



## SHEFFIELD CITY COUNCIL Committee Report

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

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**Date:** 3 April 2012

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**Subject:** Licensing Act 2003

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**Author of Report:** Andy Ruston

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**Summary:** To consider an Application to Vary a Premises Licence made under the Licensing Act 2003.

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

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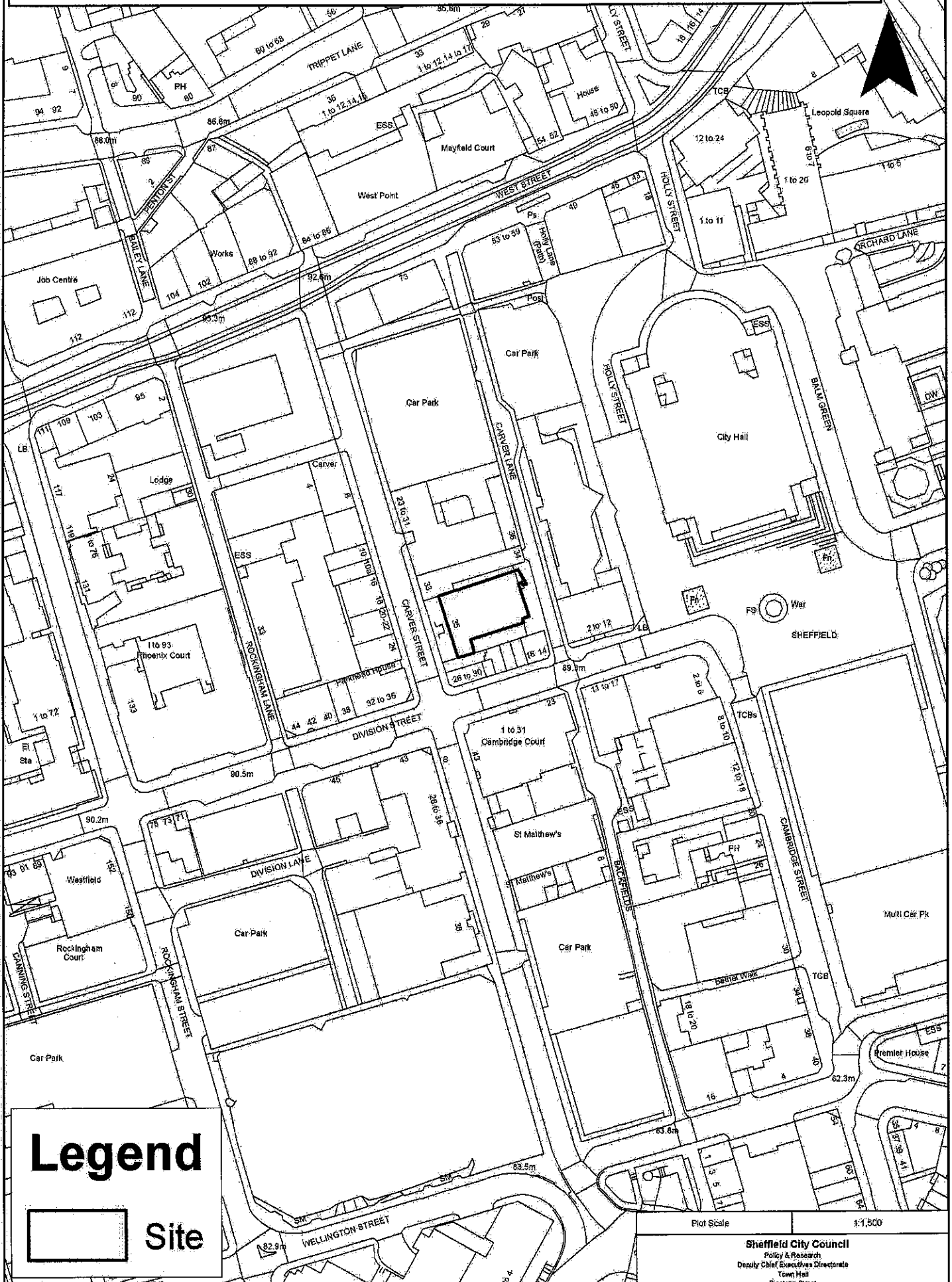
**Background Papers:** Attached documents

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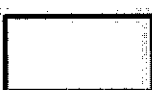
**Category of Report:** OPEN

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# Viper Rooms & Viper Lounge 35 Carver Street S1 4FS



## Legend

 Site

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

Ref No: 31/12

**LICENSING ACT 2003**

**Viper Rooms (fka Cellar 35), 35 Carver Street, Sheffield, S1 4FS.**

**1.0 PURPOSE OF REPORT**

1.1 To consider an Application to Vary a Premises Licence made under the Licensing Act 2003.

**2.0 THE APPLICATION**

2.1 The applicant is Harewood (Viper Rooms) Limited.

2.2 The application, which was received on 9 February 2012 is attached to this report labelled Appendix 'A'.

2.3 Page 2 of the application form details briefly the proposed variation.

2.4 The current premises licence is attached at Appendix 'B'.

**3.0 REASONS FOR REFERRAL**

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

- Local Councillor Attached at Appendix 'C'
- Local Residents Attached at Appendix 'D'

3.2 As the representations have not been resolved, the matter is referred to the Licensing Committee.

3.3 The applicant and representatives from 3.1 have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'E'.

**4.0 FINANCIAL IMPLICATIONS**

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

**5.0 THE LEGAL POSITION**

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

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

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

## **6.0 HEARINGS REGULATIONS**

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

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

6.3 Attached at Appendix 'F' 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 Committee consider necessary 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 modified conditions.

9.3 To reject the whole or part of the application.

Stephen Lonnia

Chief Licensing Officer, Head of Licensing

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

③

# Appendix 'A'

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

(1) LICENSING SERVICES  
SHEFFIELD CITY COUNCIL  
BLOCK C, STAINFORTH ROAD DEPOT, STAINFORTH ROAD  
SHEFFIELD S9 3GZ

#### 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

(2) ~~We~~ HAREWOOD (VIPER ROOMS) LIMITED

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 SY1762PR

#### Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description VIPER ROOMS (FKA CELLAR 35) 35 CARVER STREET	
Post town SHEFFIELD	Post code S1 4FS

Telephone number at premises (if any) <sup>NOTE NEW PHONE NUMBER</sup> 0114 2750934

Non-domestic rateable value of premises £ 68,000

#### Part 2 - Applicant details

Daytime contact telephone number 07803668588

E-mail address (optional) ianharries@harewoodoperations.co.uk

Current postal address if different from premises address 2 KINGS ROAD	
Post town HARROGATE	Post code HG1 1BT

(1) Insert name and address of relevant licensing authority and its reference number (optional)  
(2) Insert name(s) of applicant

Part 3 - Variation

5

Please tick ✓ yes

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

If not do you want the variation to take effect from

Day	Month	Year

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

Please describe briefly the nature of the proposed variation (Please read guidance note 1)

TO MAKE A VARIATION TO THIS PREMISES LICENCE  
 TO ALLOW FOR DRINKING AND MUSIC AND DANCING  
 UNTIL 4AM SUNDAY THRU TO AND INCLUDING SATURDAY.  
 TO PERMIT PERSONS TO BE PERMITTED TO ENTER THE  
 PREMISES UNTIL 03.00 HOURS ON ANY NIGHT.  
 HAVING TRADED THIS PREMISES SINCE SEPTEMBER  
 2011, HAVING HAD REGARD TO CONCERNS MADE BY  
 COUNCILLOR MURPHY AND HAVING AGREED CONDITIONS  
 WITH JONATHAN ROUND OF ENVIRONMENTAL  
 PROTECTION SERVICE WE MAKE THIS APPLICATION.

## Part 4 - Operating Schedule

6

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

### Provision of regulated entertainment

Please tick ✓ yes

- 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 entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

In all cases complete boxes N, O and P



A

⑦

Plays			Will the performance of a play take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)  Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for performing plays (please read guidance note 4)
Wed			Non-standard timings. Where you intend to use the premises for the performance of plays at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

B

Films			Will the exhibition of films take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)  Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	
Mon	10.00	04.00	Please give further details here (please read guidance note 3)
Tue	10.00	04.00	State any seasonal variations for the exhibition of films (please read guidance note 4)  <i>AN ADDITIONAL HOUR ON THE DAY WHEN BRITISH SUMMER TIME STARTS</i>
Wed	10.00	04.00	Non-standard timings. Where you intend to use the premises for the exhibition of films at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur	10.00	04.00	
Fri	10.00	04.00	
Sat	10.00	04.00	<i>NEW YEARS EVE (31.12) 10.00 TO 24.00 HOURS NEW YEARS DAY (01.01) 00.00 TO STANDARD TERMINAL HOUR</i>
Sun	12.00	04.00	

C

8

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)		
			Indoors <input type="checkbox"/>	Outdoors <input type="checkbox"/>	Both <input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

9

**E**

<b>Live music</b>			Will the performance of live music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)  Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Please give further details here (please read guidance note 3)
Mon	10.00	04.00	
Tue	10.00	04.00	State any seasonal variations for the performance of live music (please read guidance note 4)  <i>AN ADDITIONAL HOUR ON THE DAY WHEN BRITISH SUMMER TIME STARTS</i>
Wed	10.00	04.00	
Thur	10.00	04.00	Non-standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)  <i>NEW YEARS EVE (31.12) 10.00 TO 24.00 HOURS NEW YEARS DAY (01.01) 00.00 TO STANDARD TERMINAL HOUR</i>
Fri	10.00	04.00	
Sat	10.00	04.00	
Sun	12.00	04.00	

**F**

<b>Recorded music</b>			Will the playing of recorded music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)  Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Please give further details here (please read guidance note 3)
Mon	10.00	04.00	
Tue	10.00	04.00	State any seasonal variations for playing recorded music (please read guidance note 4)  <i>AN ADDITIONAL HOUR ON THE DAY WHEN BRITISH SUMMERTIME STARTS</i>
Wed	10.00	04.00	
Thur	10.00	04.00	Non-standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)  <i>NEW YEARS EVE (31.12) 10.00 TO 24.00 HOURS NEW YEARS DAY (01.01) 00.00 TO STANDARD TERMINAL HOUR</i>
Fri	10.00	04.00	
Sat	10.00	04.00	
Sun	12.00	04.00	

**G****(10)**

Performances of dance			Will the performance of dance take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	
Standard days and timings (please read guidance note 6)			Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon	10.00	04.00	Please give further details here (please read guidance note 3)
Tue	10.00	04.00	
Wed	10.00	04.00	State any seasonal variations for the performance of dance (please read guidance note 4)
Thur	10.00	04.00	
Fri	10.00	04.00	Non-standard timings. Where you intend to use the premises for the performance of dance entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat	10.00	04.00	
Sun	12.00	04.00	

AN ADDITIONAL HOUR ON THE DAY WHEN BRITISH SUMMER TIME STARTS

NEW YEARS EVE (31.12) 10.00 TO 24.00 HOURS  
NEW YEARS DAY (01.01) 00.00 TO STANDARD TERMINAL HOUR

**H**

Anything of a similar description to that falling within (e), (f) or (g)			Please give a description of the type of entertainment you will be providing
Day	Start	Finish	
Standard days and timings (please read guidance note 6)			Will this entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Mon	10.00	04.00	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Tue	10.00	04.00	Please give further details here (please read guidance note 3)
Wed	10.00	04.00	
Thur	10.00	04.00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Fri	10.00	04.00	
Sat	10.00	04.00	Non-standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times from those listed in the column on the left, please list (please read guidance note 5)
Sun	12.00	04.00	

~~AN ADDITIONAL HOUR ON THE DAY WHEN BRITISH SUMMER TIME STARTS~~

AN ADDITIONAL HOUR ON THE DAY WHEN BRITISH SUMMER TIME STARTS

NEW YEARS EVE (31.12) 10.00 TO 24.00 HOURS  
NEW YEARS DAY (01.01) 00.00 TO STANDARD TERMINAL HOUR

<b>Provision of facilities for making music</b>			Please give a description of the facilities for making music you will be providing
Standard days and timings (please read guidance note 6)			Will the facilities for making music be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon	10.00	04.00	Please give further details here (please read guidance note 3)
Tue	10.00	04.00	
Wed	10.00	04.00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)
Thur	10.00	04.00	
Fri	10.00	04.00	Non-standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat	10.00	04.00	
Sun	12.00	04.00	

ANY ADDITIONAL HOUR ON THE DAY WHEN BRITISH SUMMER TIME STARTS

NEW YEARS EVE (31.12) 10.00 TO 24.00 HOURS  
NEW YEARS DAY (01.01) 00.00 TO STANDARD TERMINAL HOUR

**J**

<b>Provision of facilities for dancing</b>			Please give a description of the facilities for dancing you will be providing
Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon	10.00	04.00	Please give further details here (please read guidance note 3)
Tue	10.00	04.00	
Wed	10.00	04.00	State any seasonal variations for providing dancing facilities (please read guidance note 4)
Thur	10.00	04.00	
Fri	10.00	04.00	Non-standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat	10.00	04.00	
Sun	12.00	04.00	

ANY ADDITIONAL HOUR ON THE DAY WHEN BRITISH SUMMER TIME STARTS

NEW YEARS EVE (31.12) 10.00 TO 24.00 HOURS  
NEW YEARS DAY (01.01) 00.00 TO STANDARD TERMINAL HOUR

K

12

<b>Provision of facilities for entertainment of a similar description to that falling within J or K</b>			Please give a description of the type of entertainment facility you will be providing
Standard days and timings (please read guidance note 6)			Will the entertainment facility be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)
Mon	10.00	04.00	
Tue	10.00	04.00	State any seasonal variations for the provision of the facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)
Wed	10.00	04.00	
Thur	10.00	04.00	AN ADDITIONAL HOUR ON THE DAY WHEN BRITISH SUMMERTIME STARTS
Fri	10.00	04.00	Non-standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within j or k at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat	10.00	04.00	
Sun	12.00	04.00	
			NEW YEARS EVE (31.12) 10.00 TO 24.00 HOURS NEW YEAR DAY (01.01) 00.00 TO STANDARD TERMINAL HOUR

<b>Late night refreshment</b> 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 <input checked="" type="checkbox"/> (please read guidance note 2)
			Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Please give further details here (please read guidance note 3)
Mon			
Tue			
			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)
Wed			
Thur			
			Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

<b>M</b> <b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption - please tick box <input checked="" type="checkbox"/> (please read guidance note 7)
			On the premises <input checked="" type="checkbox"/> Off the premises <input checked="" type="checkbox"/> Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	State any seasonal variations for the supply of alcohol (please read guidance note 4)
Mon	10.00	04.00	
			AN ADDITIONAL HOUR ON THE DAY WHEN BRITISH SUMMER TIME STARTS
Tue	10.00	04.00	
Wed	10.00	04.00	
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur	10.00	04.00	
Fri	10.00	04.00	
			NEW YEARS EVE (31.12) 10.00 TO 24.00 HOURS NEW YEARS DAY (01.01) 00.00 TO STANDARD TERMINAL HOUR
Sat	10.00	04.00	
Sun	12.00	04.00	

N

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)

O

**Hours premises are open to the public**  
Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon	10.00	04.00
Tue	10.00	04.00
Wed	10.00	04.00
Thur	10.00	04.00
Fri	10.00	04.00
Sat	10.00	04.00
Sun	12.00	04.00

State any seasonal variation (please read guidance note 4)

ANY ADDITIONAL HOUR ON THE DAY WHEN BRITISH SUMMERTIME STARTS

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 5)

NEWYARS EVE (31.12) 10.00 TO 24.00 HOURS  
NEWYARS DAY (01.01) 00.00 TO STANDARD TERMINAL HOUR



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

(15)

REMOVE FROM ANNEX 2 - CONDITIONS  
CONSISTENT WITH THE OPERATING SCHEDULE

CONDITION NO 24: ANY INCREASE IN HOURS  
FOR REGULATED ENTERTAINMENT SHALL NOT  
TAKE ~~ANY~~ EFFECT UNTIL THE LOBBY TO  
THE REAR OF THE PREMISES FLOWING ONTO  
CAROL ~~STREET~~ LANE IS BUILT TO THE  
SATISFACTION OF THE ENVIRONMENTAL  
PROTECTION AGENCY

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 the premises licence

I HAVE NOT ENCLOSED THE PREMISES LICENCE  
AS WE HAVE MISLAD OUR LATEST COPY.  
WE SPOKE TO LICENSING AND WERE ADVISED  
TO QUOTE 'LOST REFERENCE NUMBERS'  
LA 216 07/02/2012 AND  
LA 217 07/02/2012

**P** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation: <sup>(16)</sup>

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

b) The prevention of crime and disorder

ADDITIONAL CAMERAS HAVE BEEN FITTED TO THE NEW LOBBY.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

CHILDREN UNDER THE AGE OF 18 WILL NOT BE PERMITTED ON THE PREMISES AT ALL TIMES. THE PREMISES SHALL OPERATE A CHALLENGE 25 POLICY.

(17)

Please tick ✓ yes

- I have made or enclosed payment of the fee
- 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

insert amount

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO 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 5 - Signatures** (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. (please read guidance note 11)

If signing on behalf of the applicant please state in what capacity.

Signature

*Jan Harris*  
*9TH FEBRUARY 2012*

Date

Capacity

*RETAIL + COMPLIANCE DIRECTOR, HARDWOOD GROUP.*

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 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)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

## 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 Licencing Act.

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 state 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 i.e 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, 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, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



# Appendix 'B'

**THE LICENSING ACT 2003**

**Premises Licence No: SY 1762 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**

Viper Rooms  
35 Carver Street  
Sheffield  
S1 4FS

**Telephone Number:** 0114 272 6594

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

**1. Provision of regulated entertainment:**

**Films**

**Indoor Sporting Events**

Indoors

Sunday	12:00 to 03:30 hours the following day
Monday	10:00 to 03:30 hours the following day
Tuesday	10:00 to 03:30 hours the following day
Wednesday	10:00 to 03:30 hours the following day
Thursday	10:00 to 03:30 hours the following day
Friday	10:00 to 03:30 hours the following day
Saturday	10:00 to 03:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

**Live Music**

**Recorded Music**

Indoors

Sunday	12:00 to 03:00 hours the following day
Monday	10:00 to 03:00 hours the following day
Tuesday	10:00 to 03:00 hours the following day
Wednesday	10:00 to 03:00 hours the following day
Thursday	10:00 to 03:00 hours the following day
Friday	10:00 to 03:00 hours the following day
Saturday	10:00 to 03:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

**Performances of Dance**

**Anything of a similar description to live music, recorded music or performances of dance**

**Indoors**

Sunday	12:00 to 03:30 hours the following day
Monday	10:00 to 03:30 hours the following day
Tuesday	10:00 to 03:30 hours the following day
Wednesday	10:00 to 03:30 hours the following day
Thursday	10:00 to 03:30 hours the following day
Friday	10:00 to 03:30 hours the following day
Saturday	10:00 to 03:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

**2. Provision of entertainment facilities for:**

**Making Music**

**Dancing**

**Entertainment of a similar description to making music and dancing**

**Indoors**

Sunday	12:00 to 03:30 hours the following day
Monday	10:00 to 03:30 hours the following day
Tuesday	10:00 to 03:30 hours the following day
Wednesday	10:00 to 03:30 hours the following day
Thursday	10:00 to 03:30 hours the following day
Friday	10:00 to 03:30 hours the following day
Saturday	10:00 to 03:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

**3. Sale by retail of alcohol**

a) for consumption on the premises

b) for consumption off the premises

Sunday	12:00 to 03:00 hours the following day
Monday	10:00 to 03:00 hours the following day
Tuesday	10:00 to 03:00 hours the following day
Wednesday	10:00 to 03:00 hours the following day
Thursday	10:00 to 03:00 hours the following day
Friday	10:00 to 03:00 hours the following day
Saturday	10:00 to 03:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New years Day (01.01)	00:00 to Standard Terminal Hour



**The opening hours of the premises are**

Sunday	12:00 to 03:30 hours the following day
Monday	10:00 to 03:30 hours the following day
Tuesday	10:00 to 03:30 hours the following day
Wednesday	10:00 to 03:30 hours the following day
Thursday	10:00 to 03:30 hours the following day
Friday	10:00 to 03:30 hours the following day
Saturday	10:00 to 03:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

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

Sale by retail of alcohol for consumption both on and off the premises.

**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:**

Harewood (Viper Rooms) Limited  
2 Kings Road  
Harrogate  
HG1 1BT

**Telephone Number:** None

**Registered number of holder, for example company number, charity number (where applicable):**

07614493

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

Mr David John Davies  
65 Wain Avenue  
Riverside Village  
Chesterfield  
Derbyshire  
S41 0FD

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

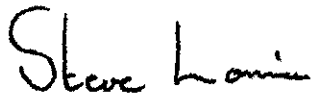
**Personal Licence Number:** PAVF/0108  
**Issuing Authority:** Chesterfield Borough Council

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

Prohibited

**This Premises Licence shall be in force from the 6 May 2008.**

**Issued on: 23rd June 2008.**



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

<b>Sheffield City Council – For Office use only</b>		
Variation of Premises Licence	1	21 September 2011
Variation of DPS	1	22nd August 2011
Transfer of Premises Licence	2	4th August 2011
Minor Variation	1	28 September 2011
Change of Name/Address	1	9th December 2011

## **Annex 1A – Mandatory Conditions**

### **Mandatory Condition 1 (Section 19 ss 2)**

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

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

### **Mandatory Condition 2 (Section 19 ss 3)**

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

### **Mandatory Condition 3 (Section 20)**

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:

- (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
- (b) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.

2. In this section -

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

### **Mandatory Condition 4 (Section 21)**

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

**Annex 1B - Mandatory Conditions effective from 6<sup>th</sup> April 2010:**

These mandatory conditions apply where the licence authorises the supply of alcohol. The conditions in paragraph 1 to 3 do not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

1. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
    - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
    - (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;
    - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
      - (i) the outcome of a race, competition or other event or process, or
      - (ii) the likelihood of anything occurring or not occurring;
    - (e) 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 refer to the effects of drunkenness in any favourable manner. to
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

**Annex 1C - Mandatory Conditions effective from 1st October 2010:**

These mandatory conditions apply where the licence authorises the supply of alcohol. The condition 5 does not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

5. The responsible person shall 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; and

(b) Customers are made aware of the availability of these measures.

**Annex 2 – Conditions consistent with the operating schedule**

1. The fire exit doors on to Carver Lane shall only be used as disabled access or as an emergency exit and shall not at any other time be propped open.
  2. Any increase in hours for regulated entertainment shall not take effect until the lobby to the rear of the premises fronting onto Carver Lane is built to the satisfaction of the Environmental Protection Service.
  3. No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiter, the settings of which shall have received the prior written approval of the Environmental Protection Service.
  4. No amplified sound or live music shall be played nor shall loud speakers be placed at any time outside the building within the proposed outdoor smoking area.
  5. Music should only be played within the building such that:
    - (i) Noise breakout from the building to the street should not exceed the ambient noise levels by more than 3 dB(A) when measured as a 15 minute LAeq;
    - (ii) Noise breakout from the building to the street should not exceed the ambient noise levels in any octave band centre frequency by more than 3dB when measured as a 15 minute Leq.
- Note: Where ambient noise level is the ALeq, 15 minutes in the absence of the specific noise source (breakout from the premises).

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

1. To acquire a suitable number of radio set(s) for the premises and take the CCRAC Radio Scheme into use at all times when trading and continue to be a user whilst this system/facility is in use in Sheffield.
2. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
3. A Colour CCTV system to the specification of South Yorkshire Police must be fitted, maintained and in use at all times when the premises are open. CCTV images will be stored for 28 days. Police will be given access to the copies of images for purposes in connection with the prevention and detection of crime and disorder.
4. Additional external colour camera fitted to CCTV system, showing right side of external drinking area.
5. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
6. Any reasonable requirements of the authorities will be complied with in order to ensure the premises are suitable for their intended use.
7. The designated premises supervisor for these premises must be a registered member of Sheffield Licence Watch. Annual membership and meeting attendance should be maintained.
8. A designated member of staff will monitor any outside drinking area at all times.
9. When public dancing is to take place on the premises in an area not previously approved for dancing by the authority, at least 14 days notice must be given to Environmental and Regulatory Services (Health Protection Service) and the Licensing Authority, identifying the area to be used which should be suitable and adequate in size as the designated dance floor for the intended use and dancing must not take place in that area unless approved by the authority.
10. Indoor sporting events shall consist of traditional pub games.
11. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
12. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
13. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
14. When regulated entertainment is provided windows and doors shall remain closed except for access and egress.

15. Children under the age of 18 are not permitted on the premises at all times.

16. A permanent fixed residual current device (RCD) must protect the electrical power supply serving all amplified music equipment used for the purpose of live music and other entertainment.

17. Each entrance to the premises will be monitored by at least 1 member of door staff from 21:00 hours on any day the premises remains open after 01:00 hours.

18. Persons will not be permitted to enter the premises after 02:00 hours on any night.



**Annex 4 – Plans**

1107.100 Rev. E  
July 2011

**Appendix 1**

**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 1762 PR**

Viper Rooms  
35 Carver Street  
Sheffield  
S1 4FS

**Telephone Number:** 0114 272 6594

**Licensable activities authorised by the licence:****1. Provision of regulated entertainment:****Films****Indoor Sporting Events**

## Indoors

Sunday	12:00 to 03:30 hours the following day
Monday	10:00 to 03:30 hours the following day
Tuesday	10:00 to 03:30 hours the following day
Wednesday	10:00 to 03:30 hours the following day
Thursday	10:00 to 03:30 hours the following day
Friday	10:00 to 03:30 hours the following day
Saturday	10:00 to 03:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

**Live Music****Recorded Music**

## Indoors

Sunday	12:00 to 03:00 hours the following day
Monday	10:00 to 03:00 hours the following day
Tuesday	10:00 to 03:00 hours the following day
Wednesday	10:00 to 03:00 hours the following day
Thursday	10:00 to 03:00 hours the following day
Friday	10:00 to 03:00 hours the following day
Saturday	10:00 to 03:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

**Performances of Dance**

**Anything of a similar description to live music, recorded music or performances of dance**

Indoors

Sunday	12:00 to 03:30 hours the following day
Monday	10:00 to 03:30 hours the following day
Tuesday	10:00 to 03:30 hours the following day
Wednesday	10:00 to 03:30 hours the following day
Thursday	10:00 to 03:30 hours the following day
Friday	10:00 to 03:30 hours the following day
Saturday	10:00 to 03:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

**2. Provision of entertainment facilities for:**

**Making Music**

**Dancing**

**Entertainment of a similar description to making music and dancing**

Indoors

Sunday	12:00 to 03:30 hours the following day
Monday	10:00 to 03:30 hours the following day
Tuesday	10:00 to 03:30 hours the following day
Wednesday	10:00 to 03:30 hours the following day
Thursday	10:00 to 03:30 hours the following day
Friday	10:00 to 03:30 hours the following day
Saturday	10:00 to 03:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

**3. Sale by retail of alcohol**

a) for consumption on the premises

b) for consumption off the premises

Sunday	12:00 to 03:00 hours the following day
Monday	10:00 to 03:00 hours the following day
Tuesday	10:00 to 03:00 hours the following day
Wednesday	10:00 to 03:00 hours the following day
Thursday	10:00 to 03:00 hours the following day
Friday	10:00 to 03:00 hours the following day
Saturday	10:00 to 03:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New years Day (01.01)	00:00 to Standard Terminal Hour

**The opening hours of the premises are**

Sunday	12:00 to 03:30 hours the following day
Monday	10:00 to 03:30 hours the following day
Tuesday	10:00 to 03:30 hours the following day
Wednesday	10:00 to 03:30 hours the following day
Thursday	10:00 to 03:30 hours the following day
Friday	10:00 to 03:30 hours the following day
Saturday	10:00 to 03:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

**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 both on and off the premises.

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

Harewood (Viper Rooms) Limited  
2 King's Road  
Harrogate  
HG1 1BT

**Telephone:** None

**Registered number of holder, for example company number, charity number (where applicable):**

0714493

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol:**

Mr David John Davies

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

Prohibited

36

The Premises Licence shall be in force from 6<sup>th</sup> May 2008.

Issued on: 23<sup>rd</sup> June 2008.

*Steve Lonnia*

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

# Appendix 'C'

38

**Rhodes Emma (CEX)**

**From:** Murphy Robert (CLLR)  
**Sent:** 05 March 2012 12:18  
**To:** Rhodes Emma (CEX)  
**Subject:** RE: Objection to application by Harewood (Viper Rooms) Ltd

Thanks Emma,

I am objecting to the variation application submitted, on the same grounds as the previous objection.

Thanks, Rob

---

**From:** Rhodes Emma (CEX)  
**Sent:** 05 March 2012 11:50  
**To:** Murphy Robert (CLLR)  
**Subject:** RE: Objection to application by Harewood (Viper Rooms) Ltd

Dear Councillor Murphy

Thank you for your e-mail.

I would be grateful if you could confirm if you will also be objecting to the variation application submitted for the Viper Lounge which was submitted on the 9th February 2012 for the same hours.

Kind Regards

Emma Rhodes  
Licensing Officer,  
Licensing Service, Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road,  
Sheffield, S9 3HD.  
Telephone: 0114 2734264 / 2734880  
Fax: 0114 27 35410 Email: Emma.Rhodes@sheffield.gov.uk or  
general.licensing@sheffield.gov.uk.  
Website: www.sheffield.gov.uk

---

**From:** Murphy Robert (CLLR)  
**Sent:** 05 March 2012 11:22  
**To:** Licensing(General)  
**Subject:** Objection to application by Harewood (Viper Rooms) Ltd

Please accept the following as my objection to the application.

Thanks, Rob

Objection to application by Harewood (Viper Rooms) Ltd dated February 9th 2012 :

This application refers to having "having had regard to concerns raised by Councillor Murphy". Those concerns were stated in my objection to their previous application dated August 4th as follows :

"I am writing to object to the application by The Ruby Lounge to extend their hours when they reopen as the Viper Rooms. The premises are close to 30 apartments at Cambridge Court about 25 yards away. Turning right out of the premises customers will walk towards the apartment



blocks at Mortin Works and West Point on West Street which are around 100 yards away. They may also use the car parks on Carver Street and there will be taxi noise.

The residents of all these blocks already have to contend with a lot of late noise and anti-social behaviour from nearby premises such as Crystal, Walkabout and Reflex/Flares. Currently this does not extend past 3.30pm and it allows residents the expectation of at least a 4 hour window with limited noise allowing them to get much needed sleep. Ruby Lounge should continue to close at 3.30 pm to maintain the correct balance between the night time economy and the well-being of residents."

Nothing has changed since this objection was submitted and I reiterate my objection to any extension of hours beyond 3.30pm for the reasons stated in the previous objection above.

# Appendix 'D'

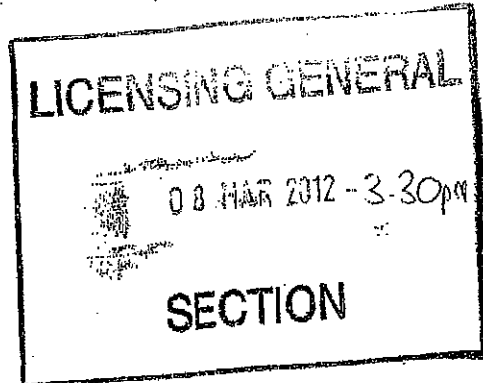
(41)

CAMBRIDGE COURT.  
43 CARVER STREET,  
SHEFFIELD.  
S1 4FT.

THURSDAY 8<sup>th</sup> MARCH 2, 012

THE LICENSING OFFICE

BLOCK C  
STANFORTH ROAD  
SHEFFIELD.



TO WHOM IT MAY CONCERN,

I am submitting a petition  
containing the signatures of fourteen tenants/residents  
who live at 43 Cambridge Court, Carver Street, Sheffield.

The matter for your consideration relates to the proposed  
extension of a license for a venue known as "Viper Rooms",  
35+35a Carver Street, formerly Ruby Lounge.

I look forward to  
receiving correspondence from you regarding this matter.

Yours faithfully,

Mr. J. Buxton.

John Buxton.

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

Flat Number

Signature

Printname



(35+35a CARVER ST, SHEFFIELD)  
RUBY LOUNGE  
(43)

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

The level of noise from "Viper Rooms" is very high and has been and has been for a considerable period of time. I believe that they allow the noise to permeate the surrounding area in order to attract customers; so that loud noise in the form of "music" is perceived by them as being an integral aspect of their commercial activity without regard to the neighbouring residents. I witnessed this phenomenon on Monday 5<sup>th</sup> March 2012; whilst in my flat I could here the sound system from Viper Rooms reverberating within my bedroom. The noise enters the structure of the walls to the flat and would be worse if the windows were open during the summer. I left my flat to witness the noise within my bedroom emanating from "Viper Rooms" at 10:30pm, 11:30pm and 12:30am (the latest being 6<sup>th</sup> March). Both doors to the main entrance were open and both doors that lead on to the patio were open; upon which people congregated, throughout.

On Wednesday 7<sup>th</sup> March 2012 I could here very loud music which emanated from "Viper Rooms"; whilst on Division Street. I walked past "Viper Rooms" and could here a loud group playing ie their "music" was very loud and came from a live band. (Viper Rooms is primarily a venue for live bands).

On this occasion I witnessed that both of the main doors were open as was one of the patio doors, the time being 8-20pm. On returning to my flat I could here the music as a disturbance. I witnessed the same circumstance at 10.00pm 11.00pm and 11.39pm. After which a dull beat could be heard reverberating in my bedroom which I witnessed emanating from Viper Room 12.16am 7-2-12.

Flat Number

Signature

Printname

J. Buxton

JOHN BUXTON

The level of noise represents a public nuisance for myself and other tenants/residents of Cambridge Court. Other venues within the area do not stay open longer than 3-30am and it does not appear appropriate for Viper Rooms to extend their license to 04-00am. Late licensing gives rise to

Crime and disorder, for example the scheme manager of Cambridge Court recently referred to an assault that took place in the entrance area to Cambridge Court on 7<sup>th</sup> March at about 3:00/3:30am which is being investigated by the police. I believe that an appropriate balance has to be made between commercial interests and that of the residents, in this case of Cambridge Court in order to create a sense of well-being.

I SHALL COLLECT THIS PETITION BY 6:30pm 7/3/2012.  
OR you may RETURN IT TO FLAT BY THE ABOVE DATE

44

(35+35a CARVER ST,  
FORMERLY RUBY LOUNGE)

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

THE NOISE EXCEEDS LIMITATIONS.

I CAN'T GET TO SLEEP AT NIGHT, ITS REALLY NOISEY AND THERES NO NEED FOR IT.

I KNOW THE NOISE IS COMING FROM THIS CLUB BECAUSE ITS GOT ME UP AT NIGHT AND I'VE WALKED AROUND IT TO FIND OUT WHERE THE NOISE IS COMING FROM, THERE IS CONSTANT NOISE FROM THE PREMISES. THEY LEAVE THE DOORS OPEN AND I CAN'T GET TO SLEEP BECAUSE OF THE NOISE. STAYING OPEN UNTIL 4:00 AM IS NOT ACCEPTABLE.

*John Harrison*

Flat Number

FLAT [REDACTED]

Signature

*John Harrison*

Printname

JOHN HARRISON

I SHALL COLLECT THIS PETITION BY 6:30pm 7/3/12.  
OR YOU MAY RETURN IT TO FLAT [REDACTED] BY THE ABOVE DATE.

[REDACTED]

(45)

FORMERLY  
RUBY LOUNGE

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

I support this petition.

Flat Number

Signature

*Konstantin Ajmakin*

Printname

KONSTANTIN AJMAKIN

I SHALL COLLECT THIS PETITION BY 6:30pm 7/3/2012.  
OR YOU MAY RETURN IT TO FLAT BY THE ABOVE DATE.

(35 + 33a)

(46)

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

THEIR HAS BEEN FIGHTING,  
Scouting, and Screaming +  
Bottles being smashed  
out side, I live with my  
son who has school and  
find it ~~awful~~ very,  
very, noise as it is  
should be closing sooner  
never mind staying open later!!

Flat Number

Signature

Printname



Nick

I shall collect this petition by 6:30pm 7/3/2012.  
OR you may RETURN IT TO FLAT [redacted] BY THE ABOVE DATE.



(47)

(FORMERLY RUBY LOUNGE)

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.


Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

Late at night & early in the morning, I hear loud music coming from the Viper Rooms, which continues to closing time (approx 3-30).

This causes difficulty relaxing in the evenings & problems sleeping. I have to have the radio loud when I'm awake, & fans to try and drown out the noise from Viper Rooms, when I'm getting to sleep.


I feel extending the hours to 4am would further reduce the quality of my sleep. I cannot open my windows.

~~The noise~~ The noise coming from the clubs on Carver St. is already at an unacceptable level, especially during the 'kicking-out' period which is currently around 3am onwards. By extending the opening hours of Viper Rooms to 4am, further widens this 'kicking out' period. The noise experienced includes: music, screaming, shouting, car horns, revving engines, fighting, sound of groups congregating on the cross-roads etc.

Flat Number 

Signature R Butler.

Printname R. BUTLER.

I SHALL COLLECT THIS PETITION BY 6:30pm 7/3/2012.  
OR YOU MAY RETURN IT TO FLAT  BY THE ABOVE DATE.



48

FORMERLY KUBY LOUNGE

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

The live bands in the week are very loud and it is very hard to sleep.

I strongly object to any extension of license times. It is hard enough living with the current situation.

I would like environmental services to investigate the noise levels as it is as it is.

Patrick Crowley  
number [redacted] Cambridge Court

Phoney 7/3/12

Flat Number  
Signature  
Printname

I SHALL COLLECT THIS PETITION BY 6:30pm 7/3/2012.  
OR YOU MAY RETURN IT TO FLAT [redacted] BY THE ABOVE DATE.



(35+35a Carver Street  
formerly Ruby Lounge) ● (49)

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

I live at the above address, I sleep in the living room as I share the flat. The noise from the above establishment means I cannot get to sleep as people and music are still loud at 4AM and past, I have to keep my window closed just so that it is not too loud even then I can still hear it. I am sure that they play music too loud, and have no consideration for Residents who live around them.

Flat Number




Signature

 J. Silvester

Printname

TONY TONKS / JOHN SILVESTER

I SHALL COLLECT THIS PETITION BY 6:30pm 7/3/2012.  
OR YOU MAY RETURN IT TO FLAT  BY THE ABOVE DATE.

(50)

FORMERLY RUBY LOUNGE

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

I object the opening time from 3:30 to 4:00 AM  
I think 3:30 is too long never mind 4:00 AM  
to many people getting drunk and getting into  
fights. AND IT'S THE INNOCENT WHO IS SUFFERING THE  
MOST. THAN THOSE WHO ARE CAUSING ALL THE  
TROUBLE'S

Flat Number

Signature *David Sutherland*

Printname *DAVID SUTHERLAND*

I SHALL COLLECT THIS PETITION BY 6:30pm 7/3/2012.  
OR YOU MAY RETURN IT TO FLAT  BY THE ABOVE DATE.

**PM**

(RUBY LOUNGE)

(51)

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

Every <sup>Since opening</sup> day from 10pm onwards to 3am and later

this Nightclub has music playing with the doors open and @ such a level of volume that even when I've got my surround sound system on, I can still hear it over my t.v!

There isn't one day of rest, not even on the sabbath! I have tried to call 101 about this but for some reason Orange don't allow calls to this number.

The only <sup>other</sup> time that I've ever experienced volumes of noise @ this level in my life is when I've been to a music festival!

I enjoy my nights out as much as anyone but this club is now as we'd say TAKING THE PISS IN A BIG WAY!!

They care so little of others that they even leave their doors open to advertise themselves...

Flat Number

Signature

Printname

I was led to believe that that was what the messy flyers were for?

JUSTIN M. KNOWLES

I SHALL COLLECT THIS PETITION BY 6:30pm 7/3/2012. OR YOU MAY RETURN IT TO FLAT [redacted] BY THE ABOVE DATE.



(52)

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

I think its bad enough its open till 3.30 let alone 4am every night I hear shouting and screaming until the early hours. It makes it hard to relax and very irritating when your wanting to have a quiet night in. I knew town was busy but it doesn't have to go on till 4am and every night.

I hear people fighting, arguing and shouting. Drunk and sometimes hear the music from over the road. I know people are having a good time its just annoying that its so close.

I can hear music till the early hours while Im in bed which prevents me from getting to sleep.

Flat Number

Signature *Carly Kanera*

Printname Carly Kanera.

I SHALL COLLECT THIS PETITION BY 6:30pm 7/3/2012.  
OR YOU MAY RETURN IT TO FLAT  BY THE ABOVE DATE.

(53)

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

experiencing high a level of noise

Flat Number



Signature

*K McCallum*

Printname

KATHY MCCALLUM

I SHALL COLLECT THIS PETITION BY 6:30pm 7/3/2012.  
OR YOU MAY RETURN IT TO FLAT [REDACTED] BY THE ABOVE DATE.





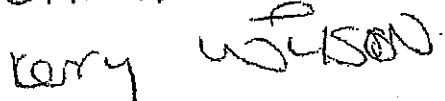
54


Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

level of noise  
not acceptable

Flat Number   
Signature   
Printname 

I shall collect this petition by 6:30pm 7/3/2012.  
OR you may RETURN IT TO FLAT  BY THE ABOVE DATE.





55

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

Noise outside as I live on the front  
can see people peering up the alley  
I have to listen to this every weekend.  
It does get a bit too much

Flat Number



Signature

L. COAKLEY

Printname

Lynn COAKLEY

I SHALL COLLECT THIS PETITION BY 6:30pm 7/3/2012.  
OR YOU MAY RETURN IT TO FLAT [REDACTED] BY THE ABOVE DATE.



(5) + some [unclear] Ruby Lounge!

56

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

LOT OF NOISE NUISANCE FROM VIPER ROOM

Flat Number [redacted]  
Signature [handwritten]  
Printname L. COAKLEY

I SHALL COLLECT THE PETITION BY 6:30pm 7/3/2012.  
OR YOU MAY RETURN IT TO FLAT [redacted] BY THE ABOVE DATE.

RUBY LOUNZE

57

Objection to application by Harewood (Viper Rooms) Ltd. for March 8<sup>th</sup> 2012.

I the undersigned as a tenant/ resident of Cambridge Court Carver Street, Sheffield hereby register my objection to the above application for an extension of their license from 3:30am to 4:00am throughout any day of the week: on the grounds of public nuisance.

Please state previous issues of noise nuisance regarding Viper Rooms including where possible dates/times and whether on going.

fed up of the noise coming from the viper rooms.

Flat Number [redacted]

Signature L. COACKLEY

Printname Lynn COACKLEY

I SHALL COLLECT THIS PETITION BY 6:30pm 7/3/2012.  
OR YOU MAY RETURN IT TO FLAT [redacted] BY THE ABOVE DATE.

[redacted]

58

# Appendix 'E'



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

Harewood (Viper Rooms) Limited  
2 Kings Road  
Harrogate  
HG1 1BT

The Sheffield City Council being the licensing authority, on the **9 February 2012** received your application in respect of the premises known as **Viper Rooms (fka Cellar 35), 35 Carver Street, Sheffield, S1 4FS.**

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

- Local Councillor
- Local Residents

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **3 April 2012 at 10:30am**; 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:

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

The officer appointed for this purpose  
Licensing Officer, Development Services

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



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

Cllr Robert Murphy  
C/o Town Hall  
Pinstone Street  
Sheffield  
S1 2HH

The Sheffield City Council being the licensing authority, on the **9 February 2012** received an application in respect of the premises known as **Viper Rooms (fka Cellar 35), 35 Carver Street, Sheffield, S1 4FS.**

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

- Local Councillor
- Local Residents

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **3 April 2012 at 10:30am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated:

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

The officer appointed for this purpose  
Licensing Officer, Development Services

## NOTES

### 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.

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

Mr John Buston  
Flat 3 Cambridge Court  
43 Carver Street  
Sheffield  
S1 4FT

The Sheffield City Council being the licensing authority, on the **9 February 2012** received an application in respect of the premises known as **Viper Rooms (fka Cellar 35), 35 Carver Street, Sheffield, S1 4FS.**

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

- Local Councillor
- Local Residents

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **3 April 2012 at 10:30am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated:

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

The officer appointed for this purpose  
Licensing Officer, Development Services

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



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

Local resident

The Sheffield City Council being the licensing authority, on the **9 February 2012** received an application in respect of the premises known as **Viper Rooms (fka Cellar 35), 35 Carver Street, Sheffield, S1 4FS.**

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

- Local Councillor
- Local Resident

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **3 April 2012 at 10:30am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated:

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

The officer appointed for this purpose  
Licensing Officer, Development Services

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



63

# Appendix 'F'

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

Harewood (Viper Rooms) Limited  
2 Kings Road  
Harrogate  
HG1 1BT

The Sheffield City Council being the licensing authority, on the **9 February 2012** received your application in respect of the premises known as **Viper Rooms (fka Cellar 35), 35 Carver Street, Sheffield, S1 4FS.**

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

- Local Councillor
- Local Residents

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **3 April 2012 at 10:30am**; 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:

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

The officer appointed for this purpose  
Licensing Officer, Development Services

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

**Right of attendance, assistance and representation**

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

**Representations and supporting information**

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

**Failure of parties to attend the hearing**

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

**Procedure at hearing**

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

**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.

**LICENSING ACT 2003**

Premises: Viper Rooms (fka Cellar 35)  
Type of App: LA03\_Application to Vary a Premises Licence  
Hearing Date: 3 April 2012

Form LAR 1  
Regulation 8

**Notice of actions following receipt of notice of hearing**

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

I

Of **Harewood (Viper Rooms) Limited  
2 Kings Road  
Harrogate  
HG1 1BT**

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

I intend to attend the hearing

I do not intend to attend the hearing

I intend to be represented at the hearing by: .....

I do not intend to be represented at the hearing by: .....

I consider the hearing to be unnecessary because: .....  
.....

I request that ..... should appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

Dated: ..... Signed: .....

Please see Regulation 8 overleaf

Please complete this form and return it to:  
Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.

## 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.