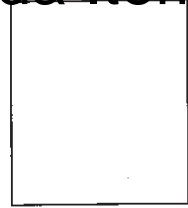




**SHEFFIELD CITY COUNCIL  
Licensing Sub Committee  
Report**



---

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

---

**Date:** 21<sup>st</sup> November 2013

---

**Subject:** Licensing Act 2003

---

**Author of Report:** Matt Proctor

---

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

Domino's Pizza, 443 Handsworth Road, Sheffield

---

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

---

**Background Papers:** Attached documents

---

**Category of Report:** OPEN

---

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

Ref No 62 / 13

**LICENSING ACT 2003**

**Domino's Pizza, 443 Handsworth Road, Sheffield, S13 9DD**

**1.0 PURPOSE OF REPORT**

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

**2.0 THE APPLICATION**

2.1 The applicant is Tri County Pizza Limited.

2.2 The application, which was received on 26<sup>th</sup> September 2013, is attached to this report labelled Appendix 'A'. Any blank pages have been omitted to save paper, but the original application will be available at the hearing.

**3.0 REASONS FOR REFERRAL**

3.1 Representations concerning the application have been received from the following:-

a) Members of the Public – 2 Objections / Representations - Appendix 'B'

3.2 The applicant and public objectors have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'C'.

**4.0 FINANCIAL IMPLICATIONS**

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

**5.0 THE LEGAL POSITION**

5.1 The Licensing Act 2003 at section 4 (1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as:-

- 
- a) the prevention of crime and disorder,
  - b) public safety,
  - c) the prevention of public nuisance,
  - d) the protection of children from harm.

5.2 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of Licensing Policy and any guidance issued by the Secretary of State under section 182.

## **6.0 HEARINGS REGULATIONS**

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

## **7.0 APPEALS**

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

## **8.0 RECOMMENDATIONS**

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

## **9.0 OPTIONS OPEN TO THE COMMITTEE**

- 9.1 To grant the premises licence in the terms requested.
- 9.2 To grant the premises licence with conditions.
- 9.3 To reject the whole or part of the application.



Stephen Lonnia  
Chief Licensing Officer  
Head of Licensing

21<sup>st</sup> November 2013

# Appendix A

The Application

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



A1

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

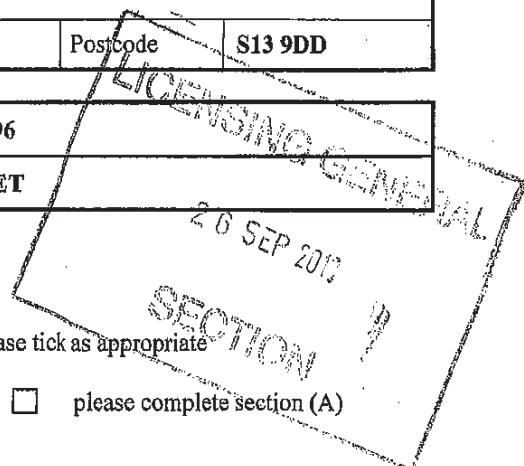
**I/We TRI-COUNTY PIZZA LIMITED. TRADING AS DOMINO'S PIZZA**

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/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 <b>DOMINO'S PIZZA 443 HANDSWORTH ROAD HANDSWORTH</b>			
<b>Post town</b>	SHEFFIELD	<b>Postcode</b>	S13 9DD
<b>Telephone number at premises (if any)</b>	0114 288 9696		
<b>Non-domestic rateable value of premises</b>	NOT YET SET		



**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |   |
|---|---|
| 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)            |

A2

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

Please tick yes

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

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

A3

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name TRI-COUNTY PIZZA LTD.
Address DOMINO'S PIZZA 443 HANDSWORTH ROAD HANDSWORTH SHEFFIELD S13 9DD
Registered number (where applicable)  05044344
Description of applicant (for example, partnership, company, unincorporated association etc.)  LIMITED COMPANY.
Telephone number (if any) 0114 288 9696
E-mail address (optional)

A4

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	5	112013

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

DD	MM	YYYY

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

THE PREMISES COMPRISE A DOMINO'S HOME DELIVERY STORE. THE VAST MAJORITY OF PIZZAS ARE HOME DELIVERED. THE REST ARE COLLECTED FOR CONSUMPTION OFF THE PREMISES.

THE STORE IS SITUATED ON A BUSY ROAD. THE NEAREST RESIDENTIAL ACCOMODATION IS CIRCA 20 METERS AWAY.

THE LAYOUT COMPRISES A KITCHEN, SHOP COUNTER, REST ROOMS AND A SMALL WAITING AREA FOR PIZZA COLLECTION BY MEMBERS OF THE PUBLIC. PLEASE SEE THE PLAN FOR FURTHER DETAILS.

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

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

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

Provision of regulated entertainment

Please tick any that apply

- 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



**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 (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11.00	01.30	<b>Please give further details here</b> (please read guidance note 3) THE PREMISES COMPRISE A DOMINO'S HOME DELIVERY STORE. THE VAST MAJORITY OF PIZZAS ARE HOME DELIVERED. THE REST ARE COLLECTED FOR CONSUMPTION OFF THE PREMISES.		
Tue	11.00	01.30			
Wed	11.00	01.30	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur	11.00	01.30	NOT APPLICABLE		
Fri	11.00	03.00	<b>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</b> (please read guidance note 5)		
Sat	11.00	03.00			
Sun	11.00	01.30			

**J**

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Tue					
Wed					
Thur			<b>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</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

AG

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

Name	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

**K**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)  NOT APPLICABLE
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)  NOT APPLICABLE
Mon	11.00	01.30	
Tue	11.00	01.30	
Wed	11.00	01.30	
Thur	11.00	01.30	
Fri	11.00	03.00	
Sat	11.00	03.00	
Sun	11.00	01.30	

**M**

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

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

THE STORE IS A FRANCHISE OF THE WORLDWIDE DOMINO'S HOME DELIVERY CHAIN. DOMINO'S HAS BEEN IN BUSINESS FOR MORE THAN 50 YEARS AND DURING THAT TIME HAS DEVELOPED A SYSTEM OF BUSINESS THAT PRIMARILY INVOLVES HOME DELIVERY SERVICES. WHILST IT IS POSSIBLE TO COLLECT PRODUCTS FROM THE STORE, THE VAST MAJORITY OF OUR BUSINESS IS DELIVERING PIZZAS AND OTHER PRODUCTS WE SELL, TO PEOPLES HOMES. WE ARE GOVERNED BY THE VIGOROUS STANDARDS SET OUT IN THE DOMINO'S FRANCHISE AGREEMENT AND THESE RELATE TO ALL ASPECTS OF OPERATING, FROM THE PREPERATION OF INGREDIENTS RIGHT THROUGH TO THE MANNER IN WHICH THE PRODUCT IS DELIVERED TO OUR CUSTOMERS. WE ARE MINDFUL OF OUR OBLIGATIONS TO OUR STAFF, OUR CUSTOMERS, AND OTHERS (E.G. LOCAL RESIDENTS) WHO MAY BE AFFECTED BY THE OPERATION OF OUR BUSINESS. OUR STORE IS ADEQUATELY STAFFED SO AS TO ALLOW THE PROPER MANAGEMENT OF THE PREMISES AND SUPERVISION OF THOSE WHO VISIT THEM. WHERE CUSTOMERS VISIT THE STORE, OUR PIZZAS ARE SUPPLIED TO THEM IN CLOSED CARDBOARD BOXES AND THE NATURE AND SIZE OF THE PRODUCT IS CONDUCIVE TO BEING TAKEN HOME FOR CONSUMPTION, RATHER THAN BEING EATEN WHILST WALKING ALONG.

**b) The prevention of crime and disorder**

WE WILL ACTIVELY CO-OPERATE WITH LOCAL POLICE TO ENSURE THAT WE ARE MADE AWARE OF PARTICULAR PROBLEMS WHICH AFFECT THE AREA AND WHICH MAY POTENTIALLY AFFECT OUR STORE. WE WILL NOT COUNTENANCE THE USE OR SUPPLY OF ILLEGAL DRUGS AND OUR STAFF WILL INFORM THE POLICE IMMEDIATELY OF ANY SUSPECTED ACTIVITY ON OR IN THE VICINITY OF THE STORE. OUR EMPLOYMENT POLICIES ARE DESIGNED TO ENSURE WE RECRUIT PROFESSIONAL AND REPUTABLE STAFF. WE DO NOT USE OR SUPPLY GLASSWARE.

**c) Public safety**

THE PREMISES COMPLY WITH ALL REQUISTE HEALTH AND SAFETY LEGISLATION. WE CARRY OUT REGULAR HEATH AND SAFETY RISK ASSESSMENTS AND ARE REQUIRED TO DO SO UNDER THE TERMS OF OUR FRANCHISE AGREEMENT. IN THE MOST UNLIKELY EVENT THAT A GREATER NUMBER OF PEOPLE CONGREGATE IN THE PREMISES THAN IS CONDUCIVE TO PUBLIC SAFETY, WE WILL NOT HESITATE TO ASK PEOPLE TO LEAVE THE STORE AND WE WILL ALWAYS ENCOURAGE THEM TO TAKE ADVANTAGE OF OUR HOME DELIVERY SERVICE, WHICH IS THE PRIMARY WAY IN WHICH WE SERVE OUR CUTOMERS.

**d) The prevention of public nuisance**

OUR STORE DOORS AND WINDOWS WILL BE KEPT CLOSED AT NIGHT TO PREVENT TRANSMISSION OF NOISE. OUR STORES HAVE VERY FEW CUSTOMERS WHO VISIT TO BUY OUR PRODUCT TO TAKE AWAY, BUT THOSE WHO DO VISIT WILL BE ASKED TO LEAVE THE PREMISES QUIETLY AND WITH DUE CONSIDERATION TO OUR NEIGHBOURS. MUSIC WILL NOT BE PLAYED IN THE PREMISES. OUR DELIVERY DRIVERS ARE INSTRUCTED TO ENTER AND LEAVE THEIR VEHICLES CONSIDERATELY, NOT TO LEAVE ENGINES RUNNING, TO PARK CONSIDERATELY AND AT ALL TIMES TO HAVE IN MIND OUR NEIGHBOURS, PARTICULARLY RESIDENTIAL OCCUPIERS. WE WOULD HAVE NO HESITATION BANNING PEOPLE WHO VISIT THE STORE AND REGULARLY LEAVE IN A NOISY FASHION. OUR EQUIPMENT IS PROPERLY SOUND INSULATED AND OPERATED STRICTLY IN ACCORDANCE WITH MANUFACTURERS REQUIREMENTS, GUIDE LINES AND TOLERANCES. ALL OUR AIR EXTRACTION SYSTEM COMPLIES WITH BUILDING REGULATIONS REQUIREMENTS AND IS DESIGNED TO ENSURE THAT THERE IS NO ESCAPE OF COOKING SMELLS TO NEIGHBOURING PREMISES. WE NEITHER USE NOR SUPPLY GLASSWARE.

A8

**e) The protection of children from harm**

OUR STORE IS NOT LICENCED FOR THE SALE OF ALCOHOL, BECAUSE OF THE NATURE OF THE LICENCE FOR WHICH WE ARE APPLYING AND THE NATURE OF OUR BUSINESS GENERALLY, IT IS MOST UNLIKELY THAT A CHILD UNACCOMPANIED BY AN ADULT WOULD VISIT OUR STORE DURING THE HOURS FOR WHICH WE ARE LICENSED.

A9

**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 designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	
Date	25/09/2013
Capacity	DIRECTOR

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) MR COLIN TOMLIN 20 MANSTON WAY			
Post town	WORKSOP	Postcode	S81 7NX
Telephone number (if any)	01909 500 815		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) tomlin.300@btinternet.com			

# Appendix B

Objections / Representations

**From:** Nichola Cadet [mailto:████████@btinternet.com]

**Sent:** 23 October 2013 09:49

**To:** Licensing(General)

**Subject:** dominos pizza licence objections

BI

I wish to object to the proposed opening times for Dominos Pizza, Handsworth Road Sheffield S13.

As a resident in the area I have significant concerns regarding the potential for an increase in public nuisance due to the unsocial hours which this establishment will be open, particularly at weekends. Local public houses are all closed by 12, and other (locally owned) food outlets (based in a less residential area than this) all close earlier than Dominos pizza. This will lead to an increase in revellers, on their way home from evenings in town stopping for a pizza, leading to increased noise, nuisance behaviour and litter. We are already seeing an increase in litter as a result of the McDonalds restaurant half a mile away. We have recently been a victim of someone in the night vandalising our fence panels, and do not welcome the potential for increased footfall and traffic as a result of the night-time economy, arguably emanating from outside the area in the first place.

Furthermore, I feel it is irresponsible of the council to allow a fast food outlet to open in such close proximity to local schools, where we are trying to promote healthy eating messages to young people

Please do contact me should you wish to know more about my concerns

Kind regards

Nichola Cadet  
████████ Handsworth Road  
Sheffield  
S13 9DA

Tel: 0114 26████████

**From:** RYAN CADET [mailto:██████████@██████████]  
**Sent:** 23 October 2013 09:54  
**To:** Licensing(General)  
**Subject:** Proposed Dominos Pizza on Handsworth Road Sheffield

B2

Hi

I wish to object to the proposed opening times for Dominos Pizza, Handsworth Road Sheffield S13. As a resident in the area I have significant concerns regarding the potential for an increase in public nuisance due to the unsocial hours which this establishment will be open, particularly at weekends. Local public houses are all closed by 12, and other (locally owned) food outlets (based in a less residential area than this) all close earlier than Dominos pizza. This will lead to an increase in revellers, on their way home from evenings in town stopping for a pizza, leading to increased noise, nuisance behaviour and litter. We are already seeing an increase in litter as a result of the McDonalds restaurant half a mile away. We have recently been a victim of someone in the night vandalising our fence panels, and do not welcome the potential for increased footfall and traffic as a result of the night-time economy, arguably emanating from outside the area in the first place.

Furthermore, I feel it is irresponsible of the council to allow a fast food outlet to open in such close proximity to local schools, where we are trying to promote healthy eating messages to young people

Please do contact me should you wish to know more about my concerns

Kind regards

Ryan Cadet  
██████████ Handsworth Road  
Sheffield  
S13 9DA

Tel: 0114 26██████████



# Appendix C

Hearing Notices / Regulations / Procedures



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

CI

Tri-County Pizza Ltd  
Lordsmill Gate  
Lordsmill Street  
Chesterfield  
Derbyshire  
S41 7RW

The Sheffield City Council being the licensing authority, on the **26 September 2013** received your application in respect of the premises known as **Domino's Pizza, 443 Handsworth Road, Sheffield, S13 9DD**

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

2 No. members of the public

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Thursday 21<sup>st</sup> November at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 6<sup>th</sup> November 2013

Signed: \_\_\_\_\_  
The officer appointed for this purpose  
Licensing Officer

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

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

Mrs Nichola Cadet  
[REDACTED] Handsworth Road  
Sheffield  
S13 9DA

The Sheffield City Council being the licensing authority, on the **26<sup>th</sup> September 2013** received an application in respect of the premises known as;

**Dominos Pizza, 443 Handsworth Road, Sheffield**

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

- **2 members of the public**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **Thursday 21<sup>st</sup> November 2013** at **10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 6<sup>th</sup> November 2013

Signed: \_\_\_\_\_  
The officer appointed for this purpose  
Licensing Officer

Please address any communications to:

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

General.licensing@sheffield.gov.uk

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

Mr Ryan Cadet  
■■■■ Handsworth Road  
Sheffield  
S13 9DA

The Sheffield City Council being the licensing authority, on the **26<sup>th</sup> September 2013** received an application in respect of the premises known as;

**Dominos Pizza, 443 Handsworth Road, Sheffield**

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

- **2 members of the public**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **Thursday 21<sup>st</sup> November 2013 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 6<sup>th</sup> November 2013

Signed: \_\_\_\_\_

The officer appointed for this purpose  
Licensing Officer

Please address any communications to:

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

General.licensing@sheffield.gov.uk

**Right of attendance, assistance and representation**

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

**Representations and supporting information**

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

**Failure of parties to attend the hearing**

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

**Procedure at hearing**

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

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

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

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