

# **Licensing Sub-Committee**

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**Monday 11 March 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 for Item 6**

## **Membership**

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Councillors John Robson (Chair), David Barker and Nikki Bond

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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  
11 MARCH 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. Hackney Carriage and Private Hire Licensing - Individual Cases\***  
Report of the Chief Licensing Officer.
- 6. Licensing Act 2003 - Objection to a Temporary Event Notice - Unit 2, Park House Works, Bacon Lane, Attercliffe, Sheffield S9 3NH**  
Report of the Chief Licensing Officer

\*(**NOTE:** The report at item 5 in the above agenda is not available to the public and press because it contains exempt information described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972 (as amended))

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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 DPs 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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# Agenda Item 5

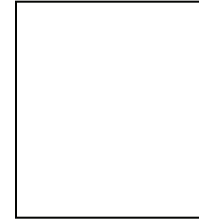
By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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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:** 11th March 2013

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**Subject:** Licensing Act 2003  
Police objection in relation to a Temporary Event Notice

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**Author of Report:** Claire Bower – 203 7751

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**Summary:** To consider a notice of objection submitted by South Yorkshire Police relating to a temporary event notice

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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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**LICENSING ACT 2003**

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

**Unit 2, Park House Works, Bacon Lane, Attercliffe, Sheffield, S9 3NH**

**1.0 PURPOSE OF REPORT**

- 1.1 To consider a notice of objection submitted by South Yorkshire Police relating to a temporary event notice for the premises known as Unit 2, Park House Works, Bacon Lane, Attercliffe, Sheffield, S9 3NH.

**2.0 THE TEMPORARY EVENT NOTICE**

- 2.1 The proposed premises user is Mr Jack Hudson.
- 2.2 The temporary event notice, which was received on 22 February 2013, is attached to this report labelled Appendix 'A'.
- 2.3 The event is from 20 April 2013 until 21 April 2013 for the times 22:00 to 06:00.
- 2.4 The nature of the event is described in the notice as "celebration of electronic music".
- 2.5 The licensable activities intended to be carried on at the premises are:
- Sale by retail of alcohol on the premises
  - Regulated entertainment
  - Late night refreshment

**3.0 REASONS FOR REFERRAL**

- 3.1 A notice was submitted by South Yorkshire Police on 27<sup>th</sup> February 2013, objecting to the temporary event notice on crime prevention and promotion of public safety grounds.
- 3.2 The notice of objection is attached at Appendix 'B'.
- 3.3 The applicant and the objecting officers from 3.1 have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'C'.

**4.0 FINANCIAL IMPLICATIONS**

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

## **5.0 THE LEGAL POSITION**

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

## **6.0 HEARINGS REGULATIONS**

- 6.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.
- 6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix ‘D’.
- 6.3 Attached at Appendix ‘D’ is the following: -  
a) a copy of the Notice of Hearing;  
b) the rights of a party provided in Regulations 15 and 16;  
c) the consequences if a party does not attend or is not represented at the hearing  
d) the procedure to be followed at the hearing.

## **7.0 APPEALS**

7.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the premises user and every other relevant person against decisions of the Licensing Authority, to the Magistrates' Court.

## **8.0 RECOMMENDATIONS**

8.1 That members carefully consider the representations made and take such steps, as the Committee consider necessary for the promotion of the crime prevention objective.

## **9.0 OPTIONS OPEN TO THE COMMITTEE**

9.1 To acknowledge the temporary event notice, allowing the event to go ahead on the proposed date in the terms requested.

9.2 To give the premises user a counter notice if it considers it necessary for the promotion of a licensing objective.

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

28 February 2013

**Temporary Event Notice**

£21:00 Cash  
Rec 24285

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

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

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

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	HUDSON		
Forenames	JACK		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	22 FEB 2013@16:55		
Forenames			
3. Your date of birth	12/04/1985	Day 12	Month 4 Year 1985
4. Your place of birth	OXFORD		
5. National Insurance Number	JH 33 78 93 8		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
21 BARKERS RD, SHEFFIELD			
Post town	SHEFFIELD	Post code	S7 1SD
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)	07511 72548		
Fax number (optional)			
E-Mail Address (if available)	jack@4sheffield.com		
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
Post town			
Post code			
9. Alternative contact details (if applicable)			
Telephone numbers:			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail Address (if available)			

<b>2. The premises</b>	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)	
UNIT 2, PARKHOUSE WORKS, BACON LANE, ATTERCLIFFE, SHEFFIELD, S9 3NH	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
<del>INDUSTRIAL UNIT (EMPTY)</del>	
Please describe the nature of the premises below. (Please read note 4)	
INDUSTRIAL UNIT (EMPTY)	
Please describe the nature of the event below. (Please read note 5)	
EVENT WILL BE A CELEBRATION OF ELECTRONIC MUSIC WHICH WILL PROVIDE A PLATFORM FOR LOCAL ARTISTS ALONGSIDE GLOBAL ACTS.	
<b>3. The licensable activities</b>	
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)	
SATURDAY 20TH OF APRIL 2013	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)	
22:00 - 06:00	



Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)		499
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

<b>4. Personal licence holders (Please read note 12)</b>		
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority		
Licence number		
Date of issue		
Date of expiry		
Any further relevant details		

<b>5. Previous temporary event notices you have given (Please read note 13)</b>		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

<b>6. Associates and business colleagues (Please read note 14)</b>		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)		
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<b>7. Checklist (Please read note 15)</b>	
<b>I shall (Please mark the appropriate boxes with an "X")</b>	
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Make or enclose payment of the fee for the application	<input checked="" type="checkbox"/>
Sign the declaration in Section 9 below	<input checked="" type="checkbox"/>

<b>8. Condition (Please read note 16)</b>
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

<b>9. Declarations (Please read note 17)</b>	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	<i>J Hudson</i>
Date	22 102 113
Name of Person signing	JACK HUDSON

**For completion by the licensing authority**

<b>10. Acknowledgement (Please read note 18)</b>	
I acknowledge receipt of this temporary event notice.	
Signature	<i>MR CRAWSHAW</i> On behalf of the licensing authority
Date	22-2-13
Name of Officer signing	<i>M R CRAWSHAW</i>

# YOUR EVENT

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

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

<u>If you are using a promoter for the event please provide the following details:</u> Full name of Promoter including DJ names – JACK HUDSON Does the Promoter hold any qualifications? (for example BIAB award) – please list below-	
Contact details for Promoter- landline tel no -	mobile tel no- 07511172548
<u>Is the event being advertised on any social network?</u>	<u>YES/NO</u>
If the answer is YES please detail which social networking sites – FACEBOOK & TWITTER	
<u>Is the event ticketed?</u>	<u>YES/NO</u>
If the answer is YES please detail the places where the tickets are being sold- WWW.TICKETARENA.CO.UK & BUNGALOWS AND BEARS	
<u>What type of music will be played?</u> ELETRONIC, DUB, HOUSE	
<u>Approximately how many people do you anticipate attending the event?</u> 450	
<u>Are you expecting to employ Security Industry Authority (SIA) door staff for the event?</u>	<u>YES/NO</u>
If the answer is YES please detail which Security Firm you will be using including the name and a lead contact and phone no- LEVEL 1 SECURITY, AMIR HUSS ROB WALKER 01246 456964	
<u>Will a knife arch/wands be used at the event?</u>	<u>YES/NO</u>
HOWEVER WE WILL BE OPERATING A STRICT <u>NO</u> SEARCH <u>NO</u> ENTRY POLICY.	

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Sent on behalf of Sheffield Licensing, South Yorkshire Police

Licensing General  
Block C  
Staniforth Road Depot  
609 Staniforth Road  
Sheffield  
S9 3GZ Date: 27.02.13

### **Licensing Act 2003**

#### **Objection to temporary event notice 20th April 2013**

#### **Unit 2, Parkhouse Works, Bacon Lane, Attercliffe, Sheffield S9 3NH**

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

The grounds of objection are based on the prevention of crime and disorder and the promotion of public safety. This is the first time the venue has been used for this type of event and we have concerns about the suitability and safety of the premise.

A multi agency site visit is due to be arranged after which, we may be in a position to withdraw this objection.

Yours faithfully,

For and on behalf of

Chief Constable, South Yorkshire Police

Cc

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

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

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

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

LICENSING ACT 2003  
Section 105(2)



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## **Notice of hearing in respect of a Police objection**

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

The Sheffield City Council, being the licensing authority, on the 22 February 2013 received an objection notice from South Yorkshire Police in relation to the temporary event notice given by Mr Jack Hudson for an event to take place on 20 April 2013 from 22:00 to 06:00 at **Unit 2, Park House Works**.

The Police objection notice is attached.

The Council now GIVES YOU NOTICE that this matter will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **11<sup>th</sup> March 2013**, at **11:00am**; following which the Council will make a decision.

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

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

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

Dated 28 February 2013

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



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## Notice of hearing in respect of a Police objection

**Mr Jack Hudson**  
**21 Barkers Road**  
**Sheffield**  
**S7 1SD**

The Sheffield City Council, being the licensing authority, on the 22 February 2013 received an objection notice from South Yorkshire Police in relation to the temporary event notice given by Mr Jack Hudson for an event to take place on 20 April 2013 from 22:00 to 06:00 at **Unit 2, Park House Works**.

The Police objection notice is attached.

The Council now GIVES YOU NOTICE that this matter will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **11<sup>th</sup> March 2013**, at **11:00am**; following which the Council will make a decision.

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

- 3) Your response to the objection notice submitted by South Yorkshire Police, upon which you may ask and be asked questions by the parties to the hearing.
- 4) You may also be asked questions by the parties to the hearing, relating to your intended events.

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

Dated 28 February 2013

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.**



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## Notice of hearing in respect of a Police objection

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

The Sheffield City Council, being the licensing authority, on the 22 February 2013 received an objection notice from South Yorkshire Police in relation to the temporary event notice given by Mr Jack Hudson for an event to take place on 20 April 2013 from 22:00 to 06:00 at **Unit 2, Park House Works**.

The Police objection notice is attached.

The Council now GIVES YOU NOTICE that this matter will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **11<sup>th</sup> March 2013**, at **11:00am**; following which the Council will make a decision.

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

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

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

Dated 28 February 2013

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

## **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**

Premises: **Unit 2, Park House Works**  
Type of App: **Temporary Event Notice**  
Hearing Date: **11<sup>th</sup> March 2013**

**Form LAR 1**  
Regulation 8

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**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 **28 February 2013** 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.

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

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

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

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

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