

# **Licensing Sub-Committee**

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**Thursday 16 March 2017 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**

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Councillors David Barker (Chair), Andy Bainbridge and Adam Hurst  
George Lindars-Hammond (Reserve)

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## **PUBLIC ACCESS TO THE MEETING**

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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.

Recording is allowed at Licensing Committee meetings under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

A copy of the agenda and reports is available on the Council's website at [www.sheffield.gov.uk](http://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.

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](mailto:harry.clarke@sheffield.gov.uk).

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## **FACILITIES**

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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.

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**LICENSING SUB-COMMITTEE AGENDA  
16 MARCH 2017**

**Order of Business**

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- 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 - Three Feathers, Bowden Wood Crescent, Sheffield S9 4EE**  
Report of the Chief Licensing Officer

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period\* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

\*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either -
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email [gillian.duckworth@sheffield.gov.uk](mailto:gillian.duckworth@sheffield.gov.uk).

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## SHEFFIELD CITY COUNCIL Committee Report



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**Report of:** Chief Licensing Officer, Head of Licensing

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**Date:** Thursday 16<sup>th</sup> March 10.00

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**Subject:** Licensing Act 2003  
Application for the review of a premises licence  
Three Feathers – Bowden Crescent

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**Author of Report:** C Stephenson

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**Summary:** To consider an application for the review of a premises licence submitted by South Yorkshire Police

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**Recommendations:** That members carefully consider the application for review along with any other representations made and take such steps that the Committee consider necessary for the promotion of the Licensing Objectives

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**Background Papers:** Attached documents

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**Category of Report:** Open

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**LICENSING ACT 2003**

**Review of Premises Licence**

**Three Feathers Bowden Crescent Sheffield S9 4EE**

**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 Three Feathers Bowden Crescent Sheffield S9 4EE.

**2.0 THE APPLICATION**

2.1 The application was made by the South Yorkshire Police on 26<sup>th</sup> January 2017.

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

- The prevention of crime and disorder
- The protection of children from harm.

2.3 The application form is attached at Appendix 'A' and details further the grounds for the review application.

**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 'B'

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 'C'.

3.4 A copy of the current premises licence is attached at 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 Licensing Policy and any guidance issued by the Secretary of State under Section 182.

## **6.0 HEARINGS REGULATIONS**

- 6.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.
- 6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'C'.
- 6.3 Attached at Appendix 'C' is the following: -
- a) a copy of the Notice of Hearing;
  - b) the rights of a party provided in Regulations 15 and 16;
  - c) the consequences if a party does not attend or is not represented at the hearing
  - d) the procedure to be followed at the hearing.

## **7.0 APPEALS**

- 7.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant; 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*

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

# Appendix A

The Application

AI

**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 Cheryl Topham (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 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Three Feathers Bowden Wood Crescent	
<b>Post town</b> Sheffield	<b>Post code (if known)</b> S9 4EE

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>  Mr Sukhteej Singh Johal
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<b>Number of premises licence or club premises certificate (if known)</b> SY 0902 PR
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**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
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

AZ

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick

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

**Surname**

**First names**

I am 18 years old or over

Please tick yes

**Current postal address if different from premises address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

<p>Name and address</p> <p>South Yorkshire Police Licensing Dept  Force HQ  5, Carbrook hall Road  Sheffield  S9 2EH</p>
<p>Telephone number (if any)</p> <p>0114 2523163</p>
<p>E-mail address (optional)</p> <p>sheffield.liquor-licensing@southyorks.pnn.police.u</p>

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

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

**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**

The Three Feathers, Bowden wood Crescent, Sheffield was issued with a Premises Licence No SY 0902 PR on 22<sup>nd</sup> September 2006.. Mr Sukhteej Singh Johal is both the Premise Licence Holder and the Designated Premise Supervisor and has been since 2011.

Between March 2016 and Januray 2017, there have been 11 incidents, reported to the Police, of a Crime and Disorder nature.

On 13<sup>th</sup> March 2016, the landlord reported 10 people fighting in the premise carpark.

On 29<sup>th</sup> April, there were 3 calls reporting fighting. On 28<sup>th</sup> May, 2 calls reporting males fighting. On 4<sup>th</sup> June, male reporting having been assaulted. On 7<sup>th</sup> August, a male reporting being assaulted. On 26<sup>th</sup> August, male reporting having been assaulted. On 28<sup>th</sup> August, 2 reports of an assualt late on 26<sup>th</sup> August into the early hours of 27<sup>th</sup> August. On 2<sup>nd</sup> October, a call was made reporting fighting. On 26<sup>th</sup> December, the DPS reported fighting outside.

On 12<sup>th</sup> January 2017, a report was made of persons entering the premise with weapons. A male has been injured however as this is an on-going investigation, we are unable to supply further details at this time.



A4

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

Please see attached documents.

AS

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 C. J. To pham

Date 19/1/17.

Capacity SYP Licensing Enforcement Officer

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 5)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**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.

**BETWEEN**

**SOUTH YORKSHIRE POLICE**

Complainant

- and -

**Three Feathers Public House  
Mr Sukheet Johal (PLH & DPS)**

Respondent

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**WITNESS STATEMENT OF**

**Cheryl Topham**

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I am the Licensing Enforcement Officer, employed by South Yorkshire Police currently based at Force Headquarters, Carbrook, Sheffield. I have been in my current role as Licensing Enforcement Officer for South Yorkshire Police for approximately 16 months. Following an incident, on 12<sup>th</sup> January 2017, I have made enquiries of police records available to me in connection with these premises. The following matters have come to the attention of South Yorkshire Police.

1 At 00:26 on Sunday 13<sup>th</sup> March 2016, the DPS of the premise reported ten males fighting in the car park. He stated the premise is now closed but they are in the car park. Police arrived at 00:30 to find a group but no one fighting, no visible injuries and no one making any complaints.

Officers spoke to the DPS who said they have had a private party booked tonight. There were no issues inside and he thought the instigators had left prior to police arrival. Officers remained in the area until the group had dispersed.

2 At 22:11 on Friday 29<sup>th</sup> April 2016, there was a phone call to police reporting there were two males fighting outside the premises on the driveway into the car park and a large crowd was gathering. The caller stated he didn't know the males. A further call was received from a different person stating there was a family party and "it's all kicking off outside". This caller was unsure of any injuries or any weapons as he was in the toilet making the call. A further two calls were then received stating that there was a disturbance happening at the premise and one of these callers also stated there were women and children also present. Officers arrived at the scene and had to request more officers attend due to the number of people involved. Officers have seen two males on the floor and separated them. One male had facial injuries and stated the other male suspect had caused them. The injured party had a laceration to the eye, which was bleeding but he was conscious and breathing. The suspect was arrested but became violent with officers resulting in him being gassed and various restraints used. The suspect was taken to custody where he continued to behave in an aggressive manner. Due to intoxication police had to continue with their enquiries the next day. CCTV was available from the premise the following day.

3 At 22:16 on Saturday 28<sup>th</sup> May 2016 an anonymous call was made to police reporting a group of twelve males had started fighting in the car park but have now gone inside continuing to fight. The caller stated there was a children's football presentation ongoing at the premises. She also stated someone had been 'glassed'. There was then a further call made by a

parent of a child at the presentation. She said there was a group of males fighting outside and that she was attending a private party. She cleared the line quite quickly as she had her young son with her. Officers arrived at 22:26 to find no fighting or anyone injured. The licensee told officers the group responsible had now left.

- 4 At 23:38 on Saturday 4<sup>th</sup> June 2016 there was an anonymous call from a female stating she had been assaulted in the premises. She said she had now left but the male responsible was still there. She stated he had started an altercation and punched her in the face. She would not answer her phone when police attempted to re contact and she could not be traced. She didn't make any further calls. This crime was filed as undetected as a complainant was never traced.
  
- 5 On 10<sup>th</sup> June 2016, I visited the premises to speak to the DPS in relation to the increase in incidents reported. He could recall the incidents I had gone to speak to him about. He said that he didn't see any physical assault on the 4<sup>th</sup> June but did witness a man and woman arguing. He said if anything physical had occurred it must have been when they left. I explained that the complainant only gave very brief details and then was not traceable therefore the complaint was never pursued. Then referring to the incident on 29<sup>th</sup> April, he said this was a family birthday party. They weren't regulars or people he knows that well. He believes these families usually frequent another pub in the Darnall area but as there is no function room there they booked the Three Feathers. He said that all the confrontation took place outside the pub, no one else was at risk and he

provided CCTV to officers who attended. He said the party had not been in the pub since and he didn't expect them to. He said that anyone who was found to be causing trouble in his premises would be barred. I asked him to provide me with the incident logs from the incidents. He said he hadn't written any incident logs. He said he used to keep them but hadn't done recently. I encouraged him to start using incident logs and refusals logs, and I left him with templates of these so he knew what information needed to be captured. I advised him to keep the logs for future reference. I gave him my phone numbers and email address should he have further problems and require any more advise or assistance from Licensing.

- 6 At 01:34 on Sunday 7<sup>th</sup> August 2016 a male reported to the police having been assaulted at the premises approximately 30 minutes ago. He was hit four times but says he does not know the male who hit him. A brief description of the offender was provided to police. The caller left to come home straight away so doesn't know whether this male is still there. It appears this argument was over the complainant asking for a cigarette. The complainant said he was not bleeding and no visible injuries. I have been provided with an update from the Police Officer who investigated to say the complainant provided a statement and the suspect was interviewed but he was released due to insufficient evidence. I have also been told that the DPS fully complied with requests for CCTV and assisted the complainant that evening.

7 At 23:40 on Friday 26<sup>th</sup> August 2016 a caller reported he was at a party at the premises. He had been assaulted by two named males and states they were waiting for him outside. The caller said he was in a little room and could not get out of it to go home. It was established no one was trying to get into the room so he was safe at that immediate time. He confirmed there was no fighting ongoing now and he just wants to leave to go home. The caller and family members had ejected some people from the premise and now wanted police to get them out of the premise safely. Police Officers who attended have told me that the complaint of assault was not taken any further due to the complainant refusing to speak to police or give a statement. Therefore, at this time the crime was closed.

8 The police received two further calls relating to events at the party on 26<sup>th</sup> August. However, neither of these were reported on the night and were both reported on 28<sup>th</sup> August. The first report was that at approximately midnight, the caller was on the dance floor in front of the entertainment set. She was approached by a group of girls who made a remark to her and one of the girls then punched her on the lip. She was then "jumped on" by the girls. The whole premises then erupted into a fight. The caller's auntie was also injured in the process. The caller's injuries consisted of an aching neck, bust lip, bruising to the eyes and scratches on her neck. Another customer gave the caller the name of the female who threw the first punch and the offenders name was provided to police. The second report was from the first callers auntie who was not a guest at the party, but was in fact providing the entertainment. She said that a fight had erupted and



glasses had been thrown which had resulted in cuts to her legs. Both these crime reports had to be filed due to evidential difficulties. No arrests were made as a suspect could not be identified.

9 At 00:56 on Sunday 2<sup>nd</sup> October 2016, a call was made whereby the caller was screaming down the phone saying lots of people were fighting at the premises. It was very difficult to get information from the caller due to her being hysterical and screaming. Officers arrived on scene at 01:02 and said there appeared to be a small group outside. They spoke with an extremely drunk female. Her demeanour and conduct made it very difficult to establish what had happened. There was no apparent injuries and several independent people said it was just a family argument and no assaults had taken place. Therefore, no crime report was submitted.

10 At 23:43 on Monday 26<sup>th</sup> December 2016, the DPS rang the police saying there were two people fighting at the premise but also a large group watching. The caller then cleared the line stating he had go. Officers arrived at 23:53 to find no one fighting. They remained in the area, for approximately ten minutes but no one came to speak with them. They tried to re contact the caller who then wasn't answering his phone. This incident was closed pending any further calls.

11 At 20:28 on Thursday 12<sup>th</sup> January 2017, there was a call to police from someone who had walked past the premises and seen three males with baseball bats beating another male at the rear of the pub. The victim had

severe injuries and a deep laceration on his face. There were no arrests at the scene and the victim is uncooperative. The investigation is ongoing at this time.

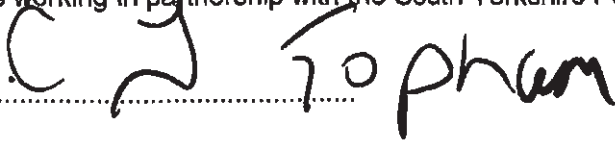
12 On 16<sup>th</sup> January 2017, T/Sgt Phil Ackerley attended the premises and spoke with the licensee to retrieve his incident and refusals logs on behalf of myself. It appears he keeps a month-by-month incident log. At the end of every month he throws it away and starts a new one. Therefore, he could only provide the Incident log for January and didn't have any of the previous months. A copy of this log, along with a copy of the premise refusal log, is contained within the review paperwork.

13 In previous years this premises has been problematic for other reasons such as noise complaints. However, I believe these were resolved by Environmental Services becoming involved. However, 2016 has shown an increase in Crime and Disorder at the premises. The most recent incident was the most serious and has been the catalyst for this review application. Several of the incidents mentioned in this statement have occurred when a private party has been held at the premises. I am concerned that the licensee is not in full control of events or customers at the premises. In the last twelve months there are only two police records showing the licensees mobile phone being used to report incidents. Although he did tell officers he had rang on 12<sup>th</sup> January 2017 there is no record of this phone call.

A14

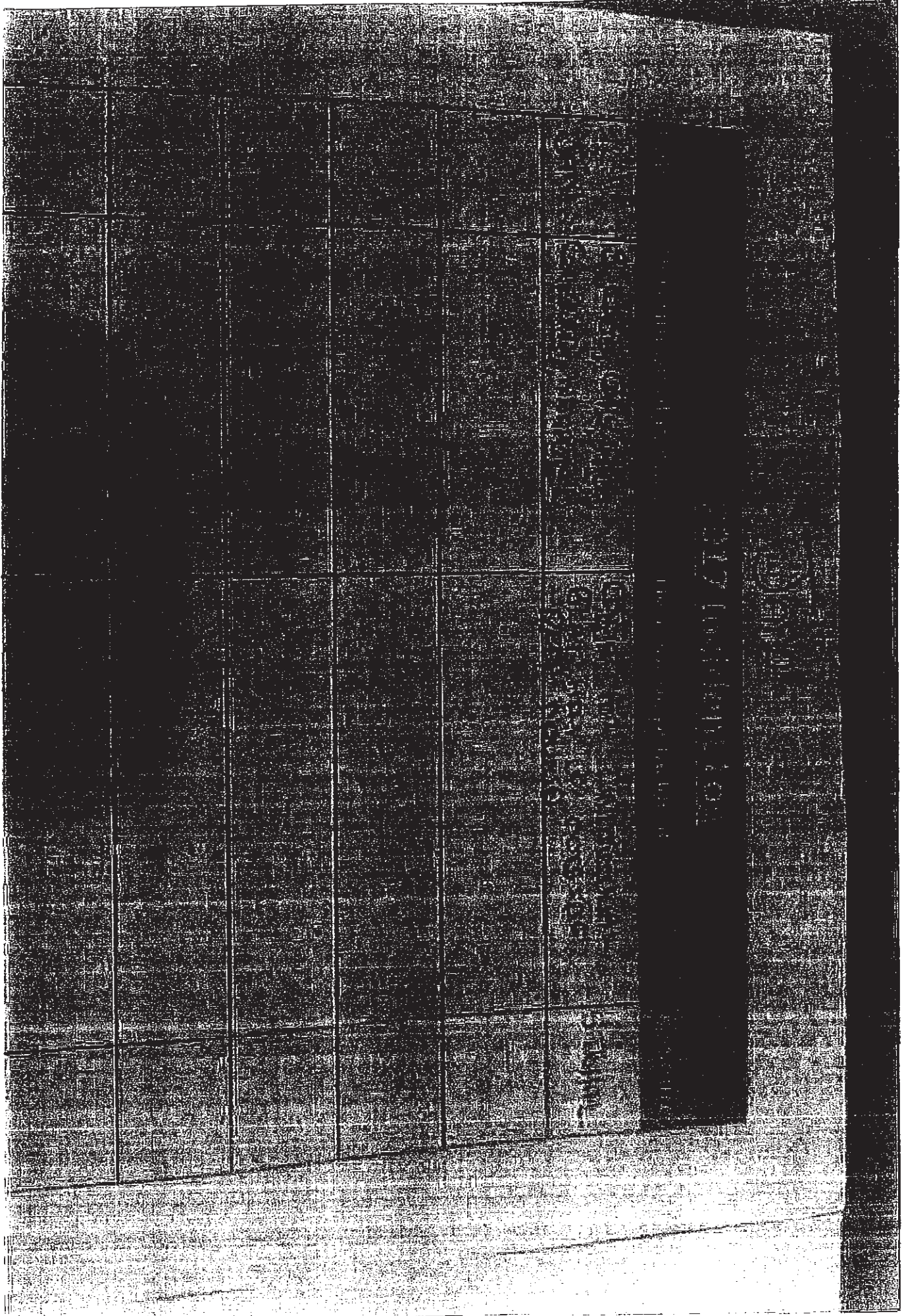
I believe that the contents of this statement are true and I understand it may be placed before the court.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

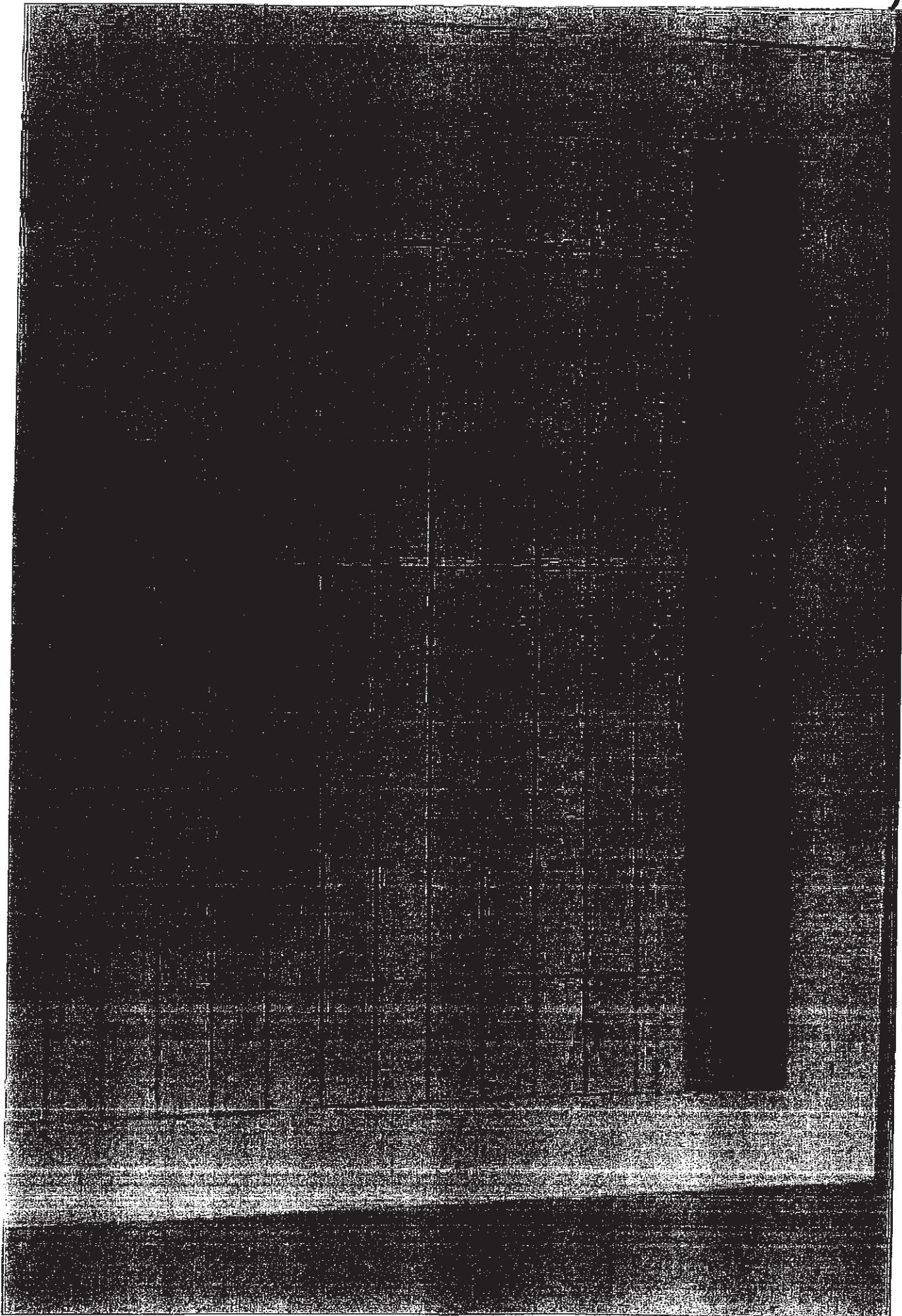
Signed..... 

Dated. 19/01/17.....

A15







# Appendix B

Safeguarding Children Board - Objection



BI

Address correspondence to:

Julie Hague  
Sheffield Safeguarding Children  
Board - Licensing Project  
Floor 3  
Howden House  
Union Street  
Sheffield S1 2SH  
Telephone: 0114 2736753  
Email: [Julie.hague@sheffield.gov.uk](mailto:Julie.hague@sheffield.gov.uk)  
Fax: 0114 2734628

16.2.17

The Licensing Authority  
Licensing Service  
Business Strategy & Regulation  
Block C, Staniforth Road Depot  
Sheffield S9 3HD

Dear Sirs

**APPLICATION TO REVIEW THE PREMISES LICENCE: THREE FEATHERS, BOWDEN WOOD CRESCENT, SHEFFIELD S9 4EE**

I am writing to make a representation on behalf of the Safeguarding Children Board (SSCB) as the Responsible Authority for the protection of children from harm under the Licensing Act 2003. The reason for the representation is that the above premise has been evidenced to operate in a way that undermines the core objectives of the Licensing Act 2003 and Sheffield City Council's Licensing Authority Policy that requires premises licensed under the Licensing Act 2003 to operate in a way that is family friendly when children and young people have access.

The evidence submitted by South Yorkshire Police states that there have been 11 incidents of reported crime and disorder between March 2016 and January 2017. Whilst the Safeguarding Children Board has not had a high level of involvement with this premise, I had cause to meet with the premises manager, who I know as Steven Johal, on 2.9.15 in response to a complaint from the public whereby it was alleged that a party at the premises had escalated out of control at which children were present. As a result of the meeting I advised Mr Johal to implement specific measures to improve the safeguarding systems at the premises (these are set out in the attached letter dated 22.9.15.) I would ask the Licensing Sub Committee to note that, in order to support the DPS/Licence Holder to improve the safeguarding systems to comply with the licensing objectives and council policy, Mr Johal was advised on 2.9.15 to attend the next safeguarding training session (which is free of charge). A copy of the offer letter dated 22.9.15 is attached to this representation. I can confirm that unfortunately, despite 2 places being offered, no one from the premises attended the training which took place on 14.10.15.

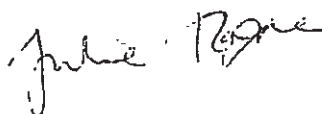
However, I am able to confirm that there have been no further complaints or incidents reported to the Safeguarding Children Board since 2015.

In order to improve the operation in relation to compliance with the licensing objective for the protection of children from harm, I have issued another offer of free training to the licence holder (a copy of this offer is attached to this representation, dated 16.2.17).

In light of the above, the Safeguarding Children Board would ask the Licensing Sub Committee to take positive action to address the safeguarding concerns presenting at this premise. I note that the premises licence does not currently bear sufficient licence conditions for the protection of children from harm and therefore, if it is the decision of the Licensing Sub Committee to modify the licence conditions, the Safeguarding Children Board would recommend that the following conditions are considered:

1. The Designated Premises Supervisor, or other such responsible person, must act as the Safeguarding Co-ordinator at the premises. This person should act with reference to the guidance and training provided by the Safeguarding Children Board and has a responsibility to ensure that all staff are appropriately trained and know how to respond when a child protection issue arises.
2. The Safeguarding Coordinator must undertake and retain as a record, a written risk assessment in relation to safeguarding children and young people at the premises. The risk assessment must relate to all variety of activities/functions/events at the premises.
3. Children and young people under the age of 18 years must be accompanied and supervised by a responsible adult and are not permitted after 20:00 hours unless attending a private, pre-booked family type function.

Yours faithfully



**JULIE HAGUE**  
Licensing Manager  
Sheffield Safeguarding Children Board



60/14

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22.9.15

Mr Steven Johal  
Three Feathers  
Bowden Wood Road  
Sheffield S9 4EE

**BY EMAIL**

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](mailto:Julie.hague@sheffield.gov.uk)  
Fax: 0114 2734628

Dear Steven

**ADVICE VISIT: SAFEGUARDING CHILDREN AND YOUNG PEOPLE  
THREE FEATHERS, BOWDEN WOOD ROAD, SHEFFIELD S9 4EE**

Further to our meeting on 2<sup>nd</sup> September, I am writing to confirm the advice I provided regarding children and young people.

1. I note that you have a Challenge 25 scheme in place. I note that this does not include a written record of refusals and advised that refusals of alcohol sales due to suspected underage or false ID, or due to someone appearing intoxicated, should be maintained. For your assistance I enclose a refusals log.
2. I advised that a children and young people's risk assessment should be undertaken both for functions/parties and when the premises operates as a 'family friendly' public house. The outcome of the risk assessment should inform your staff training. Staff training records should be maintained. To help you with this, I enclose a risk assessment template which should be kept as part of your due diligence records.
3. I also advised that you and other responsible managers/members of staff should attend the safeguarding training; it is available free of charge. I enclose a letter with the details and I have reserved 2 places. Please get in touch to confirm the names of staff attending.

I trust that the advice is helpful, please contact me if you have any queries about this letter. I look forward to hearing from you with the names of the staff attending the training.

Yours sincerely

**JULIE HAGUE**  
Licensing Project Manager  
Sheffield Safeguarding Children Board

Cc Responsible authorities

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22.9.15

Mr Steven Johal  
Three Feathers  
Bowden Wood Road  
Sheffield S9 4EE

**Address correspondence to:**

Julie Hague  
Sheffield Safeguarding Children Board  
- Licensing Project  
Floor 3  
Howden House  
Union Street  
Sheffield S1 2JQ  
Telephone: 0114 2736753  
Email: [Julie.hague@sheffield.gov.uk](mailto:Julie.hague@sheffield.gov.uk)  
Fax: 0114 2734628

**BY EMAIL**

Dear Steven

**ADVICE VISIT: SAFEGUARDING CHILDREN AND YOUNG PEOPLE  
THREE FEATHERS, BOWDEN WOOD ROAD, SHEFFIELD S9 4EE**

I am writing to inform you that 3 places have been reserved on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop, for the Designated Premises Supervisor or other responsible members of staff at the above premises. The workshop is free of charge and will take place as follows:

**Date: 14.10.15**

**Time: 1pm to 5pm**

**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).

CONTINUED .../

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](mailto:info@validateuk.co.uk) to assist customers who do not have other types of acceptable identification.

**To secure a place please contact me on (0114) 2736753 not later than 1<sup>ST</sup> OCTOBER 2015 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**

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16.2.17

Mr Sukhteej Singh Johal  
Premises Licence Holder  
Three Feathers  
Bowden Wood Crescent  
Sheffield S9 4EE

Address correspondence to:

Julie Hague  
Sheffield Safeguarding Children Board  
- Licensing Project  
Floor 3  
Howden House  
Union Street  
Sheffield S1 3SH  
Telephone: 0114 2736753  
Email: [Julie.hague@sheffield.gov.uk](mailto:Julie.hague@sheffield.gov.uk)  
Fax: 0114 2734628

Dear Sir

**THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003  
OFFER OF FREE STAFF TRAINING: THREE FEATHERS, BOWDEN WOOD CRESCENT,  
SHEFFIELD S9 4EE**

I am writing to inform you that 2 places have been reserved on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop, for Ruth Powell Marston's Head of Compliance, Matt Jones, Marstons Head of Training and a third place to be reserved for John Gaunt Solicitors. The workshop is free of charge and will take place as follows:

**Date:** 26.4.17

**Time:** 1pm to 4pm

**Venue:** Conference Room, Floor 1, Howden House, Union Street, Sheffield S1 3SH

**On arrival at Howden House please report to 'First Point Reception' and you will be escorted to the training room.**

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.

CONTINUED .../

- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol/cigarettes 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](mailto:info@validateuk.co.uk) to assist customers who do not have other types of acceptable identification.

**To secure a place please contact me on (0114) 2736753 not later than 20<sup>TH</sup> APRIL 2017 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 Manager,  
Sheffield Safeguarding Children Board**

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## **SHEFFIELD SAFEGUARDING CHILDREN BOARD (LICENSING PROJECT)**

### **THE ROLE OF STAFF DESIGNATED AS THE SAFEGUARDING CO-ORDINATOR**

#### **Introduction**

At premises that allow access to children and young people, it is good practice to assign at least one member of the management to take a lead on issues relating to safeguarding children and vulnerable people (a 'Safeguarding Co-ordinator'). This role should be delegated to a suitable member of staff when the lead person is on holiday, or otherwise absent from the premises. This safeguarding measure should be included in the operating policy and if a licensed premises, to evidence a commitment to the core objectives of the legislation. (It is not necessary to include the name of the Safeguarding Co-ordinator in the operating policy.). The designation of a safeguarding co-ordinator demonstrates due diligence and can be an advantage at premises where there is a high turnover of staff, to ensure consistent standards operate and provide an induction to new staff. The assignment of a Safeguarding Co-ordinator may benefit the business during busy times.

#### **Vetting**

**This person must be fit and proper to work in proximity to children and vulnerable people.** Staff assigned to the role of Safeguarding Co-ordinator must be adequately checked (for example by obtaining verified references or, depending on their duties, they may need to provide documentation via the Disclosure and Barring Service, for example if they are to have 1:1 private contact with children or a responsibility to supervise children. Safe recruitment procedures should be followed (advice about this is available from the Sheffield Safeguarding Children Board.)

#### **Responsibilities**

The following points give an example of the type of duties that the Safeguarding Co-ordinator should undertake at premises allowing children and young people (this list is not exhaustive).

- Undertake a children and young people's risk assessment. Risk assessments should inform staff training and where necessary, action plans to improve practice/review policy. Risk assessments should be reviewed following a variation to the premises licence, change in style or a change in management. This should include identification of areas of the premises, or specific times or events, that pose a risk, (eg if the style and character of the premises alters and becomes adult orientated, dangerous or inappropriate), the safeguarding co-ordinator would ensure measures are in place to manage the risk (e.g. designate an area of the premises for family use; impose restrictions/prohibitions regarding children at those times; impose a premises ban or similar sanctions upon individuals who do not behave responsibly)
- To train other staff to be aware of potential risks to children and vulnerable people and be able to advise staff what to do if safeguarding issues arise
- Ensure that all staff are familiar with the children's operating policy and premises licence conditions and that these are complied with
- Ensure staff training records and briefings are signed and recorded
- Display notices/signage to ensure the public is aware of the policy in relation to children
- Monitor the environment, or put systems in place (for example CCTV or patrol records), to ensure it remains appropriate for children and vulnerable people

03/05/2016

- Put measures in place to ensure that the adults accompanying young children supervise them at all times
- Put measures in place to ensure that children do not access unsuitable areas of the premises, such as the bar, use age restricted gaming machines, access adult only areas or become exposed to inappropriate performance, recordings or adult behaviour
- Ensure that employment laws/byelaws are complied with in relation to the employment of children, that work permits or performance licences are obtained and that records of such permits/licences are maintained
- Where alcohol is on sale ensure staff are aware of the laws in relation to children and alcohol and that staff are trained to operate a recognised proof of age scheme
- Ensure that written records are maintained to evidence due diligence in relation to child protection systems (e.g. consistent maintenance of a refusals log; up to date records of staff training; self exclusion records; monitoring and maintenance of an Incident book/Under 18's interventions log; (this should include a record of actions taken in response to an incident)
- Monitor customer compliance with The Children's Charter
- Advise management if CCTV or other security/monitoring methods need to be installed or improved in order to manage risk.
- Have a basic awareness of safeguarding issues relating to children and vulnerable adults, including the types of harm and potential risks at the premises
- Be aware of local safeguarding arrangements including the guidance published by the local safeguarding boards, be aware of contact numbers for the SSCB, Children & Young People's Social Care referral points, South Yorkshire Police, Sheffield Futures/Sexual Exploitation Service, Barnardos, NSPCC etc

### **Due diligence**

- Risk assessments should be undertaken in writing and these records maintained and made available to the Responsible Authorities, on request.
- Monitor the effectiveness of existing safeguarding measures and review policy when necessary. Keep a record of the reviews.
- Through recording systems (e.g. training records/refusals records/patrol logs) monitor staff performance to ensure that they are operating responsibly and complying with policy/licence conditions/ Codes of Practice.

### **Partnership work**

Form a collaborative working relationship with the relevant agencies (for example, local safeguarding boards, youth services, social care, police), to obtain advice and support and share information/report concerns.

Information, materials, advice and free training to support designated staff is available from the SSCB Licensing Project tel. 0114 2736753.

# Appendix C

Hearing Notices / Regulations / Procedures



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

Mr Sukhteej Singh Johal  
51-53 Mather Road  
Darnall  
Sheffield  
S9 4GP

Emailed to [stevenjohal@hotmail.com](mailto:stevenjohal@hotmail.com)

The Sheffield City Council being the licensing authority, on the 26<sup>th</sup> January 2017 received an application for a review of Premises Licences in respect of premises known as Three Feathers Bowden Crescent Sheffield S9 4EE

During the consultation period the Council received representations from South Yorkshire Police Licensing and the 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 **Thursday the 16<sup>th</sup> March 2017 at 10.00am**; 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 1<sup>st</sup> March 2017

Signed Clive Stephenson  
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.

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## **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 26<sup>th</sup> January 2017 received an application for a review of a Premises Licence in respect of premises known as Three Feathers Bowden Wood Crescent Sheffield S9 4EE

During the consultation period the Council has received representations from the South Yorkshire Police.

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 **16<sup>th</sup> March 2017 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 1<sup>st</sup> March 2017

Signed      Clive Stephenson  
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.

## Regulation 8

C3

- (1) A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating –
  - (a) whether he intends to attend or be represented at the hearing;
  - (b) whether he considers a hearing to be unnecessary
- (2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.
- (3) In the case of a hearing under –
  - (a) section 48(3)(a) (cancellation of interim authority notice following police objection), or
  - (b) section 105(2)(a) (counter notice following police objection to temporary event notice),

the party shall give the notice no later than one working day before the day or the first day on which the hearing is to be held.

- (4) In the case of a hearing under –
  - (a) section 167(5)(a) (review of premises licence following closure order),
  - (b) paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence), paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
  - (c) paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence),

the party shall give the notice no later than two working days before the day or the first day on which the hearing is to be held.

- (5) In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.

**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.

# Appendix D

Current licence

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

Tel: 0114 273 4264 Fax: 0114 273 5410  
E-mail: [general.licensing@sheffield.gov.uk](mailto:general.licensing@sheffield.gov.uk)  
Website: [www.sheffield.gov.uk/licensingact](http://www.sheffield.gov.uk/licensingact)  
Date: 11<sup>th</sup> April 2012

Mr Sukheet Johal  
51-53 Mather Road  
Darnall  
Sheffield  
S9 4GP

Dear Sir

**Licensing Act 2003:** Application for the Minor Variation of a Premises Licence  
**Premises:** Three Feathers, Bowden Wood Crescent, Sheffield, S9 4EE  
**Premises Licence Number:** SY 0902 PR

I enclose:

- a) **The varied premises licence;** and
- a) **the varied premises licence summary**

for the above named premises.

Please check both documents carefully, including all attached papers, and ensure that all details are correct. If they are not, please contact us immediately.

Please also be aware of the following:

- The original (or a certified copy) of the *entire premises licence* must be kept on the premises and available for inspection at all times. This includes any annexes, appendices & other related documents.
- The original (or a certified copy) of the **premises licence summary** must be prominently displayed at the premises.
- Failure to comply with any conditions attached to a licence is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both.

You must inform the Licensing Authority if you wish to do any of the following:

- Vary the licence;
- Vary the Designated Premises Supervisor (DPS) named on the licence;
- Transfer the licence; or
- Surrender the licence.

You must also inform us if the premises licence holder or DPS change their name or address.

02

Should you wish to make any changes to the licence, please contact us for the relevant forms or refer to the website for information at [www.sheffield.gov.uk/licensingact](http://www.sheffield.gov.uk/licensingact). The original premises licence and premises licence summary must be returned for amendment and accompanied by the required fee (if applicable).

If the original premises licence or premises licence summary is lost or stolen, you must report this to South Yorkshire Police and immediately forward us a statement containing the incident number and/or the officer's details to whom it has been reported and a fee of £10.50 for the replacement.

Please contact me if you have any queries.

Yours faithfully

Emma Rhodes  
Licensing Officer

Enquiries to: **0114 2734264 / 0114 2734880**  
Enc.

**THE LICENSING ACT 2003****Premises Licence No: SY 0902 PR****ISSUE NO: 15.**

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**

Three Feathers  
Bowden Wood Crescent  
Sheffield  
S9 4EE

**Telephone Number:** 07960 312030

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

**1. Provision of regulated entertainment:**

**Films**  
**Indoor Sporting Events**  
**Live Music**  
**Recorded Music**  
**Performances of Dance**

Indoors

Sunday	09:00 to 01:00 hours the following day
Monday	09:00 to 24:00 hours
Tuesday	09:00 to 24:00 hours
Wednesday	09:00 to 24:00 hours
Thursday	09:00 to 24:00 hours
Friday	09:00 to 01:00 hours the following day
Saturday	09:00 to 01:00 hours the following day
Christmas Eve (24.12)	09:00 to 01:00 hours the following day
Boxing Day (26.12)	09:00 to 01:00 hours the following day
New Years Eve (31.12)	09:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Bank Holiday Weekends (Friday to Monday inclusive)	09:00 to 01:00 hours the following day



**2. Provision of entertainment facilities for:****Facility for Making Music****Facility for Dancing**

Indoors

Sunday	09:00 to 01:00 hours the following day
Monday	09:00 to 24:00 hours
Tuesday	09:00 to 24:00 hours
Wednesday	09:00 to 24:00 hours
Thursday	09:00 to 24:00 hours
Friday	09:00 to 01:00 hours the following day
Saturday	09:00 to 01:00 hours the following day
Christmas Eve (24.12)	09:00 to 01:00 hours the following day
Boxing Day (26.12)	09:00 to 01:00 hours the following day
New Years Eve (31.12)	09:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Bank Holiday Weekends (Friday to Monday inclusive)	09:00 to 01:00 hours the following day

**3. Late Night Refreshment:**

Indoors

Sunday	23:00 to 01:00 hours the following day
Monday	23:00 to 24:00 hours
Tuesday	23:00 to 24:00 hours
Wednesday	23:00 to 24:00 hours
Thursday	23:00 to 24:00 hours
Friday	23:00 to 01:00 hours the following day
Saturday	23:00 to 01:00 hours the following day
Christmas Eve (24.12)	23:00 to 01:00 hours the following day
Boxing Day (26.12)	23:00 to 01:00 hours the following day
New Years Eve (31.12)	23:00 to 05:00 hours the following day
New Years Day (01.01)	23:00 to Standard Terminal Hour
Bank Holiday Weekends (Friday to Monday inclusive)	23:00 to 01:00 hours the following day

**4. Sale by retail of alcohol**

a) for consumption on the premises

b) for consumption off the premises

Sunday	09:00 to 01:00 hours the following day
Monday	09:00 to 24:00 hours
Tuesday	09:00 to 24:00 hours
Wednesday	09:00 to 24:00 hours
Thursday	09:00 to 24:00 hours
Friday	09:00 to 01:00 hours the following day
Saturday	09:00 to 01:00 hours the following day
Christmas Eve (24.12)	09:00 to 01:00 hours the following day
Boxing Day (26.12)	09:00 to 01:00 hours the following day

New Years Eve (31.12)	09:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Bank Holiday Weekends (Friday to Monday inclusive)	09:00 to 01:00 hours the following day

**The opening hours of the premises are**

Sunday	09:00 to 01:30 hours the following day
Monday	09:00 to 00:30 hours the following day
Tuesday	09:00 to 00:30 hours the following day
Wednesday	09:00 to 00:30 hours the following day
Thursday	09:00 to 00:30 hours the following day
Friday	09:00 to 01:30 hours the following day
Saturday	09:00 to 01:30 hours the following day
Christmas Eve (24.12)	09:00 to 01:30 hours the following day
Boxing Day (26.12)	09:00 to 01:30 hours the following day
New Years Eve (31.12)	09:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour
Bank Holiday Weekends (Friday to Monday inclusive)	09:00 to 01:30 hours the following day

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

Sale by retail of alcohol for consumption both on and off the premises.

**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.

**PART 2**

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

Mr Sukhteej Singh Johal  
51-53 Mather Road  
Darnall  
Sheffield  
S9 4GP

**Telephone Number:** 0114 2433068

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

Application type: C4 (Application for a Premises Licence) - 26/24

Not Applicable

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

Mr Sukhteej Singh Johal  
51-53 Mather Road  
Darnall  
Sheffield  
S9 4GP

**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 2238 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: 14th November 2005.**

*Steve Lonnie*

.....  
**Steve Lonnie**  
**Chief Licensing Officer**  
**Head of Licensing Services**  
**On behalf of Sheffield City Council (issuing licensing authority)**

<b>Sheffield City Council – For Office use only</b>	
Variation of Premises Licence	
Variation of DPS	No:12 Issue Date: 30/11/2011
Transfer of Premises Licence	No: 3 Issue Date: 30/11/2011
Minor Variation	No: 1 Issue Date: 03/04/2012
Change of Name/Address	

## **Annex 1A – Mandatory Conditions**

### **Mandatory Condition 1 (Section 19 ss 2)**

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

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

### **Mandatory Condition 2 (Section 19 ss 3)**

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

### **Mandatory Condition 3 (Section 20)**

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

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

2. In this section -

“children” means persons aged under 18; and

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

### **Mandatory Condition 4 (Section 21)**

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

**Annex 1B - Mandatory Conditions effective from 6<sup>th</sup> April 2010:**

These mandatory conditions apply where the licence authorises the supply of alcohol. The conditions in paragraph 1 to 3 do not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

**Annex 1C - Mandatory Conditions effective from 1st October 2010:**

These mandatory conditions apply where the licence authorises the supply of alcohol. The condition 5 does not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that—

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) Customers are made aware of the availability of these measures.

**Annex 2 – Conditions consistent with the operating schedule**

1. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
2. Any person exercising a security activity (as defined by paragraph 2(1)(a) of schedule 2 of the Private Security Industry Act 2001) shall be licensed by the Security Industry Authority.
3. Such a person will be employed at the premises at the discretion of the designated premises supervisor/holder of the Premises Licence.
4. Any person as defined in condition (1) will clearly display their name badge at all times whilst on duty.
5. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
6. Where CCTV is installed with recording facilities such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the police.
7. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
8. When public dancing is to take place on the premises in an area not previously approved for dancing by the authority, at least 14 days notice must be given to Environmental and Regulatory Services (Health Protection Service) and the Licensing Authority, identifying the area to be used which would be suitable and adequate in size as the designated dance floor for the intended use and dancing must not take place in that area unless approved by the authority.
9. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
10. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
11. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
12. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises.

D12

**Annex 4 – Plans**

S.JOHAL - Three Feathers, Bowden Wood Crescent  
Date 01/2012



D13

**Appendix 1**

**LICENSING ACT 2003****Premises Licence Summary**

ISSUE NO: 15.

The Sheffield City Council being the Licensing Authority under the above Act hereby issue this Premises Licence Summary in respect of:

**Premises licence number: SY 0902 PR**

Three Feathers  
Bowden Wood Crescent  
Sheffield  
S9 4EE

**Telephone Number:** 07960 312030

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

**1. Provision of regulated entertainment:**

**Films**

**Indoor Sporting Events**

**Live Music**

**Recorded Music**

**Performances of Dance**

Indoors

Sunday	09:00 to 01:00 hours the following day
Monday	09:00 to 24:00 hours
Tuesday	09:00 to 24:00 hours
Wednesday	09:00 to 24:00 hours
Thursday	09:00 to 24:00 hours
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Bank Holiday Weekends (Friday to Monday inclusive)	09:00 to 01:00 hours the following day

**2. Provision of entertainment facilities for:**

**Facility for Making Music**

**Facility for Dancing**

Indoors

Sunday	09:00 to 01:00 hours the following day
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Monday	09:00 to 24:00 hours
Tuesday	09:00 to 24:00 hours
Wednesday	09:00 to 24:00 hours
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New Years Day (01.01)	00:00 to Standard Terminal Hour
Bank Holiday Weekends (Friday to Monday inclusive)	09:00 to 01:00 hours the following day

### 3. Late Night Refreshment:

Indoors

Sunday	23:00 to 01:00 hours the following day
Monday	23:00 to 24:00 hours
Tuesday	23:00 to 24:00 hours
Wednesday	23:00 to 24:00 hours
Thursday	23:00 to 24:00 hours
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### 4. Sale by retail of alcohol

- a) for consumption on the premises
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New Years Day (01.01)	00:00 to Standard Terminal Hour
Bank Holiday Weekends (Friday to Monday inclusive)	09:00 to 01:30 hours the following day

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

Sale by retail of alcohol for consumption both on and off the premises.

**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.

**PART 2****Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:**

Mr Sukhteej Singh Johal  
51-53 Mather Road  
Darnall  
Sheffield  
S9 4GP

**Telephone Number:** 0114 2433068

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

Not Applicable

D17

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol:**

Mr Sukhteej Singh Johal

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

Restricted

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

**Issued on: 14th November 2005.**



.....  
**Steve Lonnia**  
**Chief Licensing Officer**  
**Head of Licensing Services**  
**On behalf of Sheffield City Council (issuing licensing authority)**

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