mosborough Off License located at High Street Mosborough.

This officer was shortly followed by the above mentioned Police Volunteer, intending to make a test purchase of alcohol.

Signature: [Signature] Signature Witnessed by: [Signature]

RESTRICTED (when complete)

Continuation of Statement of: Christopher BYRNE

A short while later both the Police Officer and the volunteer came out of the store and approached me. The volunteer was in possession of

Bulmers Red

which was handed over and *later suitably disposed of/ *entered into the property store at

Moss Way Police Station.

The volunteer fully informed PC Lucie Owsend and myself of the circumstances which had just occurred.

to member of staff Amy MASOIN

I introduced myself and explained the test purchase operation. The offence of selling alcohol to an under aged person was outlined and MASOIN was cautioned.

Reply Its about that lad that just walked in

* I completed a fixed penalty notice for the offence of selling alcohol to a person under the age of 18 years, Contrary to Section 146 of the Licensing Act 2003. The fixed penalty process and payment procedure was explained.

*Any further replies

Signature: [Signature]

Signature Witnessed by:

RESTRICTED (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN [] [] [] []

Statement of SPC 7141 LUCIE OVEREND

Age if under 18 (If over 18 insert "over 18") Occupation: SC

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature L Overend Date: 30/5/12

Tick if witness evidence is visually recorded (supply witness details on rear)

Special
I am a Police Constable in the South Yorkshire Police, currently stationed at Mass Way Police Station.

On Wednesday the 30 of May 2012 I attended at Woodhouse Police Station and was briefed in relation to a planned test purchase operation, namely the purchase of alcohol from off-licences.

Also present was [REDACTED] a Police Volunteer with South Yorkshire Police. A photographic image was taken of *his/~~her~~ appearance at that time and is produced as evidence duly labelled and signed by me.

At 20.00 hours that same day I entered an off-licence trading under the name of Masborough Off License Located at High Street, Masborough, SHEFFIELD

Signature: L Overend Signature Witnessed by:

RESTRICTED (when complete)

Continuation of Statement of: LUCIE OVEREND

Page 2

I was shortly followed by the above mentioned Police volunteer who I observed select the following alcoholic item(s) one large bottle of berry Buemel's

*He/she took the item(s) to the till area and presented it to the member of staff serving, who I would describe as follows: -

A white female, aged approximately mid to late 20s, wearing a cream and brown patterned top, her hair style was a dark brown bob.

Delete if inappropriate

~~The member of staff asked the volunteer if he/she had any form of identification. The Cadet informed them that they did not.~~

The member of staff informed the volunteer that the purchase price was £1.99 who then handed the money to them before leaving the store with the purchased goods. I observed this purchase from a close and unobstructed distance in good light. I also then left the store.

Outside the store the volunteer fully informed ~~*PC/PGSO~~ SPC 7147 BYNE and myself of the circumstances which had just occurred. They also handed over the alcoholic purchase, which was ~~*later suitably disposed of /~~ *entered into the property store at Massway Police Station

~~In company with *PC/PGSO I went back inside the store and we approached the aforementioned member of staff, who I now know to be: -~~

~~We both introduced and identified ourselves and explained the test purchase operation. The offence of selling alcohol to an under aged person was outlined and was cautioned:~~

Signature: LK Overend Signature Witnessed by:

RESTRICTED (when complete)

Continuation of Statement of: Lucie Overend

Page 3

Reply

~~*PC + PGSO completed a fixed penalty notice for the offence of selling alcohol to a person under the age of 18 years; Contrary to Section 146 of the Licensing Act 2003. The fixed penalty process and payment procedure was explained.~~

*Any further replies

Signature: Lucie Overend Signature Witnessed by:

RESTRICTED (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN [] [] [] []

Statement of [REDACTED]

Age if under 18 16 (If over 18 insert "over 18") Occupation: Student

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature [REDACTED] Date: 30/5/12

Tick if witness evidence is visually recorded [] (supply witness details on rear)

I am the above named person and live at an address known to South Yorkshire Police. I am currently a Police volunteer within the South Yorkshire Police and I am 16 years of age, born 28/11/95. I have received training to act as the purchaser for the purpose of test purchase operations.

On Wednesday the 30th of May 2011 I attended at Woodhouse Police Station and was briefed in relation to a planned test purchase operation, namely the purchase of alcohol from off-licences. A photographic image was taken of my appearance at that time.

At 20:00 hours the same day I entered an off-licence trading under the name of Mosborough off-licence located at High Street, Mosborough, Sheffield


Also in the store at that time was a plain clothes Police Officer SPC Overend

I selected the following alcoholic item(s) 1 x bottle Bulmers Real Berry Cider

I took the item(s) to the till area and presented it/them to the member of staff serving. I would describe this person as follows: -

Signature: [REDACTED] Signature Witnessed by: [Signature]

RESTRICTED (when complete)

Continuation of Statement of 

Page 2

white female, aged late 20's and 5'6" tall
short brown bob hair style

Delete if inappropriate

The member of staff asked me if I had a form of identification and I informed them that I did not.

The member of staff informed me that the price was £1.99 and I handed the money to them before leaving the store with the purchased goods

Outside the store I informed PC Overend and PC/PCSO Byrne of what had happened inside the store and handed the alcoholic purchase to PC/PCSO

In respect of the above matter, if I had been challenged I would have fully admitted my age and left the premises without making a purchase.

I took no further part in this matter.

Signature:  P. Anastasios Signature Witnessed by:  W. Overend

RESTRICTED (When complete)

WITNESS STATEMENT

(CJ Act 1967, s 9 MC Act 1980, ss 5A(3) (a) and 5B; MC Rules 1981, r 70)

URN [] [] [] []

Statement of Robert Lockwood

Age if under 18 0'18 (If over 18 insert "over 18") Occupation: P.C.S.I.F.

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature R. Lockwood Date: 23/6/12

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a *Police Constable / *Police Community Support Officer in the South Yorkshire Police, currently stationed at Woodhouse Police Station.

On Saturday the 23rd of June 2002 I attended at Woodhouse Police Station and was briefed in relation to a planned test purchase operation, namely the purchase of alcohol from off-licences.

Also present was  a Police Volunteer with South Yorkshire Police.

At 19.40 hours that same day I was on duty in full uniform when PC Overend entered an off-licence trading under the name of Mosborough Off License located at 56 High Street, Sheffield

This officer was shortly followed by the above mentioned Police Volunteer, intending to make a test purchase of alcohol.

Signature: R. Lockwood P.C.S.I.F. Signature Witnessed by:

RESTRICTED (when complete)

Continuation of Statement of: Robert Lockwood

Page 2

A short while later both the Police Officer and the volunteer came out of the store and approached me. The volunteer was in possession of

1 x 568 ml bottle Bulmers Original Cider

which was handed over and *later suitably disposed of / *entered into the property store at

Mrs Wong Police Station.

The volunteer fully informed SPC Overend and myself of the circumstances which had just occurred.

I introduced myself and explained the test purchase operation. The offence of selling alcohol to an under aged person was outlined and Richard Martin was cautioned.

Reply No reply

* I completed a fixed penalty notice for the offence of selling alcohol to a person under the age of 18 years, Contrary to Section 146 of the Licensing Act 2003. The fixed penalty process and payment procedure was explained.

*Any further replies

Signature: R. Lockwood 17 Signature Witnessed by:

RESTRICTED (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9 MC Act 1980, ss 5A(3) (a) and 5B; MC Rules 1981, r.70)

URN [] [] [] []

Statement of LUCIE OVEREND

Age if under 18 18 (If over 18 insert "over 18") Occupation: SC

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature L Overend Date: 23/6/12

Tick if witness evidence is visually recorded [] (supply witness details on rear)

special I am a Police Constable in the South Yorkshire Police, currently stationed at MASSWAY Police Station.

On Saturday the 23 of JUNE 2012 I attended at Woodhouse Police Station and was briefed in relation to a planned test purchase operation, namely the purchase of alcohol from off-licences.

Also present was [redacted] a Police Volunteer with South Yorkshire Police. A photographic image was taken of his/her appearance at that time and is produced as evidence duly labelled and signed by me.

At 19.40 hours that same day I entered an off-licence trading under the name of MASHBOROUGH OFF LICENSE

Located at High Street, MASHBOROUGH, SHEFFIELD

Signature: L Overend Signature Witnessed by:

RESTRICTED (when complete)

Continuation of Statement of: LUCIE OVEREND

Page 2

I was shortly followed by the above mentioned Police volunteer who I observed select the following alcoholic item(s) 568ml bottle of Budweiser Original Cider

*He/she took the item(s) to the till area and presented it to the member of staff serving, who I would describe as follows: -

Late thirties, white male approximately 5ft 9, wearing a grey and white striped t-shirt, medium built with short brown hair

Delete if inappropriate

The member of staff asked the volunteer if he/she had any form of identification. The Cadet informed them that they did not.

The member of staff informed the volunteer that the purchase price was £1.79. who then handed the money to them before leaving the store with the purchased goods. I observed this purchase from a close and unobstructed distance in good light. I also then left the store.

Outside the store the volunteer fully informed *PC / ~~PCSO~~ Lockwood and myself of the circumstances which had just occurred. They also handed over the alcoholic purchase, which was ~~*later suitably disposed of /~~ *entered into the property store at Massinby Police Station

In company with *PC / ~~PCSO~~ Lockwood I went back inside the store and we approached the aforementioned member of staff, who I now know to be: -

Richard MARTIN

We both introduced and identified ourselves and explained the test purchase operation. The offence of selling alcohol to an under aged person was outlined and MARTIN was cautioned.

Signature: LUCIE OVEREND Signature Witnessed by:

RESTRICTED (when complete)

Continuation of Statement of: LUCIE OVEREND

Page 3

Reply no reply

*PC /PGSO Lockwood completed a fixed penalty notice for the offence of selling alcohol to a person under the age of 18 years, Contrary to Section 146 of the Licensing Act 2003. The fixed penalty process and payment procedure was explained.

*Any further replies

Signature: LUCIE OVEREND Signature Witnessed by:



RESTRICTED (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN

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Statement of

Age if under 18 16 (If over 18 insert "over 18") Occupation: Student

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature Date: 23/6/12

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named person and live at an address known to South Yorkshire Police. I am currently a Police volunteer within the South Yorkshire Police and I am 16 years of age, born 28/11/95
I have received training to act as the purchaser for the purpose of test purchase operations.

On Saturday the 23 of JUNE 2012 I attended at Woodhouse Police Station and was briefed in relation to a planned test purchase operation, namely the purchase of alcohol from off-licences. A photographic image was taken of my appearance at that time.

At 19:40 hours the same day I entered an off-licence trading under the name of Mosborough
located at High Street, Mosborough
OFF LICENSE

Also in the store at that time was a plain clothes Police Officer, PC SC OVEREND

I selected the following alcoholic item(s) one bottle of Bumpers original cider

I took the item(s) to the till area and presented it/them to the member of staff serving. I would describe this person as follows: -

Signature:

Signature Witnessed by: P. [redacted]



RESTRICTED (when complete)

Continuation of Statement of:

male aged approximately late thirties, having fair brown hair, medium build, wearing a grey t-shirt

Delete if inappropriate

The member of staff asked me if I had a form of identification and I informed them that I did not.

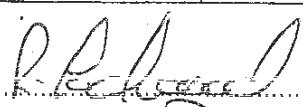
The member of staff informed me that the price was £1.79 and I handed the money to them before leaving the store with the purchased goods

Outside the store I informed PC Lockwood and *PC/PCSO SC Overend of what had happened inside the store and handed the alcoholic purchase to PC/PCSO Lockwood

In respect of the above matter, if I had been challenged I would have fully admitted my age and left the premises without making a purchase.

I took no further part in this matter.

Signature 

Signature Witnessed by: 
PC 512



CLOSURE NOTICE FOR PERSISTENTLY SELLING ALCOHOL TO CHILDREN

Section 169A(2) of Licensing Act 2003

This notice offers a period of closure as an alternative to criminal prosecution for an offence of repeatedly selling alcohol to underage persons. It is addressed to the person(s) (which may include a company etc) who hold the relevant premises licence for the premises concerned. A copy of this closure notice will be sent to the holder of the premises licence at the address for that person set out in the licence.

The premise licence holder(s) should read parts 10, 11, 12 and 13 of this notice with particular care as they contain information concerning their rights. If you have been handed this notice and are not the premises licence holder, you may wish to inform the premises licence holder(s) that this notice has been served.

1. Name and rank of the police officer (must hold the rank of superintendent or above) / name of the inspector of weight and measure <i>[delete as appropriate]</i> giving this closure notice	
Superintendent Shaun Morley	
2. Name of the police, community support or trading standards officer <i>[delete as appropriate]</i> serving this closure notice. <i>(A closure notice may be served by being handed to a person on the premises who appears to have control of or responsibility for the premises and who need not be the premises licence holder)</i>	
PS 2805 WOODING	
3. Date on which closure notice is given	27 06 2012

3. Date on which closure premises licence holder(s)	
4. Address of premises in respect of which this notice is being given	Mosborough Off Licence, 56 High street, Sheffield, S20 5AE
5. Premises Licence Reference number and issuing authority	SY 0946 PR - Sheffield City Council
6. Name of premises licence holder(s)	Peter Thompson
7. Address of premises licence holder(s). <i>(This is the address to which a copy of this closure notice will be sent)</i>	

8. Particulars of alleged offence under section 147A of the Licensing Act 2003, including:	
<ul style="list-style-type: none"> Particulars of unlawful sales made to persons under 18; Dates of the sales; and The individuals making the sales (so far as known). 	
(Note: you can be liable for offence if you were a premises licence holder at the time each unlawful sale took place on the premises)	
First unlawful	16 th November 2011 - Sale of one bottle of Chardonnay Wine (alcohol) at a cost of £4.99 made by staff member Christine W/LEAT



Sale:	Dealt with by Fixed Penalty Ticket number A 0075762 4
Second unlawful sale:	30 th May 2012 – Sale of one bottle of Bulmers Berry (alcohol) made by staff member Amy MASON. Dealt with by Fixed Penalty Ticket number A 0078197 5
Third unlawful sale:	23 rd June 2012 – Sale of one bottle of Bulmers Original (alcohol) made by DPS Richard MARTIN. Dealt with by way of Fixed Penalty Ticket A 0078200 9

9. Proposed period during which sales of alcohol by retail are to be prohibited (commencing not less than 14 days after this closure notice was served):

From	Time: 08:00hrs	To	Time: 22:30hrs
	Date: 13/07/2012		Date: 15/07/2012

10. Effect of accepting of the proposed prohibition (closure)

If you decide to accept the proposed closure (on how to do this, see part 12 below), all sales by retail of alcohol at the premises during the period specified in part 9 of this notice will be unauthorised. An unauthorised sale is a criminal offence (see section 136 of the licensing Act 2003). A person guilty of an offence under that section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

11. Right to elect to go trial

You do not have to accept the proposed closure. As an alternative, you may elect to be tried in a court of law for the offence described in part 8 above. That right may be exercised by informing the officer named in part 14 in writing or by e-mail.

12. How to accept the proposed prohibition

In order to accept the proposed closure, all premises licence holder(s) should notify the officer named in part 14 of their decision in writing or by e-mail within 14 days of this notice being served. Failure to notify the officer named in part 14 of acceptance of the prohibition within 14 days will be taken as a decision to elect for trial for the alleged offence described in part 8.

13. Effect of a failure by one or more of the premises licence holders to accept the proposed prohibition

The right to be tried for the alleged offence described in part 8 of this closure notice will be taken to have been exercised unless every person who was a holder of the premises licence at the time this notice was given accepts the proposed prohibition.

14. Name of the police officer or trading standards officer to whom notice exercising the option to accept the prohibition should be given, or election to go to trial must be sent, within 14 days

Inspector Booth

c/o South Yorkshire Police Licensing

The address of the officer in part 14

60 Attercliffe Common, Sheffield, S9 2AD

E-mail address and telephone number of the officer in part 14

Sheffield_licensing@southyorks.pnn.police.uk

0114 2523617



"Richard Martin"
01/07/2012 21:41

To <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>
cc
bcc
Subject Closure Notice

Further to receipt of the closure notice issued for our premises between Friday 13th to Sunday 15th July, I acknowledge receipt of this notice and we accept and confirm that we will be close our premises during this period time.

Richard Martin & Peter Thompson
Mosborough Off Licence
56 High Street
Mosborough
Sheffield
S20 5AE

Richard Martin Cert CII (MP)

t: [REDACTED]
f: [REDACTED]
e: [REDACTED]
a: 38a High Street, Mosborough, Sheffield, S20 5AE

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Keypoint Mortgage Solutions monitors emails to ensure its systems operate effectively and to minimise the risk of viruses. Whilst it has taken reasonable



South Yorkshire
POLICE



Mr Richard Martin
[REDACTED]

Mosborough
Sheffield
S20 5BQ

10th July 2012

Dear Mr Martin,

Re:- Mosborough Off Licence

Please find attached documentation regarding the Fixed Penalty Waiver course.

Please ensure that you contact Andy Constantine on the number provided to arrange attendance on the course as a matter of urgency.

Yours sincerely

South Yorkshire Police Licensing

Attercliffe Police Station
60 Attercliffe Common
Sheffield
S9 2AD

Liquor.licensing@southyorks.pnn.police.uk



THE LICENSING ACT 2003

Premises Licence No: SY 0946 PR

ISSUE NO: 5

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

PART 1 – Premises details

56 High Street
SHEFFIELD S20 5AE

Telephone Number: 0114 2475946

Where the licence is time limited, the dates:

Not applicable.

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities:

1. Sale by retail of alcohol:

(a) for consumption off the premises

Sunday	10:00 to 22:30 hours
Monday	08:00 to 23:00 hours
Tuesday	08:00 to 23:00 hours
Wednesday	08:00 to 23:00 hours
Thursday	08:00 to 23:00 hours
Friday	08:00 to 23:00 hours
Saturday	08:00 to 23:00 hours
Good Friday	08:00 to 22:30 hours
Christmas Day	12:00 to 15:00 and 19:00 to 22:30 hours

The opening hours of the premises:

Sunday	10:00 to 22:30 hours
Monday	08:00 to 23:00 hours
Tuesday	08:00 to 23:00 hours
Wednesday	08:00 to 23:00 hours
Thursday	08:00 to 23:00 hours
Friday	08:00 to 23:00 hours
Saturday	08:00 to 23:00 hours
Good Friday	08:00 to 22:30 hours
Christmas Day	12:00 to 15:00 and 19:00 to 22:30 hours

PLEASE NOTE:

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

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



Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Sale by retail of alcohol for consumption off the premises.

PART 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

Peter William Thompson



Spinkhill
Sheffield S21 3YB

Richard Martin



Mosborough
Sheffield S20 5BQ

Telephone Number:  

Registered number of holder, for example company number, charity number (where applicable):

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Peter William Thompson

The Old Barn

2 Top Farm Mews

College Road

Spinkhill

Sheffield S21 3YB

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:

Personal Licence Number: SY 3321 Per

Issuing Authority: Sheffield City Council

State whether access to the premises by children is restricted or prohibited:

Restricted.

This Premises Licence shall be in force from the Second Appointed Day.

Issued on: 15th November, 2005

.....
Director of Legal Services

On behalf of Sheffield City Council (issuing licensing authority)

Sheffield City Council – For Office use only		
Variation of Premises Licence		
Variation of DPS	3	Granted on 8 th December 2009
Transfer of Premises Licence	3	Granted on 8 th December 2009

Annex 1 – Mandatory Conditions

Mandatory Condition 1 (Section 19 ss 2)

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

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

Mandatory Condition 2 (Section 19 ss 3)

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

Mandatory Condition 3 (Section 20)

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:

- (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
- (b) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.

2. In this section -

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory Condition 4 (Section 21)

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



Annex 2 – Conditions consistent with the operating schedule

Any embedded permissions and restrictions attached to the justices off licence including those specified at Appendix 1.

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APPENDIX C

Ruston Andy (CEX)

From: Licensing(General)
Sent: 21 August 2012 13:18
To: Ruston Andy (CEX)
Subject: FW: REPRESENTATION: REVIEW OF PREMISE LICENCE - MOSBOROUGH NEWS OFF LICENCE, HIGH STREET, MOSBOROUGH S20 5AE

Importance: High

Attachments: Mosborough News Off Licence Representation.pdf

From: Hague Julie
Sent: 21 August 2012 12:34
To: Licensing(General)
Subject: REPRESENTATION: REVIEW OF PREMISE LICENCE - MOSBOROUGH NEWS OFF LICENCE, HIGH STREET, MOSBOROUGH S20 5AE
Importance: High



Mosborough News
Off Licence Re...

For the attention of the Licensing Authority

This e'mailed representation is made in accordance with the agreement with the Licensing Authority on the 18th October 2006 to accept representations by e'mail

Please be informed that I have made a representation on behalf of the Sheffield Safeguarding Children Board in relation to the above application. The representation is submitted to the Licensing Authority and is attached to this e'mail along with related correspondence for the consideration of the Licensing Sub Committee.

Thank you.

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board

Tel 0114 2736753
julie.hague@sheffield.gov.uk



20th August 2012

The Licensing Authority
Sheffield City Council
Chief Executives Directorate
Legal & Administrative Services
Licensing General Section
Town Hall
Surrey Street
Sheffield S1 2HH

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children
Board - Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Sirs

APPLICATION TO REVIEW A PREMISES LICENCE – MOSBOROUGH NEWS OFF LICENCE, HIGH STREET, MOSBOROUGH, SHEFFIELD S20 5AE

The above documentation has been provided to the Sheffield Safeguarding Children Board (SSCB Licensing Project) as a Responsible Authority under the Licensing Act 2003. I am writing on behalf of the Safeguarding Children Board to make a Representation under the Core Objective for the Protection of Children from Harm, on the grounds that there have been repeated sales of alcohol to children and young people at the premises over the last 13 months.

The Safeguarding Children Board takes a serious view of premises that are unable to protect children from the risks associated with underage sales of alcohol. The evidence presented by South Yorkshire Police shows a number of failed test purchase operations at this premises and in line with the Licensing Authority approved Joint Agency Test Purchase Strategy, which is an agreed process to assist premise managers to improve their operation, the Safeguarding Children Board has attempted to work in partnership with the premises management, providing a number of interventions including free multi agency training to the premises management and staff. (The details of these interventions are provided in the chronology and related documents at Appendix 1 of this letter for the consideration of the Licensing Sub-Committee).

Despite attempts to support the premises management over the period from June 2011 to date, a consistent operational improvement has not been achieved and evidence of underage sales has continued.

In light of the above I am writing to ask the Licensing Authority to take positive action to protect children from the risks presenting at this premises.

Yours faithfully

JULIE HAGUE
Licensing Project Manager
Safeguarding Children Board

Approved ✓

SAFEGUARDING CHILDREN BOARD INTERVENTION CHRONOLOGY: MOSBOROUGH NEWS OFF LICENCE, HIGH STREETE, MOSBOROUGH, SHEFFIELD S20 5AE

Date	Action
23 June 2011	Letter to Mr Peter Thompson offering advice about how to improve due diligence systems regarding the prevention of underage sales and offering free multi agency training on 20.7.11 following a failed test purchase operation at the premises on 25.5.11.
20 July 2011	The training was not attended.
9 December 2011	Letters to Mr Peter Thompson and Mr Richard Martin, offering advice about how to improve due diligence systems regarding the prevention of underage sales and offering free multi agency training on 1.2.12 following a failed test purchase operation at the premises on 16.11.11.
1 February 2012	Mr Peter Thompson and Mr Richard Martin attended the multi agency training.
2 June 2012	Letter to Mr Peter Thompson offering advice about how to improve due diligence systems regarding the prevention of underage sales and offering free multi agency training on 11.7.12 following a failed test purchase operation at the premises on 30.5.12.
12 June 2012	Telephone conversation with Mr Thompson to arrange a meeting at the premises on 20.6.12 at 8.30am. Mr Thompson agreed that despite the proposed time being early he

	<p>would attend but explained that his colleague Mr Martin was on holiday so could not yet confirm Mr Martin's attendance. I subsequently discussed this with SYP colleagues Ms Payne and Inspector Booth and it was agreed to offer Mr Thompson as late a time as was possible. I therefore rang Mr Thompson and left a voicemail proposing that the meeting time for the 20th June would be 9am.</p>
20 June 2012	<p>I attended the premise at 9am in the company of Ms Payne, SY Police. The meeting did not take place as the premises management were not at the premise at this time. The premises management had subsequently explained to SY Police colleagues that they had not received the message suggesting the 9am time and had left the premise at 8.45am. Another meeting was therefore arranged on 25.6.12 at 9am at the premise.</p>
21 June 2012	<p>Letter to Mr Peter Thompson to reiterate advice about how to improve due diligence systems regarding the prevention of underage sales and the offer of free multi agency training on 11.7.12 following the failed test purchase operation at the premises on 30.5.12.</p>
25 June 2012	<p>I attended a meeting at the premise with Ms Payne, SY Police, Mr Thompson and Mr Martin, premises management. Ms Payne reported that the premise had failed a test purchase operation on 23.6.12. A discussion took place about this and due diligence systems for the prevention of underage alcohol sales were examined. Advice was issued about the process that would ensue in line with the multi agency protocol for responding to repeat test purchase failures. At this meeting I repeated the advice previously issued to the premises management regarding due diligence and how to address remaining gaps in child protection systems (letters at Appendix 1 dated 28.6.12 refer). It was agreed that 2 more staff would attend the multi agency training on 11.7.12 to improve</p>

	<p>staff training and reduce the risk of further underage sales of alcohol to children. Ms Payne issued the premises management with another multi agency information pack to assist with preventing underage sales.</p> <p>At this meeting I provided by hand, another copy of the training offer letter containing the details of the multi agency training session on 11.7.12.</p>
28 June 2012	<p>I received an email from Mr Martin asking for details of the next multi agency training session.</p> <p>I emailed Mr Martin providing another copy of the training offer letter along with an advice letter in which I confirmed my verbal advice of 25.6.12 regarding the issues that had not yet been addressed. (Documents at Appendix 1 dated 28.6.12 refer.) The same documents were then posted to Mr Thompson.</p>
11 July 2012	<p>Two members of staff from the premise attended the multi agency training session, these were Ms Lorraine Frogatt and Ms Amy Mason.</p>

Appendix

file

Hague Julie

From: Hague Julie
Sent: 28 June 2012 17:08
To: 'Richard Martin'
Cc: 'Sheffield.Liquor-Licensing@southyorks.pnn.police.uk'
Subject: RE: Mosborough Off Licence
Attachments: Mosborough News Off Licence.doc; Mosborough News TP Follow up June 2012 Mr Martin.doc; Risk Assessment April 2012.doc

Dear Richard

Please find attached a letter with the details of the next training as previously sent to Mr Thompson. I also attach a copy of my advice letter following our discussion on Monday and a risk assessment tool to assist.

I would be grateful if you could confirm the name(s) of staff attending the training on 11.7.12.

Regards

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board

Tel 0114 2736753
julie.hague@sheffield.gov.uk

From: Richard Martin [mailto: [REDACTED]]
Sent: 28 June 2012 15:08
To: Hague Julie
Subject: Mosborough Off Licence

Hi Julie

Further to our meeting on Monday, could you let me know the date of the next training course?

Many thanks, Richard

Richard Martin Cert CII (MP)
Mortgage and Protection Adviser
Keypoint Mortgage Solutions

t: 0114 247 7790 t: 0800 043 4990
 f: 08450 505 848 m: 07815 893 696
 e: [REDACTED]
 a: 38a High Street, Mosborough, Sheffield, S20 5AE

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28.6.12

Mr Richard Martin

Handwritten signature

BY EMAIL

Dear Mr Martin

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children
Board - Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
MOSBOROUGH NEWS OFF LICENCE, HIGH STREET, MOSBOROUGH, SHEFFIELD

Further to our meeting on 25th June, at which we discussed what systems you have in place to protect children by preventing underage sales of alcohol and proxy purchase at the above premises. I am writing to confirm the key points of our discussion.

1. I note that the following measures are in place to prevent underage alcohol sales: the Challenge 25 scheme, signage, refusals records.
2. I note that there are currently 2 personal licence holders at the premises and advise that a personal licence holder should be on duty at all times.
3. I am concerned that despite being a member of the Responsible Retailer Scheme, staff training records are not being maintained for your staff. I advised that staff should be trained at induction and refresher training should be delivered regularly.
4. I note that till prompts are installed but not utilised by staff due to time constraints. I have advised that till prompts should be utilised by staff to improve diligence in preventing underage sales.
5. I note that you have attended the multi agency training workshop for Safeguarding Children at Licensed Premises; however a children and young people's risk assessment has not yet been completed. I advise that a written risk assessment should be undertaken in relation to children and young people and the outcome of the risk assessment should inform your operating policy staff training. I enclose a risk assessment for your assistance, this should be completed and retained as part of your due diligence records.

Continued .../

6. In response to the two recent failed test purchase operations at the premises I have offered 2 places free of charge on the multi agency training. Details are in the attached letter. I look forward to hearing from you regarding the names of management/staff who will attend the training.

If you have any queries please contact me.

Yours sincerely



JULIE HAGUE
Licensing Manager, Sheffield Safeguarding Children Board

cc SY Police

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Appendix

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28.6.12

Mr Peter William Thompson

[REDACTED]
Spinkhill
Sheffield, S21 3YB

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children
Board - Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Mr Thompson

THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
MOSBOROUGH NEWS OFF LICENCE, HIGH STREET, MOSBOROUGH, SHEFFIELD

Further to our meeting on 25th June, at which we discussed what systems you have in place to protect children by preventing underage sales of alcohol and proxy purchase at the above premises. I am writing to confirm the key points of our discussion.

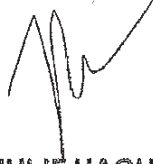
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Continued .../

6. In response to the two recent failed test purchase operations at the premises I have offered 2 places free of charge on the multi agency training. Details are in the attached letter. I look forward to hearing from you regarding the names of management/staff who will attend the training.

If you have any queries please contact me.

Yours sincerely



JULIE HAGUE
Licensing Manager, Sheffield Safeguarding Children Board

cc SY Police

73

file



Append 1

2.6.12

Mr Peter William Thompson
[Redacted]
Spinkhill, Sheffield, S21 3YB

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2738753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Sir/Madam

THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: MOSBOROUGH NEWS OFF LICENCE, HIGH STREET,
MOSBOROUGH, SHEFFIELD

I am writing to confirm that 2 places have been reserved for the Designated Premises Supervisor or other suitable members of staff, on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop. The workshop is free of charge and will take place as follows:

Date: 11.7.12

Time: 1.15pm to 5.15pm

Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop in addition to any other training you may attend, as this training is recognised by the Sheffield Licensing Authority and will assist you with improving partnership work with the responsible authorities and finding out what services are available in Sheffield to help you; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

Meanwhile, please ensure that the following systems are operating at the premises (immediate advice about age verification is available from Greg Ward, Trading Standards (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.noidnosale.com/>; or <http://www.drinkaware.co.uk/resources>.

Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

TO SECURE A PLACE PLEASE CONFIRM BY 4TH JULY 2012. DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE. Please let us know in advance if you have any special requirements to access the training.

Yours sincerely
JULIE HAGUE

Licensing Project Manager, Sheffield Safeguarding Children Board
Cc Mr Richard Martin by email



21.6.12

Mr Peter William Thompson

[REDACTED]
Spinkhill
Sheffield, S21 3YB

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Email: julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Sir/Madam

THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: MOSBOROUGH NEWS OFF LICENCE, HIGH STREET,
MOSBOROUGH, SHEFFIELD

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Yours sincerely
JULIE HAGUE

Licensing Project Manager, Sheffield Safeguarding Children Board



2.6.12

Mr Peter William Thompson

[Redacted]
Spinkhill, Sheffield, S21 3YB

Dear Sir/Madam

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736763
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: MOSBOROUGH NEWS OFF LICENCE, HIGH STREET,
MOSBOROUGH, SHEFFIELD

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Time: 1.15pm to 5.15pm

Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop in addition to any other training you may attend, as this training is recognised by the Sheffield Licensing Authority and will assist you with improving partnership work with the responsible authorities and finding out what services are available in Sheffield to help you; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

Meanwhile, please ensure that the following systems are operating at the premises (immediate advice about age verification is available from Greg Ward, Trading Standards (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.no1dnosale.com/>; or <http://www.drinkaware.co.uk/resources>. Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

TO SECURE A PLACE PLEASE CONFIRM BY 4TH JULY 2012. DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE. Please let us know in advance if you have any special requirements to access the training.

Yours sincerely
JULIE HAGUE

Licensing Project Manager, Sheffield Safeguarding Children Board
Cc Mr Richard Martin by email



9th December 2011

Mr Richard Martin
[Redacted]
Mosborough
Sheffield
S20 5BQ

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736763
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734626

Dear Sir/Madam

THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: NAME AND ADDRESS OF PREMISES

I am writing to confirm that a place has been reserved for you, or a member of your staff, on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop. The workshop is free of charge and will take place as follows:

Date: 1.2.12

Time: 1.15pm to 5.15pm

Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop in addition to any other training you may attend, as this training is recognised by the Sheffield Licensing Authority and will assist you with improving partnership work with the responsible authorities and finding out what services are available in Sheffield to help you; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

Meanwhile, please ensure that the following systems are operating at the premises (immediate advice about age verification is available from Greg Ward, Trading Standards (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.noidnosale.com/>; or <http://www.drinkaware.co.uk/resources>. Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

TO SECURE A PLACE PLEASE CONFIRM BY 25TH JANUARY 2012. DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE. Please let us know in advance if you have any special requirements to access the training.

Yours sincerely
JULIE HAGUE

Licensing Project Manager, Sheffield Safeguarding Children Board



Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Mr Peter William Thompson

[REDACTED]
Spinkhill
Sheffield, S21 3YB

Dear Sir/Madam

THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: NAME AND ADDRESS OF PREMISES

I am writing to confirm that a place has been reserved for you, or a member of your staff, on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop. The workshop is free of charge and will take place as follows:

Date: 1.2.12

Time: 1.15pm to 5.15pm

Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop in addition to any other training you may attend, as this training is recognised by the Sheffield Licensing Authority and will assist you with improving partnership work with the responsible authorities and finding out what services are available in Sheffield to help you; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

Meanwhile, please ensure that the following systems are operating at the premises (immediate advice about age verification is available from Greg Ward, Trading Standards (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.noidnosale.com/>; or <http://www.drinkaware.co.uk/resources>. Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

TO SECURE A PLACE PLEASE CONFIRM BY 25TH JANUARY 2012. DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE. Please let us know in advance if you have any special requirements to access the training.

Yours sincerely
JULIE HAGUE

Licensing Project Manager, Sheffield Safeguarding Children Board



Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

23.6.11

Premises Licence Holder
Peter William Thompson



College Road,
Spinkhill, Sheffield S21 3YB

Dear Sir/Madam

**THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: Mosborough Off Licence 56 High Street, SHEFFIELD S20 5AE**

I am writing to inform you that a place has been reserved on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop, for the Designated Premises Supervisor or alternative member of staff. The workshop is free of charge and will take place as follows:

Dates: Wednesday, 20th July 2011
Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP
Time: 1.15pm to 5.15pm

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

In the meantime, please ensure that the following child protection systems are operating at the premises (immediate advice and support with these systems is available from Greg Ward, Trading Standards, tel. (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.noidnosale.com/>; or <http://www.drinkaware.co.uk/resources>. Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

Please contact me on (0114) 2736753 not later than 7th July 2011 to confirm the name of the person who will attend. **DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE.** Please let us know in advance if you have any special requirements to access the training.

Yours sincerely

JULIE HAGUE
Licensing Project Manager, Sheffield Safeguarding Children Board

APPENDIX D



**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

To: Mr Richard Martin

[REDACTED]
Mosborough.
Sheffield
S20 5BG.

Peter William Thompson

[REDACTED]
Spinkhill
Sheffield
S21 3YB.

The Sheffield City Council being the licensing authority, on the 24th July 2012 received an application for a review of a Premises Licence in respect of premises known as Mosborough Off Licence, 56 High Street, Sheffield, S20 5AE.

During the consultation period the Council received representations from Sheffield Safeguarding Children Board.

The Council now GIVES YOU NOTICE that the review 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 13th September 2012 at 10am; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) 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 application for review, 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 the application made for review the Premises Licence.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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 28th August 2012

Signed 

The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.



**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

SYP Licensing Team
Attercliffe Police Station
60 Attercliffe Common
SHEFFIELD
S9 2AD

The Sheffield City Council being the licensing authority, on the 24th July 2012 received an application for a review of a Premises Licence in respect of premises known as Mosborough Off Licence, 56 High Street, Sheffield, S20 5AE.

During the consultation period the Council received representations from Sheffield Safeguarding Children Board.

The Council now GIVES YOU NOTICE that the review 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 13th September 2012 at 10am; following which the Council will issue a Notice of Determination of the Application for Review.


The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) 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 application for review 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 application.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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 28 August 2012

Signed 
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S93HD.



**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board

The Sheffield City Council being the licensing authority, on the 24th July 2012 received an application for a review of a Premises Licence in respect of premises known as Mosborough Off Licence, 56 High Street, Sheffield, S20 5AE.

During the consultation period the Council received representations from Sheffield Safeguarding Children Board.

The Council now GIVES YOU NOTICE that the review 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 13th September 2012 at 10am; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) 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 in connection with the review 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.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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 28 August 2012

Signed 
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.

APPENDIX E

**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

To: Mr Richard Martin
[REDACTED]
Mosborough.
Sheffield
S20 5BG.

Peter William Thompson
[REDACTED]
Spinkhill
Sheffield
S21 3YB.

The Sheffield City Council being the licensing authority, on the 24th July 2012 received an application for a review of a Premises Licence in respect of premises known as Mosborough Off Licence, 56 High Street, Sheffield, S20 5AE.

During the consultation period the Council received representations from Sheffield Safeguarding Children Board.

The Council now GIVES YOU NOTICE that the review 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 13th September 2012 at 10am; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) 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 application for review, 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 the application made for review the Premises Licence.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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 28th August 2012

Signed 

The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.

NOTES

Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

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 and other parties 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 by Members the applicant and other parties.
 - (c) The Licensing Officer will introduce the applicant for review (or his/her nominated representative) who will be asked to detail the application.
 - (d) Members may ask questions.
 - (e) The Licensing Officer will in turn introduce representatives for the other Responsible Authorities and Interested parties who will be asked to detail their relevant representations
 - (f) Members may ask questions
 - (g) With the leave of the Chair the licensee or his representative may cross examine the representatives of the applicant for review and the other Responsible Authorities and Interested Parties.
 - (h) The licensee (or his/her nominated representative) will then be asked to respond to the application and to any other representations made.
 - (i) The 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.
 - (j) The applicant will then be given the opportunity to sum up the application.
 - (k) The representatives of the Responsible Authorities will be given the opportunity to sum up
 - (l) The licensee will be given the opportunity to sum up
 - (m) The Licensing Officer will then detail the options.
 - (n) 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 Board Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.



Notice of actions following receipt
of notice of hearing

To Sheffield City Council
The Licensing General Section
Town Hall
Sheffield
S1 2HH

I
of

hereby confirm that I have received the Notice of Hearing dated
and notify you as follows:

[I [do not] intend to attend the hearing]

[I [do not] intend to be represented at the hearing [by]:

]

[I consider the hearing to be unnecessary because:

]

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

]

Dated

Signed.....



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),

(c) paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)

(d) 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.