



**SHEFFIELD CITY COUNCIL
Licensing Sub Committee
Report**

Report of: Chief Licensing Officer, Head of Licensing

Date: 7th September 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.

Akentannos 270 Sharrow Vale 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 108/17

Akentannos 270 Sharrow Vale Road Sheffield S11 8ZH

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 Giovanna Casiddu.

2.2 The application, which was received on 13th July 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'.

3.0 REASONS FOR REFERRAL

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

5 Public objections
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 'D'

3.3 The applicant has offered additional conditions which were circulated to the objectors but at the time of writing it nothing had been received regarding any withdrawals or agreement. Copies of the emailed conditions are attached at 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 '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

7th September 2017

Appendix A

The Application

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 Giovanna Casiddu 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

SY 1985 PR

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Akentannos, 270 Sharrow Vale Road,	
Post town Sheffield	Post code S11 8ZH

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 – Applicant Details

Daytime contact telephone number

Email address (optional)

Current postal address if different from premises address

Post Town	<input type="text" value="Sheffield"/>	Postcode	<input type="text" value="S6 2WN"/>
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Part 3 – Variation

A2

Please tick ✓ yes

Do you want the proposed variation to have effect as soon as possible?
UPON COMPLETION OF THE WORKS

If not do you want the variation to take effect from

Day Month Year

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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

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 read guidance note 2)

The proposed variation is to increase the licensed area for all licensable activities currently authorised under Premises Licence No. SY 1985 PR to reflect an extension of the premises under that Licence.

There will be general refurbishment throughout the premises as identified.

Reconfiguration of restaurant layout as detailed on the attached plan AK/1.

Access into the extended area shall be through the existing premises door.

There will be reconfiguration of a bar and waiting area within the premises and an extension to the current toilet facilities within the licensed area.

It shall be noted that all licensable activities will remain licensed as existing. It is not felt that any of the variations will adversely affect the four licensing objectives.

Boxes f (recorded music) and the sale by retail of alcohol have been ticked to present the areas this variation will affect, however, there is no change to the hours of both these licensable activities as currently provided under Premises Licence No. ST 1985 PR.

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.

A3

Please tick ✓ yes

Provision of regulated entertainment (Please see guidance note 3)

- 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)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

E

A4

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 {Y} (please read guidance note 4).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)	Both	
Tue					
Wed					
Thur			State any seasonal variations for the performance of live music (please read guidance note 6)		
Fri					
Sat					
Sun			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)		

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 {Y} (please read guidance note 4).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10:00	24:00	Please give further details here (please read guidance note 5) As Existing under Premises Licence No. SY 1985 PR	Both	
Tue	10:00	24:00			
Wed	10:00	24:00			
Thur	10:00	24:00	State any seasonal variations for playing recorded music (please read guidance note 6)		
Fri	10:00	24:00			
Sat	10:00	24:00			
Sun	12:00	23:30	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		

A5

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 4).	Indoors
Day	Start	Finish		Outdoors
Mon			Please give further details here (please read guidance note 5)	Both
Tue				
Wed				
Thur			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)	
Fri				
Sat				
Sun			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)	

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	
Mon	10:00	24:00	State any seasonal variations for the supply of alcohol (please read guidance note 6) As existing	Both	
Tue	10:00	24:00			
Wed	10:00	24:00			
Thur	10:00	24:00	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	10:00	24:00			
Sat	10:00	24:00			
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)

None

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variation (please read guidance note 6) As existing
Day	Start	Finish	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Mon	10:00	24:00	
Tue	10:00	24:00	
Wed	10:00	24:00	
Thur	10:00	24:00	
Fri	10:00	24:00	
Sat	10:00	24:00	
Sun	12:00	23:30	

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 ✓ yes

- 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 failed to enclose the premises licence or relevant part of premises licence

M

A7

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)

I have undertaken my own risk assessment to take the following proposed steps.

No new steps have been identified which need to be addressed.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed

c) Public safety

No further risks have been identified which need to be addressed

d) The prevention of public nuisance

No further risks have been identified which need to be addressed

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

- 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: John Gaunt & Partners.....

Date: 12th July 2017

Capacity: Solicitors.....

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: John Gaunt & Partners.....

Date:

Capacity: Solicitors

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)	
John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT
Telephone number (if any) 0114 266 8664	
If you would prefer us to correspond with you by email your email address (optional) phenocq@john-gaunt.co.uk	

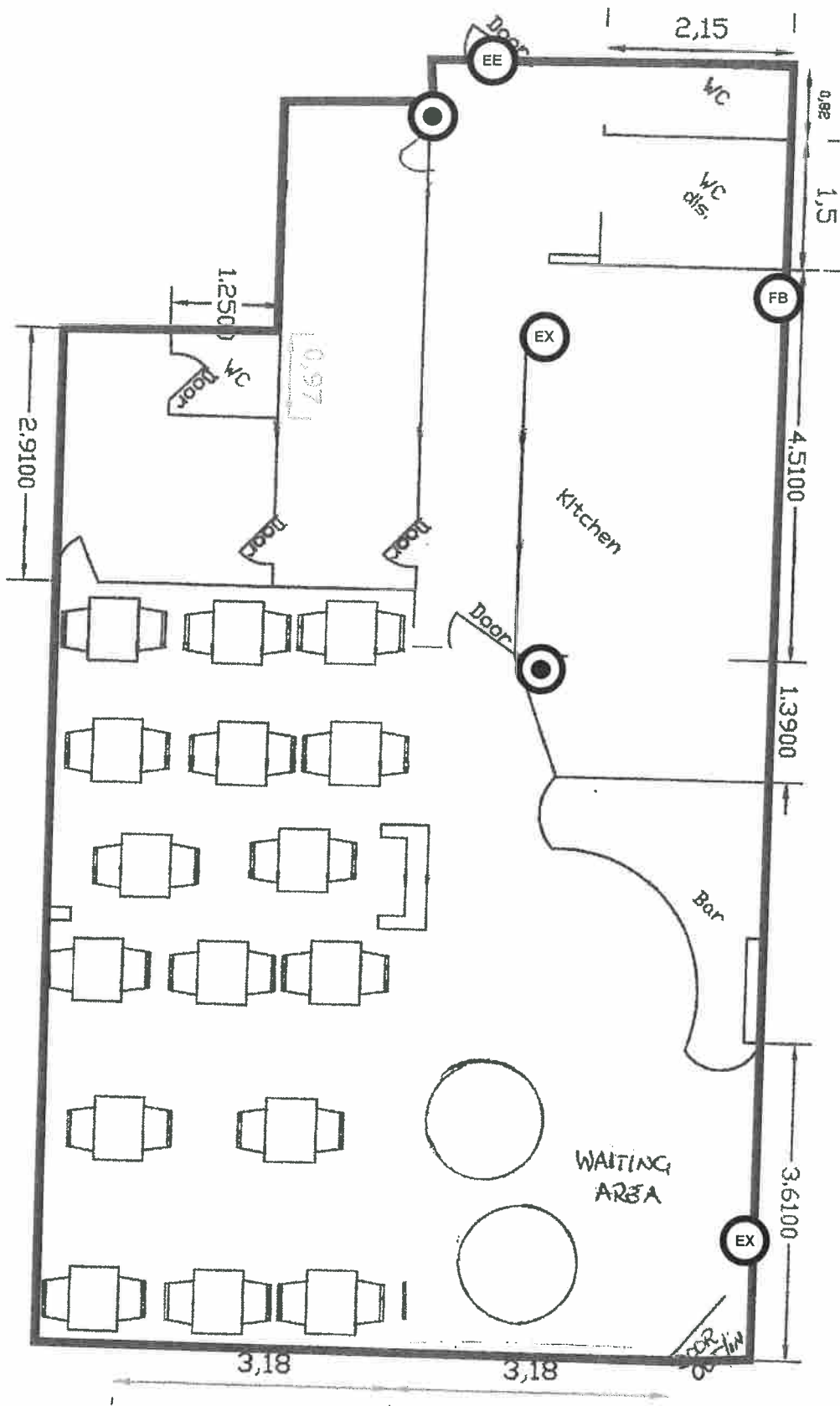
Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by the classification ratings.

- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

A10



Road

- FB** Fire Blanket
- EX** Fire Extinguisher
- EE** Emergency Exit
- Break Glass Call Point

AK6/1

Application has been made by Giovanna Casiddu to the Licensing Authority of Sheffield City Council to vary the Premises Licence for the Akentannos Restaurant at 270 Sharrow Vale Road, Sheffield, S11 8ZH. The application includes the following terms:-

1. Variation to extend the licensed area to reflect the restaurant extension as detailed on the enclosed plan AKE/1 deposited with the Licensing Authority.
2. To extend the licensed area for all licensable activities under Premises Licence no. SY1985PR including the sale by retail of alcohol for consumption on the premises Sunday 12 noon to 23.30 and Monday – Saturday 10.00 – 24.00 (midnight) and the provision of regulated entertainment namely recorded music indoors Sunday 12.00 to 23.30 and Monday – Saturday 10.00 – 24.00 (midnight)

Full details of the Application and the drawing can be viewed at the offices of the Licensing Authority at Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.

A responsible authority or any other person can make written representations to the Licensing Authority at any time up to and including 11 August 2017 (www.sheffield.gov.uk)

It is an offence for anyone knowingly or recklessly to make a false statement in connection with a Licence Application. The maximum fine on summary conviction is unlimited.

Dated this: 12 July 2017

John Gaunt & Partners, Solicitors

Appendix B

Current Premises Licence



LICENSING ACT 2003

Premises Licence Summary Issue No: 4

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

Premises licence number SY 1985 PR

Akentannos Restaurant
270 Sharrow Vale Road
Sheffield
S11 8ZH

Telephone Number: 0114 2680505

Licensable activities authorised by the licence:

1. Provision of regulated entertainment:

Recorded Music

Indoors

Sunday	12:00 to 23:30 hours
Monday - Saturday	10:00 to 24:00 hours

2. Sale by retail of alcohol

(a) for consumption on the premises

Sunday	12:00 to 23:30 hours
Monday - Saturday	10:00 to 24:00 hours

The opening hours of the premises are

Sunday	12:00 to 23:30 hours
Monday - Saturday	10:00 to 24:00 hours

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:

Sale by retail of alcohol for consumption on the premises.

BZ

Name, (registered) address of holder of premises licence:

Giovanna Casiddu
72 Cundy Street
Sheffield
S6 2WN

Telephone: 07860428629

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:

Marina Frances Whitwam

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

Restricted

The Premises Licence shall be in force from 2 December 2010.

Issued on: 2 December 2010.



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

B3

Sheffield
City Council



THE LICENSING ACT 2003

Premises Licence No: SY 1985 PR **Issue No: 4.**

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

Akentannos Restaurant
270 Sharrow Vale Road
Sheffield
S11 8ZH

Telephone Number: 0114 2680505

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

1. Provision of regulated entertainment:

Recorded Music

Indoors

Sunday	12:00 to 23:30 hours
Monday - Saturday	10:00 to 24:00 hours

2. Sale by retail of alcohol

(a) for consumption on the premises

Sunday	12:00 to 23:30 hours
Monday - Saturday	10:00 to 24:00 hours

The opening hours of the premises are

Sunday	12:00 to 23:30 hours
Monday - Saturday	10:00 to 24:00 hours

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

Sale by retail of alcohol for consumption on the premises.

B4

PLEASE NOTE:

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

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

PART 2

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

Giovanna Casiddu
72 Cundy Street
Sheffield
S6 2WN

Telephone Number: 07860428629

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:

Marina Frances Whitwam
112 Wortley Road
High Green
Sheffield
S35 4LU

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:

Personal Licence Number: SY 4009 Per
Issuing Authority: Sheffield City Council

B5

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

Restricted

This Premises Licence shall be in force from the 2 December 2010.

Issued on: 2 December 2010.



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

Sheffield City Council – For Office use only	
Variation of Premises Licence	
Variation of DPS	
Transfer of Premises Licence	No: 1 Issue Date 02/02/2016
Minor Variation	
Change of Name/Address	No: 2 Issue Date 21/03/2016
Amendment to Premises Licence	
Review	
Summary Review	

B7

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
- (a) 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).
 - (a) 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 the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

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

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic 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.

B9

Annex 2 – Conditions consistent with the operating schedule

1. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
2. Alcohol will only be served with table meals.
3. No alcohol is to be consumed outside the restaurant.
4. Last customers to enter the premises no later than 22:00 hours.
5. Anyone who appears to be under the age of 21 years old shall require the appropriate proof of age before being served alcohol.
6. Signs shall be placed at the exits of the premises and must clearly communicate that customers must respect the needs of local residents and leave the premises quietly.

B10

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

Annex 4 – Plans

3318/1/HP/03/D
3rd November 2010

B11

Appendix C

Offered Conditions
Public Objections No 5
Health & Safety No 1

Wragg Martyn (NCC)

From: Paul Henocq <PHenocq@john-gaunt.co.uk>
Sent: 23 August 2017 16:24
To: Wragg Martyn (NCC)
Subject: RE: Akentannos

9

Hi Martyn,

I can confirm I have spoken with client who returned late last night.

He can agree to Offer the following as additional conditions:

3. There will be no movements, sorting or removal of waste bottles, material or other articles nor movement of skips or bins outside the building between 22:00 and 08:30 hours, Monday - Saturday and 22:00 and 09:00 hours on Sunday's and Bank Holidays. No deliveries to the building will be carried out between these hours.

4. There will be no collection of glass / bottles / skips and refuse bins / skips by collection contractors between 22:00 and 08:30 hours Monday to Saturday and 22:00 to 09:00 hours on Sunday's and Bank Holidays.

Let me know the position going forward, I will email Clive separately shortly.

Kindest regards

Paul

Regards

Paul Henocq
Associate

PHenocq@john-gaunt.co.uk | www.john-gaunt.co.uk
T: 0114 266 8664 | M: 07703 730 836 | F: 0114 267 9613



Omega Court | 372-374 Cemetery Road | [Sheffield](#) | S11 8FT

[Premises Licences](#) | [Personal Licences](#) | [DPS Changes](#) | [Temporary Event Notices](#)
[APLH Courses](#) | [Reviews](#) | [Due Diligence](#) | [Betting and Gaming](#) | [eLearningPlus](#)

For more details on our services please click on the links above.

From: Wragg Martyn (NCC) [mailto:Wragg.Martyn@sheffield.gov.uk]
Sent: 23 August 2017 15:55
To: Paul Henocq <PHenocq@john-gaunt.co.uk>
Subject: RE: Akentannos

Hi Paul
7 Sept at 10.00am

From: Delamore Lindsey on behalf of licensingservice
Sent: 01 August 2017 09:19
To: Anderson Anne (CEX)
Cc: Wragg Martyn (NCC)
Subject: FW: Application to Vary a Premises Licence Akentannos 270 Sharrow Lane Sheffield S11 8ZH serial no 605907

From: Pitts Steven
Sent: 01 August 2017 09:02
To: phenocg@john-gaunt.co.uk
Cc: licensingservice; Lobo Rose
Subject: Application to Vary a Premises Licence Akentannos 270 Sharrow Lane Sheffield S11 8ZH serial no 605907

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 Paul,

Licensing Act 2003
Application to Vary a Premises Licence
Premises: Akentannos 270 Sharrow Lane, Sheffield S11 8 ZH

I refer to the application concerning the above premises and write to inform you that I am making a formal representation under the Licensing Act 2003, and will require the proposed condition set out below to be imposed in the Varied Premises Licence for the promotion of Public Safety.

1. A Building Regulation Completion Certificate shall be required for the structural work.

I would be grateful if you could confirm as a matter of urgency that your client is prepared to agree to this condition in order for my objection to be withdrawn.

Other issues that require your clients attention that are not conditions to be placed on the licence:

1. Please confirm the number of covers is 40 that your client is requesting as discussed at our meeting on the premises.

2. A satisfactory electrical certificate will be required on completion of the work.

3. A gas safe certificate will be required if any modification is made to the existing installation.

4. New floor surfaces in public areas and thoroughfares should achieve a low slip probability and achieve a Wet Pendulum Test Value (WPTV) of 36 or above.

5. Anti-slip mats are required in all entrances.



Anderson Anne (CEX)

From: Triandafillithis Julia on behalf of licensingservice
Sent: 11 August 2017 09:42
To: Wragg Martyn (NCC); Anderson Anne (CEX)
Subject: FW: Akentannos Restaurant Alcohol Licence Variation Application Opposition Ref:(SY1985PR)

FYI

Julia Triandafillithis
Licensing Enforcement and Technical 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

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

Telephone: 0114 27 34264

Email: julia.triandafillithis@sheffield.gov.uk or licensing@sheffield.gov.uk

Web: www.sheffield.gov.uk

From: Porter Brook Community Association [REDACTED] pbca@gmail.com
Sent: 11 August 2017 01:33
To: licensingservice
Subject: Akentannos Restaurant Alcohol Licence Variation Application Opposition Ref:(SY1985PR)

Dear Sirs

Private Resident's Opposition

The ambiguous public statutory notice posted on the above restaurant window, and also posted on the adjacent unit window at .no. 272, suggests that the restaurant intends to extend into that unit, or part thereof, or extend into some other area of the restaurant, and the notice also infers that the alcohol licence is to be varied to include any such extended-into area.

I should therefore like to oppose this alcohol licence variation on the following grounds:

1 Any such extended alcohol licensed area will by its nature increase the number of patrons to the restaurant, resulting in the need for more local parking spaces for hours at a time, particularly on Eastwood Road. Eastwood Road and other local roads are squeezed already, by day and evening parking generated by local residents, businesses, restaurants, eateries, pubs and residents in term time. At present, local owner-

4

occupiers, and long-term renters, have great difficulty at the moment parking their cars at any convenient time, and in any convenient walking distance from their homes until quite late. Also, if the restaurant does ever decide to operate until midnight in future under their existing midnight licence reputedly held, local residents will have to venture out to re-park their cars after midnight. The likely increase in restaurant patrons will exacerbate this problem, and for OAPs and young female residents it will make it impossible and dangerous to re-park. I respectfully suggest that the restaurant's alcohol licensed area remain the same as at present. It may dissuade the restaurant from physically extending its floor space, increasing its number of patrons wishing to park their cars for hours at a time.

2 More patrons hosted by a restaurant because of its increased licensed area will decrease the availability of car spaces outside local residents' homes for the charging of their electric cars, the need for which will become more prevalent in future, with the requirement for Gov't sponsored home charging points increasing year on year. The legislation regarding a home-owners right (none at present) to park outside their homes will probably change also in future because of electric cars. An alcohol licence is not just for Christmas, it is for the future, and this should be in any Licensing Officer's contemplation.

3 More patrons hosted by a restaurant because of its increased licensed area will result in more noisy patrons returning to their cars, banging doors in an acoustically built-up residential area. *Consequential issue:* This also could happen after midnight if the restaurant decided at a future date to open until midnight.

4 More patrons hosted by a restaurant because of its increased licensed area would result in more bottles being emptied into recycling receptacles at the rear within earshot of local residents' homes especially in the summer months with windows open. *Consequential issue:* This also could happen after midnight if the restaurant decided at a future date to open until midnight.

5 More patrons hosted by a restaurant because of its increased licensed area, would mean more cooking smells to be endured by local residents, especially in the summer months with windows open.

6 Allowing this increase in licensed area to go ahead will enable the restaurant extension plan to go ahead which, if extended into the next door unit (per existing planning permission), will add to the prevention of diversity of businesses on Sharrow Vale Road which is overrun by restaurants and eateries needing parking for hours at a time, unlike other businesses needing customer parking for shorter timespans and during the day only. The area needs diversity.

Yours faithfully

Eileen Jones-Hill




Wragg Martyn (NCC)

From: Marshall Shelley on behalf of licensingservice
Sent: 10 August 2017 10:47
To: Anderson Anne (CEX); Wragg Martyn (NCC)
Subject: FW: Alcohol licence SY1985PR

Martyn

Another objection to consider

Thanks
Shelley

From: MARK BAINES 
Sent: 09 August 2017 19:52
To: licensingservice
Subject: Fwd: Alcohol licence SY1985PR

I understand that Akentannos Restaurant of Sharrow Vale Road is seeking to extend its alcohol license - reference SY1985PR, to cover larger premises and later hours. I'm a resident on nearby Neill Road and would like to strongly register my opposition to such an application. The residents in the surrounding area already suffer a high degree of alcohol related, antisocial behavior - late night noise, vandalism, trespassing, violence, litter - which, I feel, would only be compounded by any license extension. A further concern is that the premises could become, by stealth, another public bar in the area. We've already seen this happen with Nonnas, The Monk Bar, and The Pointing Dog on Ecclesall Rd. Additionally, parking - already problematic for permit paying residents - would be affected. For these reasons I'd be grateful if you could give careful consideration to the application.

Regards, Mark Baines.

Marshall Shelley

C6

From: Bob Hindle [redacted]
Sent: 03 August 2017 20:11
To: licensingservice
Subject: Number 270 Sharrowvale road restaurant-licence extension
Categories: Martyn Wragg, Anne Anderson

Sirs

There are enough late night licensed premises around here without adding to the list.

The noise at weekends is bad enough already and until the early hours of the mornings too.

As a long term resident, I strongly object to this extension and trust you will turn it down.

Thank you.

Bob

--
Bob Hindle

AA/MLC

10 AUG 2017

Sheffield

AA

8th August 2017

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

Delivered by hand,
10.8.17.

CF

Dear Sirs

Ref: Akentannos Restaurant 270 Sharrow Vale Road Sheffield S11 8ZH
Premises Licence no. SY1985PR

With reference to the above application.

The prevention of Public Nuisance

With regard to the PUBLIC NUISANCE (NOISE) that could be experienced by us as residents by the deliveries and collections of bottles and disposal of all bottles/ waste to the above premises we request that the following conditions are attached on the premises and extensions to the premises Akentannos Restaurant 270 Sharrow Vale Road Sheffield S11 8ZH.

- 1a There will be no movement, sorting or removal of waste bottles, material or other articles nor movement of skips or bins outside the building between 22-00 and 08-30 hours on Monday to Saturday and 22-00 and 09-00 hours on Sundays and Bank Holidays. No deliveries to the building to be carried out between these hours.
- 1b There will be no collection of glasses/bottle bins/skips and refuse bins/skips by collection contractors between 22-00 and 08-30 on Monday to Saturday and 22-00 and 09-00 hours on Sundays and Bank Holidays.

As residents we do not want to be disturbed at unsociable times by the deliveries and collections to the above mentioned premises .

We make this request that the above conditions 1a and 1b are attached to the license, due to the fact that some licensed establishments in the VICINITY already have these conditions on their license.

Yours faithfully

D.A. Thomas . G. Thomas

D A Thomas (Mrs) G Thomas (Miss)

Marshall Shelley

From: Belinda Lancaster <[redacted]>
Sent: 04 August 2017 08:40
To: licensingservice
Subject: Akentannos Restaurant, 270 Sharrow Vale Road, Sheffield, S11 8ZH

Categories: Martyn Wragg, Anne Anderson

I live at [redacted] which backs onto Sharrowvale Road.

Once the students come back parking is a near impossibility in the evenings particularly at weekends. The Church on the corner of Eastwood Road runs some sort of evening event on Fridays.

Coming back on a Friday night from the supermarket means parking and carrying shopping several streets away.

We are regularly disturbed at night by evening revellers.

Can you please reconsider the application to grant extended licensing until midnight as this will only exacerbate the noise with people banging noise / talking / shouting.

We already have strong curry smells from the Indian restaurant and this will be made worse.

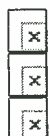
The noise of bottles being emptied into bottle banks will be heard for 100s of yards.

I pay for my parking permit but the benefit will be questionable if this licence application is allowed as people will simply pay the minimum fee to park depriving those of us who live in the street of any chance of parking.

Many thanks

Belinda Lancaster

Belinda Lancaster | Partner



[redacted] 2 Paradise Square, Sheffield S1 1TB
www.graysons.co.uk | F [redacted] 27E 6664 | DX: 10500 Sheffield

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Appendix D

Hearing Notices

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

DI

Mr Paul Hanocq
John Gaunt & Partners
Omega Court
372-374 Cemetery Road
Sheffield S11 8FT

Emailed to: PHanocq@john-gaunt.co.uk

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

Akentannos Restaurant 270 Sharrow Vale Road Sheffield S11 8ZH

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

**5 Public objections
1 Health & Safety**

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 7th September 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: 25th August 2017

Signed: Clive Stephenson
The officer appointed for this purpose
Licensing Officer



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

DZ

Mr Steve Pitts
Environmental Health Technician
Sheffield City Council

Emailed to – steve.pitts@sheffield.gov.uk

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

Akentannos 270 Sharrow Vale Road Sheffield S11 8ZH

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

**5 Public objections
1 Health & Safety**

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

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Dated: 25th August 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



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

D3

Mr Bob Hindle

Sent by e-mail to bhindle75@gmail.com

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

Akentannos 270 Sharrow Vale Road Sheffield S11 8ZH

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

**5 Public objections
1 Health & Safety**

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 7th September 2017 at 10am**; following which the Council will issue a notice of determination of the application.

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- 2) You may also be asked questions by the parties to the hearing, relating to your application for a licence.

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Dated: 25th August 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

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

D4

Ms Belinda Lancaster
7 Eastwood Road
Sheffield
S11

Sent by e-mail to Belinda.lancaster@graysons.co.uk

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

Akentannos 270 Sharrow Vale Road Sheffield S11 8ZH

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

**5 Public objections
1 Health & Safety**

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 7th September 2017 at 10am**; following which the Council will issue a notice of determination of the application.

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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: 25th August 2017

Signed: Clive Stephenson
The officer appointed for this purpose
Licensing Officer



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

D5

Mrs D A Thomas
Miss G Thomas
[Redacted]
Sheffield
[Redacted]

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

Akentannos 270 Sharrow Vale Road Sheffield S11 8ZH

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

5 Public objections
1 Health & Safety

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 7th September 2017 at 10am**; following which the Council will issue a notice of determination of the application.

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- 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: 25th August 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

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

D6

Mr Eileen Jones-Hill

[Redacted]

Sheffield

[Redacted]

Sent by e-mail to [Redacted]

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

Akentannos 270 Sharrow Vale Road Sheffield S11 8ZH

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

5 Public objections

1 Health & Safety

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 7th September 2017 at 10am**; following which the Council will issue a notice of determination of the application.

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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: 25th August 2017

Signed: Clive Stephenson
The officer appointed for this purpose
Licensing Officer



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

D7

Mr Mark Baines

Sent by e-mail: [REDACTED]

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

Akentannos 270 Sharrow Vale Road Sheffield S11 8ZH

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

5 Public objections
1 Health & Safety

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 7th September 2017 at 10am**; following which the Council will issue a notice of determination of the application.

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- 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: 25th August 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

Appendix E

Regulations / Procedures

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



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

- (3) In the case of a hearing under –

- (a) section 48(3)(a) (cancellation of interim authority notice following police objection), or
- (b) section 105(2)(a) (counter notice following police objection to temporary event notice),

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

- (4) In the case of a hearing under –

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

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

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

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



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

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