



SHEFFIELD CITY COUNCIL Committee Report

6

Report of: Chief Licensing Officer (Head of Licensing)

Date: 10th May 2012

Subject: Licensing Act 2003

Author of Report: Andy Ruston – 203 7751

Summary: To consider an objection to a temporary event notice under section 105 of the Licensing Act 2003.

Recommendations: That members note the content of the report and any further information supplied.

Background Papers:

Category of Report: OPEN

Everyone's Community Centre Broadfield Road S8 0XQ

Works
N



Legend

Site

Plot Scale	1:1,250
Sheffield City Council Policy & Environment Deputy Chief Executive/Director Town Hall Finsbury Street Sheffield S1 1JJ Tel: 0114 2330235	

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

Ref No: 38/12

LICENSING ACT 2003

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

Everyone Centre, Broadfield Road, Sheffield, S8 0XQ.

1.0 PURPOSE OF REPORT

- 1.1 To consider a notice of objection submitted by South Yorkshire Police relating to a temporary event notice for the premises known as Everyone Centre, Broadfield Road, Sheffield, S8 0XQ.

2.0 THE TEMPORARY EVENT NOTICE

- 2.1 The proposed premises user is Mr Damian Davis.
- 2.2 The temporary event notice, which was received on 23 April 2012, is attached to this report labelled Appendix 'A'.
- 2.3 The event is from 3 June 2012 until 4 June 2012 for the following times 23:00 to 05:00 Hours.
- 2.4 The nature of the event is described in the notice as "To Celebrate The Queens Jubilee".
- 2.5 The licensable activities intended to be carried on at the premises are:
- The sale by retail of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment

3.0 REASONS FOR REFERRAL

- 3.1 A notice was submitted by South Yorkshire Police on 24th April 2012 objecting to the temporary event notice on the following grounds of the prevention of crime and disorder.
- 3.2 The notice of objection is attached at Appendix 'B'.
- 3.3 The applicant and the objecting officers 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 'C'.

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

- 5.1 Section 104 (2) of the Licensing Act states:
"Where a relevant person who is given a temporary event notice is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective, the relevant person must give a notice stating the reasons for being so satisfied (an "objection notice") –
(a) to the relevant licensing authority,
(b) to the premises user, and
(c) to every other relevant person."
- 5.2 Section 105 (2) states:
"The relevant licensing authority must –
(a) hold a hearing to consider the objection notice, unless the premises user, the relevant person who gave the objection notice and the authority agree that a hearing is unnecessary, and
(b) having regard to the objection notice, give the premises user and each other relevant person a counter notice under this section if it considers it necessary for the promotion of a licensing objective to do so."
- 5.3 Section 106A (2) states:
"The relevant licensing authority may impose one or more conditions on the standard temporary event notice if –
(a) the authority considers it appropriate for the promotion of the licensing objectives to do so,
(b) the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
(c) the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice."

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 'D'.
- 6.3 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.

7.0 APPEALS

- 7.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the premises user and every other relevant person 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 crime prevention objective.

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1 To acknowledge the temporary event notice, allowing the event to go ahead on the proposed date in the terms requested.
- 9.2 To acknowledge the temporary event notice, allowing the event to go ahead on the proposed date in the terms requested with the addition of a statement of conditions.
- 9.3 To give the premises user a counter notice if it considers it necessary for the promotion of a licensing objective.

Stephen Lonnia
Chief Licensing Officer
Licensing Service,
Sheffield City Council
Block C, Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD

④

APPENDIX A

(5)
YOUR EVENT

In order to assist us in deciding if any crime prevention issues are likely to arise from your event, please ensure that you fully complete all details below that are applicable – please state "N/A" if it is not applicable.

You may be contacted for further information which you have provided on this form.

If you are using a promoter for the event please provide the following details:

Full name of Promoter including DJ names – DAMIAN DAVIS, Allen Ricardo,

Does the Promoter hold any qualifications? (for example B1AB award) – please list below- NO

Contact details for Promoter- landline tel no -

01102 [REDACTED]

mobile tel no-

[REDACTED]

Is the event being advertised on any social network?

YES/NO

If the answer is YES please detail which social networking sites –

Facebook

Is the event ticketed?

YES/NO

If the answer is YES please detail the places where the tickets are being sold-

Caribbean Spice
80 London Rd S2 1NJ

What type of music will be played? Soul - R+B - Reggae - Chart music

Approximately how many people do you anticipate attending the event? ~~7000~~

220.

Are you expecting to employ Security Industry Authority (SIA) door staff for the event?

YES/NO

If the answer is YES please detail which Security Firm you will be using including the name and a lead contact and phone no- Fort Security

STEVEN STOCKS

77 Sydney St
S1 4RG

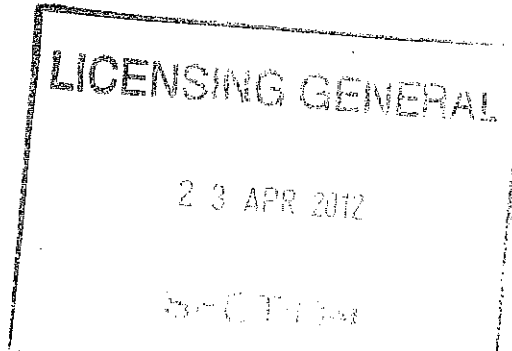
Will a knife arch/wands be used at the event?

YES/NO

Licensing Services
Block C, Staniforth Road Depot,
Staniforth Road,
Bleasby, S9 3G7
Staniforth Road Depot

Tel: 0114 2734264/2734880
Fax: 0114 2734073
Email: general.licensing@sheffield.gov.uk

Temporary event notice



Reference number:

(1)

Information on the Licensing Act 2003 is available on the website of the Department for Culture, Media and Sport (http://www.culture.gov.uk/alcohol_and_entertainment/default.htm) or from your local licensing authority.

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

You should keep a copy of the completed notice for your records. You must send two copies of this notice to the licensing authority and an additional copy must be sent to the chief officer of police for the area in which the premises are situated. The licensing authority will endorse one of the two copies and return it to you as an acknowledgement of receipt.

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

1. The personal details of premises user (Please read note 1)			
1. YOUR NAME			
Title	(delete as appropriate) Mr Mrs Miss Ms Other (please state)		
Surname	DAVIS		
Forenames	DAMIAN		
2. PREVIOUS NAMES (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary).			
Title	(delete as appropriate) Mr Mrs Miss Ms Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day 08	Mth 01	Yr 1979
4. Your place of birth	Jamaica		
5. National Insurance Number	[REDACTED]		
6. YOUR CURRENT ADDRESS: (We will use this address to correspond with you unless you complete the separate correspondence box below).			
67 Castle Dale grove			
Post town	sheffield	Postcode	S2 1NS

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

1. The personal details of premises user continued	
7. OTHER CONTACT DETAILS (7)	
TELEPHONE NUMBERS	
Daytime <i>014</i> [REDACTED]	
Evening (optional)	
Mobile (optional) [REDACTED]	
FAX NUMBER (optional)	
E-MAIL ADDRESS (optional)	[REDACTED]
8 ALTERNATIVE ADDRESS FOR CORRESPONDENCE (If you complete the details below, we will use this address to correspond with you)	
Post town	Postcode
9 ALTERNATIVE CONTACT DETAILS (IF APPLICABLE)	
TELEPHONE NUMBERS	
Daytime	
Evening (optional)	
Mobile (optional)	
FAX NUMBER (optional)	
E-MAIL ADDRESS (optional)	

2. The premises
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (Please read note 2)
<i>everyone centre broadfield Rd S8 0XQ</i>
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

Please describe the nature of the premises below. (Please read note 4)

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Community Centre

Please describe the nature of the event below. (Please read note 5)

To Celebrate The Queen Jubilee

3. The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 7)

Sunday 3rd June 2012

3. The licensable activities continued (9)

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 8)

3rd June 2300hrs to 04th June.
05:00hrs.

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 9)

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If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 10)

On the premises only

Off the premises only

Both

4. Personal licence holders. (Please read note 11)

Do you currently hold a valid personal licence?

(Please mark an "X" in the box that applies to you)

Yes

No

If "Yes" please provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue

Date of expiry

Any further relevant details

5. Previous temporary event notices you have given. (Please read note 12)

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

(Please mark an "X" in the box that applies to you)

Yes

No

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year.

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

a) ends 24 hours or less before; or

Yes

No

b) begins 24 hours or less after the event period proposed in this notice?

(Please mark an "X" in the box that applies to you)

6. Associates and business colleagues. (Please read note 13)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/> <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/> <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>

7. Checklist. (Please read note 14)

I shall (Please mark the appropriate boxes with an "X")

Send two copies of this notice to the licensing authority for the area in which the premises are located	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are located	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send two copies of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
Make or enclose payment of the fee for the application	<input checked="" type="checkbox"/>
Sign the declaration in Section 9 below.	<input checked="" type="checkbox"/>

8. Condition. (Please read note 15)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations. (Please read note 16)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

Signature <u>D. DAVIS</u>	Date <u>23-4-12</u>
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Name of Person signing DAMIAN DAVIS

For completion by the Licensing Authority

10. Acknowledgement. (Please read note 17)

I acknowledge receipt of this temporary event notice.

Signature <u>MR Rawl</u> On behalf of the Licensing Authority	Date <u>23/4/12</u>
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Name of Officer signing MR Rawl

NOTES

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GENERAL

In general, only the police may intervene on crime prevention grounds to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority may intervene of its own volition by issuing a counter notice if the first, second and fourth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person (the "premises user") may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (96 hours);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (15 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 13 below explains the definition of an "associate".

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice endorsed as acknowledged by the licensing authority is prominently displayed at the premises; or that
- the temporary event notice endorsed as acknowledged by the licensing authority is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where neither the temporary event notice nor a notice specifying the nominated person are displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine up to level 1 on the standard scale, currently £200); and

APPENDIX B

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Ruston Andy (CEX)

From: Licensing(General)
Sent: 24 April 2012 12:27
To: Ruston Andy (CEX)
Subject: FW: Objection-TEN Everyone Centre, Broadfield Road

From: Lucy.Adams@southyorks.pnn.police.uk [mailto:Lucy.Adams@southyorks.pnn.police.uk] **On Behalf Of** Sheffield.Liquor-Licensing@southyorks.pnn.police.uk
Sent: 24 April 2012 12:04
To: Licensing(General)
Cc: Martin.Hemingway@southyorks.pnn.police.uk; Glen.Suttenwood@southyorks.pnn.police.uk; Benita.Mumby@southyorks.pnn.police.uk; Andrea.Marsden@southyorks.pnn.police.uk; Elizabeth.Payne@southyorks.pnn.police.uk; Sheffield__City_Centre_Licensing.SYP@southyorks.pnn.police.uk
Subject: Objection-TEN Everyone Centre, Broadfield Road

Sent on behalf of Sheffield Licensing, South Yorkshire Police

Licensing General

Block C

Staniforth Road Depot

609 Staniforth Road

Sheffield

S9 3GZ

Date: 24.04.12

Licensing Act 2003

Objection to temporary event notice Sunday 3rd June-Monday 4th June 2012

THE EVERYONE CENTRE, BROADFIELD ROAD, SHEFFIELD S8 0XQ

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

The grounds of objection are based on the prevention of crime and disorder. We have concerns that the event is of a different nature to the details stated on the temporary event notice. In light of this we object to the application until further information is obtained.

In order for the objection to be withdrawn, the matters outlined must be addressed to our satisfaction.

Yours faithfully,

24/04/2012

(15)

For and on behalf of

Chief Constable, South Yorkshire Police

Cc

"This emailed representation is made in accordance with the agreement with the Licensing Authority on 1st November 2006 to accept representations by email".

Sheffield Licensing Section
1st Floor
Attercliffe Police Station
60 Attercliffe Common
Sheffield
S9 2AD
Licensing Team

Lucy Adams 0114 2523617 internal 718617
Tracey Klein 0114 2523948 internal 718948
Andrea Marsden 0114 2523618 internal 718618
Lizzie Payne 0114 2523163 internal 718163
Jodie Fulford 0114 2523556 internal 718 556
Alicia Marsden 0114 2523111 internal 718 111
Fax 0114 2523688 Internal 8688

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

This year's force-wide Violent Crime Reduction Campaign runs throughout December and is supported by a media campaign called Shaken and Slurred. It focuses on reducing the levels of drink driving, alcohol-related violence, serious sexual assaults and domestic violence within all South Yorkshire communities. For details of the campaign please visit www.lifewise999.co.uk/shakenandslurred

24/04/2012

APPENDIX C



Notice of hearing in respect of a Police objection

Mr Damian Davis
67 Castledale Grove
Sheffield
S2 1NJ

The Sheffield City Council, being the licensing authority, on the 24 April 2012 received an objection notice from South Yorkshire Police in relation to the temporary event notice given by Mr Damian Davis for an event to take place on 3 June 2012 from 23:00 to 05:00 Hours on 4 June 2012 at the Everyone Centre, Broadfield Road, Sheffield, S8 0XQ.

The Police objection notice is attached.

The Council now GIVES YOU NOTICE that this matter 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 **10 May 2012 at 11:30am**; following which the Council will make a decision.

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 objection notice submitted by South Yorkshire Police, 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 intended events.

You should complete form LAR1 and return it to: **Licensing Service, Sheffield City Council Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD, within one (1) working day before the day or the first day on which the hearing is to be held.**

Dated 26/4/12

Signed

A handwritten signature in black ink, appearing to be a stylized name or set of initials.

The officer appointed for this purpose
Licensing Officer

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



Notice of hearing in respect of a Police objection

Sheffield Licensing Section
1st Floor, Attercliffe Police Station
60 Attercliffe Common
Sheffield
S9 2AD.

The Sheffield City Council, being the licensing authority, on the 24 April 2012 received an objection notice from South Yorkshire Police in relation to the temporary event notice given by Mr Damian Davis for an event to take place on 3 June 2012 from 23:00 to 05:00 Hours ON 4 June 2012 at the Everyone Centre, Broadfield Road Sheffield, S8 0XQ.

The Police objection notice is attached.

The Council now GIVES YOU NOTICE that this matter 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 **10 May 2012, at 11:30am**; following which the Council will make a decision.

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

- 1) The objection notice you have made and the reasons why you are satisfied that allowing the premises to be used in accordance with the notice would undermine the crime prevention objective.
- 2) You may also be asked questions by the parties to the hearing, relating to your objection notice.

You should complete form LAR1 and return it to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within one (1) working day before the day or the first day on which the hearing is to be held.

Dated 26/4/12

Signed

A handwritten signature in black ink, appearing to be the initials "AR" or similar, written over a horizontal line.

The officer appointed for this purpose
Licensing Officer

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

APPENDIX D



Notice of hearing in respect of a Police objection

Mr Damian Davis
67 Castledale Grove
Sheffield
S2 1NJ

The Sheffield City Council, being the licensing authority, on the 24 April 2012 received an objection notice from South Yorkshire Police in relation to the temporary event notice given by Mr Damian Davis for an event to take place on 3 June 2012 from 23:00 to 05:00 Hours on 4 June 2012 at the Everyone Centre, Broadfield Road, Sheffield, S8 0XQ.

The Police objection notice is attached.

The Council now GIVES YOU NOTICE that this matter 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 **10 May 2012 at 11:30am**; following which the Council will make a decision.

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 objection notice submitted by South Yorkshire Police, 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 intended events.

You should complete form LAR1 and return it to: **Licensing Service, Sheffield City Council Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD, within one (1) working day before the day or the first day on which the hearing is to be held.**

Dated 26/4/12

Signed

A handwritten signature in black ink, appearing to be a stylized 'R' or similar character.

The officer appointed for this purpose
Licensing Officer

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

Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

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

(23)

Premises: **Royal Domino**
Type of App: **Temporary Event Notice**
Hearing Date: **10 May 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 3GZ.**

I **Mr Damian Davis**

Of **67 Castledale Grove
Sheffield
S2 1NJ**

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

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.