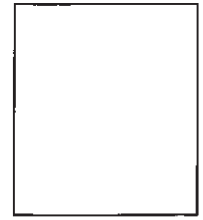




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 13th July 2017

Subject: Licensing Act 2003

Author of Report: Clive Stephenson

Summary: To consider objections in relation to an application for a Temporary Event Notice.

Sadacca 43 Wicker Sheffield S3 8LB

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

LICENSING ACT 2003

Hearing to consider a notice of objection to a Temporary Event Notice.

SADACCA 48 Wicker Sheffield S3 8JB

1.0 PURPOSE OF REPORT

1.1 To consider a notice of objection submitted by South Yorkshire Police relating to a temporary event notice for the premises known as Sadacca 48 Wicker Sheffield S3 8JB.

2.0 THE TEMPORARY EVENT NOTICE

2.1 The proposed premises user is Olivier Tsemo

2.2 The temporary event notice, which was received on 3rd July 2017, is attached to this report labelled Appendix 'A'.

2.3 The event are as follows;

Tramlines Festival.

2.4 The licensable activities and hours intended to be carried at the premises are:

Saturday 22nd 08.00 to 23.00.

Sunday 23rd 08.00 to 23.00.

The activities applied for are

- The sale by retail of alcohol for consumption on the premises
- The provision of regulated entertainment

3.0 REASONS FOR REFERRAL

3.1 A notice was submitted by South Yorkshire Police on the 3rd July 2017, objecting to the temporary event notice. The notice of objection is attached at Appendix 'B'.

3.2 Sadacca currently has a Club Premises Licence and a copy is attached at Appendix 'C'

3.3 The applicant and the objector from 3.1 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 Licensing Policy

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 A Chief Police Officer or Environmental Protection Service of the Local Authority may object to a Temporary Event Notice.
- 6.2 Where such an objection is received, the relevant licensing authority must –
- (a) hold a hearing to consider the objection notice, unless the premises user, the Chief Police Officer / Environmental Protection Service who gave the objection notice and the authority agree that a hearing is unnecessary, and
 - (b) having regard to the objection notice, give the premises user a counter notice under this section if it considers it necessary for the promotion of the relevant licensing objective to do so.”

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 premises user and the chief officer of Police 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 Committee consider necessary for the promotion of the Licensing Objectives.

10.0 OPTIONS OPEN TO THE COMMITTEE

- 10.1 To acknowledge the temporary event notice, allowing the event to go ahead on the proposed date as per the application.
- 10.2 To acknowledge the temporary event notice, allowing the event to go ahead on the proposed date with conditions.
- 10.3 To give the premises user a counter notice if it considers it necessary for the promotion of the Licensing Objectives.

Steve Lonnie

Stephen Lonnie,
Chief Licensing Officer, Head of Licensing

13th July 2017

Appendix A

The Application



Sheffield
Temporary Event Notice
Licensing Act 2003

For help contact
licensing@sheffield.gov.uk
 Telephone: 0114 2734264

AI

* required information

Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name Street District City or town County or administrative area Postcode Country **Section 2 of 9****APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)**

Have you had any previous or maiden names?

 Yes No

* Your date of birth

 / /

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth **Correspondence Address**

Is the address the same as (or similar to) the address given in section one?

 Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name Street District City or town County or administrative area Postcode Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

E-mail [redacted]
Telephone number [redacted]
Other telephone number [redacted]

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

* Does the premises have an address?

- Yes No

Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

* Building number or name: 48 Wicker
* Street: The Wicker
District: Sheffield
* City or town: Sheffield
County or administrative area: South Yorkshire
* Postcode: S3 8JB
* Country: United Kingdom

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither Premises licence Club premises certificate

* Club premises certificate number: SY0019CP

Location Details

* Provide further details about the location of the event

The event will be held inside sadacca. Sadacca premises is host to the Tramlines festival.

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

I intend to use all the premises.

Describe the nature of the premises below (see also guidance on completing the form, note 4)

Sadacca is a club member licensed premises that served the African and Caribbean population of Sheffield and District.

Describe the nature of the event below (see also guidance on completing the form, note 5)

Sadacca will be a venue for the tramlines on the 22nd and 23th of July. Tramlines is a musical and street event

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises (see also guidance on completing the form, note 6):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

(See also guidance on completing the form, note 7).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 8)

Event start date / /
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
dd mm yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

8:00 hrs-23:00 hrs on each day

(see also guidance on completing the form, note 9)

State the maximum number of people at any one time that you intend to allow to be present at the premises

during the times when you intend to carry on licensable activities, including any staff, organisers or performers

250

Note that the maximum number of people cannot exceed 499.

(see also guidance on completing the form, note 10)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

(see also guidance on completing the form, note 11):

- On the premises only
- Off the premises only
- Both

Section 5 of 9

RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 12)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

Yes as specified in our premises certificate

Section 6 of 9

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 13)

Do you currently hold a valid personal licence?

- Yes
- No

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 14)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

- Yes
- No

Continued from previous page...

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 15)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Continued from previous page...

Section 9 of 9

CONDITION (See also guidance on completing the form, note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION (See also guidance on completing the form, note 18)

- * The information contained in this form is correct to the best of my knowledge and belief.
- * I understand that it is an offence:
 - * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
 - * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.
- Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Add another signatory

Continued from previous page...

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/sheffield/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

Appendix B

Objection – South Yorkshire Police

From: Delamore Lindsey on behalf of licensingservice
Sent: 03 July 2017 15:02
To: Crawshaw Michael (CEX)
Subject: FW: Objection-Sadacca

From: SHEFFIELD_Licensing [mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk]
Sent: 03 July 2017 14:37
To: licensingservice
Cc: Hague Julie; JOHN OMALLEY; CHERYL TOPHAM; MARK CHAPPELL; MATTHEW BURDETT; MATTHEW COLLINGS; NAOMI SAXTON; SARAH PARKER
Subject: Objection-Sadacca

Sent on behalf of Licensing, South Yorkshire Police

Licensing General

Block C

Staniforth Road Depot

609 Staniforth Road

Sheffield

3.7.17

Licensing Act 2003

Objection to temporary event notice

Sadacca, 48 Wicker

21st-23rd July 2017

On behalf of the Chief Constable of South Yorkshire, an objection is being made in relation to the above application.

The grounds of objection are based on the prevention of crime and disorder where a violent incident occurred at this premise over the weekend. The incident occurred during a temporary event notice and South Yorkshire Police will be submitting an expedited review for these issues to be addressed.

The application fails to detail the measures in place of how the four licensing objectives will be upheld. In light of the above we have no option to object in order to protect those attending during one of the busiest weekends of the year.

We are happy to provide further information at the subsequent objection hearing.

Yours faithfully,

BZ

For and on behalf of

Chief Constable, South Yorkshire Police

Cc

Sheffield Licensing Section
South Yorkshire Police
Force Headquarters
Carbrook House
5 Carbrook Hall Road
Sheffield
S9 2EH
Licensing Team
Lucy Adams 0114 2523617 internal 718617
Tracey Klein 0114 2523948 internal 718948
Andrea Marsden 0114 2523618 internal 718618
Cheryl Topham 0114 2523163 internal 718163
Alicia Marsden 0114 2523111 internal 718 111
Daniel Barraclough 0114 2523556 internal 718556
John O'Malley internal 714308

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>

Tackling child sexual exploitation is a priority for the Force and it is the responsibility of everyone to help spot the signs and say something.

For more information visit www.southyorkshire.police.uk/spotthesigns

Appendix C

Club Premises Certificate

THE LICENSING ACT 2003

Club Premises Certificate No: SY 0019 CP

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 – Club details

Name and address of club in whose name this certificate is granted:

Sheffield & District Afro Caribbean Club
 48 The Wicker
 SHEFFIELD S3 8JB

Telephone Number: 0114 2731501

If different from above, the postal address of club premises to which this certificate relates:

Not applicable.

Where the club premises certificate is time limited, the dates:

Not applicable.

Qualifying club activities authorised by the certificate and the times the licence authorizes the carrying out of qualifying club activities:

1. Provision of regulated entertainment:

- (a) live music
- (b) a performance of dance
- (c) anything of a similar description to that falling within (a) and (b)

Sunday	19:00 to 22:30 hours
Monday	19:00 to 23:00 hours
Tuesday	19:00 to 23:00 hours
Wednesday	19:00 to 23:00 hours
Thursday	19:00 to 23:00 hours
Friday	19:00 to 02:00 hours the following day
Saturday	19:00 to 02:00 hours the following day

2. Provision of entertainment facilities for:

- (a) entertainment of a similar description to making music and dancing

Sunday	19:00 to 22:30 hours
Monday	19:00 to 23:00 hours
Tuesday	19:00 to 23:00 hours



COUNCIL OF THE YEAR 2005



INVESTOR IN PEOPLE

C2

Wednesday	19:00 to 23:00 hours
Thursday	19:00 to 23:00 hours
Friday	19:00 to 02:00 hours the following day
Saturday	19:00 to 02:00 hours the following day

3. Supply of alcohol for members and guests:

(a) for consumption on the premises

Sunday	19:00 to 22:30 hours
Monday	19:00 to 23:00 hours
Tuesday	19:00 to 23:00 hours
Wednesday	19:00 to 23:00 hours
Thursday	19:00 to 23:00 hours
Friday	19:00 to 02:00 hours the following day
Saturday	19:00 to 02:00 hours the following day

The opening hours of the club:

As times detailed above. The times detailed above are without prejudice to the right to open the premises at other times for any activity which is not a licensable activity authorised by and within the provisions of this club premises certificate and which is not otherwise a licensable activity by virtue of the Licensing Act 2003.

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

The on supply to members and guests and if permitted by the rules of the club to associate members and the guests of associate members.

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

Restricted.

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

Issued on: 3rd August, 2005



Assistant Chief Executive Legal and Governance
On behalf of Sheffield City Council (issuing licensing authority)

C3

Annex 1 – Mandatory Conditions

A club premises certificate may not authorise the supply of alcohol for consumption off the premises unless it also authorises the supply of alcohol to a member of the club for consumption on those premises.

A club premises certificate which authorises the supply of alcohol for consumption off the premises includes the following conditions:

1. The supply must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
2. Any alcohol supplied for consumption off the premises must be in a sealed container.
3. Any supply of alcohol for consumption off the premises must be made to a member of the club in person.

Annex 2 - Conditions consistent with the club operating schedule

Any embedded permissions and restrictions attached to the justices Club Registration Certificate including those specified at Appendix 1.

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

C4

CS

Appendix 1

C6

Club Premises (Permitted hours)

s.59, 60, 63, 67A, 68, 70, 74, 76, 78 LA 1964

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 11 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.
- e. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.
- g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- f. On Christmas day, as provided by the rules of the club and notified in writing by the chairman or secretary of the club to the chief executive of the justices for the petty sessions area in which the premises are. The said hours shall:
 - i. not exceed six and a half hours;
 - ii. not begin earlier than 12 noon;
 - iii. not end later than 10.30 p.m.
 - iv. provide for a break of at least 2 hours, including 3 p.m. to 5 p.m.;
 - v. not extend for more than three and a half hours after 5 p.m.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours, the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied as ancillary to the meals;
- (d) the supply to, or consumption by, any person of alcohol in any premises where they are residing.

LICENSING ACT 2003

Club Premises Certificate Summary

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

Club premises certificate number **SY 0019 CP**

Club details

Name and address of club in whose name the certificate is granted:

Sheffield & District Afro Caribbean Club
48 The Wicker
SHEFFIELD S3 8JB

Telephone: 0114 2731501

If different from above the postal address of club premises to which the certificate relates:

Not applicable.

Where the club premises certificate is time limited, the dates:

Not applicable.

Qualifying club activities authorised by the certificate and the times the licence authorizes the carrying out of qualifying club activities:

1. Provision of regulated entertainment:

- (a) live music
- (b) a performance of dance
- (c) anything of a similar description to that falling within (a) and (b)

Sunday	19:00 to 22:30 hours
Monday	19:00 to 23:00 hours
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Saturday	19:00 to 02:00 hours the following day

2. Provision of entertainment facilities for:

- (a) entertainment of a similar description to making music and dancing

Sunday	19:00 to 22:30 hours
Monday	19:00 to 23:00 hours
Tuesday	19:00 to 23:00 hours
Wednesday	19:00 to 23:00 hours



COUNCIL OF THE YEAR 2005



INVESTOR IN PEOPLE

Thursday	19:00 to 23:00 hours
Friday	19:00 to 02:00 hours the following day
Saturday	19:00 to 02:00 hours the following day

3. Supply of alcohol for members and guests:

(a) for consumption on the premises

Sunday	19:00 to 22:30 hours
Monday	19:00 to 23:00 hours
Tuesday	19:00 to 23:00 hours
Wednesday	19:00 to 23:00 hours
Thursday	19:00 to 23:00 hours
Friday	19:00 to 02:00 hours the following day
Saturday	19:00 to 02:00 hours the following day

The opening hours of the club:

As times detailed above. The times detailed above are without prejudice to the right to open the premises at other times for any activity which is not a licensable activity authorised by and within the provisions of this club premises certificate and which is not otherwise a licensable activity by virtue of the Licensing Act 2003.

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

The on supply to members and guests and if permitted by the rules of the club to associate members and the guests of associate members.

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

Restricted.

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

Issued on: 3rd August, 2005



.....
Assistant Chief Executive Legal and Governance
On behalf of Sheffield City Council (issuing licensing authority)

Appendix D

Hearing Notices / Regulations / Procedures

DI

**Notice of hearing of representations
in respect of the following application:
Application for a Temporary Event Notice**

Mr Olivier Tsemo
48 The Wicker
Sheffield
S3 8LB

Emailed to [REDACTED]

The Sheffield City Council being the licensing authority, on the 3rd July 2017 received your application in respect of the premises known as;

Sadacca 48 Wicker Sheffield S3 8LB

During the consultation period, the Council received objections from the following authorities/interested parties on the likely effect of this application and on the promotion of the licensing objectives, should it be granted;

South Yorkshire Police

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 13th July at 11.00am**

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.

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: 5th July 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.

DZ

**Notice of hearing of representations
in respect of the following application:
Application for a Temporary Event Notice**

Licensing Team
South Yorkshire Police
Carbrook House
Sheffield

Sheffield.liquor-licensing@southyorks.pnn.police.uk

The Sheffield City Council being the licensing authority, on the **3rd July 2017** received an application in respect of the premises known as;

Sadacca 48 Wicker Sheffield S3 8LB

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

- **South Yorkshire Police**

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 13th July 2017 at 11.00am**

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: 13th January 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.

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.

Regulation 8

D4

- (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.