



SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 12th December 2017

Subject: Licensing Act 2003

Author of Report: Clive Stephenson

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

The Bakery Little Kelham Green Lane Sheffield S3 8SJ

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 153/17

The Bakery Little Kelham Green Sheffield S3 8JS

1.0 PURPOSE OF REPORT

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

2.0 THE APPLICATION

2.1 The applicant is Darren Hughes (Fitzwilliam & Hughes Coffee Limited).

2.2 The application, which was received on 25th October 2017, is attached to this report labelled Appendix 'A'.

3.0 REASONS FOR REFERRAL

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

- No 2 – Public

3.2 Environmental Services have agreed conditions. This information and conditions are attached at appendix 'C'.

3.3 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'

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 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.

Section 6 Cont'd

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

7.0 HEARINGS REGULATIONS

7.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.

7.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'D'.

7.3 Attached at Appendix 'D' is the following: -

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

8.0 APPEALS

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

9.0 RECOMMENDATIONS

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

10.0 OPTIONS OPEN TO THE COMMITTEE

10.1 To grant the premises licence in the terms requested.

10.2 To grant the premises licence with conditions.

10.3 To reject the whole or part of the application.


Stephen Lonnia
Chief Licensing Officer
Head of Licensing

12th December 2017

Appendix A

Application

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



Served 26/10/17.

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.

25 OCT 2017

I/We Darren Hughes

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Fitzwilliam and Hughes, The Bakery, Little Kelham Green Lane			
Post town	Sheffield	Postcode	S3 8SJ
Telephone number at premises (if any)		0114 2721465	
Non-domestic rateable value of premises		£TBC	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)

A2

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

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

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

A3

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

(B) OTHER APPLICANTS

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

Name F & H Coffee Ltd
Address 3 Cathedral Apartments 4 – 8 East Parade Sheffield S1 2ET
Registered number (where applicable) 10921643
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 0114 276 1111
E-mail address (optional) info@fandhcoffee.co.uk

Part 3 Operating Schedule

A4

When do you want the premises licence to start?

DD	MM	YYYY
18	11	2017

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 Two Storey Detached former gatehouse on Green Lane operating on ground and first floor. External seating area situated to the rear of the building stretching to approx. 3 meters from the building from the rear entrance to the main gateway to little Kelham

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

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

The sale by retail of alcohol
 The provision of regulated entertainment

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2) On the inside of the building only	Indoors	x
				<input type="checkbox"/>	
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	18.00	22.30	Please give further details here (please read guidance note 3) Entertainment of live singers on various evenings. Three slots of about 45 mins weekdays. Sat/Sun Various slots from noon onwards. Live music will only be on two/three days a week.		
Tue	18.00	22.30			
Wed	18.00	22.30	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	18.00	23.00			
Fri	18.00	23.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	12.00	23.00			
Sun	12.00	23.00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2) On the inside of the building only	Indoors	x
				<input type="checkbox"/>	
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	08.00	23.00	Please give further details here (please read guidance note 3) Background music played through an internal speaker system		
Tue	08.00	23.00			
Wed	08.00	23.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	08.00	23.00			
Fri	08.00	23.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	08.00	23.00			
Sun	10.00	23.00			

A6

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
<u>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</u> (please read guidance note 5)					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 7)		On the premises <input type="checkbox"/>
			Consumption of alcohol within the building and on the external seating area.		Off the premises <input type="checkbox"/>
					Both <input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Mon	11.00	23.00			
Tue	11.00	23.00			
Wed	11.00	23.00			
Thur	11.00	23.00			
Fri	11.00	23.00			
Sat	11.00	23.00			
Sun	11.00	23.00	<u>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</u> (please read guidance note 5)		

A7

--	--	--	--

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

Name Matthew Paul Leather	
Address 30 Blue Mans Way Catcliffe Rotherham	
Postcode	S60 5UR
Personal licence number (if known)	
Issuing licensing authority (if known) RMBC	

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	8.00	23.00	
Tue	8.00	23.00	
Wed	8.00	23.00	
Thur	8.00	23.00	
Fri	8.00	23.00	
Sat	8.00	23.00	
Sun	10.00	23.00	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)			

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

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

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

- a/ no selling of alcohol to underage people
- b/ no drunk and disorderly behavior on the premises area
- c/ vigilance in preventing the use and sale of illegal drugs at the retail area
- d/ no violent and anti-social behaviour
- e/ no any harm to children

- Operating Schedule providing the hours of operation and licensable activities during those hours.
- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale
- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.
- CCTV system installed with recording option available
- Roller metal exterior window shutter will be fixed to ensure that shop front is safe and secure at all times

As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

Not selling of alcohol to drunk or intoxicated customers.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

Prevention and vigilance in illegal drug use at the retail unit area.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit (ex. canned or bottled beer).

c) Public safety

Internal and external lighting fixed to promote the public safety objective.

Well trained staff adherence to environmental health requirements.

Training and implementation of underage ID checks.

A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.
Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.
Customers will be asked not to stand around loudly talking in the street outside the premises.
Customers will not be admitted to premises above opening hours.
The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm.
This will help to reduce the levels of noise produced by the premises.
Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.
Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc.
All the details provided in Training Record Book available the retail unit.
Log Book will be kept upon the premises all the time.
Nothing belong existing Health & Safety requirements.

A10

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

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



Part 4 – Signatures (please read guidance note 10)

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

Signature	
Date	20/10/2017
Capacity	Director

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

Signature	
Date	
Capacity	

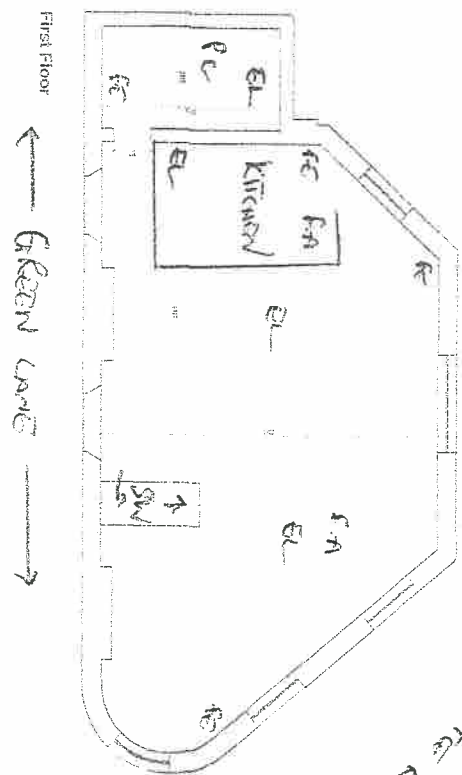
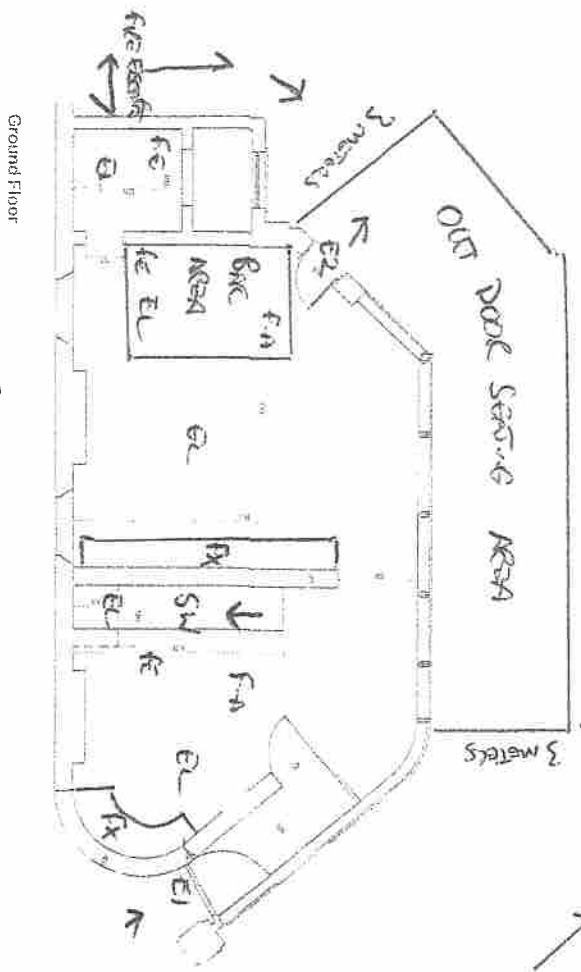
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Darren Hughes 3 Cathedral Apartments 4 – 8 East Parade			
Post town	Sheffield	Postcode	S1 2ET
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) 			

Notes for Guidance

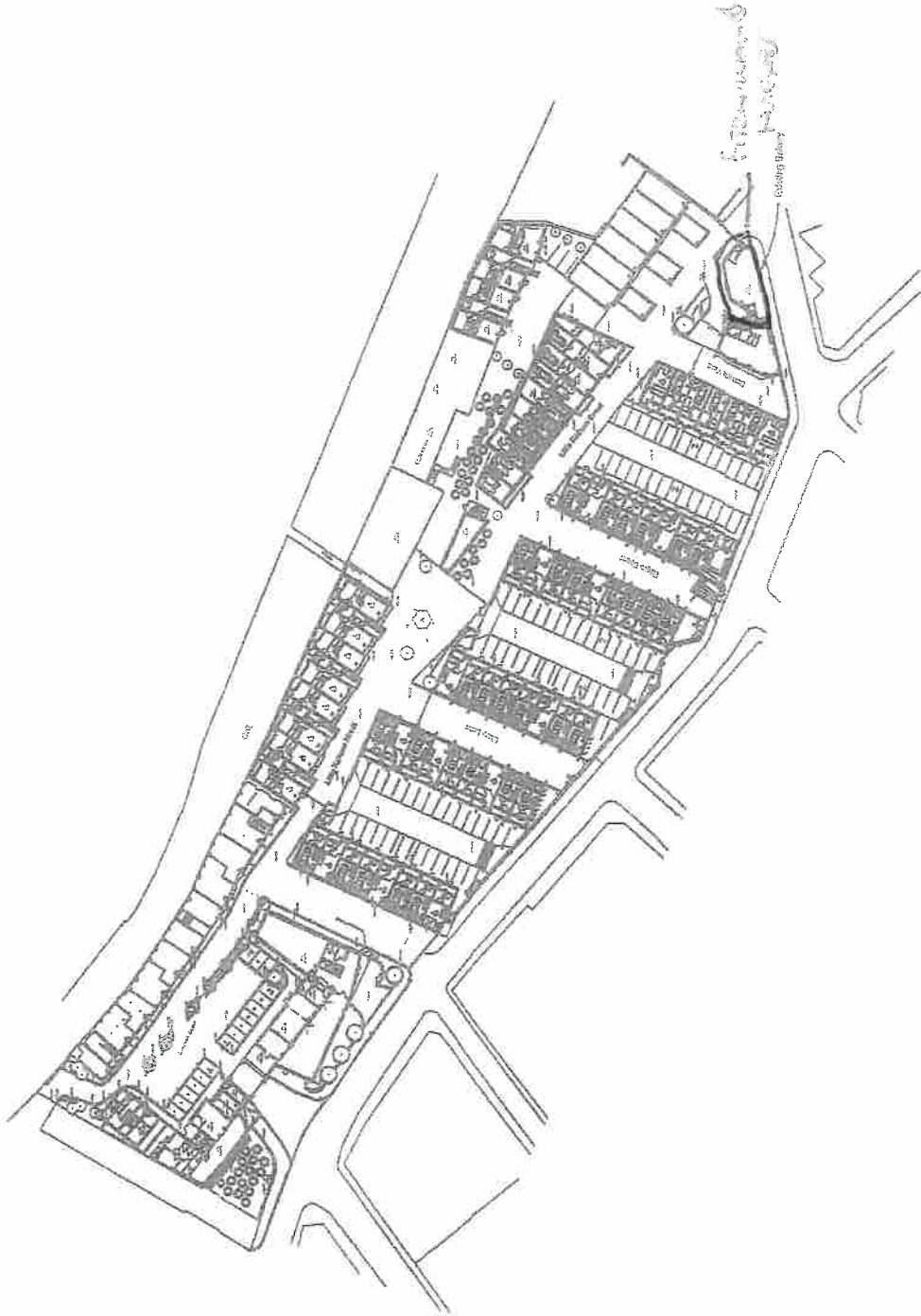
All

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. 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'.
8. 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.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

AIZ



- E1 - ENTRANCE 1
- E2 - ENTRANCE 2
- SW - STAIR WELL
- PC - PAVILION CORNER
- FE - FIRE EXTINGUISHER
- EL - EMERGENCY LIGHTING
- FA - FIRE ALARMS
- FX - FIXED SEATING



A14

Consent of individual to being specified as premises supervisor

I

of

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

by

relating to a premises licence

for

and any premises licence to be granted or varied in respect of this application made by

concerning the supply of alcohol at

I also confirm that I currently hold a personal licence, details of which I set out below.

A15

Personal licence number

[insert personal licence number, if any]

Rm 2473

Personal licence issuing authority

Rotherham Borough Council
Riverside House
Main Street
Rotherham
S60 1AE

01709 382121

Signed



Name Mr Matthew Leather

Date 20th October 2017

Appendix B

Objection No.2 Public

P 2162

Rec'd from Transport Services
10/10/17

B1

Peter and Elizabeth Noble

~~_____~~
Sheffield ~~_____~~

10 NOV 2017

29th October 2017

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

F and H Coffee Ltd, have made an application under section 17 part 3 of the Licensing Act 2003 for the grant of a live music licence for the premises known as Fitzwilliam and Hughes, The Bakery, Little Kelham, Green Lane, Sheffield S3 8SJ.

Our house is less than 10 yards from The Bakery, and it is therefore likely that we will be most affected by the granting of the live music licence. Our representation is, based on our conversation with a representative of F and H Coffee Ltd, that we have no problem with the granting of a music licence as long as live music is only played on special occasions, such as Christmas, i.e. less than 10 times per year. Is it possible to get such an undertaking from F and H Coffee Ltd as a condition for the granting of the licence?

Peter and Elizabeth Noble

~~_____~~

PR/60
RZ

[Redacted]

08 NOV 2017

07/11/2017

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

To whom it may concern,

I write regarding the licensing application by F & H Coffee Ltd for the licence of both alcohol and live music until 11pm, 7 days a week at their new premises of The Bakery, Little Kelham, Green Lane.

In short, I would like to oppose this request in the strongest possible way.

The premises in question is in a courtyard that overlooks some 16 properties, one of which I live in and own. When we purchased this property, we did so under the knowledge that this building would be a working bakery. We would not have purchased it to have a late licence bar/restaurant some 10 yards away from our front door, and the room where our children sleep.

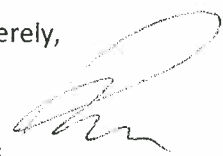
I have no problem with a licence until 6pm, such as the Grind café has. But F & H Coffee plan to open a Bistro with live music, with outside seating that opens until 11pm and I wish to oppose this. I believe that the premises is simply too close to a residential area (being literally within it) for this to be acceptable.

Little Kelham is a family community with children, dogs and people young and old. Whilst we welcome the type of business such as F & C to the area, we do not wish for them to open up late and inevitably disturb neighbours.

I am not 100% sure of the process involved, so am sending this letter to set the ball rolling. All of the 16 properties within the courtyard oppose a late licence, and we are happy to enter into a dialogue or attend any meeting with the council to put our views across.

On behalf of those residents.

Yours Sincerely,



Phill James

[Redacted]

Appendix C

Agreed amendments and conditions

Rhodes-Evans Emma (CEX)

AGREED CONDS.

9

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 06 November 2017 12:52
To: Rhodes-Evans Emma (CEX)
Subject: FW: FW: New Premises Licence Application & Premises Supervisor Consent - The Bakery, Little Kelham, Green Lane, S3 8SJ SR 614088

Hi Emma,
To go with previous email....
Thanks
Jayne

From: Darren Hughes [mailto:~~XXXXXXXXXXXX@sheffield.gov.uk~~]
Sent: 06 November 2017 12:47
To: Pates Neal
Cc: licensingservice; Hope Dinah
Subject: Re: FW: New Premises Licence Application & Premises Supervisor Consent - The Bakery, Little Kelham, Green Lane, S3 8SJ SR 614088

Hi Neal,

Many thanks for your email and I can confirm that I'm happy with these caveats.

Best wishes,

Darren.

On 6 November 2017 at 12:14, Pates Neal <Neal.Pates@sheffield.gov.uk> wrote:

RE: LAC2003 Premises Licence Variation Application – The Bakery, Little Kelham, Green Lane, S3 8SJ

EPS REF: 614088/NEP

Dear Mr Hughes,

I represent Sheffield City Council's Environmental Protection Service as Responsible Authority for the Prevention of Public Nuisance for this application. Following on from our telephone conversation earlier today, I'd like to suggest the following conditions. If you are happy to volunteer these, please respond by return of email as 'reply to all'. If there are any aspects that you need to discuss further, please email me directly, or call to discuss.

- The Designated Premises Supervisor or a delegated member of staff shall take a pro-active approach to noise control, checking outside the premises to ensure that the breakout of internal noise and noise from patrons using the external areas and departing the premises is managed so as not to cause a nuisance to occupiers of nearby residential properties.



- The premises licence holder shall prominently display notices on all exits reminding patrons to leave the premises in a quiet and orderly fashion and to respect the local neighbours' needs.

- Customer use of the outdoor seating area at the rear of the premises shall cease at 1900 hours on all days. Outdoor furniture shall then be cleared away and stacked/stored to prevent unauthorised use.

I look forward to hearing from you shortly.

Kind regards,

Neal Pates

Neal Pates

Environmental Protection Officer

Sheffield City Council

Environmental Protection Service: Commercial Team
5th Floor (North)

Howden House

1 Union Street

Sheffield

S1 2SH

Tel: **+44 (0)114 273 4651**

Mob: **+44 (0)7795 528 038**

Int: x 53588

Web: <http://www.sheffield.gov.uk/environmentalhealth>

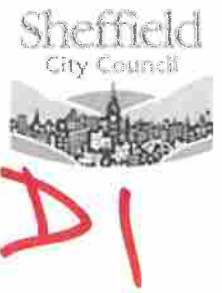
Did you know?

Our sister service, Environmental Services can provide a range of services for you by fully qualified Officers:

- **internal and external cleaning, clearances and vegetation removal.**
- **specialist cleaning services involving the removal of bodily fluids, used needles and other noxious materials.**
- **pest control including individual treatments and annual contracts.**
- **bird proofing involving the installation of nets or spikes.**

Appendix D

Hearing notices and Regulations



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

F & H Coffee
3 Cathedral Apartments
4 – 8 East Parade
Sheffield
S1 2ET

Sent via email: licensing@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the 25th October 2017 received an application in respect of the premises known as;

The Bakery Little Kelham Green Lane

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

- **Public**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **12th December 2017 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 24th November 2017

Signed: **Clive Stephenson**
The officer appointed for this purpose
Licensing Enforcement and Technical Officer

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



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

Mr & Mrs Noble

4 Little Kelham Street
Sheffield
S3 8DF

The Sheffield City Council being the licensing authority, on the 25th October 2017 received an application in respect of the premises known as;

The Bakery Little Kelham Green Lane

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

- **Public**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **12th December 2017 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 24th November 2017

Signed: **Clive Stephenson**

The officer appointed for this purpose
Licensing Enforcement and Technical Officer

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



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

Mr P James
2 Bakers Yard
Alma Street
Little Kelham
Sheffield
S3 8BY

Emailed to pjames@ipollionsearch.co.uk

The Sheffield City Council being the licensing authority, on the 25th October 2017 received an application in respect of the premises known as;

The Bakery Little Kelham Green Lane

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

- **Public**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **12th December 2017 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 24th November 2017

Signed: **Clive Stephenson**
The officer appointed for this purpose
Licensing Enforcement and Technical 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

NOTES

D4

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

D5

- (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.

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.