

Licensing Sub-Committee (Statutory)

Monday 13 May 2024 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 David Barker (Chair), Ian Horner and Henry Nottage
Roger Davison (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.

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. 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 Philippa Burdett or Jay Bell by emailing committee@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 (STATUTORY) AGENDA
13 MAY 2024**

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. Minutes of Previous Meetings**
To approve the minutes of the meetings held on:-

19 June 2023
29 August 2023
18 September 2023
16 October 2023
31 October 2023
6 November 2023
11 December 2023
12 December 2023
18 December 2023
22 January 2024
23 January 2024
26 January 2024
27 January 2024
- 6. Licensing Act 2003 - Radisson Blu Hotel, 30 Pinstone Street, Sheffield, S1 2HN**
Report of the Chief Licensing Officer

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its Policy Committees, 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 Standards Committee in relation to a request for dispensation.

Further advice can be obtained from David Hollis, General Counsel by emailing david.hollis@sheffield.gov.uk.

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Licensing Sub-Committee

Meeting held 19 June 2023

PRESENT: Councillors David Barker (Chair), Karen McGowan and Henry Nottage

1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Vickie Priestley.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETINGS

4.1 The minutes of meetings of the Licensing Sub-Committee (Statutory) held on 9th January, 7th and 21st February, 14th March and 24th April 2023, were approved as correct records.

5. LICENSING ACT 2003 - THE HERD, 5 HOLMHIRST ROAD, SHEFFIELD, S8 0GU

5.1 The Chief Licensing Officer submitted a report to consider an application, made under Section 17 of the Licensing Act 2003, for the grant of a premises licence in respect of the premises known as The Herd, 5 Holmhirst Road, Sheffield S8 0GU (Ref No.93/23).

5.2 Present at the meeting were Robert Woolhouse (Applicant), Leigh Schelvis (John Gaunt and Partners, Solicitors - Representing the Applicant), Jayne Gough (Licensing Strategy and Policy Officer), Jack Risely-Boyt (Legal Advisor to the Sub-Committee) and John Turner (Democratic Services).

5.3 Jack Risely-Boyt outlined the procedure which would be followed during the hearing.

5.4 Jayne Gough presented the report to the Sub-Committee, and it was noted that there were unresolved representations from two local residents and the Licensing Service had received a petition containing 16 signatures, objecting to the

application, which were attached at Appendix 'C' to the report. The local residents had been invited to attend the meeting, but were unable to attend. Ms Gough added that a number of conditions put forward by the Environmental Protection Service (EPS) and South Yorkshire Police (SYP) had been agreed with the applicants prior to the hearing.

- 5.5 Leigh Schelvis, on behalf of the applicants, stated that the premises had been operating as The Herd since January, 2023, and that the applicants now wanted to expand the business by including the sale of alcohol and providing regulated entertainment. The applicants wanted to provide a community space, and offer employment opportunities to the local community. The venue was currently operating as a coffee shop, selling hot and cold beverages, cakes and sandwiches, and the plan was to expand this offer to include craft beers, wines, spritzers and cocktails, as well as having live music. The proposed new opening hours would be 09:00 to 23:30 hours, Monday to Sunday. The applicants also wished to provide late night refreshments, between the hours of 23:00 and 23:30. The applicants believed the conditions in the Operating Schedule, together with the further conditions agreed with the EPS and SYP, would help promote the licensing objectives. Mr Schelvis referred specifically to the constructive dialogue between the EPS, SYP and the applicants, which had resulted in the agreement of further conditions, which were set out in the report.
- 5.6 Mr Schelvis stated that, whilst the applicants had limited experience of working in the hospitality sector, they would be employing a Designated Premises Supervisor, who had over ten years' experience in the sector. Regarding the offer of live entertainment, Mr Schelvis stressed that this would comprise acoustic music, and provide a platform for local artists to perform. The premises aimed to be family friendly, and continue to attract adults and their children. Mr Schelvis referred to the relevant legislation to be considered as part of the application, then went on to respond to the representations made. He initially emphasised the fact that there were no live objections from any of the responsible authorities, then referred to the two local resident objections and the petition received from local residents. Mr Schelvis made specific reference to an allegation made by one local resident, who claimed alcohol had been sold from the premises in July 2022, indicating that the premises, at that time, comprised a furniture store and storage facility, and that there had been no Temporary Event Notices (TEN) applied for at that time. The applicants had applied for a TEN when operating as The Herd, in March, 2023, when holding an event as part of Woodseats Live, a local community festival, which event had taken place without any issues or concerns.
- 5.7 Mr Schelvis stated that, whilst the Council did not have a cumulative impact policy, this would not stop the Council looking into any issues or concerns raised with regard to the operation of the premises. The applicants, however, do not believe there would be any problems, particularly given the conditions in the Operating Schedule, and the further conditions agreed with the EPS and SYP. In terms of noise nuisance and litter, an officer from the EPS had visited the premises in May, 2023, and had not raised any specific concerns. With regard to parking and criminal behaviour, Mr Schelvis stated that whilst the applicants had a responsibility in terms of the operation of the premises, they were not responsible for taking any action, and that this would be managed by the Authority and the

police. He stressed that there was no evidence of any drug dealing at the premises and, in terms of the protection of children, the premises would be family friendly. Staff would be trained in under-age sales and the premises would operate a Challenge 21 Scheme.

- 5.8 Mr Woolhouse stated that they currently held a mother and toddler group on Wednesday mornings, where board games were available for the children, and which they planned to carry on. He stressed that they don't want to be perceived as a music venue, but more of a family-friendly establishment.
- 5.9 In response to questions raised by Members of the Sub-Committee, Mr Schelvis confirmed the hours of operation in terms of the late-night refreshment as 23:00 to 23:30 hours, Monday to Sunday. The premises currently opened between 08:00 and 16:00 hours and, in terms of staffing, it was planned that there would be a total of 14 staff, working on a rota basis. Around 85 people attended the premises during the Woodseats Live event, which had been held over two days, and organised by a third party. It was stressed that there would be no large-scale music events at the premises. The mezzanine floor, as shown on the plans in the report, was used as a stage for performers, and was only accessible to performers and staff. The plan was to continue hosting the weekly mother and toddler group sessions in the morning, then open up the bar for people wanting alcohol later on in the day. In terms of engagement with the local community, it was planned that the new members of staff would be recruited from the Woodseats area, and the applicants would continue hosting the weekly mother and toddler group sessions, as well as being part of any future Woodseats Live events. The applicants would also be prominent on social media, advertising the various events to be held at the premises. Mr Woolhouse referred to the "Only Woodseats" facebook group, which they were members of, and on which they had been positively received by local residents in terms of the operation to date. He also referred to the upcoming Woodseats Festival, which they planned to be involved in.
- 5.10 The applicants would provide a telephone number for residents to call if they have any concerns about noise nuisance linked to the premises. They would also offer an open door policy whereby residents could call to the premises to raise or discuss any concerns in this regard. During the Woodseats Live event, customers were asked not to take their drinks outside if they wanted to go for a smoke or a vape. There would be designated external areas for smokers and vapers, but the applicants will be initially asking that no drinks are taken outside, and monitor this to see how it goes. This would hopefully help to keep noise nuisance to a minimum. At present, there wasn't a large enough external area for customers to sit outside with their drinks, but this is something the applicants may consider in the future.
- 5.11 Leigh Schelvis summed up the case on behalf of the applicants.
- 5.12 Jayne Gough outlined the options available to the Sub-Committee.
- 5.13 RESOLVED: That the public and press and attendees involved in the application be excluded from the meeting, and the webcast be paused, before further discussion takes place on the grounds that, in view of the nature of the business to

be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.

- 5.14 Jack Risely-Boyt reported orally, giving legal advice on various aspects of the application.
- 5.15 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees, and the webcast was recommenced.
- 5.16 RESOLVED: That in the light of the information contained in the report now submitted, the representations now made and the responses to the questions raised, in respect of the premises known as The Herd, 5 Holmhirst Road, Sheffield S8 0GU (Ref. No. 93/23), the Sub-Committee agrees to grant the premises licence in the terms requested, and subject to:-
- (a) the conditions agreed with the Environmental Protection Service and South Yorkshire Police prior to the hearing, as follows:-
1. The use of door staff will be risk assessed by the license holder, premises supervisor or member of the management team. Where engaged, door staff shall be licensed by the Security Industry Authority;
 2. The use of glass alternative drinking vessels will be risk assessed by the license holder, premises supervisor or member of the management team;
 3. A CCTV system will be fitted, maintained and in use at all times licensable activities are being undertaken. The CCTV images will be stored for 28 days (except where such retention cannot be achieved due to reasonable periods of maintenance or repair) and made available to the police within a reasonable time upon a reasonable request made in connection with the prevention and detection of crime and disorder, in line with data protection legislation. Members of the management team will be trained in the use of the system;
 4. Staff authorised to sell alcohol will receive training regarding vulnerability awareness. Staff authorised to sell alcohol will receive suitable training in crime scene preservation. Staff authorised to sell alcohol shall complete suitable refresher training once per calendar year, commencing the year after their date of their employment. A written record of the staff training outlined in this condition shall be maintained and shall be made available to the police and/or Licensing Authority upon reasonable request;
 5. A Challenge 25 scheme must operate including a refusals log and relevant signage;
 6. If deemed reasonably necessary by Sheffield EPS, upon receipt of written notification of not less than 28 days from Sheffield EPS,

resulting from noise complaints to that service, the premises shall install a noise limiter to control noise breakout from the premises. Amplified sound shall then only be played within the building through an in-house amplified sound system fitted with a sound limiting facility capable of limiting the sound level output of the system to a pre-set level which may then be secured in a tamper-resistant manner, the design and settings of which shall have received the prior written approval of the EPS. The limiter shall impose such limits on amplified sound or live music played within the building to ensure noise breakout does not exceed the prevailing ambient noise level by more than 2dB when measured at 1m from the facade of the nearest noise sensitive property:-

- a. as a 15 minute LAeq, and;
 - b. at any one third octave band centre frequency as a 15 minute LZeq;
7. The premises shall be restricted to no more than four performances of regulated live/recorded music per calendar month, unless written consent is received from the Sheffield EPS for additional performances, prior to said performance(s);
 8. Any external seating area shall only be used for the consumption of food and drink between 09:00hrs and 21:00hrs on any day of the week; and
 9. No loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time; and
- (b) the applicant shall be required to advertise a telephone number on the premises and/or on social media, so residents can report any concerns of noise nuisance linked to the premises.

(NOTE: The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination).

6. JOHN TURNER, COMMITTEE SECRETARY

- 6.1 The Chair reported that John Turner was attending his final meeting of the Sub-Committee, as Committee Secretary, after 40 years' service with the City Council, and having been Secretary to the Sub-Committee for the last 15 years.
- 6.2 RESOLVED: That the thanks of the Sub-Committee be conveyed to Mr Turner for the excellent work undertaken by him, in his capacity as Secretary to the Sub-Committee, during the last 15 years.

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 29 August 2023

PRESENT: Councillors Abdul Khayum (Chair), Maroof Raouf and Sioned-Mair Richards

1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence. Councillor Roger Davison attended the meeting as a reserve Member, but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - WIG AND PEN, 44-46 CAMPO LANE, S1 2EG

4.1 The Chief Licensing Officer submitted a report to consider an application, made under Section 17 of the Licensing Act 2003, for the grant of premises licence in respect of the premises known as 'Wig & Pen, 44-46 Campo Lane, Sheffield, S1 2EG (Ref. No. 113/23).

4.2 Present at the meeting were Chris Harris, on behalf of Around and About Bars. (Applicant), Michelle Hazelwood (Legal Representative for the Applicant), Samantha Bond (Legal Adviser to the Sub-Committee), Daniel Parlett (Licensing Strategy and Policy Officer), Jay Bell (Democratic Services) and Joanne Cooper (Democratic Services).

4.3 Samantha Bond outlined the procedure which would be followed during the hearing. She explained there had been one objection to the application, although efforts had been made to contact to objector, no response had been given therefore the Sub-Committee had agreed to continue with the hearing.

4.4 Daniel Parlett presented the report to the Sub-Committee.

4.5 Michelle Hazelwood, on behalf of the applicant, mentioned that she had provided a document which showed the current status and condition of the premises. She explained that the application was for a new premises licence. The premises was

first licensed in 1968 and had been a licensed premises for a long period of time although the premises had recently suffered due to the impacts of the pandemic and therefore the previous licence were lost. Ms Hazelwood confirmed the applicant had agreed to CCTV conditions proposed by South Yorkshire Police. The applicant was seeking the following hours in respect of licensable activities: Sunday to Thursday 10:00 until 00:30 hours and Friday and Saturday 10:00 until 02:00 hours. The applicant was aware that premises in the immediate vicinity operated to similar hours. The applicant believed that allowing the premises to be operated until 02:00 hours would improve the likelihood of customers remaining at the premises and reduce the possibility of customers migrating from the premises to West Steet. As shown on the menu, the premises would operate as a Cocktail and Wine bar and serve a variety of food items. The premises had three levels, one in which would be used to provide live music. The applicant had historically worked in Sheffield and had over ten years of licensed experience.

- 4.6 Michelle Hazelwood, on behalf of the applicant, referred to the objector's representation (The objector was a resident at a neighbouring property). She mentioned she was uncertain as to where the objector currently resides as in the representation it was stated that the objector lived 'two doors down' although believed that two doors either side of the premises were office buildings with no current residential ability. Therefore, the noise disturbance and customers leaving the premises causing dispersal noise were likely to be limited.
- 4.7 Michelle Hazelwood, on behalf of the applicant, explained that as part of the application, the applicant had built in a condition that if door supervisors were required then they would be undertaken on a risk assessment basis.
- 4.8 The applicant added that the food variety would be limited to begin, although the ambition was to expand the menu with time.
- 4.9 In response to questions raised by Members of the Sub-Committee and Samantha Bond, the applicant explained that he was familiar with a supplier that could provide him with deserts, including gluten free deserts, which could be looked at being serving at the premises. The applicant explained that he had thought of alternative names for the premises although he was likely to retain the 'Wig & Pen' name to prevent any confusion. Michelle Hazelwood confirmed the footprint of the previous licence was identical. The differences from the previous licence were the operating hours for Friday and Saturday as the previous licence operated until 01:00 hours whereas the application was seeking 02:00 hours. Ms Hazelwood confirmed that live music, as stated in the application, would conclude at midnight. She confirmed that the applicant did not propose having live dance performances at the premises. Ms Hazelwood confirmed the objector had not used the phrase 'migrate to West Street' in their representation. The applicant stated that the premises could hold up to ninety customers although he did not expect all those customers, if at full capacity, to stay until 02:00 hours. The applicant explained that the closest premises which also operated until 02:00 hours on Fridays and Saturdays was the Church House. Samantha Bond confirmed the objector resided at 28 Compo Lane. Ms Hazelwood confirmed she had emailed the objector although she never received a response. She confirmed that she had not been given the objector's address prior to the

hearing. The applicant confirmed there was outdoor seating available for approximately fifty customers.

- 4.10 Michelle Hazelwood summed up the case on behalf of the applicant.
- 4.11 Daniel Parlett outlined the options available to the Sub-Committee.
- 4.12 RESOLVED: That the public and press and attendees involved in the application be excluded from the meeting, and the webcast be paused, before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.13 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 4.14 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees, and the webcast was recommenced.
- 4.15 RESOLVED: That in the light of the information contained in the report now submitted, the representations now made and the responses to the questions raised, in respect of the premises known as Wig & Pen, 44-46 Campo Lane, Sheffield S1 2EG (Ref. No. 113/23), the Sub-Committee agrees to grant the premises licence in the terms requested.

(NOTE: The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination).

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Statutory)

Meeting held 18 September 2023

PRESENT: Councillors David Barker (Chair), Karen McGowan and Henry Nottage

1. APOLOGIES FOR ABSENCE

- 1.1 There were no apologies for absence. Councillor Sioned-Mair Richards attended the meeting as a reserve Member, but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

- 2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

- 3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - MVL PROPERTIES 2017 LTD - THE LEADMILL, 6-7 LEADMILL ROAD, SHEFFIELD, S1 4SE

- 4.1 The Chief Licensing Officer submitted a report to consider an application, made under Section 17 of the Licensing Act 2003, for the grant of premises licence in respect of the premises known as 'The Leadmill', 6-7 Leadmill Road, Sheffield, S1 4SE (Ref. No. 94/23).

- 4.2 Present at the meeting were Dominic Madden, on behalf of MVL Properties 2017 Ltd. (Applicant), Paddy Whur (Legal Representative for the Applicant), Sarah Clover (Representative for the current premises licence holder, 'the Leadmill Ltd. '), Malcolm Hope (Legal Adviser to the Sub-Committee), Samantha Bond (Legal Adviser to the Sub-Committee), Shimla Finch (Principal Licensing Policy and Strategy Officer), Gareth Barrett (Licensing Enforcement/Technical Officer), Darrell Butterworth (Licensing Compliance Consultant) and Philippa Burdett (Democratic Services).

- 4.3 Malcolm Hope outlined the procedure which would be followed during the hearing and set out preliminary legal advice.

- 4.4 Shimla Finch presented the report to the Sub-Committee, and it was noted that, during the consultation period, representations had been received from the current licensee ('the Leadmill Ltd. ') in addition to 157 representations from interested parties, and were attached at Appendix 'C' to the report. During the consultation period, conditions had been agreed between the Applicant and three Responsible Authorities, and were attached at Appendix 'B' to the report.

- 4.5 Sarah Clover spoke on behalf of the current licensee ('The Leadmill Ltd. '). She

drew the Committee's attention to the large number of representations that had been made (as detailed in Appendix 'C' of the report) and explained that she intended to consolidate the strength of feeling displayed within the representations. She referred to Appendix 'A' of the report, and noted that the application was for a 'shadow' licence that mirrored the existing Premises Licence. She outlined what she believed to be inaccuracies within the application, namely, in what capacity the application was being made, the description of the premises and the absence of a named Designated Premises Supervisor. She also referred to the conditions listed in the application and the conditions agreed with the Responsible Authorities listed in Appendix B of the report, that she believed to be contradictory. Ms Clover noted a lack of clarity on which representations the conditions had been based upon, as well as a lack of explanation or justification from the Responsible Authorities. She believed that the 'crime and disorder' licensing objective had not been addressed adequately within the agreed conditions, in particular, door staff management, enhanced search policy, age restriction policy and CCTV provisions. She made reference to the hostile relationship between the Applicant and the current licensee, and noted that the representations made by those objecting to the application had been similar in content, based mainly upon reputational issues of the Applicant and the distrust within the community. The main topics of concern had been laxity of underage access, overselling of tickets, unprofessional door staff and reports of drugs and violent disorder at other venues run by MVL Properties 2017 Ltd. She was also concerned about the potential negative impact of these issues on those with protected characteristics. She also referred to what she believed to be inaccuracies within the Applicant's bundle of supporting information, in particular in relation to the references supplied.

4.6 Councillor David Barker, Chair of the Sub-Committee, invited objectors present to speak at the meeting:-

(a) Frazer Spooner (on behalf of the Leadmill staff)

Mr Spooner noted family memories of the iconic venue. He had been a regular visitor before securing a job at the venue due to his understanding of the historical and musical significance of the venue. He added that his confidence had grown and that he had broadened his skillset whilst working with the enthusiastic team at Leadmill, who were committed to providing a high calibre experience to its customers. The staff had a shared passion to strive for high ethics and values. He was concerned about reported incidents at other MVL Properties venues. He stated that he objected on the strongest possible terms to the granting of this premises licence.

(b) Dominic Heslop (Sheffield artist, rapper and social engagement practitioner)

Mr Heslop explained that he had worked for over a decade in a wide range of creative community projects with a focus on building creative platforms for young people, many of whom had experienced trauma in their lives. He had founded Slambarz, a music and artist development live performance community interest company, that was passionate about providing safe spaces for young people to pursue their creative and musical interests. This involved work with industry

professionals and renowned venues such as the Leadmill. The Leadmill had directly supported these endeavours and had enabled creative and mentoring opportunities to young people who would not ordinarily have had access to such support. The Leadmill had connected organisations across the city, and had helped to embrace diversity and provide a safer environment for young people. The Leadmill was a trusted and reputable organisation with a proven track record of understanding community cohesion. Mr Heslop had concerns that MVL Properties had shown no evidence of being capable of nurturing communities and safeguarding young people, and he was concerned about the safety of young people in such an environment, due to the volume of reported incidents in other venues they owned.

(c) Briony Tuplin (Resident of Sheffield)

Ms Tuplin advised that she had objected to the licence due to the absence of conditions to address concerns about the prevention of crime and disorder and protection of children from harm. She noted the work carried out by the Leadmill to engage with young people and was concerned about the reported incidents at other MVL Properties venues. As the licence holder at another music venue in Sheffield, she believed it would be difficult to build a relationship with a company that did not hold safety as a priority.

(d) Sam Holland (Director of Migration Matters Festival)

Mr Holland explained that over the last few years, the Leadmill team had helped his organisation to deliver safe and secure events in support of the multi-cultural and diverse communities across Sheffield. He noted his concerns about risks to public safety due to the reported incidents at MVL Properties venues. He added that he would not feel comfortable in encouraging people to attend events at the Leadmill should this application be granted. He believed that it was important to have a safe and welcoming environment for migrants and refugees in cultural and arts buildings and that trust in the venue and in Sheffield City Council would be damaged.

(e) Claire Brown (on behalf of Franz-von Shorter, Sheffield Music School)

Ms Brown noted her concerns relating to reported public safety incidents at other MVL Properties venues. She praised the work carried out by the Leadmill to create a safe space and alternative provision for children and young people, and believed it had brought communities together with the mutual aims of supporting young people and celebrating Sheffield's culture. She hoped that the Leadmill could continue to support communities in this way.

(f) Lucas Watts (Resident of Sheffield)

Mr Watts stated that he would not wish MVL Properties to operate a venue in Sheffield due to reported issues of crime and disorder and public safety at their other venues across the UK.

(g) Rob Unwin (on behalf of Clive Belgeonne, Development Education Centre and

Ethical Property)

Mr Unwin explained that he had been a neighbouring business of the Leadmill since Scotia Works had been refurbished in 2003, and felt that the Leadmill had earned trust in the local community due to their focus on community activities and accessible events for young people. He stated that he had found the operators of the venue to be considerate neighbours in terms of sound checks, managing queues and clearing litter. He noted that the applicant had not consulted with local organisations, some of which ran services for very vulnerable people and children, and he was concerned about the risk of potentially unruly crowds on neighbouring businesses and residents. He believed that the 'shadow' licence was not fit for purpose due to lack of appropriate conditions and should be rejected.

(h) Dr Peter Prowse (Resident of Sheffield)

Dr Prowse explained his background of working within economic regeneration across the UK, and noted the success of the Leadmill as a local business, and praised its crowd, event and security management. He noted his experience of the Leadmill being welcoming to people of all ages.

(i) Matthew Renishaw (Local Business Operator)

Mr Renishaw was concerned that the granting of this application would pose a danger to the area in terms of public safety and disorder, and would destroy a valuable part of Sheffield's culture and local economy. He also felt that the Leadmill was a boost and support to the local economy.

(j) Jo Owens (Resident of Sheffield)

Ms Owens explained that, as a resident who had grown up in Sheffield, she had been a regular visitor to the Leadmill. She added that, if the licence were to be granted, she would have concerns about her children attending the venue due to reported incidents at other MVL Properties venues. She noted further concerns that a 24-hour licence may lead to queuing outside the premises impacting upon neighbouring businesses.

(k) John Coan (Resident from outside Sheffield)

As a regular visitor to the Leadmill, Mr Coan was concerned that the reputation of the Leadmill might be damaged by the granting of the 'shadow' licence, due to the reports of public safety issues at other venues operated by MVL Properties. He noted that he had worked in similar venues, and that he felt the Leadmill to be a safe venue with a reputation for good quality music.

(l) Stephen Blackley (Local Business Operator)

Mr Blackley explained that he was the operator of a business in Sheffield that specialised in government safeguarding and community development, and had experience of carrying out due diligence on many organisations. He noted that

the Leadmill had worked for many years in building up relationships with communities in Sheffield, including engagement with young and vulnerable people. He also noted the nearby residential accommodation, and felt that it would not be appropriate to grant the licence as there was an increased risk of crime due to incidents reported at other MVL Properties venues.

- 4.7 In response to questions from Members of the Sub-Committee and Ms Clover, Licensing Service officers noted that an objection from Sacha Lord had been withdrawn at his request, although this was not done more than 24 hours before the hearing, nor withdrawn orally at the hearing, therefore the objection remained. Officers also confirmed that there had been no complaints or incidents relating to the premises during the last five years, and as such, no reason to amend any of the current licence conditions.
- 4.8 Paddy Whur presented the case on behalf of the Applicant. The application had been made as a 'shadow' licence in the name of the landlord of the premises, which 'mirrored' the licence currently held by the current licensee and tenant of the premises. He noted that the application had been assessed and accepted by the Licensing Service at Sheffield City Council as a valid application, and he recognised that it was the representations received and the strength of feeling from objectors that had resulted in the application being referred to a Licensing Sub-Committee hearing rather than being granted under delegated powers. He explained that a Designated Premises Supervisor would be named and assessed at the appropriate time, once the licence came into operation, and that the Local Authority would be notified before the licence came into force. Mr Whur referred to the evidence in the report relating to social media and 'Google' searches and stated that this was not relevant to the current premises and could not be relied upon in order to reject the application. He added that Mr Madden was a fit and proper person and that he had provided reliable testimonies to that effect, as well as having his existing systems at his other premises checked by Mr Butterworth, an industry specialist.
- 4.9 Dominic Madden gave some background to his career in live events, and explained that he began in the entertainment business over 25 years ago, when he started running a small pub theatre in London. He went on to set up a company that produced West End plays, which led to him purchasing a derelict theatre, which he went on to refurbish as a concert and art space. He had since secured leases on large venues in Brixton, Bristol and Newcastle, and had operated licences in accordance with the licensing objectives and with no intervention from Responsible Authorities. Mr Madden noted the social media reports and reviews relating to the other venues that were contained within Appendix 'C' of the report, and stated that there was no basis of fact to the allegations made. One of the allegations made was that drug dealing had taken place on the premises. Mr Madden explained that an individual had been excluded from the premises by door staff and was subsequently arrested by police who had been passing. In relation to an alleged assault at SWX in Bristol, Mr Madden stated that an individual had been removed from the premises and was later arrested by the police following an incident at a different location in the city. He also referred to an allegation of a sexual assault at SWX, and stated that this had occurred before the business was under his ownership. Mr Madden

explained that there had been an arson attack at the premises causing catastrophic damage. The individual responsible was imprisoned, and the venue was subsequently fully refurbished and re-opened

- 4.10 Darrell Butterworth joined the Sub-Committee hearing remotely, via live video link, to summarise his statement that had been included within the report. He confirmed that he had visited over 2,000 premises across the UK in his capacity as a licensing compliance consultant, the majority of which had been in 'special measures', 'under review' or 'under summary review'. He stated that he would categorise 'MVL Properties' venues as 'good' rather than average or poor. He added that he was satisfied that all three venues were promoting the licensing objectives. He stated that he had not witnessed any of the conduct referred to within the representations of the report. During his visits, he had queried the difference between search policies at the venues, and had been advised that searching requirements would be risk assessed depending on the type of event that was taking place. The risk assessment at Brixton recommended the use of the ID scanner, and the risk assessment at Bristol and Newcastle recommended that thorough searching was not required.
- 4.11 In response to questions from Members of the Sub-Committee and Ms Clover, it was stated by Mr Whur that other 'MVL Properties' venues were regularly inspected and staff worked closely with the Responsible Authorities. Refurbishment of the venues had been carried out to a high standard, and good management practices had been fostered from the outset, which would extend to the Leadmill if the licence were to be granted. It was stated that conversations between the Leadmill Ltd. and community organisations had been limited and had broken down due to the ongoing dispute regarding the ownership of 'the Leadmill', but the intention was to put together a method of operation to ensure that community partnership continued. The Applicant understood that 'the Leadmill' had significant cultural importance as a music venue in Sheffield, and intended to build on this and develop opportunities for vibrancy of the live music circuit. This application was for a 'shadow' licence, and once operational, a variation application would be made to review conditions as appropriate, in consultation with the Responsible Authorities, as well as to likely change the layout of the premises. It was confirmed that an alcohol licence had not been available upon request at one of the venues assessed by Mr Butterworth, and that the risk assessments carried out at the Bristol and Newcastle venues identified that the ID scanners were not required for the events he attended.
- 4.12 Ms Clover summarised the case on behalf of the Leadmill Ltd.
- 4.13 Mr Whur summarised the case on behalf of the Applicant.
- 4.14 Shimla Finch outlined the options available to the Sub-Committee.
- 4.15 The Chair explained that the hearing would conclude to allow Members to seek legal advice, and that the decision of the Sub-Committee would be communicated in due course.
- 4.16 RESOLVED: That the public and press and attendees involved in the application

be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.

4.17 Malcolm Hope and Samantha Bond reported orally, giving legal advice on various aspects of the application.

4.18 RESOLVED: That, in the light of the information contained in the report now submitted, the representations now made and the responses to the questions raised, the application for a premises licence in respect of the premises known as 'The Leadmill', 6-7 Leadmill Road, Sheffield, S1 4SE (Ref. No. 94/23) be granted in the terms requested, subject to the following conditions. Where the conditions below are inconsistent with the imposition of any condition consistent with the operating schedule, the conditions below prevail:-

Environmental Protection Service:

- (1) A written outdoor 'Noise Management Plan' ("NMP") shall be submitted in writing for approval by the EPS. The approved NMP shall include details of suitable arrangements to minimise noise breakout of the building, management of people outside the venue, measures for managing the arrival and departure of customers, including any waiting/queuing system and a solution to manage smokers or vapers outside the premises and the approved NMP shall be applied by the premises. The use of any outside area shall at all times be managed and maintained in accordance with the approved NMP. A copy of the approved NMP shall be retained on site and be made available upon request by the Environmental Protection Service.
- (2) Amplified sound or live music shall only be played within the building and in such a way that noise breakout does not exceed the prevailing ambient noise level by more than 3dB when measured at 1m from the façade of the nearest habitable room:
 - (a) as a 15 minute LAeq; and
 - (b) at any one third octave band centre frequency as a 15 minute LZeq.
- (3) No loudspeakers shall be fixed externally nor directed to broadcast sound outside the building.
- (4) The dispersal of customers from the premises must be managed in accordance with the following:-
 - (a) Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly; and
 - (b) A suitable member of staff and/or door supervisor(s) will be visible at each public entrance/exit to control the dispersal, to

remind people to leave quietly, and to prevent patrons from re-entering the premises.

Health Protection Service:-

- (5) All organisers of events shall be required by the premises licence holder to prepare and implement an Event Management Plan (EMP) to promote the licensing objectives. For events expected to attract 500 persons or more at any one time (including staff, performers and other contractors on site) the Event Management Plan shall be provided to the Licensing Authority, and be made available to Responsible Authorities, not less than 14 days prior to the first day of the event. Any proposed revisions to the EMP shall be notified in writing to the relevant Responsible Authority and Licensing Authority before the master EMP is updated - which shall be as soon as reasonably practicable following the revision.

South Yorkshire Police:

- (6) Door supervisors shall be employed at the premises based upon a risk assessment carried out in relation to the following factors:
- (a) Size of the venue;
 - (b) Expected attendance;
 - (c) Type of event taking place;
 - (d) Location of the premises;
 - (e) Time of year;
 - (f) Special occasion (New Year, Halloween, local events etc.); and
 - (g) Premises licence conditions.

A written log of each risk assessment must be kept and maintained by the premises and made available for inspection and copying upon request by an officer of a Responsible Authority.

- (7) Any door supervisors on duty at the premises must be supplied by a Security Industry Authority Approved Contractor Scheme company.
- (8) The premises will have and implement a written search policy for customers, which will include consideration for use of hand-held electronic search wands where the premises has deemed it appropriate in accordance with but not limited to the following:
- (a) Size of the venue;
 - (b) Expected attendance;
 - (c) Type of event taking place;
 - (d) Location of the premises;
 - (e) Time of year;
 - (f) Special occasion (New Year, Halloween, local events etc.); and
 - (g) Premises licence conditions.

- (9) All persons entering or re-entering the premises must be searched by a Security Industry Authority registered door supervisor and all searches

must be monitored by the premises' CCTV system.

- (10) The premises will acquire a number (to be agreed with South Yorkshire Police) of radio sets and will join the City Centre Retailers Against Crime (CCRAC) Radio Scheme. This will be in use at all times when the premises are trading under this licence, and the premises will continue to be a user of the CCRAC Radio Scheme whilst this system is in use within Sheffield.
- (11) A CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are trading under this licence and open (in line with specification July 2020), in accordance with the following:-
 - (a) The CCTV images will be stored for 31 days and police and authorised officers will be given access to images for purposes in connection with the prevention and detection of crime and disorder, in line with GDPR guidance;
 - (b) Members of the management team will be trained in the use of the system. Documented records of this training shall be kept for each member of the management team and shall be made available for inspection upon request by a police officer or an authorised officer of Sheffield City Council;
 - (c) CCTV systems installed after 2021 should be full digital systems with wide dynamic range IP cameras (WDR); and
 - (d) The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has access to the system, the reason why and when.
- (12) There shall be a lockable 'drugs box' at the premises to which no member of staff, except the DPS, shall have access. All controlled drugs (or items suspected to be, or containing controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all its contents must be given to South Yorkshire Police for appropriate disposal.
- (13) The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
- (14) Prominent signage must be displayed, at any point of sale and at the entrance to the premises, that the Challenge 25 scheme is in operation.

- (15) A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying upon request by an officer of a Responsible Authority.
- (16) All staff authorised to sell alcohol shall be trained in:-
- (a) Relevant age restrictions in respect of products;
 - (b) Preventing underage sales;
 - (c) Preventing proxy sales;
 - (d) Maintaining the refusals log;
 - (e) Recognising signs of drunkenness and vulnerability;
 - (f) How overservice of alcohol impacts upon the four objectives of the Licensing Act 2003;
 - (g) How to refuse service;
 - (h) The premises' duty of care, understanding and dealing with situations involving vulnerable people, and incidents of harassment; and how to report issues of modern slavery and trafficking;
 - (i) 'Ask for Angela';
 - (j) Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services;
 - (k) The conditions in force under this licence; and
 - (l) Counter terrorism (available on <https://www.protectuk.police.uk/catalogue> or any relevant government approved training following a change in name).
- (17) Documented records of staff training shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Sheffield City Council.
- (18) Drinks may not be removed from the premises in open containers save for consumption in any external area designated for that purpose.
- (19) No customers carrying opened bottles upon entry shall be admitted to premises.
- (20) The use of glass-alternative drinking vessels shall be utilised in accordance with the premises' assessment of risk, taking into consideration the following:-
- (a) Size of the venue;
 - (b) Expected attendance;
 - (c) Type of event taking place;

- (d) Location of the premises;
- (e) Time of year;
- (f) Special occasion (New Year, Halloween, local events etc.); and
- (g) Premises licence conditions.

A written log of each assessment of risk must be kept and maintained by the premises and made available for inspection and copying upon request by an officer of a Responsible Authority.

(NOTE: The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination).

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Statutory)

Meeting held 16 October 2023

PRESENT: Councillors David Barker (Chair), Ian Horner and Sioned-Mair Richards.

1. APOLOGIES FOR ABSENCE

- 1.1 There were no apologies for absence. Councillor Sioned-Mair Richards attended the meeting as a reserve Member.

2. EXCLUSION OF PUBLIC AND PRESS

- 2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

- 3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - THE VIBE LOUNGE, 645-647 ECCLESALL ROAD, SHEFFIELD, S11 8PT (REF 127/23)

- 4.1 The Chief Licensing Officer submitted a report to consider an application made under section 17 of the Licensing Act 2003, for the grant of a premises licence in respect of the premises known as 'The Vibe Lounge', 645-647 Ecclesall Road, Sheffield, S11 8PT. (Ref. No. 127/23)
- 4.2 Present at the meeting were Nooraddin Ghalavand (Applicant), Mark Platts (Landlord), Samantha Bond (Legal Adviser to the Sub-Committee), Shimla Finch (Principal Licensing Policy and Strategy Officer), Mitchell Wibberley (Legal Adviser to the Sub-Committee), and Joanne Cooper (Democratic Services).
- 4.3 Samantha Bond outlined the procedure which would be followed during the hearing.
- 4.4 Shimla Finch presented the report to the Sub-Committee, and it was noted that representations had been received from two interested parties and were attached at Appendix 'C' to the report. However, they had confirmed they would not be attending the meeting.

4.5 Ms. Finch reported that, during the consultation period, conditions had been agreed between the Applicant and three Responsible Authorities and were attached at Appendix 'B' to the report.

4.6 Councillor David Barker, Chair of the Sub-Committee, invited the Applicant to state his case.

Mark Platts stated that he had bought and renovated the property five years ago. The property had previously held a licence similar to the one being applied for but due to an administration error, the deadline for transferring the licence had lapsed. At one time the premises had been licenced to open until 2.00am. The previous tenant had operated the premises with no issues for 3 years but had then gone into liquidation. An article in the Sheffield Star newspaper had been misleading and suggested that the application would be a new application. He thought this was what had prompted the representations.

He added that the building had been renovated to a very high standard and that his office was next door.

4.7 In response to questions from the Members of the Sub Committee, Mark Platts and Nooraddin Ghalavand confirmed the following:

- Recorded music would be played as background music only, so would not cause any nuisance.
- The previous tenants had not received any complaints from residents in the 3 1/2 years that they had traded, which had included throughout the Covid pandemic when outside seating had been used.
- Mr Ghalavand had been operating under a temporary licence since July with no issues.
- If residents did wish to raise any issues they could do so with the tenants in the first instance and the landlord if a successful resolution was not achieved.
- The venue would be a food/ coffee bar.
- The premises supervisor would be Mr Ghalavand.
- That they were agreeable to the conditions being simplified.

4.8 Shimla Finch outlined the options available to the Sub-Committee.

4.9 RESOLVED: That the public and press and attendees involved in the application be excluded from the meeting, and the webcast be paused, before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.

4.10 Samantha Bond reported orally, giving legal advice on various aspects

of the application.

- 4.11 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees, and the webcast was recommenced.
- 4.12 RESOLVED: That, in the light of the information contained in the report now submitted, together with the representations now made, and the responses to the questions raised, the Sub-Committee agrees to grant the premises licence, in respect of the premises known as The Vibe Lounge, 645-647 Ecclesall Road, Sheffield, S11 8PT (Ref 127/23), as applied for and including the conditions that had been agreed between the Applicant and three Responsible Authorities.

(NOTE: The full reasons for the Sub Committee's decision will be included in the written Notice of Determination).

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Statutory)

Meeting held 31 October 2023

PRESENT: Councillors Abdul Khayum (Chair), Nabeela Mowlana and Sioned-Mair Richards

1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence. Councillor Roger Davison attended the meeting as a reserve Member, but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - ZAMBEZI LOUNGE, 580 ATTERCLIFFE ROAD, SHEFFIELD, S9 3QP

4.1 The Chief Licensing Officer submitted a report to consider an application, made under Section 17 of the Licensing Act 2003, for the grant of a premises licence in respect of the premises known as 'Zambezi Lounge', 580 Attercliffe Road, Sheffield, S9 3QP (Ref. No. 131/23).

4.2 Present at the meeting were Earnest Muzvidzwa (Applicant), Charles Denny (Applicant's Representative), Shimla Finch (Licensing Strategy and Policy Officer), Samantha Bond and Mitchell Wibberley (Legal Advisers) and Philippa Burdett (Democratic Services Officer).

4.3 The Chair outlined the procedure which would be followed during the hearing.

4.4 Shimla Finch presented the report, and it was noted that during the consultation period, four representations had been received, and three of these had been resolved following the addition of conditions by the Responsible Authorities. The remaining representation from a local resident was attached at Appendix "B" to the report.

4.5 Charles Denny presented the case on behalf of the applicant, indicating that the premises had originally been a bank, before becoming a licensed bar that subsequently closed down. The premises licence had lapsed, and the applicant

had submitted a new application. The hours stated in the application were:

Live music, Late Night Refreshment and the supply of alcohol:

12:00 until 23:30 hours (Monday to Thursday inclusive)

12:00 until 02:30 hours (Friday)

12:00 until 03:30 hours (Saturday)

12:00 until 03:00 hours (Sunday)

Due to representations submitted, a meeting was held at the premises between the applicant and the Responsible Authorities on 19 September, 2023. After further discussions, this resulted in the agreement of additional conditions being imposed if granted and the reduction in hours as follows:

Live music, Late Night Refreshment and the supply of alcohol:

12:00 until 23:30 hours (Sunday to Thursday inclusive)

12:00 until 00:00 hours (Friday)

12:00 until 01:00 hours (Saturday)

Plus a further 30 minutes to allow customers to consume drinks already purchased and a winding down period before the premises are closed to the public including the provision of recorded music.

- 4.6 Mr Denny advised that an agreement had been reached to install additional CCTV cameras, making a total of 12. It had also been agreed to provide door supervisors on Fridays, Saturdays and Sundays from 22:00 hours. South Yorkshire Police were happy with the revised hours, and had withdrawn their representation.
- 4.7 It was noted that concerns had been raised from the Health Protection Service about asbestos and general improvements needed to the building. Mr Denny advised that all of the requirements have been undertaken, and that the Health Protection Service had subsequently withdrawn their representation.
- 4.8 Mr Denny confirmed that all speakers at the premises would be removed until such time that a sound attenuation agreement had been made, and there would be no music at the premises until there was an understanding of the noise measure needed. As such, the Environmental Protection Service had withdrawn their representation. He noted that one representation remained from a local resident. He re-iterated that conditions had been agreed with all responsible authorities, reflecting concerns about late opening and potential noise nuisance. The original application had requested extended opening hours on bank holidays, Christmas Eve and New Years Eve, and requested that this be considered by the Sub-Committee. Mr Denny advised that the applicant had put a lot of effort and cost into trying to create a good quality premises as a bar with slightly extended hours, which he felt would be a huge uplift for that area of Sheffield.
- 4.9 In response to questions from Members of the Sub-Committee, it was stated that a dispersal procedure was now in place that included employing security staff on

Fridays, Saturdays and Sundays, who were directly responsible for ensuring that customers left the area quietly, parked courteously and acted responsibly. A dedicated taxi firm was used for customers leaving the premises, and the applicant would provide a dedicated phone number for residents to contact with any concerns. A maximum capacity of 60 people had been confirmed, so was expected to be an intimate bar rather than a nightclub. A single level of sheeting had been added to specific glazing to help attenuate sound. Volume would be controlled in order to limit noise egress, and the venue would operate with consideration to nearby residents.

- 4.10 Earnest Muzvidzwa noted his background as a lecturer. He added that he aimed to be a good neighbour, and would take any complaints seriously and engage with residents to address their concerns. He would encourage sensible parking, and had agreed to remove speakers until a sound check had been undertaken.
- 4.11 Mr Denny summarised the case on behalf of the applicant, adding that the applicant was serious and committed to manage the premises responsibly. A training plan had been included in the original application, and Mr Denny would work with the applicant to provide training modules to ensure he had full knowledge and control of the premises.
- 4.12 RESOLVED: That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.13 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 4.14 At this stage of the proceedings, the meeting was re-opened to the attendees.
- 4.15 RESOLVED: That in the light of the information contained in the report now submitted, together with the representation now unresolved and the responses to the questions raised, approval be given for the grant of a premises licence in respect of the premises known as Zambezi Lounge, 580 Attercliffe Road, Sheffield, S9 3QP (Ref No. 131/23), subject to:-
- (a) The conditions agreed with South Yorkshire Police prior to the hearing, as follows:
- (i) Door supervisors of a sufficient number and gender mix, shall be employed from 22:00hrs on Friday, Saturday and Sunday. The requirement for such security at any other time to be risk assessed by the Designated Premises Supervisor or member of the management team;
 - (ii) The use of glass alternative drinking vessels shall be utilised in accordance with the premises assessment of risk;
 - (iii) There shall be a zero tolerance drugs policy at the premises and there

shall be a suitably secure 'drop box' for any illegal substances or items confiscated from customers. Seized items will be handed to South Yorkshire Police;

- (iv) The Premise Licence Holder will have a search policy for customers. Enhanced searching will be periodically used in accordance with a dynamic risk assessment. Customers accessing the venue using VIP, guest or other concessions must be subject to the same security and age verification checks as all other customers entering the premises including those re-entering the premise. The use of security wands to be considered within the premises search policy;
- (v) No customers carrying opened bottles upon entry shall be admitted to premises;
- (vi) The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has access the system, the reason why and when;
- (vii) Staff will receive training concerning , but not limited to:
 - Vulnerability awareness
 - Crime scene preservation (including syp violent incident protocol)
 - Drugs policies
 - Underage sales/Challenge 25 scheme /Proxy Sales/Fake ID's
 - Counter terrorism (available on <https://www.protectuk.police.uk/catalogue> or any relevant government approved training following a change in name)
 - CCTV operation (authorised staff only)
 - Dispersal

Suitable refresher training to be completed at least once per calendar year commencing the year after their date of employment. A written record to be retained for a minimum of 12 months and shall be made available to the Police and/or Licensing Authority upon request;

- (viii) The Designated Premises Supervisor or other such responsible member of staff must be assigned to act as the co-ordinator for ensuring that risk management systems are operating and staff are trained in relation to safeguarding children at all times. This person must act in compliance with the training and guidance provided by the Sheffield Children's Safeguarding Partnership and other relevant responsible authorities;
- (ix) Persons under the age of 18 must be accompanied and supervised by an adult and are only permitted until 19:00 hours daily unless attending a family type, pre-booked function or dining. No children under the age of 18 permitted after 21:30 hours;
- (x) A CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open (in line with specification July 2020). The CCTV images will be stored for 31 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder, in line with GDPR guidance. Members of the management team will be trained in the

- use of the system;
- (xi) Recorded music to be at background level only during the last thirty minutes of trade;
- (xii) Installation of four additional CCTV cameras capturing:
 - VIP area
 - Female toilet entrance
 - Main bar area (facing the bar)
 - External smoking area; and
- (i) Amendment to the hours of
 - Live music
 - Late night refreshment
 - Supply of alcohol

Friday: 12 noon – midnight

Saturday: 12 noon – 01:00

Sunday to Thursday inclusive: 12 noon – 23:30

Plus a further 30 minutes to allow customers to consume drinks already purchased and a winding down period before the premises are closed to the public including the provision of recorded music.

- (b) The conditions agreed with the Environmental Protection Service prior to the hearing, as follows:

- (i) No live music or amplified sound shall be played within the building unless a scheme of sound attenuation works has been installed and thereafter retained. Such scheme of works shall:
 - a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey; and
 - b) Be capable of restricting noise breakout from the building to the street to levels not exceeding the prevailing ambient noise level by more than 3dB when measured;
 - (i) as a 15 minute LAeq, and;
 - (ii) at any one third octave band centre frequency as an 15 minute LZeq.

Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the Environmental Protection Service;

- (ii) Before live music or amplified sound shall be played within the building, Validation Testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the Environmental Protection Service. Such Validation Testing shall:
 - a) Be carried out in accordance with an approved method statement; and
 - b) Demonstrate that the specified noise levels have been achieved. In

the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Environmental Protection Service. Such further scheme of works shall be installed as approved in writing by the Environmental Protection Service before live music and amplified sound is played and shall thereafter be retained;

- (iii) All doors and windows shall be closed, save for access and egress of the general public and/ or than in case of emergency, when amplified sound or live music is present in the premises;
- (iv) No speakers shall be fixed externally nor directed to broadcast sound outside the building at any time;
- (v) No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiting facility capable of limiting the sound level output of the system to a pre-set level which may then be secured in a tamper-resistant manner, the design and settings of which shall have received the prior written approval of the Environmental Protection Service;
- (vi) The DPS or designated member of staff must take a proactive approach to noise control, checking outside the premises to ensure that noise is kept to a reasonable level from patrons using the designated external area(s), and access and egress;
- (vii) The premises licence holder shall prominently display A5 notices on all exits reminding patrons to leave the premises in a quiet and orderly fashion to respect the local neighbour's needs;
- (viii) The premises licence holder shall prominently display A5 notices in all external areas reminding patrons to be quiet whilst using the facilities provided and respect the local neighbour's needs; and
- (ix) The Premises Licence Holder shall submit for written approval by the Environmental Protection Service a Noise Management Plan providing details of operational procedures to protect the occupiers of nearby dwellings from noise breakout of amplified sound, external area, and dispersion. Such details shall include, inter alia, operational procedures, monitoring of customer activities, smoking and/ or consuming alcohol policy, good relationship with responsible taxi services, relevant signage, CCTV consideration, complaints handling procedure, practical policy of noise complaint monitoring, staff training relating to noise awareness etc.

Note: Conditions 1 and 2 to be removed from the premises licence once the noise

survey has been approved, installation of attenuation works are complete, and satisfactory validation testing has been submitted.

(c) The conditions agreed with the Health Protection Service, as follows:

- (i) The maximum capacity for the premises shall not exceed 60 persons;
- (ii) The heavy wooden outer doors shall be pinned open during times when the premises are open to the public;
- (iii) Lighting in areas accessible to the public, members or guests shall be adequate when they are present;
- (iv) A permanent fixed residual current device (RCD) must protect the electrical power serving all amplified music equipment used for the purposes of live music or similar entertainment; and
- (v) An Electrical Installation Certificate and/or an Electrical Condition Report covering 100% of the electrical installation must be provided for the premises.

(d) The additional conditions, as follows:

- (i) A direct telephone number for the manager, or other such person in charge at the premises, shall be made available should any issues or concerns arise and shall be listed in an accessible and visible place on the premises; and
- (ii) The opening hours and the provision of licensable activities on Christmas Eve, New Year's Eve and Bank Holidays are to be in line with the terminal hour on Saturdays as follows:

01:00 hours for the cessation of the following licensable activities: the provision of live music, the provision of late night refreshment and the sale by retail of alcohol, with recorded music to cease and the premises to close by 01:30 hours.

(NOTE: The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 6 November 2023

PRESENT: Councillors Roger Davison, Ian Horner and Abdul Khayum (Chair)

1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. GAMBLING ACT 2005 - ROYAL AMUSEMENTS, 9 FARGATE, SHEFFIELD, S1 2HD

c4.1 The Chief Licensing Officer submitted a report to consider an application made under Section 159 of the Gambling Act 2005, for the grant of a premises licence for an Adult Gaming Centre, at 9 Fargate, Sheffield, S1 2HD.

4.2 Present at the meeting were Mohammed Yousaf (Applicant), M. Alias Yousaf (Legal Representative for the Applicant), Rob Edge (Licence Leader Ltd, for the Applicant), Darrell Butterworth (Witness for the applicant), Alexander Stuart (Witness for the applicant), Samantha Bond (Legal Adviser to the Sub-Committee), Shimla Finch (Principal Licensing Policy and Strategy Officer) and Joanne Cooper (Democratic Services).

4.3 Samantha Bond outlined the procedure which would be followed during the hearing and set out preliminary legal advice.

4.4 Shimla Finch presented the report to the Sub-Committee, and it was noted that during the consultation period, representations had been received from 8 interested parties and were attached at 'Appendix B' to the report. Sheffield City Council's Planning Department had also

made comments in relation to the application, which were attached at 'Appendix C' of the report with a copy of the applicant's response.

- 4.5 Councillor Abdul Khayum, Chair of the Sub-Committee, invited objectors present to speak at the meeting.

(a) Greg Fell, Sheffield City Council, Director of Public Health

Mr Fell advised that he was not anti-gambling, rather he was anti harm from gambling. He felt that the premises would provide a highly addictive and harmful product which would negatively affect children, young people and the vulnerable. He also drew attention to the presence of a nearby NHS Centre for treatment of gambling and other premises catering to vulnerable groups, e.g. the Archer Project. There were other gambling premises already available in the City Centre.

Mr Fell outlined other factors which made the area high risk such as the concentration of students, homeless people and people with mental ill health, to whom harm would be caused even if the licence conditions were not breached. He noted that gambling addiction can be a contributing factor to suicide. His team were in the process of drafting a Gambling Harm Reduction Strategy for Sheffield as tighter regulation of gambling had been requested in community consultations.

Mr A Yousaf, Legal Representative for the Applicant, asked Mr Fell if current gambling premises in the city centre were not meeting the objectives of the Gambling Act, and Mr Fell advised he did not know the answer to this.

(b) Emily Price, Legal Services Solicitor, South Yorkshire Police.

Ms Price advised that South Yorkshire Police had originally objected to the application due to the following:

- The location of the proposed premises
- The potential for anti-social behaviour
- The presence of other similar premises in the area
- The likelihood that the proposed premises would be a source of crime and disorder.

However following discussion with the applicant's representatives and consideration of the applicant's submissions, four further conditions had been agreed so the Police's objections were now withdrawn. These conditions were as follows:

1. A suitable number of radio sets to be in place to enable participation in a police safety scheme.
2. ID scanner for entry to the premises
3. Designated trained staff in relation to child exploitation and drug awareness.
4. 8.00am to 12.30am opening hours.

(c) Councillor Douglas Johnson, City Ward.

Councillor Johnson raised the following objections:

- Concern over the exacerbation of anti-social behaviour in the area where there was already a higher than average rate of crime.
- That there were already existing gambling premises nearby which had anti-social behaviour in the vicinity.
- There was already sufficient demand to necessitate a gambling treatment centre being opened nearby.
- Darrell Butterworth had incorrectly claimed in his evidence that there were no residential properties nearby, but this was not accurate as there were many flats. It was current Council policy to increase residential use of the upper floors of buildings on Fargate and its vicinity.
- The closure of similar establishments in Fitzalan Square and Haymarket had led to an improvement in that area.
- The public perception that Fargate was already unsafe given the preponderance of begging, consumption of alcohol and child sexual exploitation, which would be exacerbated.
- That it was not businesses in the area in general that he objected to, but this type of business.
- The Council wished to promote hospitality in the city centre as retail declined and this proposal would not add to this aim.

Mr A Yousaf, Legal Representative for the Applicant, asked Councillor Johnson if current gambling premises in the city centre were not meeting the objectives of the Gambling Act, but Councillor Johnson advised that he did not know the answer to this. He also stated that it was difficult to seek a review of a licence once it was granted but this shouldn't be taken to mean that no harm was being caused.

(d) Peter Sephton, representing "Changing Sheff" (city centre residents association).

Mr Sephton drew the Sub Committee's attention to the concentration of vulnerable people in the immediate area of the premises and advised that in his view the presence of the proposed gaming centre would worsen the existing issues of crime and disorder. In particular the £500 daily prize advertised on the applicant's website would be likely to attract vulnerable and homeless customers. He believed that it was the wrong location for this business at this time. He also reminded Members of the £500 million Council investment plans for the area which aimed to encourage an increase in residential use, the success of which would be jeopardised by an increase in anti-social behaviour and begging.

Mr A Yousaf stated that the £500 daily prize which was advertised on the applicant's website would not be offered at these premises.

- (e) Rev. Jonathan Haigh, Methodist Minster, Victoria Hall Methodist Church and Manager of the Foundry at Victoria Hall.

Rev. Haigh advised that support for people with gambling addictions was offered at 35 Chapel Walk and at Victoria Hall and that these service users would be forced to walk past the adult gaming centre if the licence was granted. The prospect of this had already caused considerable upset. It would also be inappropriate to situate new gambling premises near to the City of Sanctuary base. Rev Haigh stated that the proposal would be contrary to the regeneration of Chapel Walk which was intended to improve the facilities which welcome visitors to Sheffield.

Rev. Haigh read out a representation from Ms Rose Durant representing the Foundry, which reiterated the potential harm caused to vulnerable people accessing services offered there including 12 step recovery programmes for addiction.

Mr A Yousaf queried that Rev. Haigh's written representation had referred to a planning application rather than an application under the Gambling Act. Rev. Haigh confirmed that despite this he had the same objections.

- (f) Ann Walton (city centre resident)

Ms Walton stated the existing similar gambling premises in the city centre had contributed to anti-social behaviour and that the proposed premises would put temptation in the way of people who could least resist it, i.e. the vulnerable, young people and students. Slot machines were known to be particularly addictive. Staff would not be able to control behaviours outside the building.

4.6 Mr A Yousaf responded to points raised in the representations and summarised the case on behalf of the applicant, as follows:

- The test for making a decision under the Gambling Act was different to that which Members would be familiar with under the Licensing Act.
- S153 of the Gambling Act provides that a licensing authority shall aim to permit the use of premises for gambling in so far as it thinks it is:
 - a) In accordance with any relevant code of practice
 - b) In accordance with any relevant guidance issued by the Gambling Commission
 - c) Reasonably consistent with the licensing objectives
 - d) In accordance with the licensing authority's statement of licensing policy
- The licensing objectives in S1 of the Gambling Act were:
 - a) preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being

used to support crime.

- b) Ensuring that gambling is conducted in a fair and open way.
- c) Protecting children and vulnerable persons being harmed or exploited by gambling.

- Representations were being made under part (c) of S153 but in fact were not relevant e.g. they were on the grounds of demand, the character of the area, the number of existing premises, whether they would benefit the area, and due to a general dislike of gambling. These objections were not supported by evidence and did not relate to the licensing objectives.
- The proposed conditions and detailed risk assessment and the experience of the applicant at his other venues all suggested the proposed premises would be run without any regulatory concern.
- The Licensing Service had not made any representations, and this was significant as they were the guardians of the objectives.
- The test in S153 means there is a legal duty to permit gambling if it is reasonably consistent with the licensing objectives, i.e. there was a presumption in favour of granting a licence.
- This presumption was supported by the Gambling Commission's guidance which stated that "moral and ethical objections are not a valid reason to reject applications for premises licenses".
- There was no indication that other premises in the city centre were not complying with licensing objectives and none of them had been the subject of a licence review or been put at risk of review.
- The applicant operated premises to a standard of excellence, in areas of greater social deprivation without harm to the licensing objectives. He had held similar licences since 1984 and none had ever been reviewed. He had never been refused a licence.
- Gambling Commission guidance stated applications should not be turned down if any objections can be dealt with by conditions.
- Conditions had been proposed by the applicant and South Yorkshire Police. The applicant was open to further conditions if the Sub-Committee wished to propose them.
- The applicant's staff were appropriately trained (including in recognising signs of problem gambling) and his venues had regular audits and mystery shopper visits to ensure they were up to standard.
- The customer base was 50% female.
- The applicant's existing premises were protected by CCTV inside and outside, which was monitored, and any incidents logged.
- Social responsibility notices were displayed.
- Sheffield City Council's Licensing Policy had no presumptions against licensing in particular locations.
- The stakes and prize limits were set by Parliament with a view to protecting vulnerable people and were rigorously applied by the applicant.
- The premises would not be attractive to children.

- There had been no objections from Responsible Authorities. (The City Council's Public Health Department were not categorised as a Responsible Authority for this purpose).

4.7 The Chair, Councillor Abdul Khayum, invited attendees to ask questions of the Applicant and his representatives.

Mr A Yousaf gave the following additional information in response to questions from members of the public present and from the Sub Committee:

- The applicant had written to all objectors on 25th October.
- The idea that the proposed premises were in the "wrong place" was not relevant, in law.
- Any potential issues relating to the effect on vulnerable people were adequately dealt with in the risk assessment and proposed conditions.
- There would be a foyer which would prevent passers-by seeing into the premises.
- If necessary it would be acceptable to the applicant that a condition be imposed that the large windows at the side of the premises be obscured and no adverts displayed on them.
- At the front of the premises there would be a retail display, probably of urns and vases, i.e. not directly related to gambling.
- The stake limit was £2 a time, not per visit.
- A "Challenge 25" policy would be in place.
- There was no reason to assume people would gather outside the premises as this did not happen at any of the other centres under the applicant's ownership.
- A Self Exclusion scheme would be in operation where customers could fill in a form to request to be excluded for between six months and permanently. This would be circulated digitally to the applicant's other venues and to any other venues that used the same scheme.

Mr Edge advised that he had observed Fargate for his report, in the morning, afternoon and evening of the Friday and Saturday of his visit.

4.8 Shimla Finch outlined the options available to the Sub-Committee

4.9 The Chair explained that the hearing would pause to allow Members to seek legal advice, and then the decision of the Sub-Committee would be communicated.

4.10 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting and the webcast be stopped, before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present,

there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.

- 4.11 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 4.12 The public, press and attendees were re-admitted to the meeting and the webcast re-commenced.
- 4.13 RESOLVED: That the application be refused on the basis that to grant it would not be reasonably consistent with the licensing objectives (in particular, preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime and protecting children and other vulnerable persons from being harmed or exploited by gambling) or the Council's Statement of Licensing Policy.

(NOTE: The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination)

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Statutory)

Meeting held 11 December 2023

PRESENT: Councillors David Barker (Chair), Ian Horner and Cliff Woodcraft

1. APOLOGIES FOR ABSENCE

- 1.1 No apologies for absence were received. Councillor Henry Nottage attended the meeting as a reserve Member, but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

- 2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

- 3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - JURASSICA, 7 MONTENEY CRESCENT, SHEFFIELD, S5 9DP

- 4.1 The Chief Licensing Officer submitted a report to consider an application by the Licensing Authority, under Section 51 of the Licensing Act 2003, for a review of a premises licence in respect of Jurassica, 71 Monteney Crescent, Sheffield, S5 9DP (Ref No. 143/23).
- 4.2 Present at the meeting were Gareth Barrett (Licensing Enforcement and Technical Officer), Chantelle Synyer (Licence Holder, Jurassica), Vincent Blake-Barnard (Counsel for South Yorkshire Police), John O'Malley and Catherine Jarvis (South Yorkshire Police), Julie Hague (Sheffield Children Safeguarding Partnership) (via video link), Shimla Finch (Licensing Strategy and Policy Officer), Samantha Bond (Legal Advisor to the Sub-Committee) and Mitchell Wibberley (shadowing the Legal Advisor) and Philippa Burdett (Democratic Services).
- 4.3 Samantha Bond outlined the procedure to be followed during the hearing.
- 4.4 Shimla Finch presented the report, and it was noted that the review was submitted by the Licensing Authority due to a breach of the Licensing Act 2003, and breaches of the licence conditions, as detailed in paragraph 2.1 of the report. Compliance checks had been carried out by the responsible authorities, warning letters had been issued, and an action plan had been drafted to assist with compliance of the licence. During the consultation period, further representations

had been submitted by Sheffield Children Safeguarding Partnership and South Yorkshire Police, and were attached at Appendix 'C' of the report.

- 4.5 Gareth Barrett began to present the application, but was asked by the Chair to pause his representations as Chantelle Synyer arrived into the meeting room.
- 4.6 Samantha Bond and Shimla Finch discussed with Ms Synyer the process to be followed during the hearing and what had transpired so far. Ms Synyer was upset and distressed, but was reassured that she would be given ample opportunity to state her case and that she could take as much time as she required in order to compose herself. The Chair welcomed Ms Synyer to the meeting, asked those present to introduce themselves, and invited Mr Barrett to begin his representations.
- 4.7 Mr Barrett stated that a report had been received by the Licensing Authority of a young person having been injured during an alleged fight at an event at the premises on the night of 18 December, 2022. In response to this report, a joint visit was carried out between the Licensing Authority, Sheffield Children Safeguarding Partnership and South Yorkshire Police on 23 December, 2022, which identified a number of breaches of the premises licence conditions, as detailed in Annex 2 of their premises licence. A formal warning letter was issued to Ms Synyer, as the Licensee and Designated Premises Supervisor, on 19 January, 2023, which highlighted the breaches and required them to be addressed within 10 days. Mr Barrett explained that as Ms Synyer had failed to provide evidence to show compliance with the licence conditions, a voluntary action plan was then in place on 24 February, 2023, to support Ms Synyer in addressing the breaches. This plan contained actions due to be completed by 10 April, 2023. A further joint compliance visit was undertaken on 26 April, 2023, which found that licence conditions were still being breached. An extension to comply with the requirements of the action plan was granted until 5 May, 2023, however CCTV footage relating to the reported incident was still not provided. Further incidents relating to operating outside of permitted hours had been reported to South Yorkshire Police, and a full licensing inspection was undertaken with Richard Askham (Bar Manager) on 7 December, 2023, which showed continued non-compliance of licence conditions, ranging from minor to serious conditions, such as failing to keep a log as evidence of undertaking 'challenge 25' policies, and providing management access to CCTV footage. Mr Barrett summarised by stating that he was concerned about the length of time taken to address non-compliance of licence conditions, and was of the view that Ms Synyer was unable to ensure that the premises remained safe, and as such he requested the revocation of the licence.
- 4.8 In response to questions from Members of the Sub-Committee, and the Legal Advisor to the Sub-Committee, the applicant stated that evidence had been requested relating to the reports of the alleged incidents, but to-date, CCTV footage had not been provided. Following Mr Barrett's visit to the premises on 7 December, 2023, and discussions with Mr Askham, it was discovered there were still no refusals logs readily available. Mr Askham had explained to Mr Barrett that he wrote refusals on a piece of paper, which he would then report back to the licensee. Mr Barrett believed the conditions of the licence to be easy to comply

with, and that the actions required to ensure compliance were not onerous. He stated that the majority of the action plan aimed to ensure compliance with the premises licence conditions, and also required all staff to attend safeguarding training. Mr Barrett noted that it was rare that a voluntary action plan was used as a course of action to deal with non-compliance of licence conditions.

- 4.9 Chantelle Synyer confirmed that she had attended the recommended safeguarding training, and stated that she had not been able to provide the CCTV footage due to financial and technical difficulties.
- 4.10 Vincent Blake-Barnard (Counsel for South Yorkshire Police) outlined the core licensing objectives. He explained that the premises came to the attention of South Yorkshire Police following the incident that was reported to them on 18 December, 2022. He stated that the record made in the incident log outlined an incident where a 40-year old male had thrown a 17-year old onto a table, resulting in a glass injury to the 17-year old, and noted that this was inconsistent with a conversation held with the staff member on duty, who had indicated a light-hearted nature to the incident. As the venue catered to a younger audience, Mr Blake-Barnard was concerned about the absence of risk assessments to address this, for example evidence of the 'Challenge 25' scheme, door supervisor presence, and awareness of the potential for under-age customers smuggling drinks into the premises. He noted that Ms Synyer had not been present at the joint visit on 23 December, 2022, and was concerned about her lack of engagement with the premises around this time. He highlighted further allegations of 'lock-ins', drug taking/selling, and described a report of an incident of aggravated robbery on 30 November, 2023, where it was alleged that an intruder had entered the premises and attacked a slot machine with a knife and hammer, and remained on the premises. He noted his concerns about the ongoing failure to provide CCTV evidence, despite ongoing efforts of the responsible authorities. In summary, Mr Blake-Barnard believed that Ms Synyer was failing to ensure compliance with the premises licence conditions and with the core licensing objectives.
- 4.11 In response to questions from Members of the Sub-Committee, and the Legal Advisor to the Sub-Committee, it was stated that South Yorkshire Police had continually worked to engage with Ms Synyer, including providing documentation to her in different formats, making her aware of safeguarding training, and support with other difficulties that she was facing. It was confirmed that persons under 18 years of age were not allowed on the premises after 2100 hours unless accompanied by an appropriate adult and attending a pre-booked family event, or dining at the premises. It was noted that CCTV footage was an important tool following the reported incident and ensuring compliance with the licence conditions going forwards. Following concerns expressed by Ms Synyer that some of the allegations were malicious in nature, it was confirmed that South Yorkshire Police had investigated this and were not able to support this claim due to a lack of CCTV footage. It was also noted that it was unusual to have an action plan in place for this length of time without achieving compliance, and that support had been offered throughout the process to assist Ms Synyer in providing the necessary evidence.

- 4.12 Julie Hague advised that the Sheffield Children Safeguarding Partnership had made a representation to address concerns about the inconsistency in management arrangements and non-compliance with the premises licence conditions. She explained that a core licensing objective was the protection of children from harm to ensure a safe and family friendly environment for children. This venue was a dinosaur-themed pub, designed to attract children and families, whilst also being a venue for adults with alcohol sales. She expressed significant concern that safeguarding conditions were not being complied with. Ms Hague stated that following the reported incident on 18 December, 2022, where a child came to harm at the premises, Ms Synyer was advised to undertake a safeguarding risk assessment, and support was offered to assist staff in understanding the risks of operating mixed use premises, and potential risks to children. She explained that although Ms Synyer had now completed the safeguarding training, she was concerned that she had not initially prioritised this training. Ms Hague added that there did not appear to be any consistent control of the premises, thus reinforcing her safeguarding concerns. She stated that when she carried out a visit to the premises on 5 October, 2023, Ms Synyer had not been present. She discussed safeguarding policies with Mr Askham, and noted that two children were present. She explained that Mr Askham had not been able to provide the refusals book or access a copy of a safeguarding risk assessment. Due to this, and reported incidents at the premises between August and September, 2023, the Sheffield Children Safeguarding Partnership had become increasingly concerned that current arrangements were inadequate to mitigate the risks associated with drug use, drug dealing and violence, and requested that the Licensing Sub-Committee took positive action in dealing with those risks.
- 4.13 In response to questions from Members of the Sub-Committee, and the Legal Advisor to the Sub-Committee, Ms Hague stated that safeguarding was of concern in the absence of compliance with licensing conditions. Ms Hague believed that a culture change, along with consistent management was necessary, but there was still no reassurance of this. She noted that there were a number of family friendly premises across the city, where staff had carried out safeguarding training and recognised their responsibilities, but felt this was lacking at Jurassica. At this point, Ms Synyer asked if safeguarding training was still available to her staff, and Ms Hague responded by explaining that access to safeguarding training was unlimited and free to all staff. She added that an online resource was currently being developed, that would allow licensees to access on-line training on demand.
- 4.14 Ms Synyer provided some background to her time as licensee at Jurassica, She explained that she had provided significant investment into the building, having been assured by the landlord that she would have the option to purchase it. However, this did not transpire, and instead, she was served with an eviction notice in September, 2022. She stated that this resulted in harassment from the landlord, for which she had sought legal advice, and had spent time looking for alternative living accommodation and business premises. She added that she had not attended the safeguarding training offered to her in February 2023 due to the illness and passing of a close friend, and added that a close family member passed away three months later. She also stated that around this time she had reported her ex-partner to the police due to abusive behaviour. She explained that

her dinosaur-themed business had suffered due to the closure of the premises kitchen (due to leaking), meaning she was unable to provide catering for parties, so had instead focussed her efforts on her balloon and events business. She added that she felt she had done her best to comply with the premises licence conditions, despite her difficult personal circumstances and health conditions, and associated struggles with paperwork/risk assessments. She noted the support she had received from Mr Askham, who worked as Bar Manager in the evenings, meaning she could focus on daytime events and her other business, which often involved travel and sometimes for days at a time. She added that the pub was split into two parts: one for the restaurant and children's events, and the other for pool and darts.

- 4.15 In response to questions from Members of the Sub-Committee, and the Legal Advisor to the Sub-Committee, Ms Synyer stated that she had previously considered other premises for her business, but as they were not affordable, she opted for the current premises on the basis that she could combine all aspects of her business, including events, family dining and alcohol provision. She added that her longer-term goal was to provide a dinosaur-themed, educational venue for families, operating during the day. Ms Synyer acknowledged that events in her life had affected her management and staffing decisions at the premises, but stated that she was willing to accept assistance from responsible authorities as needed. She stated that she had spent time preparing a risk assessment that was subsequently rejected by the responsible authorities. She added that she believed her financial and personal difficulties had prevented her from accepting the help that had been offered. Ms Synyer explained that she had rented the building on a two-year contract, before being served with an eviction notice in September, 2022. When asked about whether she would consider removing the sale of alcohol, Ms Synyer explained that she felt the provision of alcohol for parents and diners was important to her business. She noted that although her balloon/events business was currently a steady source of income for her, Jurassica was the passion that she hoped to pursue long-term. In terms of future plans, she explained that work was needed in order to weatherproof the building, and that she would employ two bar managers who would be responsible for the management and regular training of staff, and that evening opening would eventually cease.
- 4.16 In response to questions from representatives of responsible authorities, Ms Synyer advised the Sub-Committee that appropriate signage was in place and an 'ID' folder was available, which she updated with Mr Askham at the end of the day. When reminded of the legal requirement to have a refusals log available upon request, Ms Synyer stated that customers had become aware that the premises were not generally open after 2100 hours. In terms of the CCTV system, Ms Synyer stated that the hard-drive had failed and had been taken away by the supplier, causing a gap in recording of almost three months. She added that the hard-drive was replaced in October, 2023, and was now working, but with a glitch affecting the time/date shown. When asked about the incident reported on 18 December, 2022, Ms Synyer stated that she had been out of the country for this event, due to the seasonal demands of her balloon/events business. She added that, based on advice from her solicitor, she was withholding rent due to the outstanding repairs needed for the building, with the intention of then carrying out

repair work to the kitchen and toilets so that this area could be re-opened.

- 4.17 Ms Synyer stated that she had been in a meeting with her accountant who had intimated that two potential investors were interested in her business. She added that she had previous experience of managing pubs, and believed that she tried her best to meet her responsibilities as a designated premises supervisor, despite the financial and personal difficulties she had faced. When asked about the importance of the licensee being on the premises and the pressure of running two businesses, Ms Synyer stated that she had recently interviewed two managers, and added that the premises had been closed for much of the last 12 months. She explained that although an event had been planned for 16 October, 2023, it did not take place due to lack of interest. A buffet was planned for this event on the basis that building work on the kitchen was hoped to be completed.
- 4.18 Ms Synyer confirmed that bookings for children's parties had declined due to problems with the toilets and the roof leaking, and that food was not currently being served. She explained that children resided with her in the pub, and that Mr Askham's children were sometimes present in the pub. She believed that her personal struggles had helped her to learn, and added that she would ensure that staff were adequately trained.
- 4.19 All parties summarised their cases.
- 4.20 Shimla Finch outlined the options available to the Sub-Committee.
- 4.21 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting, and the webcast be paused, before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.22 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 4.23 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees, and the webcast re-commenced.
- 4.24 **RESOLVED:** That in the light of the information contained in the report now submitted, the representations now made and the responses to the questions raised, the premises licence in respect of the premises known as Jurassica, 71 Monteny Crescent, Sheffield, S5 9DP (Ref No. 143/23), be revoked on the grounds that the premises licence holder has consistently undermined the licensing objectives, particularly with regard to the prevention of crime and disorder, public safety and the protection of children from harm.

(NOTE: The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Statutory)

Meeting held 18 December 2023

PRESENT: Councillors David Barker (Chair), Roger Davison and Ann Woolhouse

1. APOLOGIES FOR ABSENCE

1.1 No apologies for absence were received.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - NO MILD STEEL, 109-111 RANDALL STREET, HIGHFIELDS, SHEFFIELD, S2 4SJ

4.1 The Chief Licensing Officer submitted a report on an application made under Section 17 of the Licensing Act 2003 for the grant of a premises licence in respect of the premises known as No Mild Steel, 109-111 Randall Street, Highfields, Sheffield, S2 4SJ (Ref. No. 147/23).

4.2 Present at the meeting were Christopher Grunert (Solicitor for the applicant), Suzanna Foulerton-Walker (Applicant), Louise Glover (Director, No Mild Steel), Peter de Lange (Objector), Anna de Lange (Objector), Carl Whitham (Objector), Paul Iseard (Objector), Shimla Finch (Licensing Strategy and Policy Officer), Bob Singh (Environmental Protection Officer), Samantha Bond (Legal Adviser to the Sub-Committee) and Philippa Burdett (Democratic Services).

4.3 Samantha Bond outlined the procedure which would be followed during the hearing.

4.4 Shimla Finch presented the report to the Sub-Committee and it was noted that representations had been received from responsible authorities and interested parties, as listed in paragraph 3.1 of the report, with full copies of the representations attached at Appendix 'B' to the report. During the consultation period, the applicant had agreed conditions and a reduction of operating hours with South Yorkshire Police, with details shown at Appendix 'C' of the report. Since the publication of the report, the Health Protection Service had been in liaison with the applicant to resolve the issues raised, an updated plan had been submitted and all

five conditions listed in their objection had been agreed, and their objection was withdrawn.

- 4.5 Bob Singh explained that due to the late opening hours requested in the application (until 0600 hours), a joint meeting was set up on site between the applicant and responsible authorities. He noted that the premises was a large industrial building, not originally designed as a live or recorded music venue. He added that there were a number of weak points in the fabric of the building such as a tin roof, several openings, single glazing and roller shutter doors, and had not been acoustically treated, thus providing minimal sound insulation. He noted his concerns that any music played above background level could result in noise breakout. He advised that the nearest residential accommodation was approximately 30 metres from the venue, and that there had been a history of complaints relating to noise from other operators in the vicinity, some of which had required the implementation of noise control measures. Recommendations were subsequently made to the applicant, as detailed in Appendix 'B' of the report. Mr Singh explained that further discussions took place with the applicant, and it was agreed that, as music would be ancillary to the business, opening hours would be reduced to 2300 hours, the capacity would be reduced to 499, and the recommended conditions were amended such that a noise survey was no longer required. He had, however, requested a specific condition that would apply if any justified noise complaints were received. Mr Singh confirmed that he still had concerns that any music played above background level would be audible at neighbouring commercial premises, due to the current fabric of the building, and could result in noise complaints.
- 4.6 Samantha Bond confirmed that under the Licensing Act 2003 and Live Music Act 2012, where a premises licence has a licence for the supply of alcohol, live and recorded music can be provided in a deregulated form, providing the premises operate at a capacity below 500 people and provision is between 0800 hours and 2300 hours. . Should complaints be received once the premises was in operation, a 'stepped' approach would be taken by the responsible authorities to address this. She advised that conditions could be applied to address concerns relating to the licensing objectives generally, such as noise from disposing of glass bottles, or in relation to the exhibition of a film, but that conditions imposing limits of sound levels relating to live and/or recorded music could not be applied.
- 4.7 In response to questions from Members of the Sub-Committee, and the Legal Advisor to the Sub-Committee, Mr Singh confirmed that previous occupation of the building was likely to have been engineering works, with no planning restrictions. Carl Whitham stated that the building was previously used for the fabrication of stainless steel, operating from 0700 hours to 1700 hours, and he had not experienced any noise problems during the previous occupation. Mr Singh confirmed that he was satisfied that the proposed conditions would address concerns of noise breakout from the premises, but noted that a scheme of sound attenuation works would be at significant cost to the applicant due to the size of the premises.
- 4.8 Samantha Bond advised that, as a deregulated activity, conditions 3, 4, 5 and 9 could not be applied to the application being considered as the Sub-Committee cannot condition activities which are not defined as 'regulated activities'. The

proposed condition 1 would only be in relation to the provision of film.

- 4.9 Peter de Lange stated that currently, noise from businesses operating at Portland Works was intermittent, and had been easily resolved in cases of potential conflict. He hoped that parking, crowd management and security would be satisfactorily managed, and remained concerned about amplified sound due to the fabric of the building. He noted, however, that he had not experienced any noise problems from the previous occupant of the premises.
- 4.10 Carl Whitham stated that he was a tenant of Portland Works and operated a photographic studio between 0900 hours and 2000 hours, and also offered the studio as a hired space. He explained that his main concern was of sound ingress and how this might affect his established business.
- 4.11 Paul Iseard explained that he was Chair of a charity that aimed to raise grant funding to invest in Portland Works, as well as providing an outreach function for education on heritage. As part of this function, monthly lectures were organised in an area that shared a wall with the premises. Mr Iseard noted his concerns relating to the potential for noise breakout, and was of the opinion that this would be best addressed if the applicant was required to provide a noise survey and mitigation plan.
- 4.12 Mr de Lange explained that he had attended several meetings with the applicant, who had provided reassurance in relation to his concerns about security and crowd management, but commented that he still had concerns due to the existing fabric of the building, and whether this could lead to noise breakout from the premises. He added that there were three units in Portland Works that adjoined the site of the application that could be impacted by noise breakout.
- 4.13 Chris Grunert stated that the original application had been wide and flexible in its scope, but had been curtailed in response to representations from the responsible authorities. He re-iterated that the application was for deregulated activities, and the only regulated activity applied for was for film screenings, which would be on an infrequent basis. He stated that this was not an application for a night club, bar or as a live music venue. He added that the applicant was aware that the premises were not suitable for all forms of live and recorded music, and was aware of the requirement to operate in a responsible manner and in-line with the core licensing objectives. He explained that the Environmental Protection Service had legal powers to require abatement of noise in certain circumstances, and that the Licensing Act 2003 also gave powers for the responsible authorities to disapply the deregulation, and request a review of a premises licence if the licensing objectives were not being met. Mr Grunert referred to Condition 1, as requested by the Environmental Protection Service, and was of the opinion that this could be applied to film screenings only, as this would be the only deregulated activity. He was also of the opinion that Condition 2 was unenforceable for deregulated activities, and could not be applied to the premises licence, if granted by the Sub-Committee. He added that the onus was on the applicant to promote the four licensing objectives, which included the prevention of public nuisance, and that the applicant had fully engaged with the responsible authorities and neighbouring premises at Portland Works. He confirmed that the applicant would not undertake live events until such

time as appropriate acoustic works had been undertaken to ensure that noise breakout was adequately controlled. He added that Conditions 6, 7 and 8 reflected the applicant's intended practices. He noted that although the premises had a history of industrial use, there were no recorded incidents of disturbance to neighbouring premises, which he believed indicated that a reasonable level of activity could occur without causing any disturbance. He added that the noise referred to in a representation made was in relation to a sound test that was being carried out. He stated that the applicant intended to be proactive with neighbours, and would provide contact details for them to raise any concerns. He noted that the applicant had requested retail sale of alcohol and film screenings as part of pre-sold pre-planned events. He added that the Suzanna Foulerton-Walker and Louise Glover were experienced in bar management, and, in addition, Ms Glover had experience of organising and hosting events. As the applicant had entered into a 10-year lease on the premises, Mr Grunert believed that this showed commitment to the venture, in a generally busy area of the city, where there were already licenced premises in operation.

- 4.14 Ms Foulerton-Walker explained that the intention was to create a space where creativity and community could flourish, whilst embracing the industrial charm of Sheffield. The premises was a versatile space, which she hoped would become a community hub. Her team had a commitment to responsible practices, supported local business, and aimed to add vibrancy to the neighbourhood and bring investment to the area. The aim was to provide responsible, inclusive and inspiring gatherings, and allow local community groups to use the space during non-opening hours for free. She added that client inquiries so far included a trade show, a recovery and sobriety conference, food fayres, vintage fairs, a silent disco and film screenings.
- 4.15 In response to questions from Members of the Sub-Committee, and the Legal Advisor to the Sub-Committee, it was confirmed that there was currently no music system on site, and that small speakers had been used during the recent Christmas market. The current capacity of the venue was 300, based on toilet provision, and seating was permitted subject to a risk assessment. Mr Grunert advised that open communication would be encouraged prior to events, and a contact would be provided to report any concerns. Door supervisors would be employed to assist with customer dispersal on a risk assessed basis, depending on the type of event, and advice from a health and safety consultant would be utilised when considering lease of rooms to third parties. It was noted that the only time that alcohol 'off-sales' had been utilised was at the recent Christmas market, when alcohol had been sold in bottles as gifts. A Temporary Events Notice was in place for this, and it was hoped for similar fayres to be held in the future. It was confirmed that alcohol provision at the premises would be ancillary to the events that were taking place, and it was also noted that management would be present at all times while the premises were open.
- 4.16 All parties were given the opportunity to summarise their cases.
- 4.17 Shimla Finch outlined the options available to the Sub-Committee.
- 4.18 **RESOLVED:** That the public and press and attendees involved in the application

be excluded from the meeting, and the webcast be paused, before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.

- 4.19 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 4.20 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees, and the webcast re-commenced.
- 4.21 **RESOLVED:** That, in the light of the information contained in the report now submitted, the representations now made and the responses to the questions raised, the application for a premises licence in respect of the premises known as No Mild Steel, 109-111 Randall Street, Highfields, Sheffield, S2 4SJ (Ref No. 147/23) be granted in the terms requested, be granted in the terms requested, subject to the conditions agreed with South Yorkshire Police and with the Health Protection Service, and subject also to the following conditions:-
1. Amplified sound arising from regulated entertainment shall only take place within the building in such a way that noise breakout does not exceed the prevailing ambient noise level by more than 3dB when measured at 1m from the façade of the nearest noise sensitive receptor;
 - a. as a 15 minute LAeq, and;
 - b. at any one third octave band centre frequency as a 15 minute LZeq.
 2. The DPS or designated member of staff must take a proactive approach to noise control, checking outside the premises to ensure that noise is kept to a reasonable level from patrons using the designated external area(s), and access and egress;
 3. The premises licence holder shall prominently display A5 notices on all exits reminding patrons to leave the premises in a quiet and orderly fashion to respect the local neighbours' needs; and
 4. The premises licence holder shall prominently display A5 notices in all external areas reminding patrons to be quiet whilst using the facilities provided and respect the local neighbours' needs.

(NOTE: The full reasons for the Sub-Committee's decision will be included in the Written Notice of Determination.)

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 22 January 2024

PRESENT: Councillors David Barker (Chair), Talib Hussain and Henry Nottage

1. APOLOGIES FOR ABSENCE

- 1.1 An apology for absence was received from the Reserve Member (Councillor Nabeela Mowlana).

2. EXCLUSION OF PUBLIC AND PRESS

- 2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

- 3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - NALLA'S CONVENIENCE STORE, 25 CHURCH STREET, SHEFFIELD, S1 2GJ

- 4.1 The Chief Licensing Officer submitted a report to consider an application made under section 17 of the Licensing Act 2003 for the grant of a premises licence in respect of the premises known as Nalla's Convenience Store, 25 Church Street, Sheffield, S1 2GJ (Ref No. 05/24).
- 4.2 Present at the meeting were Mounika Sakhamuri (Applicant), Tim Shield (Legal Representative for the Applicant), Councillor Martin Phipps (on behalf of the Objectors), Samantha Bond (Legal Adviser to the Sub-Committee), Shimla Finch (Principal Licensing Policy and Strategy Officer) and Jay Bell (Democratic Services).
- 4.3 Samantha Bond outlined the procedure which would be followed during the hearing.
- 4.4 Shimla Finch presented the report to the Sub-Committee, and it was noted that representations had been received from City Ward Councillors and were attached at Appendix 'B' to the report. The applicant had agreed conditions with South Yorkshire Police which could be found at Appendix 'C' to the report.
- 4.5 Councillor Martin Phipps stated that the objection from City Ward Councillors related to the late hours in which the store would be open and permitted to

sell alcohol. He asked that the hours in which the premises would be permitted to sell alcohol, be restricted to between 8am to 11pm in line with other independent local stores. The reason for this related to concerns around alcohol being sold to vulnerable people and fuelling anti-social behaviour in the late hours of night and early hours of the morning. He added that later opening hours would jeopardise local agencies and also set a precedent for other premises to sell Off-licenced alcohol in the City Centre. Councillor Phipps stated that City Ward Councillors also opposed due to the location of the premises, given the existing levels of crime and disorder near the Cathedral and had concerns that, should the application be granted, crime and disorder could increase and impact on local residents and businesses.

- 4.6 In response to questions from Members of the Sub-Committee, Councillor Martin Phipps stated it was possible that City Ward Councillors were unaware of a similar premises permitted to sell alcohol, similar to the times requested by the applicant. He added that the premises mentioned was located at the opposite end of West Street to Nalla's Convenience Store and therefore would be viewed differently. He confirmed that City Ward Councillors did review a similar premises and made representations on that application which was restricted to permitting alcohol between 8am and 11pm. Councillor Phipps confirmed that he often received contact from local residents raising concerns once applications relating to Off-licenced alcohol sale had been submitted.
- 4.7 In response to a question from the Legal Adviser to the Sub-Committee, Councillor Martin Phipps confirmed that he had no personal knowledge of any concerns raised by local residents relating to this particular case although believed that not everyone may have seen the application.
- 4.8 In response to a question from the Legal Representative for the Applicant, Councillor Martin Phipps confirmed that the objection was not criticising the applicant or the premises, the objection related to the times in which the premises would be permitted to sell alcohol and the location of the premises.
- 4.9 Tim Shield informed members of the Sub-Committee that the current DPS (Designated Premises Supervisor) was experienced and had worked in Off-licences for many years. The DPS had previously worked out of Sheffield in a similar premises in Stoke-on-Trent. He explained that Nalla's Convenience Store was a relatively new business although it had already been operating 24hours a day since it had opened. He drew Members of the Sub-Committee's attention to the plan shown as part of the application, and stated that, as seen in the plan, this premises was a convenience store and not a specialised Off-licence although selling alcohol did play a role in the store's sales. He believed that the premises would be a welcome addition to the City and asked Members to review the images of the premises circulated to the Sub-Committee, in advance of the meeting. Mr Shield stated that the aim of the convenience store was to cater for the residents and businesses in the immediate vicinity. He confirmed there was prior discussions with South

Yorkshire Police in which conditions had been implemented and could be found at Appendix 'C' to the report. Tim Shield mentioned four other premises situated on West Street who all had a 24hour Off-licence, and he added that these were all within a five-minute walk from Nalla's Convenience Store. He concluded by believing this premises was a good proposal and would benefit the local area.

- 4.10 In response to questions from Members of the Sub-Committee, Tim Shield confirmed that Nalla's Convenience Store was not a specialist Off-licence. Alcohol would be a part of the sales, but they offered a variety of day-to-day items. He believed that at least two of the four other off-licences on West Street were operating until early hours of the morning. He stated that Nalla's Convenience Store was already operating 24hours and therefore did not believe that being permitted to sell alcohol would cause any further issues. He believed that if there had been existing issues relating to the premises, then South Yorkshire Police would have made a representation. Mr Shield stated that the applicant saw an opportunity for a store in the City Centre and would be offering something different to the other convenience stores in the local area. Mr Shield confirmed that employees at Nalla's Convenience Store had prior experience in working in Off-licences and believed they would be able to address issues relating to anti-social behaviour. He added that an option that would be considered would be restricting the sale of alcohol within the times applied for if they were experiencing high levels of concern.
- 4.11 Councillor Martin Phipps commented on the location, stating that the other off-licences mentioned were at the opposite side of West Street and believed they did not relate to this application.
- 4.12 Tim Shield summarised the case on behalf of the applicant.
- 4.13 Shimla Finch outlined the options available to the Sub-Committee.
- 4.14 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting, and the webcast be paused, before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.15 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 4.16 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees, and the webcast re-commenced.
- 4.17 **RESOLVED:** That, in the light of the information contained in the report now submitted, the representations now made and the responses to the questions raised, the application for a premises licence in respect of the premises known as Nalla's Convenience Store, 25 Church Street, Sheffield, S1 2GJ (Ref No. 05/24) be granted in the terms requested.

(NOTE: The full reasons for the Sub-Committee's decision will be included in the Written Notice of Determination.)

5. LICENSING ACT 2003 - PORTER PIZZA, 394-396 SHARROW VALE ROAD, SHEFFIELD, S11 8ZP

- 5.1 The Chief Licensing Officer submitted a report to consider an application made under section 17 of the Licensing Act 2003 for the grant of a premises licence in respect of the premises known as Porter Pizza, 394-396 Sharrow Vale Road Sheffield, S11 8ZP (Ref No. 06/24).
- 5.2 Present at the meeting were David Musgrove (Applicant), Samantha Bond (Legal Adviser to the Sub-Committee), Shimla Finch (Principal Licensing Policy and Strategy Officer) and Jay Bell (Democratic Services).
- 5.3 Samantha Bond outlined the procedure which would be followed during the hearing.
- 5.4 Shimla Finch presented the report to the Sub-Committee, and it was noted that representations had been received from a local resident which could be found at Appendix 'B' to the report. The local resident had been invited to attend the hearing, but confirmed they would not be attending. Ms. Finch added that, during the consultation period, the applicant had agreed three conditions with South Yorkshire Police which can be found at Appendix 'C' to the report.
- 5.5 A Member of the Sub-Committee referred to the report at Appendix A, stating there had been a typing error on the application in respect of the starting hour for the supply of alcohol on Sundays, which read '12:00' and ought to be '21:00' and asked that it be amended for the record.
- 5.6 David Musgrove informed Members of the Sub-Committee that Porter Pizza was a family-owned business and believed it to be rooted as part of the local community as well as them being keen to invest in the local community which they were a part of. He believed that they had ran the business responsibly for the eight years in which it had been operating. Mr Musgrove explained that they previously made the decision to stop serving alcohol at 9.30pm on weekdays and 10.00pm on weekends and that they intend to follow the same precedent at this premises. He confirmed that the majority of their customers consumed water whilst they were eating and that the remaining was split between soft and alcoholic beverages. Of those who were consuming alcohol, it was mainly a glass of wine or a pint of beer to accompany their meals. He stated that drunkenness or any alcohol-related issues was not

something they've had to deal with since operating with an alcohol licence. Mr Musgrove respected the local resident's representations relating to noise nuisance and how alcohol could impact this, although from his experience this would be extremely limited. The only other noise pollution that Mr Musgrove was aware of was when the glasses were being emptied into the glass bin at the end of a shift, although he was open to reserving this duty until the morning. Mr Musgrove concluded by listing local initiatives that Porter Pizza had and would continue to be part of.

- 5.7 In response to a question from a Member of the Sub-Committee, David Musgrove explained that the only time the Police had been called due to Crime and Disorder was when the premises was broken into many years ago. Mr Musgrove confirmed that the new premises was approximately six doors away from the previous premises.
- 5.8 David Musgrove summarised the case on behalf of the applicant.
- 5.9 Shimla Finch outlined the options available to the Sub-Committee.
- 5.10 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting, and the webcast be paused, before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 5.11 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 5.12 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees, and the webcast re-commenced.
- 5.13 **RESOLVED:** That, in the light of the information contained in the report now submitted, the representations now made and the responses to the questions raised, the application for a premises licence in respect of the premises known as Porter Pizza, 394-396 Sharrow Vale Road, Sheffield, S11 8ZP (Ref No. 06/24), be granted in the terms requested.

(NOTE: The full reasons for the Sub-Committee's decision will be included in the Written Notice of Determination.)

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 23 January 2024

PRESENT: Councillors Abdul Khayum (Chair), David Barker and Cliff Woodcraft

1. APOLOGIES FOR ABSENCE

1.1 An apology for absence had been received from Councillor Sioned-Mair Richards.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 Councillor Maroof Raouf had declared a prejudicial interest prior to the meeting and withdrawn from membership of the Sub-Committee.

3.2 There were no other declarations of interest.

4. LICENSING ACT 2003 - 418 EATS, 287 ECCLESALL ROAD, SHEFFIELD, S11 8NX

4.1 The Chief Licensing Officer submitted a report to consider an application made under section 17 of the Licensing Act 2003 to consider an application to grant a premises license in respect of the premises known as 418 Eats, 287 Ecclesall Road, Sheffield, S11 8NX (Ref No 07/24).

4.2 Present at the meeting were Saeed Ibrahimi (Applicant), Samantha Bond (Legal Adviser to the Sub Committee), Shimla Finch (Principal Licensing Policy and Strategy Officer), Joanne Cooper (Democratic Services), Councillor Angela Argenzio (Objector), and Mike West, Botanical Gate Residents Association (Objector).

4.3 Samantha Bond outlined the procedure which would be followed during the hearing.

4.4 Shimla Finch presented the report to the Sub Committee, and it was noted that

representations had been received from two interested parties and were attached at Appendix B of the report. Two objectors had given notice that they were going to attend the hearing.

- 4.5 During the consultation period, conditions had been agreed between the Applicant and South Yorkshire Police and were attached at Appendix 'C' to the report.
- 4.6 Samantha Bond queried the opening hours for Sundays, and the Applicant, confirmed his intention to close at 11pm, rather than 1am which had been stated in the application form.
- 4.7 Councillor Abdul Khayum, Chair of the Sub-Committee, invited objectors present to speak at the meeting.

(a) Councillor Angela Argenzio, Broomhill and Sharrow Vale Ward

Councillor Argenzio stated that whilst she had not had any communications regarding this application, it was still a cause for concern as despite the area being a lively business area, the nearby roads were all residential. These were inhabited not just by students but also by long term older residents and young families who would be impacted by longer opening hours and increased noise from waiting taxis, and noise from lingering customers.

Councillor Argenzio explained that local residents were keen to keep the 11.30pm business curfew which had been upheld by a decision made by the Planning Inspectorate in February 2014 regarding 283 Ecclesall Road. It was important to balance the needs of business and residents.

Additionally, there were anecdotal reports of increased drug dealing in the area which would be exacerbated if people were there later into the night.

(b) Mike West, Botanical Gate Residents Association.

Mr West stated that he was representing the Residents Association who had been consulted regarding his objection. He advised that he welcomed the buzz successful businesses brought to Ecclesall Road and contrary to assertions made by the applicant, he was not confused with the 418 Lounge which he was aware was a separate premises.

Mr West explained that there was concern over the application including 3-4 tables outside the premises, which felt more appropriate to a restaurant than a takeaway. The mopeds used by delivery companies would be noisy. It was likely that customers would buy food late and night and then walk with it and litter further down the road, as this happened already. He felt that the needs of residents were best met by businesses closing at 11.30pm, and this created a balance with the needs of the business owners.

- 4.8 In response to questions from Members, objectors stated the following:

Councillor Angela Argenzio

- She was not sure if all nearby businesses closed at 11.30pm but most of them that served alcohol did.
- Whilst this was not an application for an alcohol license, nevertheless it would encourage people to linger and potentially increase anti-social behaviour.
- She was present at the Sub-Committee representing the views of herself and fellow Ward Councillor, Brian Holmshaw.
- Noise late in the night was particularly problematic for residents who had family members with autism.
- Noise late in the night would disturb more people than earlier noise, as residents were likely to be in bed.
- Residents were encouraged to contact the Police regarding anti-social behaviour.

Mike West

- Customers were likely to be under the influence of alcohol which would affect their behaviour.
- Papa John's late license should not be seen as a precedent.
- It was not possible to identify if an individual business was causing a nuisance, but any nuisance would be reduced by an 11.30pm curfew being observed.
- Ambient noise was lower after midnight so additional noise was more noticeable.

4.9 Councillor Abdul Khayum, Chair of the Sub-Committee invited the applicant, Mr Ibrahim to state his case.

Mr Ibrahim stated the following:

- Papa John's, next door to the proposed premises had a license the same as the one he was applying for and there were nightclubs and pubs nearby which operated until 2.00 or 3.00am.
- The area was the less residential end of Ecclesall Road.
- Food being available later in the night would help to sober people up on their way home from the bars and nightclubs.
- He had put bins in place for rubbish and litter picked the nearby area. He also removed mud and leaves from outside the premises.
- The Council should encourage small businesses, not limit them.
- Filling vacant commercial premises helped the Council.
- His business was a sandwich bar and would use fresh ingredients daily.
- There would be two tables inside so customers could wait for their food inside the premises.
- He had built a good reputation which was reflected in Google reviews.
- He worked hard and worked long hours and his businesses created jobs.
- Utility bills were expensive and extended opening hours would help create the funds to pay them and to pay staff wages.
- Other businesses were closing as they were getting insufficient help from the Council and from local people.

- He has not received any complaints so far.

4.10 In response to questions from Members of the Sub Committee, the Applicant, Mr Ibrahim, provided the following additional information:

- It took 3 to 5 minutes for a customer to be served.
- There would be sufficient staff on site to manage any crowds and guide customers through the premises.
- He attended Pubwatch meetings and this enabled him to put a message out to other businesses for help managing situations if necessary.
- A door supervisor could be employed but this was unlikely to be necessary.
- There were four bins inside and two outside the premises.
- He had encouraged other business owners to keep the area tidy.
- Litter discouraged people from coming to the area and so was bad for business.
- Planning permission was not yet in place for the proposed opening hours but has been applied for.
- He was the Designated Premises Supervisor at 418 Lounge but it was managed by his sister.
- His chef would manage 418 Eats as well as cooking. There would be 3 other staff.
- He would mainly be at 418 Lounge but it was only a 3 minute journey between the two by car.
- 418 Eats would not add additional footfall to the area, the customers were already there.

4.11 Councillor Argenzio stated that the applicant had not answered as to how he would adequately work between two businesses and that contrary to what the applicant had stated the area was residential.

The Applicant responded that it was a family business and management arrangements would be sufficient to guide customers. He would be available every night.

4.12 Shimla Finch outlined the options available to the Sub Committee.

4.13 The Chair explained that the hearing would pause to allow Members to seek legal advice, and then the decision of the Sub-Committee would be communicated.

4.14 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting, and the webcast be paused, before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.

4.15 Samantha Bond reported orally giving legal advice on various aspects of the

application.

4.16 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees, and the webcast was recommenced.

4.17 **RESOLVED:** That the application to grant a premises license in respect of the premises known as 418 Eats, 287 Ecclesall Road, Sheffield, S11 8NX (Ref No 07/24) be granted in the terms requested and to include the following conditions agreed with South Yorkshire Police:

1. Drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
2. Clear and legible notices shall be displayed at all exits requesting that the public respect the needs of local residents and to leave the premises and area quietly.
3. A Challenge 25 scheme must be implemented by all sales and delivery staff at the points of taking the order and delivery. The scheme must include the maintenance of refusals records, staff training records and the display of signage at the points of sale. Records of such training will be kept and made available for inspection of the authorities.

(NOTE: The full reasons for the Sub Committee's decision will be included in the written Notice of Determination).

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Statutory)

Meeting held 26 February 2024

PRESENT: Councillors David Barker (Chair), Karen McGowan and Henry Nottage

1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Garry Weatherall.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - D'AHNI'S (FKA THE BARREL INN), 123 LONDON ROAD, SHEFFIELD, S2 4LE

4.1 The Chief Licensing Officer submitted a report on an application made under Section 17 of the Licensing Act 2003 for the grant of a premises licence in respect of the premises known as D'Ahni's, (fka The Barrel Inn), 123 London Road, Sheffield, S2 4LE (Ref. No. 22/24).

4.2 Present at the meeting were Peter Price and Isheena Whitely (Applicants), Samantha Bond (Legal Adviser to the Sub-Committee), Jayne Gough (Licensing Strategy and Policy Officer), Rosemary Henry (Objector) and Clare Cummins (Democratic Services).

4.3 Samantha Bond outlined the procedure to be followed during the hearing.

4.4 Jayne Gough presented the report to the Sub-Committee, and it was noted that a representation had been received from an interested party and was attached at Appendix 'B' of the report. The objector was in attendance at the meeting. Ms Gough confirmed that the application had been referred to the Licensing Sub-Committee due to an unresolved representation by a local resident following a consultation period. The applicants had agreed with the Environmental Protection Service and South Yorkshire Police to reduce the original proposed licensed operating hours. These were attached at Appendix 'C' of the report.

4.5 Councillor David Barker, Chair of the Sub-Committee, invited questions regarding the report.

4.6 Samantha Bond asked the applicant if they intended to serve hot food after 11pm.

4.7 Peter Price stated that they might consider this at a later point in time.

4.8 Rosemary Henry made the following representations:-

- She felt that the opening hours requested by the applicants were still too late and stated that other restaurants in the area (other than takeaways) closed at around 11pm.
- She felt it would operate more like a pub than a restaurant.
- She did not agree that food would be the main focus of the business, she felt it would be alcohol.
- She described anti-social behaviour she had witnessed on London Road in close proximity to her residence and the venue.
- She described that the area was predominantly residential, and that she lived on an estate next to London Road.
- She explained that two people had been stabbed on her estate during the previous weekend.
- She felt it was a 'rough' area, and having another establishment serving spirits that opened late could lead to further anti-social behaviour when customers were intoxicated.
- She added that persons using the area also contributed to the litter problem, often leaving broken bottles and rubbish. She had organised litter picks through her local Tenants and Residents Association.
- Noise pollution was also an issue for residents and families in the area when customers were leaving local venues that served alcohol.
- She referred to another public house in close proximity to her residence that had impacted negatively on the area in relation to noise pollution and anti-social behaviour, and she expressed fears that another public house opening until the early hours of the morning would add to problematic behaviour from customers in the locality.

4.9 In response to questions from Members of, and the Legal Adviser to, the Sub-Committee, Ms Henry confirmed the following:

- As this new venue would be open later than other public houses in the area, it would prolong the time for disturbances to residents.
- She had lived in her residence for twenty years.
- There were always problems within the area and the more establishments serving alcohol there were, the more problems in the area would continue to happen.
- During the summer it was a 'nightmare', and she had called the police previously due to violent incidents. She believed this was now regular and routine behaviour. She stated that the police did not take any positive action. She would prefer pubs to stop serving at 11pm and close for 11.30pm. She had not made other residents in her building aware of this licensing application. She and other residents experienced issues during

the summer months every weekend.

4.10 Peter Price and Isheena Whitely outlined their application and stated the following –

- The pub next door to their new premises did not close until 5am and other public houses nearby closed at 1am.
- They had been welcomed by other residents in the area and would welcome local residents to liaise with them and to see the refurbishment of the venue.
- The estate that the objector is referring to had other buildings between it and their venue.
- They have implemented measures to prevent noise pollution.
- They expect to have, and will try to attract, new clientele to the venue.

4.11 In response to questions from Members of, and the Legal Adviser to, the Sub-Committee, the applicants confirmed the following:

- They had implemented measures to prevent noise pollution.
- They hoped to attract new clientele to the venue.
- They intended to work with South Yorkshire Police, keep relevant and necessary logs, and allow access to the premises when needed.
- They would carry out staff training and employ new security staff.
- They would promote responsible drinking and would not have cheap drink promotions, such as ‘happy hour’.
- There would be noise limiters on music sound systems.
- They would work with, and listen to, the community and help it grow.
- They hoped to have a positive impact on the area and add vibrancy by increasing choice and providing diverse options for customers in the London Road area.
- They were aware that if they had problems at the venue they could be closed down. Reassurance had been offered to the objector by the applicants.
- There were similar businesses on Ecclesall Road, which also had residential accommodation in close proximity.
- They would be mostly serving food in the form of Caribbean and English style take-away. They envisaged customers who chose to sit in the venue would be customers consuming alcohol.
- They were happy with the amended hours of opening.
- They would encourage meetings with the community and community groups if any issues were raised.
- Once the business was established and had shown to be responsible, they would then discuss extended hours of opening with South Yorkshire Police.
- They were attracted to London Road because it was busy and vibrant, close to town, and had good public transport.
- They invited the objector to stay in touch, along with any other residents who held concerns to work together to resolve any issues that may arise. They welcomed members of the public with concerns to meet with them

at the venue. They had spoken to residents on the estate and some had been pleased to see the venue refurbished and reopened.

- The new management at the venue was experienced in running a successful establishment.
- 4.12 Samantha Bond clarified that the opening times agreed with South Yorkshire Police were 10am each day, and not 9am as had been stated in Appendix 'C' of the report.
- 4.13 The applicants summed up their application.
- 4.14 Jayne Gough outlined the options available to the Sub-Committee.
- 4.15 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting, and the webcast be paused, before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.16 Samantha Bond orally gave legal advice to the Sub Committee on various aspects of the application.
- 4.17 The meeting was then re-opened to the public and press and attendees and the webcast recommenced.
- 4.18 **RESOLVED:** That the application to grant a premises license in respect of the premises known as D'Ahni's (fka The Barrell Inn), 123 London Road, Sheffield, S2 4LE (Ref. No. 22/24) be granted in the terms requested, subject to the conditions agreed with the Environmental Protection Service and South Yorkshire Police, as detailed in Appendix 'C', and the amended opening and operating hours as follows: -

Licensable activities:

Sunday to Thursday - 10.00 – 00.00 hrs
Friday and Saturday - 10.00 – 01.00 hrs

Opening hours:

Sunday to Thursday - 10.00 – 00.30 hrs
Friday and Saturday - 10.00 – 01.30 hrs

(NOTE: The full reasons for the Sub Committee's decision will be included in the written Notice of Determination).

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Statutory)

Meeting held 27 February 2024

PRESENT: Councillors Abdul Khayum (Chair), Cliff Woodcraft and Ann Woolhouse

1. APOLOGIES FOR ABSENCE

- 1.1 No apologies for absence were received. Councillor Karen McGowan attended the meeting as a reserve Member, but was not required to stay

2. EXCLUSION OF PUBLIC AND PRESS

- 2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

- 3.1 There were no declarations of interest.

4. GAMBLING ACT 2005 - BET EXTRA, 17-19 MARKET PLACE, SHEFFIELD, S1 2GH

- 4.1 The Chief Licensing Officer submitted a report to consider an application made under Section 159 of the Gambling Act 2005 for the grant of a premises licence for Bet Extra, 17-19 Market Place, Sheffield, S1 2GH (Ref. No. 21/24).
- 4.2 Present at the meeting were Ryan Holmes (Applicant), Paddy Whur (Legal Representative for the Applicant), Amanda Usher (Legal Representative for the Applicant), Gareth Barrett (Licensing Enforcement/Technical Officer), Maureen Hanniffy (Licensing Manager, Sheffield Children's Safeguarding Partnership), Susan Hird (Assistant Director of Public Health), Douglas Johnson (City Ward Member), Charles Ritchie (Gambling with Lives), Peter Sephton (ChangingSheff), Samantha Bond (Legal Adviser to the Sub-Committee), Shimla Finch (Principal Licensing Policy and Strategy Officer) and Philippa Burdett (Democratic Services).
- 4.3 Samantha Bond outlined the procedure which would be followed during the hearing.
- 4.4 Shimla Finch presented the report to the Sub-Committee, and it was noted that representations had been received from Sheffield Children Safeguarding Partnership, the Licensing Authority, Green Party City Ward Councillors, Charles Ritchie (on behalf of Gambling with Lives) and Peter Sephton (on behalf of ChangingSheff), and were attached at Appendix 'B' to the report.

- 4.5 Maureen Hanniffy stated that the objection from the Sheffield Children Safeguarding Partnership related to the licensing objective 'to protect children and other vulnerable people from being harmed or exploited by gambling'. She noted that the premises were located in the vicinity of a crime hotspot, and that a Problem-oriented Policy plan had been set up by South Yorkshire Police due to the high level of crime and disorder in the area. She added that the area was frequented by vulnerable people, was near to student accommodation and was the main public transport link through the city centre for young people travelling to and from schools. She stated that she was concerned that allowing the premises to expand could increase the amount of gambling harm, and increase the negative impact of gambling on vulnerable adults, students, children and families. Negative social consequences on individuals included impacts on health, financial and wellbeing, breakdowns in relationships, and in some cases criminality to fund a gambling disorder. Ms Hanniffy noted that the Gambling Harm Reduction Strategy for Sheffield aimed to reduce gambling harm opportunities, and she was concerned that a new application would be contrary to this aim and could put additional pressure on existing support services. She believed that the submitted Local Area Risk Assessment did not fully consider the support services in the area, and she understood that there had been further increases of violence and assaults in the area, leading to temporary reduced opening hours for some of the support services nearby.
- 4.6 Gareth Barrett stated that the policy submitted by the applicant failed to address section 7.12 of Sheffield City Council's Gambling Act Policy, and failed to address the local profiling of the area, including the Archer Project and a number of nearby sensitive premises where young people congregated. He confirmed that the applicant's agent had provided an updated Local Area Risk Assessment, dated 19 February 2024.
- 4.7 Susan Hird explained that her report was in support of the representation made by the Sheffield Children Safeguarding Partnership. She noted that Public Health was not anti-gambling, but was concerned about the harms caused by gambling. She felt that gambling harm was significantly under-addressed, both in Sheffield and nationally. This included mental and physical health and relationship and financial harms, affecting children, families and local communities as well as those gambling. She believed that granting this application would be harmful to the licensing objective of 'protecting children and other vulnerable people from being harmed or exploited by gambling'. She noted that since the original licence had been granted in 2013, there was a much greater evidence base on gambling related harm, in particular, those who were more likely to be vulnerable. Sheffield City Council's Statement of Principles 2022 contained a number of factors for the licensing authority to consider. If granted, the size of the customer area would be doubled, increasing the accessibility and availability of gambling, and resulting in an increased risk of harm to people who live, work, study and socialise in the area. The venue was close to multiple sensitive locations, which had not been noted in the original Local Area Risk Assessment, in particular a specialist treatment centre for people with gambling addiction. Ms Hird was concerned that by granting the licence, there would be an increase in gambling harm to those with a number of protected characteristics, and there would be a negative effect

on poverty and financial inclusion. She noted the importance of avoiding preventable harms from occurring in the first place, and stated that tackling gambling harm was a collective action.

- 4.8 In response to questions from Members of the Sub-Committee, it was noted that further data could be sourced relating to the density of gambling premises per capita in Sheffield, and specific cases of gambling harm. It was confirmed that no issues had been reported about the premises since their licence was granted in 2013.
- 4.9 Councillor Douglas Johnson explained that his role as a City Ward Member was to represent the people that lived and worked within the ward, and stated that his main concern was the location of the premises. He noted that it was a busy intersection and a 'gateway' for children and students crossing the city, and was situated in a block of student flats. He noted the high number of school-aged children passing each day, and his concerns about their increased exposure to gambling. He added that the area was an anti-social behaviour 'hotspot' and that there was currently a public consultation on whether a Public Spaces Protection Order should be made in the city centre. He noted the increased awareness of gambling harm over the last ten years, and was concerned that granting of the application might increase harm.
- 4.10 In response to questions from the Legal Adviser to the Sub-Committee, Councillor Johnson confirmed that he had no personal knowledge of the premises, but was concerned about the visibility of the site and how expanding the premises might lead to an increase in work for those organisations already committed to supporting vulnerable people in the city centre.
- 4.11 Charles Ritchie, local resident and member of Gambling with Lives, explained that his son and the son of a friend had both committed suicide in 2017 due to issues relating to gambling addiction, and that this had led to him setting up Gambling with Lives. He explained that this organisation had subsequently brought the scale of gambling addiction to the attention of regulators; in particular, gambling related suicides. He added that Gambling with Lives had challenged the idea that gambling affected only a small number of vulnerable people that could be identified and helped, and that it actually affected ordinary people. He noted that his son and his friend's son were young people who were not vulnerable and had no mental health issues when they began gambling. He added that in August 2023, the Gambling Commission had broadened the definition of vulnerability to include personal and demographic situations and life changes, for example young people going away to university, and that stake limits for online slot games had been reduced for those under the age of 25. He noted his concern that fixed odd betting terminals had the highest report rate for people entering treatment as to what was the cause of their gambling problem, and that the relatively new self-service betting terminals provided a higher speed gambling experience. He was concerned that expansion of the premises would lead to an overall increase in the amount of betting, and that this would link to an increase in gambling harm. He stated that he had visited the premises and, as he had not witnessed any customer interactions, he was concerned that written policies were not necessarily being put into practice. He noted that there was evidence to suggest

that there were high levels of social and economic costs associated with gambling and that it did not generate great wealth, and believed that granting of the licence would lead to further negative effects.

- 4.12 In response to questions from Members of the Committee, Mr Ritchie confirmed that his son's introduction to gambling had been through betting premises rather than online gambling. He added that through his work with gamblers in recovery, he understood that they felt relaxed in betting shops, with fewer restrictions and limits than online gambling.
- 4.13 Peter Sephton read out his representation on behalf of the volunteer group ChangingSheff, included in Appendix 'B' of the report. In summary, he stated that he strongly opposed this location for expansion of a gambling premises, due to existing levels of crime and disorder.
- 4.14 Paddy Whur expressed his condolences to Mr Ritchie, and credited him for his work with central government to make services available when gambling became a problem. He referred to the 'Case Outline' information submitted by the applicant, and noted that Bet Extra was a Yorkshire-based family business and independent operator, and had been licensed at this site since 2013. He added that during this time there was no evidence of children or vulnerable people entering to gamble, or of it being directly responsible for crime and disorder or harming vulnerable people. He confirmed that the majority of customers were regulars and gambled in a responsible manner, and that an extension of the premises would allow the customer base to enjoy more modern facilities. He explained that appropriate planning consent had been gained for the proposed extension, with no additional conditions imposed, and that an amended Local Area Risk Assessment had been submitted. He added that the premises had been operating in accordance with the licensing objectives, and that a robust policy was in place, that included training of staff. Mr Whur confirmed that there had been no recorded incidents of crime at the premises and there was no evidence to show contradiction of safeguarding requirements, adding that the applicant regularly employed a mystery shopping service to test this. He stated that the applicant was a responsible operator and accepted the offer of working with support organisations to further reduce gambling harm. Mr Whur stated that there was no evidence to support the claim that increasing the size of the premises would increase the risks associated with gambling, and added that the aim was to extend the premises to provide a comfortable space for customers to enjoy their leisure time. He noted that the premises had CCTV and that betting terminals were in direct line of sight of staff.
- 4.15 In response to questions from Members of, and the Legal Adviser to, the Sub-Committee, Mr Whur and the applicant confirmed the following:
- An expansion to the premises aimed to create a modern and comfortable environment for people to relax. More seating would be provided, and better screens for watching live sporting action.
 - External signage would be in accordance with planning and licensing legislation requirements.
 - A log of 'under 21' checks was kept by staff and was available for

inspection at the premises. There was clear signage on the door, and it was unusual for under-age people to enter the premises. Staff were aware of their responsibilities and would have regular updated training on ID challenges, and this would be checked twice per year by employing the services of an independent checker.

- Incidents of vulnerable people being identified in the premises were sporadic and any incidents relating to the conditions of the licence were recorded and inspected by the applicant once per week.
- Customers were able to 'self exclude' from the premises and would be directed to leaflets on the Multi Operator Self Exclusion Scheme (MOSES) if needed. The applicant was notified via email of individuals in the area that were excluded via this scheme.

4.16 In response to questions from the responsible authorities and objectors to the application, Mr Whur and the applicant confirmed the following:

- Customer interaction would be conducted by staff if there were signs of uncontrollable gambling. If a regular customer was identified as not gambling in their usual pattern or were not in control, staff were trained to approach the customer in a sensitive way and refer them to supporting organisations.
- The applicant shared information with the Gambling Commission on self-exclusions for his five premises, which amounted to approximately 100 per year. Most exclusions (approximately 90%) came via the MOSES scheme, whereby customers were excluded from all betting shops.
- The applicant had agreed standard conditions with South Yorkshire Police, with an additional condition of acquiring radio sets for the premises and to put the City Centre Retailers Against Crime radio scheme into use at all times when trading.
- Mr Whur had attended the premises a number of times unannounced and was satisfied with the customer interaction he had observed.
- The proposed extension of the premises was to provide better facilities and a better customer experience and not to provide additional gambling facilities.
- A customer interaction log was kept at the premises, which had an entry approximately once every week or two. Staff would look for physical signs, such as a customer being agitated, behaving aggressively or becoming subdued, and not necessarily the length of time spent on a machine.
- Government legislation had restricted stakes and prizes to protect vulnerable people whilst gambling; it was the responsibility of operators and staff to monitor and interact with customers to identify vulnerable individuals.
- All staff at the premises were trained on formal Gambling Commission guidance on customer interactions, and the premises operated under 'Think 21' guidelines. These were regular staff who knew the customer base. The current manager had been in post for approximately seven years.
- The applicant was considering the addition of an additional self-service betting terminal, and such terminals did not need to be specified in the

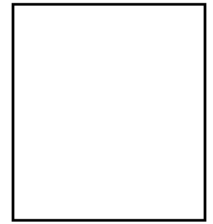
premises licence.

- 4.17 Mr Whur summarised the case on behalf of the applicant.
- 4.18 Shimla Finch outlined the options available to the Sub-Committee.
- 4.19 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting, and the webcast be paused, before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.20 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 4.21 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees, and the webcast re-commenced.
- 4.22 **RESOLVED:** That, in the light of the information contained in the report now submitted, the representations now made and the responses to the questions raised, the application for a premises licence in respect of the betting premises known as Bet Extra, 17-19 Market Place, Sheffield, S1 2GH (Ref No. 21/24) be granted in the terms requested, and subject to the conditions agreed with South Yorkshire Police.

(NOTE: The full reasons for the Sub-Committee's decision will be included in the Written Notice of Determination.)



SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: **Monday 13th May 2024 at 10am**

Subject: Licensing Act 2003

Author of Report: Jayne Gough

Summary: To consider an application to grant a premises licence made under the Licensing Act 2003 for **Radisson Blu Hotel, 30 Pinstone Street, Sheffield, S1 2HN**

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

Background Papers: Attached documents
[Sheffield City Councils Statement of Licensing Policy](#)
[Revised Guidance issued under section 182 of the Licensing Act 2003](#)

Category of Report: OPEN

**REPORT OF THE CHIEF LICENSING OFFICER
(HEAD OF LICENSING) TO THE LICENSING SUB COMMITTEE
LICENSING ACT 2003**

Ref No: 62/24

Radisson Blu Hotel, 30 Pinstone Street, Sheffield, S1 2HN

1.0 PURPOSE OF REPORT

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

2.0 THE APPLICATION

2.1 The applicants are Radisson Sheffield Limited.

2.2 The application was received by the Licensing Service on the 20th March 2024 and a full copy including the proposed plans and accompanying documents are attached at Appendix 'A' of this report.

3.0 REASONS FOR REFERRAL

3.1 The application has been referred to the Licensing Sub-Committee due to unresolved representations from the following interested parties, full copies of the representations are attached at Appendix 'B' of the report with the applicant's response to them:

- **Environmental Protection Service**
- **3 x Local Residents**

3.2 During the consultation period the applicant has agreed conditions with South Yorkshire Police and the Health Protection Service. The agreed conditions are attached at Appendix 'C' of the report.

3.3 The applicant and the Interested Parties referred to in paragraph 3.1 above 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 POLICIES TO CONSIDER

4.1 [Sheffield City Council Statement of Licensing Policy.
Revised Guidance issued under section 182 of the Licensing Act 2003](#)

5.0 FINANCIAL IMPLICATIONS

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

6.0 THE LEGAL POSITION

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

7.0 HEARINGS REGULATIONS

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

8.0 APPEALS

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

9.0 RECOMMENDATIONS

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

10.0 OPTIONS OPEN TO THE COMMITTEE

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

Chief Licensing Officer, Head of Licensing
Block C, Staniforth Road Depot
Sheffield, S9 3HD.

13th May 2024

Appendix 'A'

Application documents

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Proposed Radisson Blu Hotel, 30 Pinstone Street	
Post town Sheffield	Post code S1 2HN

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as

- | | Please tick ✓ | |
|---|-------------------------------------|-----------------------------|
| a) An individual or individuals* | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual* | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname

First names

Date of Birth:

I am 18 years old or over

Please tick

Nationality:

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

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

Surname

First names

Date of Birth:

I am 18 years old or over

Please tick

Nationality:

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

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

Name Radisson Sheffield Limited
Address Chicago Avenue Manchester M90 3RA
Registered number (where applicable) 15462460
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 – Operating Schedule

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

Day	Month	Year

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

Day	Month	Year

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

N/A

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

This is a site that is currently under construction.

The premises are a proposed hotel which will provide accommodation to guests, being open 24 hours a day. In addition providing the usual accommodation and restaurant and bar facilities together with function suites/conference room as detailed on the plans lodged with this application.

Matters of particular note are as follows:-

1. There will be mini bar and room service to residents 24 hours a day.
2. In addition, meeting facilities will be provided for customers by the provision of conference / meeting rooms, as detailed on the plans. There will be a private dining facilities.
3. It is proposed the bar, restaurant and function and other licensed facilities will be open for licensable activities to non residents, as follows: -

Monday to Sunday – 08:00am to 01:00am the following morning.

4. In addition to the general requirements for hours, there will be certain extended hours requested at Bank holiday weekends and other occasions such as New Year's Eve and the Christmas period as detailed in the application.

5. For residents and their bona fide guests, facilities (including alcohol) will be available 24 hours a day and as detailed.

6. There will be a request for live music, recorded music, limited sporting events, pre-recorded films on demand in rooms 24 hours a day and other licensable activities, as detailed on the following pages.

7. The Hotel will have 154 bedrooms arranged over the various floors for layout plans which are from lower ground floor facing Plinstone Street, with bedrooms on the upper floors facing Burgess Street up to fifth floor and including roof plan.

8. The appropriate drawings deposited with the application as follows:-

- Proposed site location plan numbered HOA/HLM/Z1/00/DR/A/0004/P01
- Proposed lower ground floor (including external area) plan number HOA/HLM/Z1/LG/DR/A/0015/P11
- Proposed ground floor plan numbered HOA/HLM/Z1/00/DR/A/0015/P11
- Proposed first floor plan numbered HOA/HLM/Z1/10/DR/A/0015/P11
- Proposed second floor plan numbered HOA/HLM/Z1/20/DR/A/0015/P11
- Proposed third floor plan numbered HOA/HLM/Z1/30/DR/A/0015/P11
- Proposed fourth floor plan numbered HOA/HLM/Z1/40/DR/A/0015/P11
- Proposed fifth floor plan numbered HOA/HLM/Z1/50/DR/A/0015/P11
- Proposed sixth floor plan numbered HOA/HLM/Z1/60/DR/A/0015/P11
- Proposed Roof floor plan numbered HOA/HLM/Z1/RF/DR/A/0015/P03

The plans for the lower ground floor, ground floor and third floor show the main area for licensable activities being receptions, bar, restaurant, conference rooms and meeting rooms and bar serveries and external terrace at 3rd Floor level and a patio/external area at ground floor level as shown on the appropriate plans.

Please further note that the appropriate fire safety precautions will be incorporated within the development.

It is not anticipated that the proposed development will adversely affect the four licensing objectives.

It is proposed the development of this site will improve the area by providing jobs for the local community and a new Hotel facility for this location.

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

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

Please tick ✓ yes

Provision of regulated entertainment

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

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

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

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place Indoors or outdoors or both – please tick {Y} (please read guidance note 2). Principally entertainment on screens and tv screens and in addition on demand to rooms and for other functions	Indoors	
Day	Start	Finish		Outdoors	
				Both	✓
Mon	00:00	24:00	Please give further details here (please read guidance note 3) Films for customers in public areas and on demand in guest rooms		
Tue	00:00	24:00			
Wed	00:00	24:00	State any seasonal variations for the exhibition of films (please read guidance note 4) N/A		
Thur	00:00	24:00			
Fri	00:00	24:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) N/A		
Sat	00:00	24:00			
Sun	00:00	24:00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) Games in the presence of an audience, including (but not limited to) darts, pool, snooker, dominos and similar
Day	Start	Finish	
Mon	08:00	01:00	State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue	08:00	01:00	
Wed	08:00	01:00	N/A - save as below
Thur	08:00	01:00	Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)
Fri	08:00	01:00	
Sat	08:00	01:00	
Sun	08:00	01:00	

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
				Both	✓
Mon	08:00	01:00	Please give further details here (please read guidance note 3) Live music and amplified voice.		
Tue	08:00	01:00			
Wed	08:00	01:00	State any seasonal variations for the performance of live music (please read guidance note 4) N/A – save as below		
Thur	08:00	01:00			
Fri	08:00	01:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	08:00	01:00			
Sun	08:00	01:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
				Both	✓
Mon	08:00	01:00	Please give further details here (please read guidance note 3) Recorded music, including juke box, with or without a DJ, during normal hours or as part of functions and including audience participation.		
Tue	08:00	01:00			
Wed	08:00	01:00	State any seasonal variations for playing recorded music (please read guidance note 4) N/A – save as below		
Thur	08:00	01:00			
Fri	08:00	01:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	08:00	01:00			
Sun	08:00	01:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon	08:00	01:00	Please give further details here (please read guidance note 3)		
Tue	08:00	01:00		Both	√
Wed	08:00	01:00	Performance of dance organised on behalf of the licensed premises or by external operators		
Thur	08:00	01:00			
Fri	08:00	01:00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Sat	08:00	01:00			
Sun	08:00	01:00	N/A - save as below		
			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
			When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors	
Mon	08:00	01:00		Please give further details here (please read guidance note 3)	Outdoors
Tue	08:00	01:00	Both		√
Wed	08:00	01:00	Events organised by the licensed premises or by external operators.		
Thur	08:00	01:00			
Fri	08:00	01:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Sat	08:00	01:00			
Sun	08:00	01:00	Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
			When the hours for sale of alcohol are extended hereunder these hours are also extended (see Box J below)		

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon	23:00	01:00	Please give further details here (please read guidance note 3) The usual provision of food etc. to non residents and hot drinks	Both	✓
Tue	23:00	01:00			
Wed	23:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) N/A - save as below		
Thur	23:00	01:00			
Fri	23:00	01:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	23:00	01:00			
Sun	23:00	01:00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon	08:00	01:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	✓
Tue	08:00	01:00			
Wed	08:00	01:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) The hours for the sale of alcohol are to be extended so they will continue from normal opening on New Years Eve until normal closing on the evening of New Years Day (Into the morning of 2 nd January) Alcohol will be available to be served to Residents and their bona fide guests 24 hours a day, seven days a week.		
Thur	08:00	01:00			
Fri	08:00	01:00			
Sat	08:00	01:00			
Sun	08:00	01:00			

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

Name: Valerie Donaldson
Date of Birth:
Address: [REDACTED]
Postcode: [REDACTED]
Personal Licence number (if known): 0012411
Issuing licensing authority (if known): Stratford Upon Avon District Council

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5) Please see box J above
Day	Start	Finish	
Mon	00:00	24:00	
Tue	00:00	24:00	
Wed	00:00	24:00	
Thur	00:00	24:00	
Fri	00:00	24:00	
Sat	00:00	24:00	
Sun	00:00	24:00	

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6).

M

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

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

The only licensable activity taking place in guest bedrooms will be the sale of alcohol and provision of films.

b) The prevention of crime and disorder

1. The use of door staff will be risk assessed on an ongoing basis by the licence holders or the premises' Designated Premises Supervisor.
2. Staff will receive training on matters concerning under age sales, drugs policy and operating procedures.
3. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by the management to prevent as far as possible the use of drugs by patrons. Any drugs seized shall be stored securely and handed to the Police.
4. CCTV shall be provided in a form of a recordable system capable of providing clear quality images of evidential quality in all lighting conditions. Cameras shall cover all entrance and exits to the premises. The

equipment shall be maintained in good working order and checked on a regular basis. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be retained for a period of 31 days and subject to Data Protection legislation made available to any authorised officer on reasonable request and in accordance with Data Protection legislation. Recordings shall be kept in a secure environment and under control of the Premises Licence Holder or other responsible named individuals.

c) Public safety

1. The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational working order.
2. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
3. Spillages and breakages will be removed as soon as reasonably practicable to reduce the risk to patrons and staff.

d) The prevention of public nuisance

1. Where appropriate prominent, clear and legible notices shall be displayed at exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
2. Use of the Third floor Bar external terrace shall cease at 23:00 hours on all days, save for access for the purpose of smoking.

e) The protection of children from harm

1. There shall be adequate controls in place to safeguard as far as possible against the sale of alcohol to persons under the age of 18.
2. Where children are admitted to the premises their presence shall not be inconsistent with the style and operation of the premises at the time and licensable activities that are being carried out.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected
- {Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships} I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • {Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership} I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15): • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
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Signature: John Gaunt & Partners

Date: 20/03/2024

Capacity: Solicitors

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature: John Gaunt & Partners

Date:

Capacity: Solicitors

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)	
John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT
Telephone number (if any)	0114 2668664
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) TShield@john-gaunt.co.uk	

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:

- o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (Indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK {please see note below about which sections of the passport to copy}.
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and

- evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

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

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

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

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

CONSENT OF INDIVIDUAL TO BEING SPECIFIED AS PREMISES SUPERVISOR

I, VALERIE DONALDSON of [REDACTED] hereby confirm that I give [REDACTED] to be specified as the designated premises supervisor in relation to the application for grant of a premises licence by Radisson Sheffield Limited relating to Proposed Radisson Blu Hotel, 30 Pinstone Street, Sheffield. S1 2HN and any premises licence to be granted in respect of this application made by Radisson Sheffield Limited concerning the supply of alcohol at the proposed hotel at Proposed Radisson Blu Hotel, 30 Pinstone Street, Sheffield. S1 2HN

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for, or currently hold a personal licence.

Personal Licence number: 0012411

Personal Licence issuing authority: Stratford Upon Avon District Council

Date of birth: [REDACTED]

Place of birth: [REDACTED]

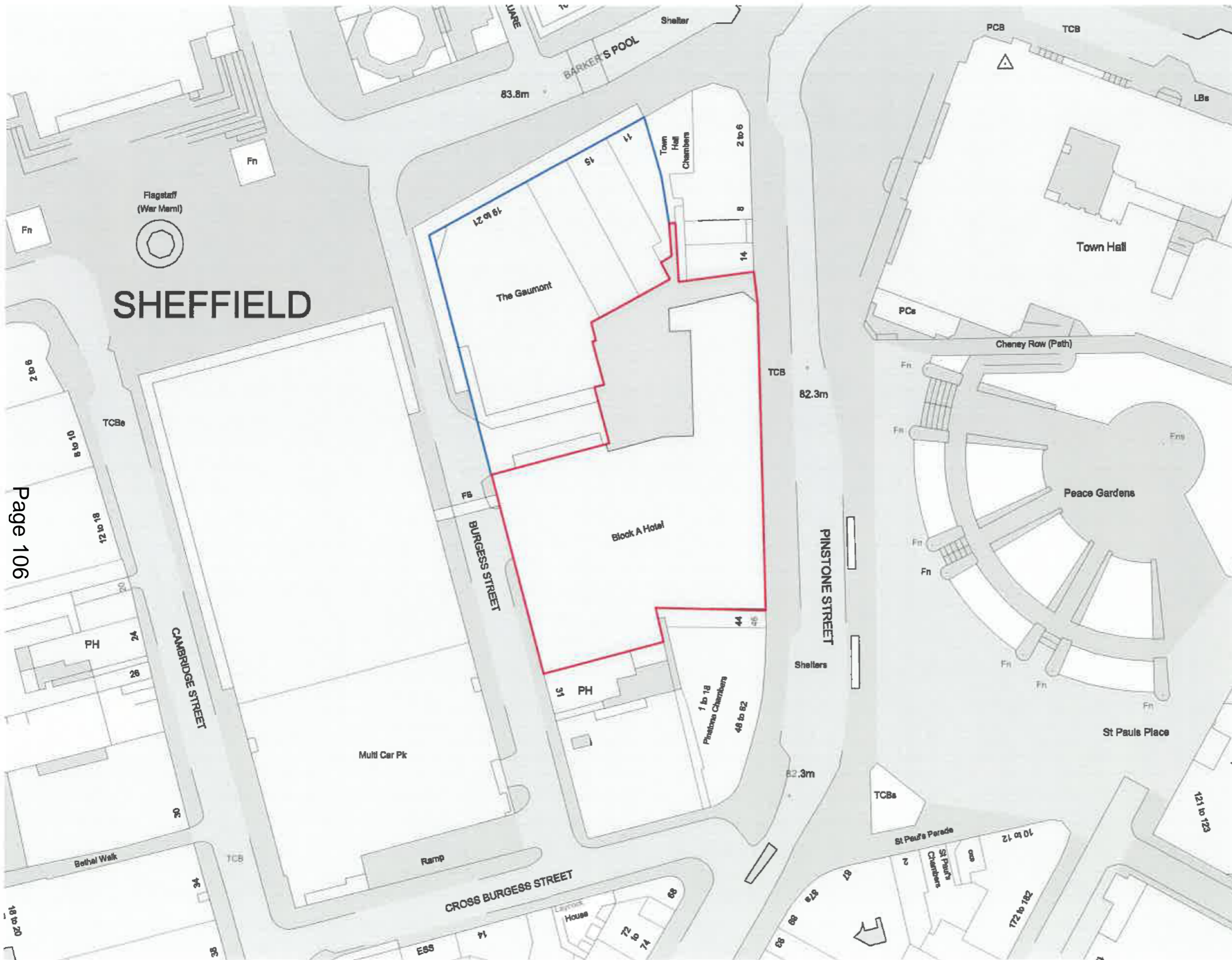
Nationality: British

Mobile/contact telephone number: [REDACTED]

Signature: [REDACTED]

Name (please print): VALERIE DONALDSON

Dated: 13-3-24



Page 106

Notes
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3RD-PARTY INFORMATION
 NB This drawing includes information provided by independent surveyors and / or consultants to whom all queries shall be made. HLM Architects can accept no liability for its content or accuracy.



P01	ISSUED FOR PLANNING	17/07/20	WM	HLM
Rev	Description	Date	By	Drawn
Revisions				Submittal
Project				

**HEART OF THE CITY II
 - BLOCK A**

Client
**SHEFFIELD CITY
 COUNCIL &
 QUEENSBERRY**

Title
**PROPOSED BLOCK
 PLAN**

Drawing No.	Revision
HOA-HLM-Z1-00-DR-A-0004	P01

Scale @ A2	Drawn
1:500	WM
Date	Checked
14/07/2020	HLM

**HLM
 Architects**

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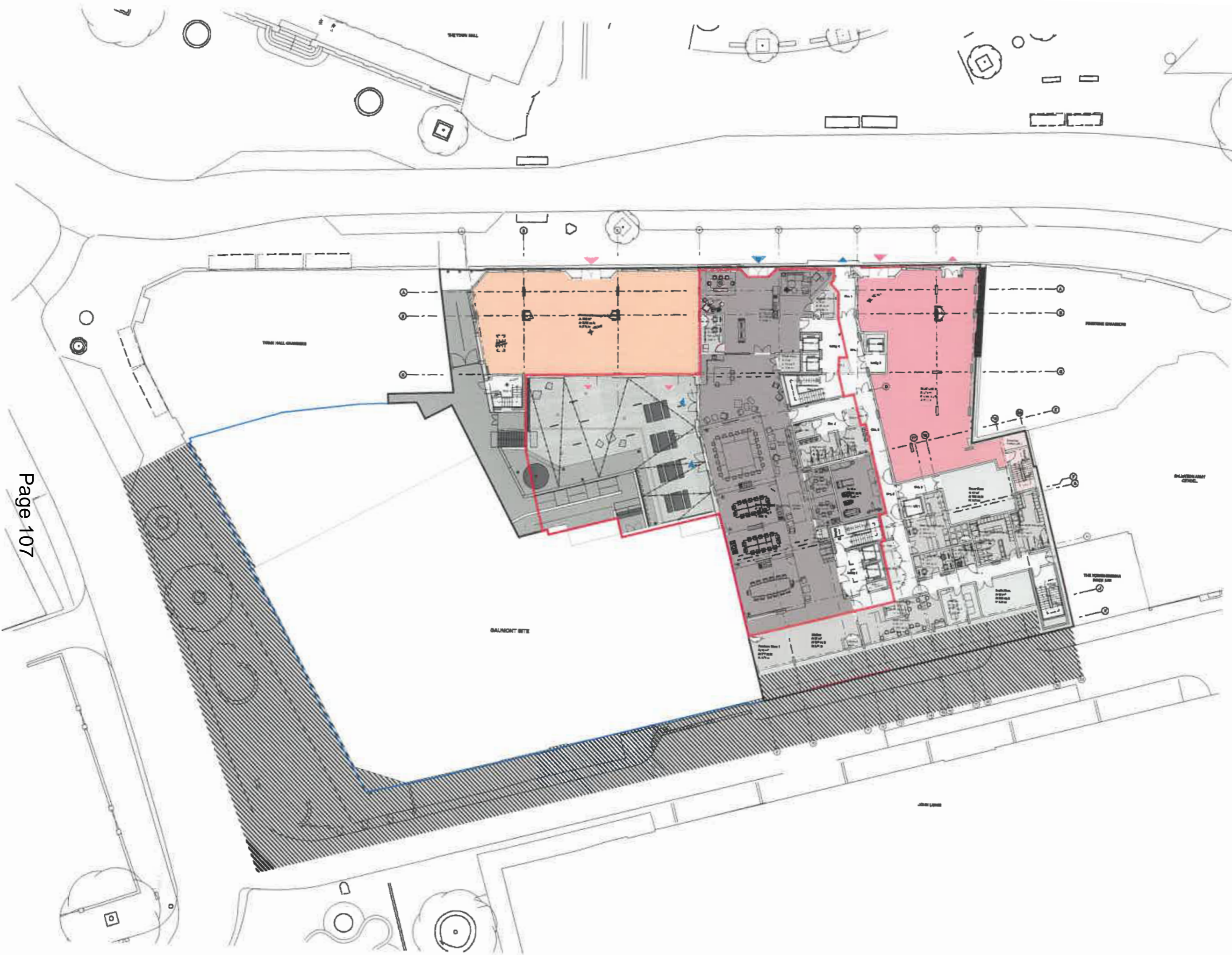
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 sheffield@hlmarchitects.com

Orientation

Key

- Site Boundary Line
 Site Area = 2,517m²
- Gaumont Demarcation Line





Page 107

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- Legend**
- - Retail
 - Retail Ancillary
 - Food & Beverage
 - Food & Beverage Ancillary
 - Hotel
 - Hotel Ancillary
 - Bar
 - Existing Wall Construction
 - New Wall Construction
 - Site Boundary Line
 - Security Demarcation Line
 - ▲ Primary Entrances to Retail / F & B
 - ▲ Secondary Entrances / Exits to Retail / F & B
 - ▲ Primary Entrances to Hotel
 - ▲ Secondary Entrances / Exits to Hotel
 - Licensed Area

P11	ISSUED FOR PLANNING	20/03/20	10:00
P10	ISSUED FOR SPONSOR'S APPROVAL	19/03/20	10:00
P09	ISSUED FOR SPONSOR'S APPROVAL	18/03/20	10:00
P08	ISSUED FOR SPONSOR'S APPROVAL	17/03/20	10:00
P07	ISSUED FOR SPONSOR'S APPROVAL	16/03/20	10:00
P06	ISSUED FOR SPONSOR'S APPROVAL	15/03/20	10:00
P05	ISSUED FOR SPONSOR'S APPROVAL	14/03/20	10:00
P04	ISSUED FOR SPONSOR'S APPROVAL	13/03/20	10:00
P03	ISSUED FOR SPONSOR'S APPROVAL	12/03/20	10:00
P02	ISSUED FOR SPONSOR'S APPROVAL	11/03/20	10:00
P01	ISSUED FOR SPONSOR'S APPROVAL	10/03/20	10:00

Revisions	Submittal
Project	82

HEART OF THE CITY II - BLOCK A

SHEFFIELD CITY COUNCIL & QUEENSBERRY

PROPOSED LOWER GROUND FLOOR PLAN

Drawing No.	Revisions
HOA-HLM-Z1-L6-DR-A-0016	P11

Scale @ A1	Drawn
1:200	AC
Date	Checked
18/03/2020	HLM

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ASSUMPTIONS
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 This drawing is not to be used for any purpose other than the intended use of the drawings. The drawings are not to be used for any purpose other than the intended use of the drawings. The drawings are not to be used for any purpose other than the intended use of the drawings.

- Legend**
- - Retail
 - Retail Ancillary
 - Food & Beverage
 - Food & Beverage Ancillary
 - Hotel
 - Hotel Ancillary
 - Service
 - Existing Wall Construction
 - New Wall Construction
 - Site Boundary Line
 - Casement Demarcation Line
 - Primary Entrances to Retail / F & B
 - Secondary Entrances to Retail / F & B
 - Primary Entrances to Hotel
 - Secondary Entrances to Hotel
 - - Licensed Area

P11	ISSUED FOR PLANNING	09/03/20	15.4
P10	ISSUED FOR EMPLOYED TRADE & COSTING	09/03/20	15.4
P09	APPROVED AS NOTICED	09/03/20	15.4
P08	ISSUED FOR EMPLOYED COSTING	09/03/20	15.4
P07	APPROVED AS NOTICED	09/03/20	15.4
P06	APPROVED AS NOTICED	09/03/20	15.4
P05	APPROVED AS NOTICED TO PRE-APPLICATION	09/03/20	15.4
P04	APPROVED AS NOTICED TO PRE-APPLICATION	09/03/20	15.4
P03	APPROVED AS NOTICED TO PRE-APPLICATION	09/03/20	15.4
P02	APPROVED AS NOTICED TO PRE-APPLICATION	09/03/20	15.4
P01	APPROVED AS NOTICED TO PRE-APPLICATION	09/03/20	15.4

Revisions: 02
 Project: 02

**HEART OF THE CITY II
 - BLOCK A**

**SHEFFIELD CITY
 COUNCIL &
 QUEENSBERRY**

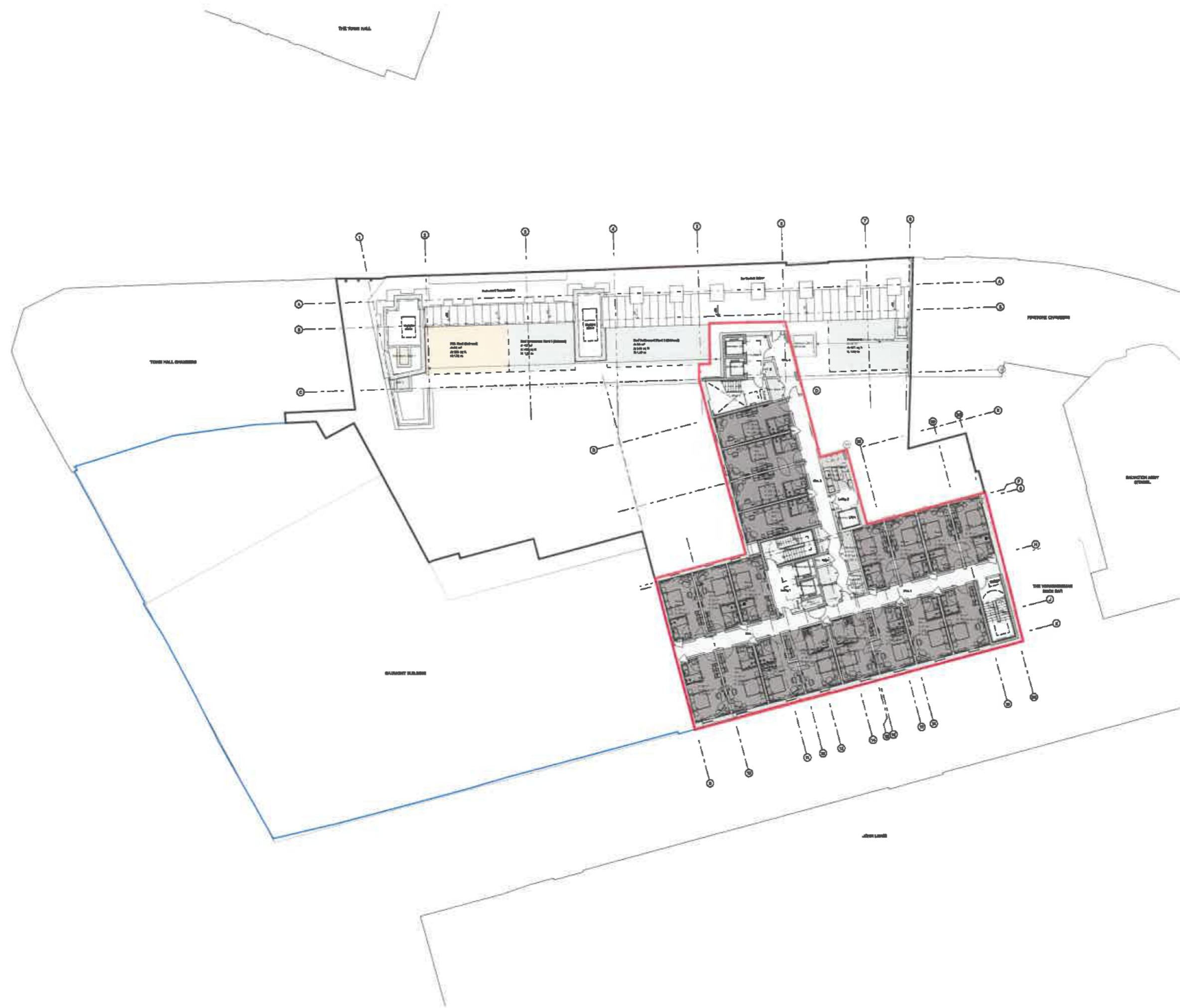
**PROPOSED SECOND
 FLOOR PLAN**

Drawing No. HOA-HLM-Z1-20-DR-A-0015
 Revision: P11

Scale @ A1: 1:200
 Date: 19/03/2020
 Drawn: AC
 Checked: HLM

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AREA CALCULATIONS
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- Legend**
- Retail
 - Retail Ancillary
 - Food & Beverage
 - Food & Beverage Ancillary
 - Hotel
 - Hotel Ancillary
 - Service
- Existing Wall Construction
 □ New Wall Construction
- Site Boundary Line
 - - - - - Business Demarcation Line
 - - - - - Primary Entrances to Retail / F & B
 - - - - - Secondary Entrances / Exits to Retail / F & B
 - - - - - Primary Entrances to Hotel
 - - - - - Secondary Entrances / Exits to Hotel
- Licensed Area

Code	Description	Area (sqm)	Volume (cu m)
P11	PROPOSED FOR PLAYING	20000	10000
P12	PROPOSED FOR SPORTS STADIUM	10000	5000
P13	PROPOSED FOR STORAGE	5000	2500
P14	PROPOSED FOR OFFICE	10000	5000
P15	PROPOSED FOR RESIDENTIAL	10000	5000
P16	PROPOSED FOR COMMERCIAL	10000	5000
P17	PROPOSED FOR PUBLIC SERVICES	10000	5000
P18	PROPOSED FOR CULTURAL	10000	5000
P19	PROPOSED FOR EDUCATION	10000	5000
P20	PROPOSED FOR HEALTHCARE	10000	5000
P21	PROPOSED FOR RECREATION	10000	5000
P22	PROPOSED FOR OTHER	10000	5000
P23	PROPOSED FOR TOTAL	100000	50000

HEART OF THE CITY II - BLOCK A

SHEFFIELD CITY COUNCIL & QUEENSBERRY

PROPOSED FOURTH FLOOR PLAN

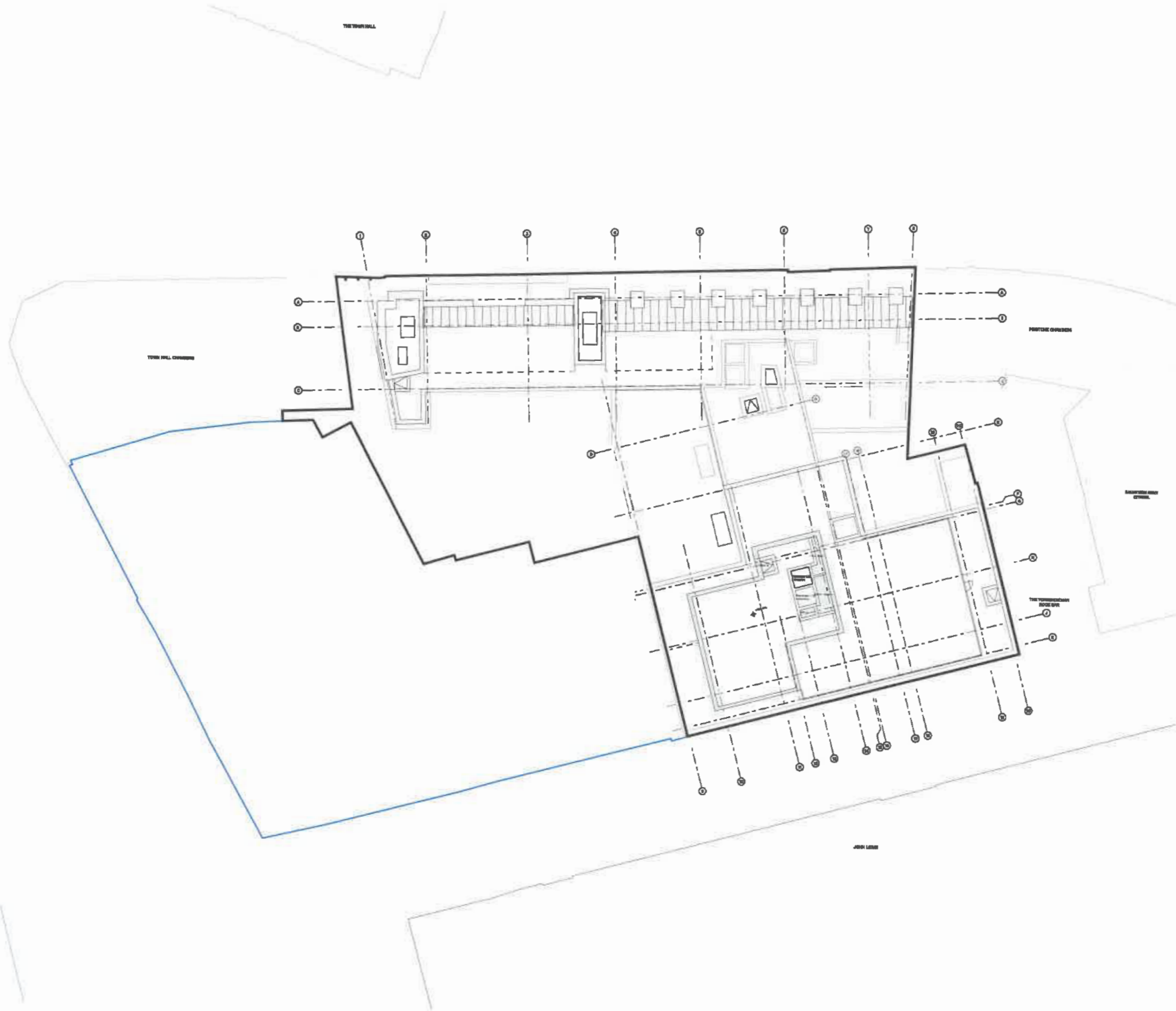
Drawing No.	Revision
HDA-HLM-21-40-DR-A-0015	P11
Scale @ A1	Drawn
1:200	AC
Date	Checked
18/03/2020	HLM

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- ASSUMPTIONS**
- All dimensions shown are approximate and have been measured. All preliminary drawings are for information only and are not to be used for construction. All dimensions shown are approximate and have been measured. All preliminary drawings are for information only and are not to be used for construction.
- CONSTRUCTION**
- Existing Wall Construction
 New Wall Construction
- ENTRANCES**
- Site Boundary Line
 Geometric Demarcation Line
 Primary Entrances to Retail / F & S
 Secondary Entrances to Retail / F & S
 Primary Entrances to Hotel
 Secondary Entrances to Hotel

PO	PROPOSED FOR PLANNING	02/08/20	WM	HLM
PO	PROPOSED FOR LIFTING OTHER LOCALITY	02/08/20	WM	HLM
PH	PRELIMINARY FOR WORK COMMENCEMENT	02/08/20	WM	HLM

Revision: 02
 Project: 82

**HEART OF THE CITY II
 - BLOCK A**

Client
**SHEFFIELD CITY
 COUNCIL &
 QUEENSBERRY**

**PROPOSED ROOF
 LEVEL PLAN**

Drawing No.	Revision
HOA-HLM-Z1-RF-DR-A-0015	PO3
Scale @ A1	Drawn
1:200	WM
Date	Checked
26/08/2020	HLM

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Appendix 'B'

Outstanding Representations:

Environmental Protection Service

3 x Local Residents

Environmental Protection Service Objection

This emailed representation is made in accordance with the agreement with the Licensing Authority on the 18th October 2006 to accept representations by email.

As today is the last date for comments and EPS concerns remain unresolved, please take this email as formal notification that an objecting representation is now made on the basis of outstanding public nuisance concerns.

I felt we were making good progress towards resolving the issues detailed below in our last telecon on 15/04/23, and remain hopeful that this issue will be resolved prior to a formal hearing by the LSC. Please do get in touch as soon as possible, and do now 'reply to all', to allow our Licensing Team to keep abreast of progress.

Regarding EPS interest in the Prevention of Public Nuisance, I would like to reach some agreement over suitable conditions to promote this core objective and maintain consistency with aspects of the planning controls already in place and intended for similar purposes, albeit in the context of protecting local amenity.

The main issue for careful consideration is the use of outside areas, and how this might tie in with breakout of internal noise. In particular, the 3rd floor terrace is sensitive due to the proximity to the nearest sensitive receptors, Pinstone Chambers adjacent and dwellings facing St Paul's Parade opposite.

I note that the application form specifies live and recorded music as both indoors and outdoors. EPS are not opposed to outdoor sound associated with ad hoc events under a TEN but would resist any permanent or regular provisions for outside areas, especially the 3rd floor terrace. The planning conditions reflect this position.

I understand the relevant planning decision to be 20/02551/RG3, which includes the following conditions:

34. No customer shall be permitted to be on the ground floor commercial food and drink premises and / or within the hotel ancillary food and drink facilities outside the following times:
0700 to 0100 hours the following morning on all days (except hotel guests for breakfast)
Notwithstanding the aforementioned hours, use of the third floor bar terrace shall cease at 2300 hours on all days, save for limited access for the purpose of smoking only, to be managed and controlled in accordance with an Outside Area Noise Management Plan, to be submitted for written approval by the Local Planning Authority, prior to use commencing.

46. No loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time. The specification, location and mountings of any loudspeakers affixed internally within a commercial unit to be used as a drinking establishment shall be subject to approval by the Local Planning Authority prior to installation and thereafter installed in accordance with the approved details.

With this in mind, I think it would be helpful to add to and amend the two conditions volunteered for Public Nuisance in the Operating Schedule. The following is a first draft for your review and comment.

- ***Where appropriate, prominent, clear, and legible notices shall be displayed at exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.***
- ***The use of the third-floor bar ~~and~~ external terrace shall cease at 2300 hours on all days, save for access for the purpose of smoking. No food or drinks shall be removed to the terrace after 2300 hours.***
- ***Use of the third-floor bar terrace shall be in accordance with an outside area Noise Management Plan (NMP) which shall be submitted to and approved by SCC Environmental Protection Service prior to use of the terrace commencing. The staff shall be trained in the***

implementation of the NMP, as appropriate, and a copy shall be retained on site and made available to Responsible Authorities upon request.

- ***No loudspeakers shall be operated on the third-floor bar terrace, nor shall internal speakers be directed to broadcast sound to the terrace at any time. No live music or amplified sound shall be permitted to be broadcast within, or to, any other outside area at above background level after 2300 hours on any day.***

Please let me know your thoughts when you've had opportunity to discuss with your client. Please note I shall be on leave from 4th to 12th April.

1. Resident No.1 - L Armstrong

Hi

I've been informed that the Radisson blu hotel outside bar area has applied to be open every night until 1am. I feel that this is strongly unfair to residents [REDACTED] at the Burgess House apartment building nearby and also to other hotel guests. I understand Friday and Saturday nights, but people should be able to sleep at a reasonable hour when they have work the next day. Surely also they could close the outside bar area earlier and continue just inside, therefore creating less noise?

2. Resident No.2 - B Ingle

To whom it may concern:

I am writing on behalf of the 90 residents in the [REDACTED]
[REDACTED]

The Radisson Blu has applied for a Premises Licence which includes:

- 1) serving alcohol between 08:00 and 01:00, 7 days a week
- 2) regulated entertainment
- 3) extended sale of alcohol on Bank Holidays and other limited days

As part of its design the Radisson Blu has a courtyard area between the two hotel blocks, one of which is on Burgess Street and is 50 metres away from Burgess House. As part of the design it says that 'the food and beverage area will spill out to this outdoor area encouraging a bustling social atmosphere.'

As residents we are supportive of the Heart of the City development and the Radisson Blu hotel is a welcome addition. However, we are objecting to the Premises Licence until further information is supplied on the use of the outdoor courtyard area. Will the courtyard area be accessible in line with the Premises Licence if it is granted? We want to know what measures will be put in place to stop noise and nuisance to the surrounding area.

Burgess House has strict Lease Covenants with our landlord Sheffield City Council. We have included the relevant sections below - paragraphs 9.2 and 9.10.

As you can see we are not allowed to disturb anyone beyond 11:00. No noise is allowed inside or on the balconies which might disturb others. Yet the Radisson Blu is applying for a Premises Licence which will allow it to operate until 01:00 everyday and on Bank Holidays and other occasions even later.

Given that Sheffield City Council is also the landlord for the Radisson Blu hotel, it is inconsistent that we as residents would not be allowed to disturb the residents/visitors of the Radisson Blu, but they could disturb us.

Lease Covenants

9.2 The Tenant must not use any sound amplification equipment at the Property so as to be unreasonably audible outside the Property and which causes a nuisance or disturbance to the tenants or occupiers of other Lettable Units and must not place any sound amplification equipment outside or on the exterior of the Property including any Balcony comprised within the Property

9.10

(g) to ensure that any entrance doors to the Building and the Property (particularly during the hours of 11pm and 8am) are closed as quietly as possible and that no disturbance or annoyance is caused to the tenants or occupiers of the other Lettable Units in the Building;

Please acknowledge receipt of this objection?

Regards,

Bridget Ingle

3. Resident No.3 - M Kekelikova

To whom it may concern:

I am writing on behalf of [REDACTED]
[REDACTED]

The Radisson Blu has applied for a Premises Licence which includes:

- 1) serving alcohol between 08:00 and 01:00, 7 days a week
- 2) regulated entertainment
- 3) extended sale of alcohol on Bank Holidays and other limited days

As part of its design the Radisson Blu has a courtyard area between the two hotel blocks, one of which is on Burgess Street and is 50 metres away from Burgess House. As part of the design it says that 'the food and beverage area will spill out to this outdoor area encouraging a bustling social atmosphere.'

As residents we are supportive of the Heart of the City development and the Radisson Blu hotel is a welcome addition. However, we are objecting to the Premises Licence until further information is supplied on the use of the outdoor courtyard area. Will the courtyard area be accessible in line with the Premises Licence if it is granted? We want to know what measures will be put in place to stop noise and nuisance to the surrounding area.

Burgess House has strict Lease Covenants with our landlord Sheffield City Council. We have included the relevant sections below - paragraphs 9.2 and 9.10.

As you can see we are not allowed to disturb anyone beyond 11:00. No noise is allowed inside or on the balconies which might disturb others. Yet the Radisson Blu is applying for a Premises Licence which will allow it to operate until 01:00 everyday and on Bank Holidays and other occasions even later.

Given that Sheffield City Council is also the landlord for the Radisson Blu hotel, it is inconsistent that we as residents would not be allowed to disturb the residents/visitors of the Radisson Blu, but they could disturb us.

Lease Covenants

9.2 The Tenant must not use any sound amplification equipment at the Property so as to be unreasonably audible outside the Property and which causes a nuisance or disturbance to the tenants or occupiers of other Lettable Units and must not place any sound amplification equipment outside or on the exterior of the Property including any Balcony comprised within the Property
9.10

(g) to ensure that any entrance doors to the Building and the Property (particularly during the hours of 11pm and 8am) are closed as quietly as possible and that no disturbance or annoyance is caused to the tenants or occupiers of the other Lettable Units in the Building;

Appendix 'C'

**Agreed Conditions:
South Yorkshire Police
Health Protection Service**

South Yorkshire Police Agreed Conditions:

Morning all,

Following receipt of the above application we have now received agreement of:

- Drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
- The use of glass alternative drinking vessels shall be utilised in accordance with the premises assessment of risk.

Please place on the licence should this be granted.

Health Protection Service Agreed Condition:

A Building Regulation Completion Certificate shall be submitted to the responsible authority for public safety within a reasonable time period after the premises has opened for business

Appendix 'D'

Hearing Notices and Regulations



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

Radisson Sheffield Limited
c/o Tim Sheild, John Gaunt & Partners

Sent via email: tsheild@john-gaunt.co.uk

The Sheffield City Council being the licensing authority, on the 20th March 2024 received an application in respect of the premises known as;

Radisson Blu Hotel, 30 Pinstone Street, Sheffield, S1 2HN

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

- **3 x Local Residents**
- **Environmental Protection Service, Sheffield City Council**

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

The Council now **GIVES YOU NOTICE** that the representations will be considered at a hearing to be held **At Sheffield Town Hall on Monday 13th May 2024 at 10.00am**; following which the Council will issue a notice of determination of the application.

The document which accompanies this notice is the relevant representation which has been made, as defined in Section 35(5) of the Act.

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

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

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

Dated: 29th April 2024

Signed: Jayne Gough
The officer appointed for this purpose
Licensing Strategy and Policy Officer

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



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

To: [REDACTED] - Environmental Protection Service

Sent via email [REDACTED]

The Sheffield City Council being the licensing authority, on the 20th March 2024 received an application in respect of the premises known as;

Radisson Blu Hotel, 30 Pinstone Street, Sheffield, S1 2HN

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

- **3 x Local Residents**
- **Environmental Protection Service, Sheffield City Council**

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

The Council now **GIVES YOU NOTICE** that the representations will be considered at a hearing to be held **at Sheffield Town Hall on Monday 13th May 2024 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

- 1) The representation 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 representation.

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

Dated: 29th April 2024

Signed: Jayne Gough
The officer appointed for this purpose
Licensing Strategy and Policy Officer

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



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

To: Bridget Ingle – Local Resident

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 20th March 2024 received an application in respect of the premises known as;

Radisson Blu Hotel, 30 Pinstone Street, Sheffield, S1 2HN

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

- **3 x Local Residents**
- **Environmental Protection Service, Sheffield City Council**

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

The Council now **GIVES YOU NOTICE** that the representations will be considered at a hearing to be held **at Sheffield Town Hall on Monday 13th May 2024 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

- 1) The representation 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 representation.

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

Dated: 29th April 2024

Signed: Jayne Gough
The officer appointed for this purpose
Licensing Strategy and Policy Officer

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



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

To: Libby Armstrong – Local resident

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 20th March 2024 received an application in respect of the premises known as;

Radisson Blu Hotel, 30 Pinstone Street, Sheffield, S1 2HN

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

- **3 x Local Residents**
- **Environmental Protection Service, Sheffield City Council**

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

The Council now **GIVES YOU NOTICE** that the representations will be considered at a hearing to be held **at Sheffield Town Hall on Monday 13th May 2024 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

- 1) The representation 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 representation.

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

Dated: 29th April 2024

Signed: Jayne Gough
The officer appointed for this purpose
Licensing Strategy and Policy Officer

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



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

To: Monika Kekelikova

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 20th March 2024 received an application in respect of the premises known as;

Radisson Blu Hotel, 30 Pinstone Street, Sheffield, S1 2HN

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

- **3 x Local Residents**
- **Environmental Protection Service, Sheffield City Council**

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

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The officer appointed for this purpose
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Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD. licensing@sheffield.gov.uk

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.

Notice of actions following receipt of notice of hearing

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

I **Monika Kekelikova, local resident**

hereby confirm that I have received the Notice of Hearing dated 29th April 2024 and notify you as follows **(please complete)**:

I intend to attend the hearing on Monday 13th May 2024 at 10.00am at Sheffield Town Hall.

I do not intend to attend the hearing.

I intend to be represented at the hearing by:

I consider the hearing to be unnecessary because:

.....

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

Dated: Signed.....

Please see Regulation 8 overleaf

Please complete this form and return it to:
Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.

licensing@sheffield.gov.uk

Regulation 8

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

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

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

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

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

Licensing Act 2003 – Hearing Procedure – Regulation 7 (1)

This procedure has been drawn up in accordance with the Licensing Act 2003 to assist those parties attending Licensing Committee hearings.

1. The hearing before the Council is Quasi Judicial.
 2. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
 3. The Chair will ask the applicants to formally introduce themselves.
 4. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
 5. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked both by Members and the applicant.
 - (c) The Licensing Officer will introduce in turn representatives for the Responsible Authority and Interested Parties who will be asked to detail their relevant representations.
 - (d) Members may ask questions of those parties
 - (e) With the leave of the Chair the applicant or his representative may cross examine the representatives of the Responsible Authorities and Interested Parties.
 - (f) The applicant/licensee (or his/her nominated representative) will then be asked to:-
 - (i) detail the application;
 - (ii) provide clarification on the application and respond to the representations made.
 - (g) The applicant/licensee (or his/her nominated representative) may then be asked questions by members and with the leave of the Chair from the other parties present.
 - (h) The applicant will then be given the opportunity to sum up the application.
 - (i) The Licensing Officer will then detail the options.
 - (j) There will then be a private session for members to take legal advice and consider the application.
 6. The decision of the Licensing Committee will be given in accordance with the requirements of the Licensing Act 2003 and regulations made there under.
- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
 - 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.