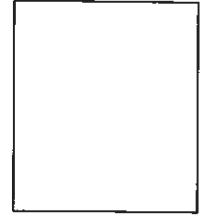




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 21st June 2017

Subject: Licensing Act 2003

Author of Report: Clive Stephenson

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

Twisted Burger Company Ltd – 267 Fulwood Road

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

Background Papers: Attached documents

Category of Report: OPEN

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

Ref No 72/17

Twisted Burger Company Limited 267 Fulwood Road Sheffield S10 3BD

1.0 PURPOSE OF REPORT

1.1 To consider an application for the variation of a premises licence made under Section 34 of the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is Twisted Burger Company Limited.

2.2 The application, which was received on 27th April 2017, 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.

2.3 A copy of the current Premises Licence is attached at Appendix 'B'.

2.4 During the consultation period, conditions have been proposed by the Responsible Authorities and subsequently agreed by the applicant. A copy of the agreed conditions are attached at Appendix 'C'.

3.0 REASONS FOR REFERRAL

3.1 Representations concerning the application have been received from the following and are attached at Appendix 'D':-

1 Health & Safety

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

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 'E'.

6.3 Attached at Appendix 'E' is the following: -

- a) a copy of the Notice of Hearing;
- b) the rights of a party provided in Regulations 15 and 16;
- c) the consequences if a party does not attend or is not represented at the hearing
- d) the procedure to be followed at the hearing.

7.0 APPEALS

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

8.0 RECOMMENDATIONS

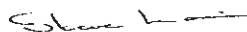
8.1 That Members carefully consider the representations made and take such steps as the Sub Committee consider appropriate for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

9.1 To vary the premises licence in the terms requested.

9.2 To vary the premises licence with conditions.

9.3 To reject the whole or part of the application.



Stephen Lonnia
Chief Licensing Officer
Head of Licensing

20th June 2017

Appendix A

The Application

A1

**Application to vary a
premises licence under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We TWISTED BURGER COMPANY
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

267 FULWOOD ROAD

Post town

SHEFFIELD

Postcode

S10 3RD

Telephone number at premises (if any)

0114 327 1850

Non-domestic rateable value of premises

£ 5500

Part 2 – Applicant details

Daytime contact
telephone number

[REDACTED]

E-mail address (optional)

Current postal address if different
from premises address

Post town

Postcode

A2

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

EXTEND THE SALE OF ALCOHOL AND THE PLAYING OF RECORDED MUSIC ON A SUNDAY
INCLUSION OF LOWER GROUND FLOOR.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)

Please tick all 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

E

AL

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed					
Thur			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 7)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5) BACKGROUND MUSIC		
Mon	8:00	23:30			
Tue	8:00	23:30	State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed	8:00	23:30			
Thur	8:00	23:30	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	8:00	23:30			
Sat	8:00	23:30			
Sun	8:00	23:00			

G

A5

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Fri					
Sat					
Sun			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 5)	Outdoors
Tue			Both		<input type="checkbox"/>
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat					
Sun			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11 PM	12 AM	<u>Please give further details here</u> (please read guidance note 5)	Both	<input checked="" type="checkbox"/>

AG

Tue	11PM	12AM	
Wed	11PM	12AM	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)
Thur	11PM	12AM	
Fri	11PM	12AM	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 7)
Sat	11PM	12AM	
Sun	11PM	11:30PM	

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	12:00	00:00			
Tue	12:00	00:00			
Wed	12:00	00:00			
Thur	12:00	00:00	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 7)		
Fri	12:00	00:00			
Sat	12:00	00:00			
Sun	12:00	23:30			

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 10).

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	8:00	23:30 00:30	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 (please read guidance note 7)
Tue	8:00	23:30 00:30	
Wed	8:00	22:30 00:30	
Thur	8:00	23:30 00:30	
Fri	8:00	23:30 00:30	
Sat	8:00	23:30 00:30	
Sun	8:00	23:00 00:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

DO NOT CURRENTLY HAVE THEM

A8

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

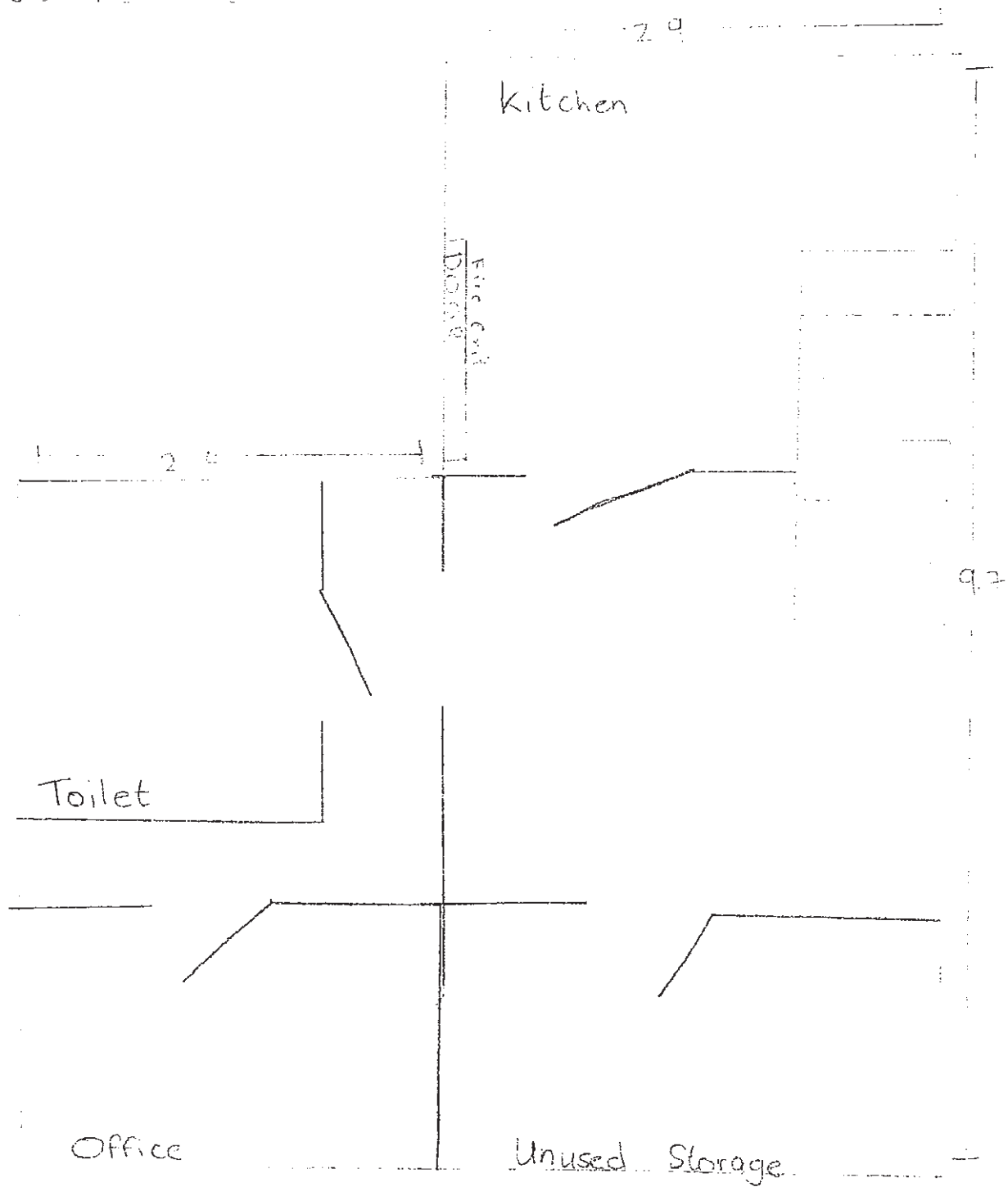
Signature	
Date	27/4/17
Capacity	M.D

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

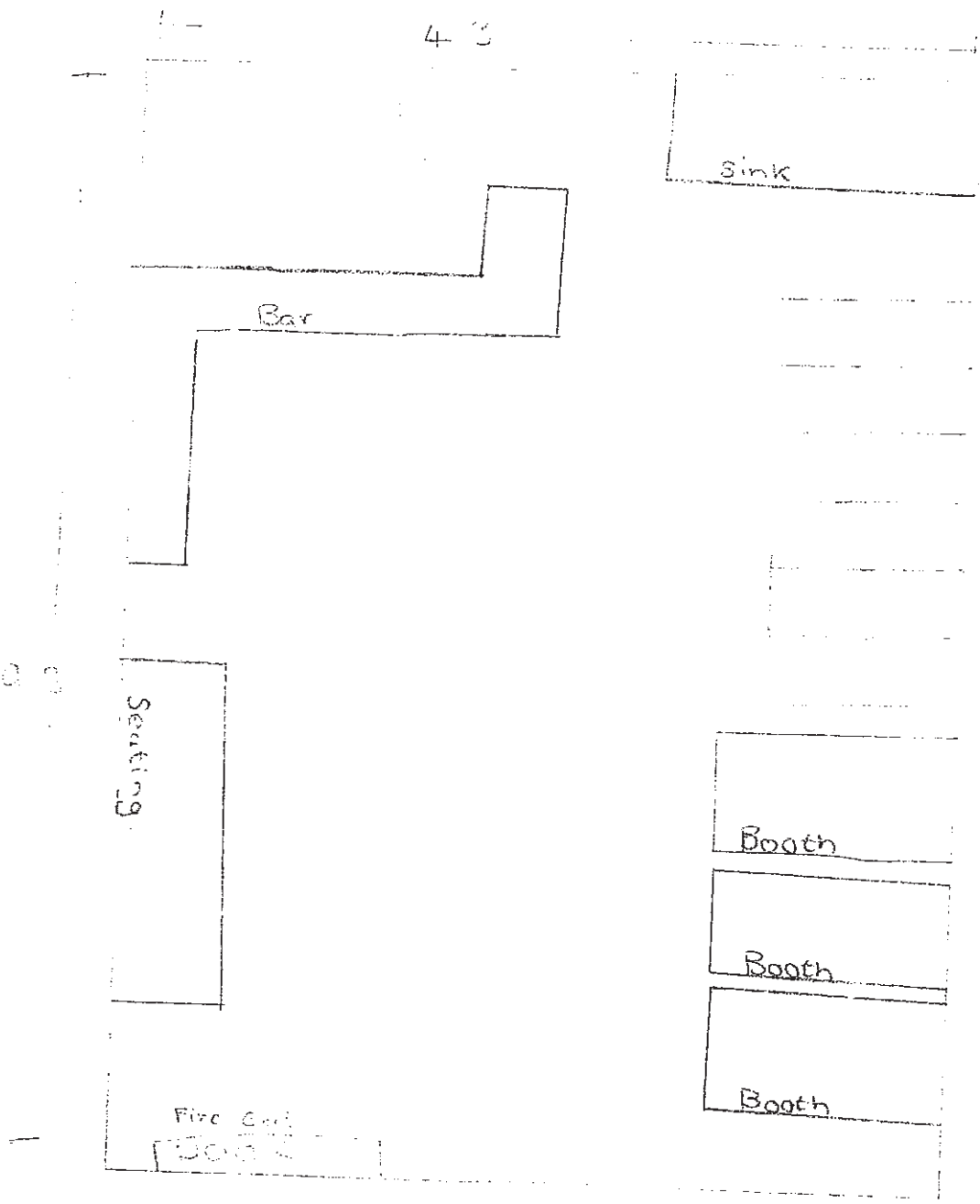
Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Downstairs



A10

Job



Appendix B

Current Premises Licence

Licensing Act 2003 Premises Licence

Issue No: 7

SY001093 PR

LOCAL AUTHORITY



Licensing Service
Place Portfolio
Block C Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD
Tel: 0114 2734264
Email: licensing@sheffield.gov.uk
Website: www.sheffield.gov.uk/licensing

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

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

[REDACTED] (fka [REDACTED])

267 Fulwood Road, Sheffield, South Yorkshire, S10 3BD.

Telephone 0114 266 6695

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To
F. Playing of recorded music (Indoors)			
	Sunday	Noon	9:30pm
	Monday	Noon	11:30pm
	Tuesday	Noon	11:30pm
	Wednesday	Noon	11:30pm
	Thursday	Noon	11:30pm
	Friday	Noon	11:30pm
	Saturday	Noon	11:30pm
J. Supply of alcohol for consumption ON the premises only			
	Sunday	Noon	9:00pm
	Monday	Noon	11:00pm
	Tuesday	Noon	11:00pm
	Wednesday	Noon	11:00pm
	Thursday	Noon	11:00pm
	Friday	Noon	11:00pm
	Saturday	Noon	11:00pm

Licensing Act 2003 Premises Licence

Issue No: 7

SY001093 PR

THE OPENING HOURS OF THE PREMISES

	Time From	Time To
Sunday	Noon	9:30pm
Monday	Noon	11:30pm
Tuesday	Noon	11:30pm
Wednesday	Noon	11:30pm
Thursday	Noon	11:30pm
Friday	Noon	11:30pm
Saturday	Noon	11:30pm

PLEASE NOTE:

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

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

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

 Crookes, Sheffield, South Yorkshire, 

 Crookes, Sheffield, South Yorkshire, 

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

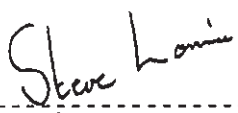
  South Yorkshire, 

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No: _____ Issued by: _____

LICENCE DATES

This Premises Licence shall be in force from the **24 November, 2005**
Issued on **8 February, 2006**



Steve Lonnia
Head of Licensing Services
On behalf of Sheffield City Council (Issuing Licensing Authority)

ANNEXES

Annex 1A - Mandatory Conditions

Mandatory Condition 1 (Section 19 ss 2)

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

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

Mandatory Condition 2 (Section 19 ss 3)

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

Mandatory Condition 3 (Section 20)

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:
 - (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
 - (b) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.
2. In this section -
 - "children" means persons aged under 18; and
 - "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory Condition 4 (Section 21)

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

Annex 1B - Mandatory Condition effective from 28th May 2014:

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

Annex 1C - Mandatory Conditions effective from 1st October 2014:

- 1.-(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on

ANNEXES continued ...

- to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 3.-(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
- (a) a holographic mark, or
- (b) an ultraviolet feature.
4. The responsible person must ensure that-
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2 - Conditions consistent with the operating schedule

1. Anti social behaviour from customers will not be tolerated and will lead to a refusal of service.
2. Children are to be supervised at all times.
3. A colour CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open. 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. Members of the management

B5

Licensing Act 2003 Premises Licence

Issue No: 7

SY001093 PR

ANNEXES continued ...

team will be trained in the use of the system. A copy of the specification dated January 2010 will be available at all times for inspection by the police and authorised officers.

4. The holder of the premises licence shall nominate a member of staff to remove and dispose of any litter outside the premises originating from their business.

5. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans

Drawing Number: A13-150/04

Revision: X

Date: 04/02/2014



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Licensing Act 2003

Issue No: 7

Premises Licence Summary SY001093 PR

LOCAL AUTHORITY



Licensing Service

Place Portfolio

Block C Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD

Tel: 0114 2734264

Email: licensing@sheffield.gov.uk

Website: www.sheffield.gov.uk/licensing

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

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

[REDACTED] (fka [REDACTED])

267 Fulwood Road, Sheffield, South Yorkshire, S10 3BD.

Telephone 0114 266 669£

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To
F. Playing of recorded music (Indoors)			
	Sunday	Noon	9:30pm
	Monday	Noon	11:30pm
	Tuesday	Noon	11:30pm
	Wednesday	Noon	11:30pm
	Thursday	Noon	11:30pm
	Friday	Noon	11:30pm
	Saturday	Noon	11:30pm
J. Supply of alcohol for consumption ON the premises only			
	Sunday	Noon	9:00pm
	Monday	Noon	11:00pm
	Tuesday	Noon	11:00pm
	Wednesday	Noon	11:00pm
	Thursday	Noon	11:00pm
	Friday	Noon	11:00pm
	Saturday	Noon	11:00pm



Licensing Act 2003

Issue No: 7

Premises Licence Summary SY001093 PR

THE OPENING HOURS OF THE PREMISES

Day	Time From	Time To
Sunday	Noon	9:30pm
Monday	Noon	11:30pm
Tuesday	Noon	11:30pm
Wednesday	Noon	11:30pm
Thursday	Noon	11:30pm
Friday	Noon	11:30pm
Saturday	Noon	11:30pm

PLEASE NOTE:

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

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

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

[Redacted]
 [Redacted] Crookes, Sheffield, South Yorkshire, [Redacted] 7542000164
 [Redacted]
 [Redacted] Crookes, Sheffield, South Yorkshire, [Redacted] 7542000164

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

[Redacted]

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Not applicable

LICENCE DATES

This premises licence shall be in force from 24 November, 2005
Issued on 8 February, 2006

Steve Lonnia
Head of Licensing Services
On behalf of Sheffield City Council (Issuing licensing authority)

Appendix C

Agreed Responsible Authority Conditions

Updated

C1

Delamore Lindsey

From: SHEFFIELD_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>
Sent: 05 May 2017 11:57
To: licensingservice
Subject: FW: Application to vary 267 Fulwood Road
Attachments: image002.png

Hi All,

Please see agreement regarding recent variation at 267 Fulwood Road:

- Drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose
- The Challenge 25 scheme must operate including a refusals log, signage and the maintenance of staff training records.

Thanks

Lucy

Sheffield Licensing Section
South Yorkshire Police
Force Headquarters
Carbrook House
5 Carbrook Hall Road
Sheffield
S9 2EH

Licensing Team

Lucy Adams 0114 [REDACTED]

Tracey Klein 0114 [REDACTED]

Andrea Marsden 0114 [REDACTED]

Cheryl Topham 0114 [REDACTED]

Alicia Marsden 0114 [REDACTED]

Daniel Barraclough 0114 [REDACTED]

Fax 0114 2523688 Internal 8688

<http://www.southyorkshire.police.uk/>



Please be advised that the content of emails may be submitted as evidence to a Licensing hearing should issues arising not be resolved. The Local Council may post them as part of the process on their Website which has public access.

To find out who your local Safer Neighbourhood Team officer is, how to contact them, and to find out what's happening in your area enter your postcode at <http://neighbourhood.southyorks.police.uk>

From: Nick Tripp [mailto:[REDACTED]]
Sent: 04 May 2017 09:52

To: SHEFFIELD_Licensing
Subject: Re: Application to vary 267 Fulwood Road

C2

Hi Lucy

Thanks for your email.

Yes I will be more than happy to adopt the below.

Best regards

Nick

On Thu, 4 May 2017 at 09:46, SHEFFIELD_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk> wrote:

Dear Nick,

Following receipt of your above application I would be obliged if you could confirm whether you are willing to adopt the practices below in order to further promote the four licensing objectives:

- Drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose
- The Challenge 25 scheme must operate including a refusals log, signage and the maintenance of staff training records.

Kind regards

Lucy

Sheffield Licensing Section

South Yorkshire Police
Force Headquarters

Carbrook House

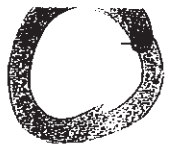
5 Carbrook Hall Road

Sheffield

Appendix D

Objections
1 Health & Safety

Delamore Lindsey



DI

From: Pitts Steven
Sent: 22 May 2017 10:21
To: Delamore Lindsey
Cc: licensingservice; Gibbons Sean (DEL); Lobo Rose
Subject: RE: Twisted burger Company 267 Fulwood Road Sheffield S10 3BD serial no 599851
Attachments: Twisted Burger Co.doc

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

Dear Lindsey,

I have asked the applicant to clarify the application to vary the premises licence regarding including the lower ground floor basement area for licensable activities which he has failed to do. I have no alternative than to object on the grounds of Public Safety as the basement area shown on the plan submitted is not acceptable for this purpose.

Regards,

Steve Pitts

From: Delamore Lindsey
Sent: 19 May 2017 09:22
To: Pitts Steven
Cc: Gibbons Sean (DEL)
Subject: RE: Twisted burger Company 267 Fulwood Road Sheffield S10 3BD

Good Morning Steve,

Please find attached the up to date licence and plan for 267 Fulwood Road

Kind Regards,

Lindsey Delamore
Senior Licensing Analyst & Processing Officer

NEW

Pre-Application Advice & Consultancy Service

Do you need help with your application or just want it checking?

Then give us a call on 0114 273 4264

This new service starts on Monday 6th February 2017

Business Strategy & Regulation

Director of Business Strategy & Regulation: Mick Crofts

Environmental Regulation

5th Floor North, Howden House • Sheffield • S1 2SH

Fax No. (0114) 273 6464

Officer: Mr S. Pitts

Tel: 0114 273 4616

Ref: Twisted/HS/SPI

Date: 22 May 2017

Twisted Burger Company

267, Fulwood Road

Sheffield

S10 3BD

Dear Sir

Licensing act 2003

Application to Vary a Premises Licence

Premises: Twisted Burger Company 267 Fulwood Rd. Sheff. S10

I have asked you to clarify your application to vary the premises licence regarding the inclusion of the lower ground floor basement area for licensable activities which you have failed to do. I have no alternative than to object on the grounds of Public Safety as the basement area shown on the plan submitted is not acceptable for this purpose.

I trust the aforementioned information will enable you to take the appropriate action, however, should you have any queries, please contact me on the telephone number shown.

Yours faithfully

Mr S. Pitts
Environmental Health Technician
Environmental Regulation
Health and Safety Enforcement
5th Floor North
Howden House
1 Union Street
Sheffield
S1 2HS

Tel 0114 2734616

Email Address: HealthProtection@sheffield.gov.uk

Visit us at: www.sheffield.gov.uk/environment/how-we-work/health-protection/

Large print versions of this letter
are available by telephoning

(0114) 273 4415/273 5774 Page 60

D2

Appendix E

Hearing Notices / Regulations / Procedures

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

Twisted Burger Company Limited
267 Fulwood Road
Sheffield
S10 3BD

E1

Emailed to

The Sheffield City Council being the licensing authority, on the 27th April 2017 received your application in respect of the premises known as;

267 Fulwood Road Sheffield S10 3BD

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

1 Environmental Protection Services

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 **Wednesday 21st June 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) 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: 12th June 2017

Signed: Clive Stephenson
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. licensing@sheffield.gov.uk

Form LAR 1
Regulation 8

E2

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
of **Twisted Burger Co Limited**

hereby confirm that I have received the Notice of Hearing dated 7th June 2017 and notify you as follows **(please complete):**

- I intend to attend the hearing at 10.00am on Wednesday 21st June 2017
- 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



E3

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

Steve Pitts
Environmental Health Technician
Environmental Regulation
Sheffield City Council

Sent by e-mail to steven.pitts@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the 13th January 2017 received an application in respect of the premises known as;

267 Fulwood Road Sheffield S10 3BD

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

1 Environmental Regulation

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 **Wednesday 21st June 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) 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: 7th June 2017

Signed: Clive Stephenson
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. licensing@sheffield.gov.uk

Regulation 8

E4

- (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.

NOTES

ES

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)

ED

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.

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