

# **Licensing Sub-Committee**

**Thursday 17 January 2013 at 10.00 am**

**To be held at the Town Hall, Pinstone  
Street, Sheffield, S1 2HH**

**The Press and Public are Welcome to Attend**

## **Membership**

**Councillors John Robson (Chair), Vickie Priestley and Clive Skelton.**

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## **PUBLIC ACCESS TO THE MEETING**

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The Licensing Committee carries out a statutory licensing role, including licensing for taxis and public entertainment.

As a lot of the work of this Committee deals with individual cases, some meetings may not be open to members of the public.

A copy of the agenda and reports is available on the Council's website at [www.sheffield.gov.uk](http://www.sheffield.gov.uk). You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday, or you can ring on telephone no. 2734552.

You may not be allowed to see some reports because they contain confidential information. These items are usually marked \* on the agenda.

If you require any further information please contact Harry Clarke on 0114 273 6183 or email [harry.clarke@sheffield.gov.uk](mailto:harry.clarke@sheffield.gov.uk).

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## **FACILITIES**

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There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

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**LICENSING SUB-COMMITTEE AGENDA  
17 JANUARY 2013**

**Order of Business**

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**  
Members to declare any interests they have in the business to be considered at the meeting
- 5. Licensing Act 2003 - Mish Mash, 617 Ecclesall Road, Sheffield, S11 8PT**  
Report of the Chief Licensing Officer
- 6. Licensing Act 2003 - Sainsbury's, 2 Wortley Road, Sheffield, S35 4LU**  
Report of the Chief Licensing Officer

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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New standards arrangements were introduced by the Localism Act 2011. The new regime made changes to the way that members' interests are registered and declared.

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period\* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

\*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.
- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) -
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Under the Council's Code of Conduct, members must act in accordance with the Seven Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership), including the principle of honesty, which says that 'holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest'.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life.

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously, and has been published on the Council's website as a downloadable document at [-http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests](http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests)

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

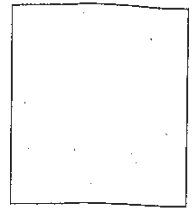
Further advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email [lynne.bird@sheffield.gov.uk](mailto:lynne.bird@sheffield.gov.uk)

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## SHEFFIELD CITY COUNCIL Committee Report



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

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**Date:** 17 January 2013

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**Subject:** Licensing Act 2003

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**Author of Report:** Andy Ruston

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**Summary:** To consider a Premises Licence Application 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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**REPORT OF THE CHIEF LICENSING OFFICER,  
HEAD OF LICENSING, TO THE LICENSING SUB COMMITTEE**

Ref No: 1/13

**LICENSING ACT 2003**

**Mish Mash, 617 Eccelsall Road Sheffield, S11 8PT.**

**1.0 PURPOSE OF REPORT**

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

**2.0 THE APPLICATION**

2.1 The applicant is Casa Blue Limited.

2.2 The application, which was received on 21 November 2012 is attached to this report labelled Appendix 'A'.

**3.0 REASONS FOR REFERRAL**

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

- Health and Safety Attached at Appendix 'B'

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 'C'.

**4.0 FINANCIAL IMPLICATIONS**

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

**5.0 THE LEGAL POSITION**

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

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

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

## **6.0 HEARINGS REGULATIONS**

- 6.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.
- 6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix '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 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 grant the premises licence in the terms requested.
- 9.2 To grant the premises licence with 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 3HD.

# Appendix 'A'

249407  
12145665



Sheffield  
Application for a premises licence  
Licensing Act 2003

For help contact  
general.licensing@sheffield.gov.uk  
Telephone: 0114 2037752

\* required information

Form errors

Some data entered into this form is invalid. Please resolve before continuing.

Section 1 of 19

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

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

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

Are you an agent acting on behalf of the applicant?

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

Yes  No

Applicant Details

\* First name

You must enter a family name

\* Family name

You must enter a valid e-mail address

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

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

Applicant Business

\* Is the applicant's business registered in the UK with Companies House?  Yes  No

\* Registration number

LICENSING GENERAL  
21 NOV 2012  
SECTION

Continued from previous page...

\* Business name  If the applicant's business is registered, use its registered name.

\* VAT number   Put "none" if the applicant is not registered for VAT.

\* Legal status

\* Applicant's position in the business

Home country  The country where the applicant's headquarters are.

**Registered Address** Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader
  - A private individual acting as an agent
- A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

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

\* Is your business registered outside the UK?  Yes  No

Continued from previous page...

\* Business name  If your business is registered, use its registered name.  
\* VAT number   Put "none" if you are not registered for VAT.  
\* Legal status   
\* Your position in the business   
Home country  The country where the headquarters of your business is located.

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

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

**Section 2 of 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

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



Continued from previous page...

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 19**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 19**

**NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Continued from previous page...

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

**Section 5 of 19**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of 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.

A detailed plan of the premises is attached to this application. The premises will be a traditional Kashmiri restaurant on the ground floor serving good quality food and will be provided to the local community which is not currently

Continued from previous page...

available.

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

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

- Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

- Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

- Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

- Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

- Yes  No

**Section 13 of 19**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Continued from previous page...

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors  Outdoors  Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

It is anticipated that some customers may wish to drink hot tea or coffee before they leave the premises and we would like to be able to offer this service.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

On the extended hours applied for for Christmas Eve and New Year Eve the applicant would like to extend the application for late night refreshments hours from 23:00 hours to 01:00 hours

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the  
of the week when you intend the premises  
to be used for the activity.

Continued from previous page...

FRIDAY

Start 17:00

End 23:00

Start

End

SATURDAY

Start 12:00

End 23:00

Start

End

SUNDAY

Start 12:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

We would like to serve alcohol to 00:30 hours on Christmas Eve and New Year's Eve to allow our customers to celebrate these two special days with family and friends.

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

**Name**

First name

Clare Marcia

Family name

Kayani

Continued from previous page...

**Enter the contact's address**

Building number or name	142
Street	Whirlowdale Road
District	
City or town	Sheffield
County or administrative area	
Postcode	S7 2NL
Country	United Kingdom
Personal Licence number (if known)	SY 1203 Per
Issuing licensing authority (if known)	Sheffield City Council

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, a the proposed designated premises supervisor for its 'system reference' or 'you reference'.

**Section 16 of 19**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

Not applicable

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock, (e.g., 16:00) and only give details for the day of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start 17:00

End 23:30

Start

End

WEDNESDAY

Start 17:00

End 23:30

Start

End

THURSDAY

Start 17:00

End 23:30

Start

End

FRIDAY

Start 17:00

End 23:30

Start

End

SATURDAY

Start 12:00

End 23:30

Start

End

SUNDAY

Start 12:00

End 23:30

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

[Empty box for seasonal variations]

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

We would like to apply for the premises open to until 01:00 hours on Christmas Eve and New Year Eve to allow our customers additional time to celebrate on these two special days with family and friends

Section 18 of 19

LICENSING OBJECTIVES

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

a) General - all four licensing objectives (b,c,d,e)



*Continued from previous page...*

List here steps you will take to promote all four licensing objectives together.

1. There is a strong management and security procedures in place which encompass the four licensing objectives as below.
2. Right of admission reserved.
3. Staff are trained as appropriate in respect of relevant licensing law, the implementation of licence conditions, health and safety, first aid, alcohol and drug awareness and conflict management.
4. Customers will not be permitted to take open glass containers outside the premises, as defined in the plan submitted with the operating schedule and approved by the Licensing Authority.
5. The consumption of alcohol will be restricted to those parts of the premises identified on the plan submitted with the operating schedule and approved by the Licensing Authority.
6. A summary of the Premises Licence will be displayed at each public entrance to the premises.
7. Notices will be displayed at each public entrance to the premises, which clearly state the premises policy on admission and searching.
8. The applicants will ensure that the premises are responsibly managed and supervised at all times to ensure that appropriate steps are taken to promote the four licensing objectives.
9. The applicant and its staff have proven capability of operating the premises in accordance with the licensing legislation and will at all times promote the licensing objectives,
10. It is considered that the open nature of the customer seating areas on the ground floor restaurant area, the position of the bar/service counter and the provision of staff service allows good viewing coverage of these areas and will enable staff to maintain good observation and control of all activities in the areas where licensable activities will take place.
11. Additionally, the premises operate an environment where alcohol is served consumed with food in a "non-confrontational" atmosphere, which should all go to ensuring the Licensees ability to promote the licensing objectives.

b) The prevention of crime and disorder

1. The applicant will monitor the need for door supervisors and in so doing takes into account any advice given by the Police.
2. The Designated Premises Supervisor will actively participate in and support the local Crime prevention Scheme (where active)
3. Closed circuit television cameras and recorders of an agreed image standard will be installed at locations on the premises and in accordance with advice from the Police..
4. In line with Alcohol and Social Responsibility Policy there will be no promotions that encourage illegal, irresponsible immoderate consumption.
5. Incidents are logged and recorded in a log book.
6. There is an established procedure for the confiscation of drugs agreed with local police.
7. Known troublemakers are barred.

Continued from previous page...

8. A security manual is available on site.
9. Signs are put up throughout the premises alerting customers to possible theft.
10. A burglar alarm is installed with red care, directly linked to police call up.
11. Toilets are checked an average of 2 hourly daily and log kept of the times/dates they are visited.
12. The premises operate the current local authority or similar "proof of age" scheme and display the relevant literature.
13. Signs are displayed, warning customers about using drugs on the premises.
14. That the premises do not allow entry to the premises one hour before the end of licensable activities.
15. All cameras and recording equipment will be installed and maintained in accordance with the manufacturers instructions and will be fully operational when the premises are open to the public.
16. The medium upon which images are recorded, will be clearly identifiable, stored securely, retained for a period of not less than 31 days and be made available to Council and Police Officers on request.
17. The Designated Premises Supervisor and their staff will at all times remain aware of their responsibilities for the prevention of crime and disorder on the premises and demonstrate a responsible attitude to the marketing and sale of alcohol.
18. The degree of staff supervision and control as mentioned above and the provision of a "winding down" period between the end of any regulated entertainment and the premises closing should go to ensuring that "prevention of crime and disorder" objective is promoted.
19. The nature of the business will be such that it will promote a much needed service to the local community and resolve to be a friendly, comfortable space for customers to relax, eat and drink. This will therefore ensure that there will not be any problems in respect of the promotion of this objective in respect of promoting the prevention crime and disorder.

c) Public safety

1. We already understand our obligations under existing Health and Safety legislation take our responsibilities seriously and have extensive policies in place to meet these obligations.
2. It is our opinion that the nature of the operation will not incur and risk to public safety. We will ensure that policies are in place to combat any possible risks.  
We will ensure that we have procedures to ensure the health and safety of our staff and customers and will observe due diligence and incident reporting systems at all times.
3. All furniture/soft furnishings comply with the relevant fire safety standards.
4. A fire detection and warning system is in place along with fire extinguishers.
5. An emergency lighting system is in place.
6. Safety signs and notices are in place.
7. Free drinking water is available to all customers.
8. Floor staff conduct physical sweep inside the premises to remove hazardous objects/waste.

*Continued from previous page...*

9. Public transport information (including night time travel options) is available to customers.
10. Phone number of an allocated taxi firm displayed on the premises.
11. We will work with the Fire Authority to ensure that it is satisfied that the premises have adequate fire safety precautionary measures and are deemed to be safe under current Health & Safety legislation. Any arrangements made with the Fire Authority will be maintained at all times.
12. The Applicant and the Designated Premises Supervisor are aware of their responsibilities to themselves, their staff and customers in respect of public safety and will continue to take all reasonable steps to ensure the maintenance of all provided fire and other safety arrangements (including evacuation procedures) and equipment in accordance with requirements of current installations, as marked on the plan submitted with this application.
13. The Designated Premises Supervisor/Personal Licence Holder have ensured that their staff have been made fully aware of their responsibilities and have been enhanced to include for the provision of regulated entertainment.

d) The prevention of public nuisance

1. The style and nature of the operation will be such that it will serve the local community and always aim to promote the licensing objectives. At the close of business hours we will aim to ensure that customers leave gradually.
2. Reasonable steps are taken to recognise the rights of local residents and to encourage customers to leave the premises quietly.
3. Managers are required to liaise with local neighbours as part of their duties and resolve any reasonable concerns in accordance with our Role in Community guidelines.
4. Emergency call procedures are in place.
5. Deliveries are conducted during daytime to control noise nuisance.
6. Notices will be displayed around the premises asking patrons to leave the premises quietly.
7. In conjunction with steps proposed for the prevention of crime and disorder objective, the Licensee and staff will at all times remain aware of their responsibilities for the prevention of public nuisance in and around the premises.
8. The applicant proposes to put the following into practice:-
  - The duty manager will arrange to monitor noise levels from both inside and outside the premises at the nearest residential address and remedial action will be taken as appropriate.
  - Doors and windows will be kept closed as deemed necessary by the manager.
  - Notices have been provided outside the premises and will be provided inside by the exit doors and announcements will be made by the manager requesting customers leave the premises and the local area quickly and quietly.
  - Regulated entertainment will cease up to 30 minutes before the premises close providing a "wind-down" period.
  - Many of the customers will be regulars and known to staff, enabling management to take appropriate action in the event of problems arising.
  - Staff will be positioned by exit doors to monitor the behaviour of customers leaving.
  - A telephone number for the premises will be made available for local residents who have any concerns.
11. Having regard to the proposals and comments made above we believe that the grant of a licence will not give rise to any problems with regards to the promotion of this objective and will always strive to put in place adequate arrangements to promote the "public nuisance" objective.

Continued from previous page...

e) The protection of children from harm

1. We recognise the importance of protecting children from harm and this is supported by;
  - our commitment to health and safety in the operation and maintenance of the premises.
  - our approach to managing the risk of under-age drinking.
2. We will at all times observe the law and ensure that alcohol is not served to people who are under 18 years of age. The manager and staff are briefed in the importance of their responsibilities in ensuring customers are over 18.
3. No adult entertainment (paid for by the company of nude/ physical nature) is permitted at the premises.
4. Admittance refused to under 14's unless accompanied by an adult.
5. Staff are trained to prevent sale of alcohol to under 18's.
6. The Designated Premises Supervisor and staff will at all times remain aware of their responsibilities under this objective, including that alcohol shall not be sold to anyone under the age of 18, although certain types of alcohol can be consumed by 16/17 year olds with a table meal. Staff on duty have been trained and made aware of these requirements and the need to demand an acceptable form of age I.D. (i.e. an accredited "Proof of Age" card or a driving licence with a photograph or passport with (photograph) where considered appropriate.
7. Children under the age of 18 will only be allowed on the premises up to \* as long as they are accompanied by their parents or they are part of a "family" taking a table meal.
8. It is considered that these measures will be adequate to promote this objective.

#### Section 19 of 19

#### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

**Continued from previous page...**

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**DECLARATION**

\* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

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

\* Full name

\* Capacity

Date (dd/mm/yyyy)

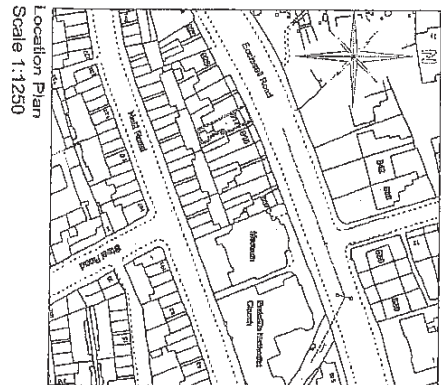
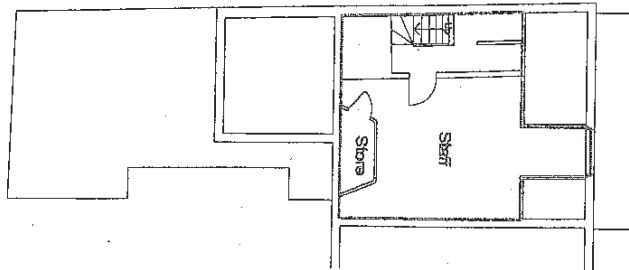
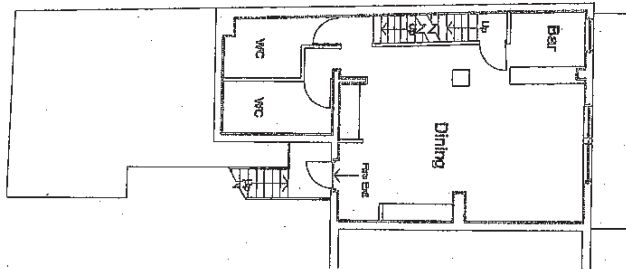
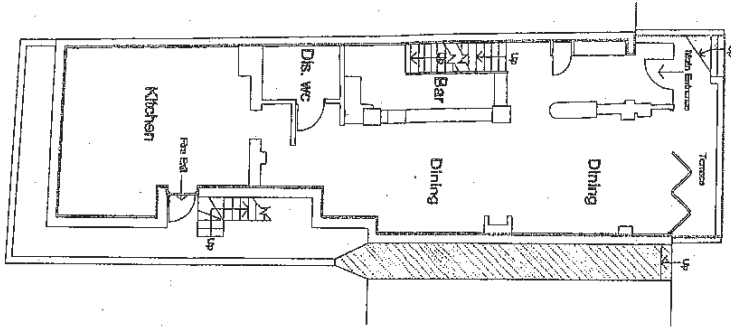
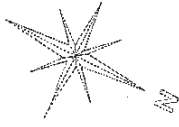
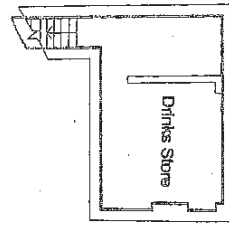
**Continued from previous page...**

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

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

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

Licensing Plan



**Redwood's Surveying**  
 Towns View, Leamington Spa  
 14, 20 & 21, Victoria Road, Leamington Spa, CV32 3JG  
 Tel: 01992 832100 Fax: 01992 832101  
 E: [info@redwoods-surveying.co.uk](mailto:info@redwoods-surveying.co.uk)  
 W: [www.redwoods-surveying.co.uk](http://www.redwoods-surveying.co.uk)

Plan for the purchaser:  
 817 Ecdonald Road,  
 Sheriffhale,  
 S11 8PT

Plot No	41750	Area	0.22782012	County	Derbyshire
OS Grid Ref	417280	CC	CO	V/C	

PL2719

Scale A2

Redwood's Surveying Ltd is a limited liability company registered in England. No. 02062812. Registered office: 14, 20 & 21, Victoria Road, Leamington Spa, CV32 3JG. Registered in England. No. 02062812. Registered office: 14, 20 & 21, Victoria Road, Leamington Spa, CV32 3JG. Registered in England. No. 02062812. Registered office: 14, 20 & 21, Victoria Road, Leamington Spa, CV32 3JG.

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

Casa Blue Limited

concerning the supply of alcohol at

Mish Mash  
617 Ecclesall Road  
Sheffield  
S11 8PT

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

SY 1203 Per

Personal licence issuing authority

Sheffield City Council,  
Licensing Section,  
Block C,  
Staniforth Road Depot,  
Staniforth Road,  
Sheffield S9 3HD  
Telephone: 0114 273 4264

Signed

*CMK*

Name (please print)

CLARE MARCIA KAYANI

Date

20<sup>TH</sup> NOVEMBER 2012



Consent of individual to being specified as premises supervisor

I Clare Marcia Kayani

of

142 Whirlowdale Road  
Sheffield  
S7 2NL

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

a Premises Licence

by

Casa Blue Limited

relating to a premises licence

[number of existing licence, if any]

for

Mish Mash  
617 Ecclesall Road  
Sheffield  
S11 8PT

**Gough Jayne (CEX)**

**From:** Licensing(General)  
**Sent:** 03 December 2012 09:31  
**To:** Gough Jayne (CEX)  
**Subject:** FW: Application reference: 2399008501 - 617 Eccleshall Road, Sheffield

**From:** mohinder k. chima [mailto:mchima@adamslaw.co.uk]  
**Sent:** 30 November 2012 17:33  
**To:** Licensing(General)  
**Subject:** Application reference: 2399008501 - 617 Eccleshall Road, Sheffield



T: 020 7790 2000 (Whitechapel)  
T: 020 7471 1744 (Fulham)  
[info@adamslaw.co.uk](mailto:info@adamslaw.co.uk)  
[www.adamslaw.co.uk](http://www.adamslaw.co.uk)

Dear Sirs,

Further to my telephone conversation with Emma of your office this afternoon, I write to advise of a change in relation to the above application. The name of the premises/business should be changed from "Mish Mash" to "Kashmiri Kitchen".

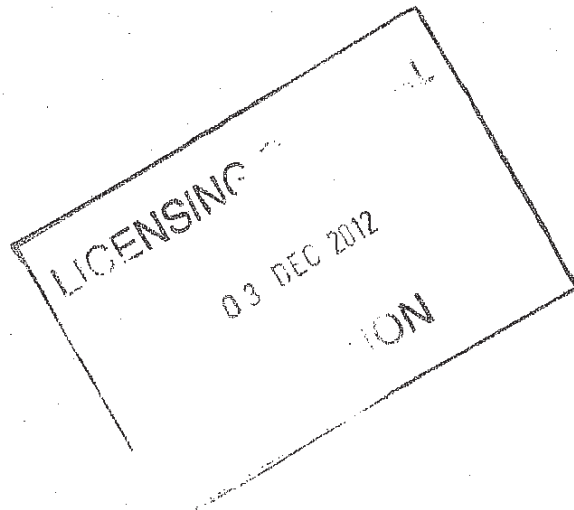
Thank you for your kind assistance. Please do not hesitate to contact me should there be anything further that you require.

Kind Regards,

*Mohinder Chima*

M Chima (Mrs.)  
Partner  
Adams Solicitors

mohinder k. chima  
mchima@adamslaw.co.uk



**Adams are celebrating 20 years in Tower Hamlets**

- Commercial Property
- Employment Law
- Immigration
- Liquor Licensing
- Litigation
- Conveyancing
- Family & Matrimonial
- Personal Injury
- Wills and Probate

# Appendix 'B'

**Business Strategy & Regulation**

Director of Business Strategy & Regulation: Mick Crofts

**Health Protection Service**

2-10 Carbrook Hall Road • Sheffield • S9 2DB

Fax No. (0114) 273 6464

Officer: Mr S Gibbons

Ref: Kashmiri/sg

Tel: 0114 273 4616

Date: 11 December 2012

Adams Solicitors  
Adams House  
129 Mile End Road  
London  
E1 4BG

Dear Sir or Madam

**Licensing Act 2003- Application for New Premises Licence  
Your Reference-MC CAS24-1**

**Premises: Kashmiri Kitchen, 617 Ecclesall Road, Sheffield, S11 8PT**

I write with reference to the above application, and would inform you that at this stage I have no alternative than to make a formal representation (objection) as the Responsible Authority towards public safety.

This application is seeking to Licence the premises previously known as Mish Mash. A previous licence application for this premises resulted with a Licensing Committee Hearing and the outcome of the hearing was that restrictions were placed on the use of the 1<sup>st</sup> floor due to safety concerns.

The premises currently have approximately 60 covers, with 50% located upstairs. The toilets are located on the 1<sup>st</sup> floor with the entrance to the toilets at the top of the stairs.

The original use of this building was for domestic purposes, and the staircase to the 1<sup>st</sup> floor is very steep and narrow. Transportation of hot food and drink from the ground floor to the 1<sup>st</sup> floor should be via a goods lift due to public safety concerns.

Therefore I propose that the following condition be added to the premises licence for the promotion of public safety;

" In the absence of a suitable food hoist, there shall be no transportation of food using the public staircase from the ground floor to the 1<sup>st</sup> floor level."

I would be grateful if you would confirm, as a matter of urgency, whether or not your client is prepared to agree to this condition.

---

Email Address: [HealthProtection@sheffield.gov.uk](mailto:HealthProtection@sheffield.gov.uk)

Visit us at: [www.sheffield.gov.uk/environment/how-we-work/health-protection/](http://www.sheffield.gov.uk/environment/how-we-work/health-protection/)

Large print versions of this letter  
are available by telephoning **Page 32**  
(0114) 273 4415/273 5774

Disabled Access

1. The City Council encourages the provision of disabled access and facilities to licensed premises within Sheffield and when a new application is being made or when substantial alterations are taking place, reasonable provision must be made under the Disability Discrimination Act 1995 for people to access and use the building and its facilities.

If you require any further information, please do not hesitate to contact me on the telephone number shown.

Yours faithfully



---

Mr S Gibbons  
Environmental Health Officer

Copy Via Email      Legal & Governance – Licensing General Section

# Appendix 'C'



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

Adams Solicitors  
Adams House  
129 Mile End Road  
London  
E1 4BG.

The Sheffield City Council being the licensing authority, on the **21 November 2012** received an application in respect of the premises known as **Mish Mash, 617 Eccelsall Road Sheffield, S11 8PT.**

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

- Health and Safety

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **17 January 2013 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 27/12/12

Signed: 

The officer appointed for this purpose  
Licensing Officer, Place Portfolio

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 Premises Licence Application**

Sean Gibbons, Health and Safety.

The Sheffield City Council being the licensing authority, on the **21 November 2012** received an application in respect of the premises known as **Mish Mash, 617 Eccelsall Road Sheffield, S11 8PT.**

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

- Health and Safety

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **17 January 2013 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 27/12/12 Signed: 

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

Adams Solicitors  
Adams House  
129 Mile End Road  
London  
E1 4BG.

The Sheffield City Council being the licensing authority, on the **21 November 2012** received an application in respect of the premises known as **Mish Mash, 617 Eccelsall Road Sheffield, S11 8PT.**

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

- Health and Safety

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **17 January 2013 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 27/12/12

Signed: 

The officer appointed for this purpose  
Licensing Officer, Place Portfolio

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

## 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.

### 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: Mish Mash  
Type of App: LA03\_Premises Licence Application  
Hearing Date: 17 January 2013

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

Of Adams Solicitors  
Adams House  
129 Mile End Road  
London  
E1 4BG.

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 3HD.

Please see Regulation 8 overleaf

## 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 –

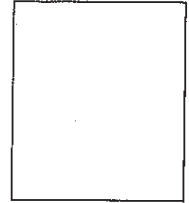
- (a) section 167(5)(a) (review of premises licence following closure order),
- (b) paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence), paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
- (c) paragraph 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.



## SHEFFIELD CITY COUNCIL Committee Report



---

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

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**Date:** 17 January 2013

---

**Subject:** Licensing Act 2003

---

**Author of Report:** Andy Ruston

---

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

---

**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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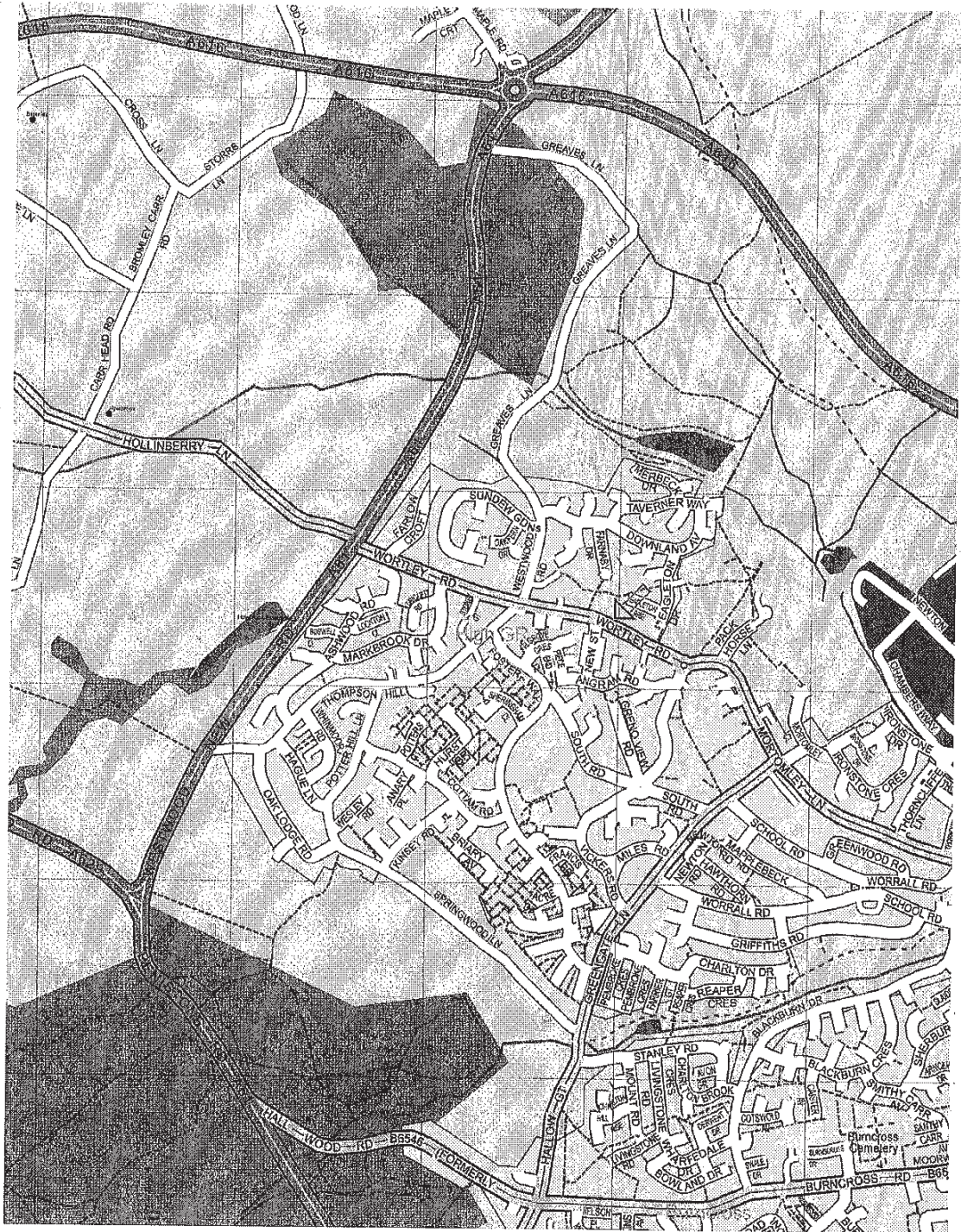
**Background Papers:** Attached documents

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**Category of Report:** OPEN

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## **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 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 grant the premises licence in the terms requested.
- 9.2 To grant the premises licence with 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 3HD.**

# Appendix 'A'

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

I/We Sainsbury's Supermarkets Ltd  
*(Insert name(s) of applicant)*

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

**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Sainsbury's 2 Wortley Road High Green			
<b>Post town</b>	Sheffield	<b>Post code</b>	S35 4LU

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£10,000

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as  
Please tick yes

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)

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

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

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

**SECOND INDIVIDUAL APPLICANT** (if applicable)

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

**(B) OTHER APPLICANTS**

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

Name Sainsbury's Supermarkets Ltd
Address 33 Holborn London EC1N 2HT
Registered number (where applicable) 03261722
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) 020 7695 6000
E-mail address (optional) N/A

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day		Month		Year			
2	1	1	2	2	0	1	2

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

Day		Month		Year			

Please give a general description of the premises (please read guidance note1)

A supermarket which is to sell a broad range of groceries, household products and alcohol.

Situated at 2 Wortley Road, High Green, Sheffield, S35 4LU.

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

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

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

**Provision of regulated entertainment**

Please tick 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 late night refreshment** (if ticking yes, fill in box I)

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

**In all cases complete boxes K, L and M**

4

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**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both - please tick</b> (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>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Wed					
Thur			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri					
Sat					
Sun					



**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (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>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Wed					
Thur			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**C**

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

**D**

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

**E**

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

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (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>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4)		
Thur					
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun					

**G**

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

**H**

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

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



**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	0600	2400			
Tue	0600	2400			
Wed	0600	2400			
Thur	0600	2400			
Fri	0600	2400			
Sat	0600	2400			
Sun	0600	2400			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		

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

<b>Name</b> Joanne Surguy	
<b>Address</b> 15 Blendon Road Bexley	
<b>Postcode</b>	DA5 1BN
<b>Personal Licence number (if known)</b> 06/00209/BEXLEY/LI	
<b>Issuing licensing authority (if known)</b> London Borough of Bexley	

**K**

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

The premises will sell other age restricted products.

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)  The opening hours of the store are not a licensable activity and the applicant asks that the hours not be restricted by the premises licence.
Day	Start	Finish	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)
Mon	0000	2400	
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

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

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

**b) The prevention of crime and disorder**

1. The licence holder will ensure that the premises benefit from a CCTV system that operates at all times when licensable activities are taking place.
2. The system will incorporate a camera covering each of the entrance doors and the main alcohol display area and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
3. The system will incorporate a recording facility and any recording will be retained and stored in a suitable and secure manner for a minimum of 30 days and will be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The system must be able to export recorded images to a removable means e.g. CD/DVD and have its own software enabled to allow playback/review.
5. A member of staff trained in the use of the CCTV system must be available at the premises at all times that the premises are open to the public.
6. The system will display, on any recording, the correct time and date of the recording.

**c) Public safety**

The applicant will at all times maintain adequate levels of staff and security. Such staff and security levels will be disclosed, on request, to the licensing authority and police.

**d) The prevention of public nuisance**

Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

**e) The protection of children from harm**

The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification bearing the customer's photograph, date of birth and the Proof of Age Standards Scheme (or similarly accredited scheme) hologram.


**Please tick yes**

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

**IT IS AN OFFENCE, LIABLE ON 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 4 – Signatures** (please read guidance note 10)

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

Signature	
Date	21 November 2012
Capacity	Solicitors duly authorised on behalf of the Applicant

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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	

<b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)</b> Winckworth Sherwood LLP (Ref: EMF/26508/1580/RPB) Minerva House 5 Montague Close			
<b>Post town</b>	London	<b>Post code</b>	SE1 9BB
<b>Telephone number (if any)</b>	020 7593 5155		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b> efinlay@wslaw.co.uk			

**Notes for Guidance**

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. 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.

FORM OF CONSENT OF INDIVIDUAL TO BEING SPECIFIED  
AS PREMISES SUPERVISOR

I, JOANNE SURGUY

of 15 Blendon Road, Bexley, Kent, DA5 1BN

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

by SAINSBURY'S SUPERMARKETS LTD

relating to a premises licence no.

for Sainsbury's, 2 Wortley Road, High Green,  
Sheffield, S35 4LU

and any premises licence to be granted or varied in respect of this application made by SAINSBURY'S SUPERMARKETS LTD

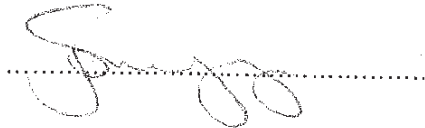
concerning the supply of alcohol at Sainsbury's, 2 Wortley Road,  
High Green, Sheffield, S35 4LU

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below

Personal licence number: 06/00209/BEXLEY/LI

Personal licence issuing authority: London Borough of Bexley

Signed:



Name (please print): JOANNE SURGUY

Date

21/11/12

NOTES

1:1250

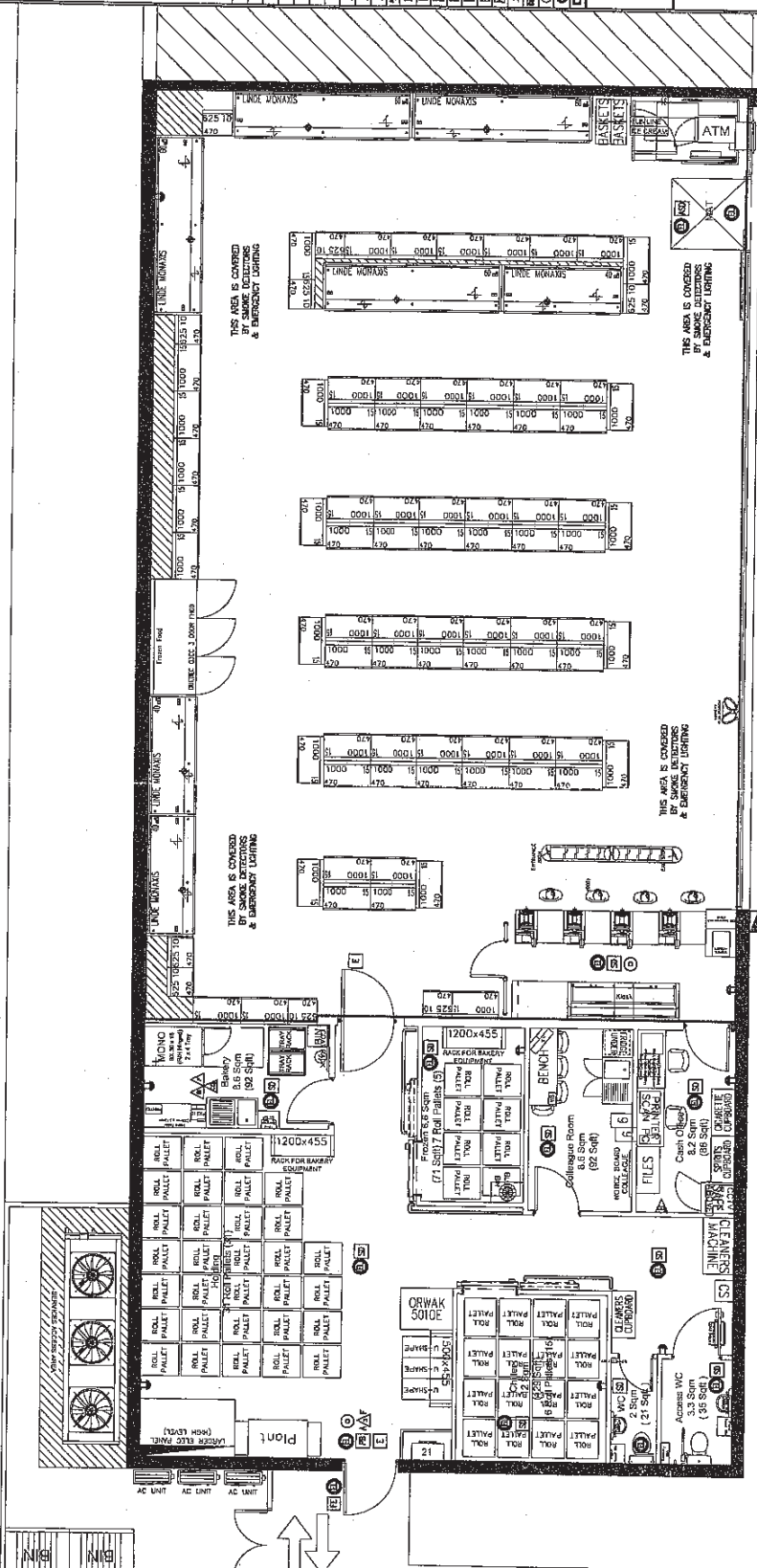
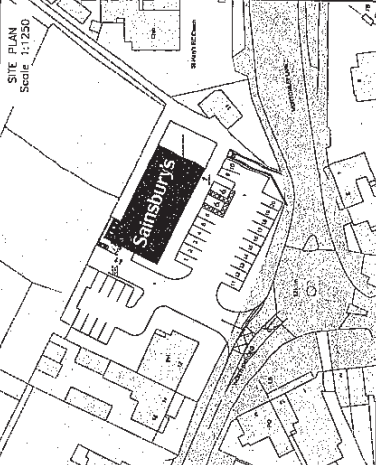
REVISIONS

NO.	DESCRIPTION
1	PLAN SET
2	PERMIT SET
3	THE ALARM CALL POINT
4	THE ALARM CALL POINT
5	THE EXTENSIVE OF WORK
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10033  
CHAFELTOWN  
WORTLEY ROAD

PROPOSED  
GROUND FLOOR  
STORE PLAN

10033GG01-I  
Sainsbury's  
10033GG01-I



ENTRANCE  
↑

Page 67  
DELIVERIES  
MEANS OF  
ESCAPE

# Appendix 'B'



**Gough Jayne (CEX)**

**From:** Licensing(General)  
**Sent:** 12 December 2012 12:23  
**To:** Gough Jayne (CEX)  
**Subject:** FW: LICENCE APPLICATION SAINSBURY'S SUPERMARKETS LTD - 2 WORTLEY ROAD, HIGH GREEN, SHEFFIELD

**Attachments:** SCC\_OBJ\_RE\_SITE\_OF\_CART\_&\_HORSES.doc

**From:** ecclesfieldpc@aol.com [mailto:ecclesfieldpc@aol.com]  
**Sent:** 11 December 2012 14:12  
**To:** Licensing(General)  
**Cc:** Mansell Kate; dcscan@sheffield.gov.uk  
**Subject:** LICENCE APPLICATION SAINSBURY'S SUPERMARKETS LTD - 2 WORTLEY ROAD, HIGH GREEN, SHEFFIELD

The above licence application was considered at the Planning Committee of Ecclesfield Parish Council on the 6 December 2012. The Parish Council are concerned at the impact the proposed extended hours would have on neighbouring properties as it would appear that the premises will be open for 24 hours Sunday to Saturday with the sale of alcohol for consumption off the premises from 06.00 to 24.00 hours. The proposed supermarket is very close to residential properties and large delivery lorries would have a huge impact on this small village. Another consideration would be the potential for anti-social behaviour with the extended opening hours.

Please find enclosed a copy of a letter which has been sent to the Head of Planning at Sheffield City Council supporting residents objections to the proposed development at this site.

D J MORTON  
Clerk & Financial Officer

# Appendix 'C'



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

Winckworth Sherwood  
(Ref; EMF/265087/1580/RPB)  
Minerva House  
5 Montague Close  
London  
SE1 9BB.

The Sheffield City Council being the licensing authority, on the **22 November 2012** received an application in respect of the premises known as **Sainsbury's, 2 Wortley Road, High Green, Sheffield, S35 4LU.**

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

- Ecclesfield Parish Council

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 **17 January 2013 at 11am**; 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: 27/12/12

Signed: 

The officer appointed for this purpose  
Licensing Officer, Place Portfolio

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 Premises Licence Application**

D.J.Morton  
Clerk and Financial Officer

The Sheffield City Council being the licensing authority, on the **22 November 2012** received an application in respect of the premises known as **Sainsbury's, 2 Wortley Road, High Green, Sheffield, S35 4LU.**

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

- Ecclesfield Parish Council

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 **17 January 2013 at 11am**; 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 3HD, within (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 27/12/12

Signed: 

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

Winckworth Sherwood  
(Ref; EMF/26508/1580/RPB)  
Minerva House  
5 Montague Close  
London  
SE1 9BB.

The Sheffield City Council being the licensing authority, on the **22 November 2012** received an application in respect of the premises known as **Sainsbury's, 2 Wortley Road, High Green, Sheffield, S35 4LU.**

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

- Ecclesfield Parish Council

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 **17 January 2013 at 11am**; 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: 27/12/12

Signed: 

The officer appointed for this purpose  
Licensing Officer, Place Portfolio

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

## 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.

### 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: Sainsbury's  
Type of App: LA03\_Premises Licence Application  
Hearing Date: 17 January 2013

**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

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.