

# **Licensing Sub-Committee**

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**Thursday 11 April 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**

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Councillors John Robson (Chair), Nikki Bond and Philip Wood

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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 APRIL 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 - Lion's Lair, 31 Burgess Street, Sheffield S1 2HF**  
Report of the Chief Licensing Officer
- 6. Local Government (Miscellaneous Provisions) Act 1982 - Street Trading Consent - Walkley Primary School**  
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.

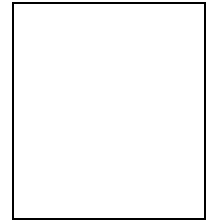
Further advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email [lynne.bird@sheffield.gov.uk](mailto:lynne.bird@sheffield.gov.uk)

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**SHEFFIELD CITY COUNCIL  
Licensing Sub Committee  
Report**



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

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**Date:** 11<sup>th</sup> April 2013

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**Subject:** Licensing Act 2003

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**Author of Report:** Matt Proctor

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

Lions Lair, 31 Burgess Street, Sheffield, S1 2HF

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

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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: 25 / 13

**LICENSING ACT 2003**

**Lions Lair, 31 Burgess Street, Sheffield, S1 2HF**

**1.0 PURPOSE OF REPORT**

1.1 To consider an application for the **variation** of the premises licence made under section 34 of the Licensing Act 2003.

**2.0 THE APPLICATION**

2.1 The applicant is Mr Charles Hall.

2.2 The application, which was received on 7<sup>th</sup> February 2013 is attached to this report labelled Appendix 'A'.

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

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

**3.0 REASONS FOR REFERRAL**

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

- |    |   |              |
|----|---|--------------|
| a) | Local resident  | Appendix 'C' |
| b) | Local resident  | Appendix 'D' |
| c) | Local resident  | Appendix 'E' |
| d) | Sheffield City Council Environmental Protection Service | Appendix 'F' |

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 'G'.

**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 'G'.

6.3 Also attached at Appendix 'G' is the following: -

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

## **7.0 APPEALS**

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

## **8.0 RECOMMENDATIONS**

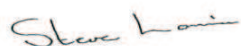
8.1 That members carefully consider the representations made and take such steps, as the Committee consider necessary for the promotion of the Licensing Objectives.

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

9.1 To vary the premises licence in the terms requested.

9.2 To vary the premises licence with modified conditions.

9.3 To reject the whole or part of the application.



Stephen Lonnia  
Chief Licensing Officer, Head of Licensing, 11<sup>th</sup> April 2013

# Appendix A

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

(1)

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

(2) I/We *Charles Hall*

being the premises licence holder, apply to vary  
a premises licence under section 34 of the Licensing Act 2003 for the premises described in  
Part 1 below

Premises licence number

*SY 0820 PR.*

### Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description

*Lions Lair  
31 Burgess Street  
Sheffield*

Post town *sheffield*

Post code *S1*

Telephone number at premises (if any)

Non-domestic rateable value of premises

£

### Part 2 - Applicant details

Daytime contact telephone number

E-mail address  
(optional)

Current postal address if different from premises address

*30 School Green Lane  
Fulwood*

Post town *Sheffield*

Post code *S10 4GQ*

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

(2) Insert name(s) of applicant

Part 3 - Variation

Please tick  yes

A2

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

If not do you want the variation to take effect from

| Day | Month | Year |
|-----|-------|------|
|     |       |      |

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

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

To update the plans for the premises to include the works that have been undertaken to the premises which are to;

- Move Ladies toilets to kitchen area
- Move Gents toilets to Ladies toilet area
- Turn old Gents toilets into staff area / DJ Booth / Acoustic works
- Increase Bar length and remove all fixed seating

To amend the licence to reduce the closing times for the premises on Friday, Saturday and Sunday to 05:00 hours and for the sale of alcohol to cease at 04:30 hours on Friday Saturday and Sunday.

To extend the hours for recorded music, sale of alcohol and hours of opening to 02:30 hours on Monday, Tuesday, Wednesday and Thursday.

~~the premises~~

# A

A3

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

# B

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



## Part 4 - Operating Schedule

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

A4

### Provision of regulated entertainment

Please tick ✓ yes

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

### Provision of entertainment facilities for:

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

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

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

In all cases complete boxes N, O and P

A5

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

**D**

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

**E**

AG

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

**F**

|  |       |        |   |
|--|-------|--------|---|
| <b>Recorded music</b>                                      |       |        | Will the playing of recorded music take place indoors or outdoors or both<br>- please tick <input checked="" type="checkbox"/> (please read guidance note 2)<br><br>Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| Standard days and timings<br>(please read guidance note 6) |       |        |   |
| Day  | Start | Finish | Please give further details here (please read guidance note 3)  |
| Mon  | 10:00 | 02:30  |   |
|  |       |        | State any seasonal variations for playing recorded music<br>(please read guidance note 4)   |
| Tue  | 10:00 | 02:30  |   |
|  |       |        | As per existing licence -   |
| Wed  | 10:00 | 02:30  |   |
| Thur   | 10:00 | 02:30  | Non-standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)  |
|  |       |        |   |
| Fri  | 10:00 | 05:00  | As per existing licence   |
|  |       |        |   |
| Sat  | 10:00 | 05:00  |   |
|  |       |        |   |
| Sun  | 10:00 | 05:00  |   |
|  |       |        |   |

**G**

A7

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

**H**

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

A8

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

**J**

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

K

A9

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

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

A10

I have enclosed the premises licence

Please tick ✓ yes

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of the premises licence

*will send on in post.*

**P** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

All

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

b) The prevention of crime and disorder

The Last entry time to the premises on Friday, Saturday and Sunday will be 03:30 hours.

c) Public safety

Capacity for the premises will be <sup>110</sup> ~~100~~ persons at any one time. The real fire if used prior to 6pm, will be protected by a suitable fire guard. The real fire will not be used after 6pm on any day. A suitable table and chairs will be located in front of the DJ booth to discourage dancing as dancing is not included on the licence. The aforementioned has been agreed with Sean Gibbons, Health and Safety.

d) The prevention of public nuisance

Acoustic works have been undertaken to the ceiling area to the licensed part of the premises above the D/J area. Speaker located in skylight area in front of D J. desk has now been removed, and the area has been sound proofed.

e) The protection of children from harm

Condition 2 Annex 2 of the licence will be amended to read:  
"The Challenge 25 Scheme must operate. All staff to be trained to enforce this scheme and staff records must be maintained. A refusals log must be maintained. Signage to promote the scheme must be displayed throughout the premise including door and bar areas".  
Conditions 5 and 6 Annex 2 will be removed and replaced with "Persons, under the age of 18 years are prohibited at all times". The aforementioned has been agreed with  
LA 34 Julie Hague, Sheffeld Safeguarding Children Board.



Please tick  yes

A12

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

insert amount


IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [\* ], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

**Part 5 - Signatures** (please read guidance note 10)

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

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

Signature



Date

29/1/13

Capacity

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12)

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

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town

Post code

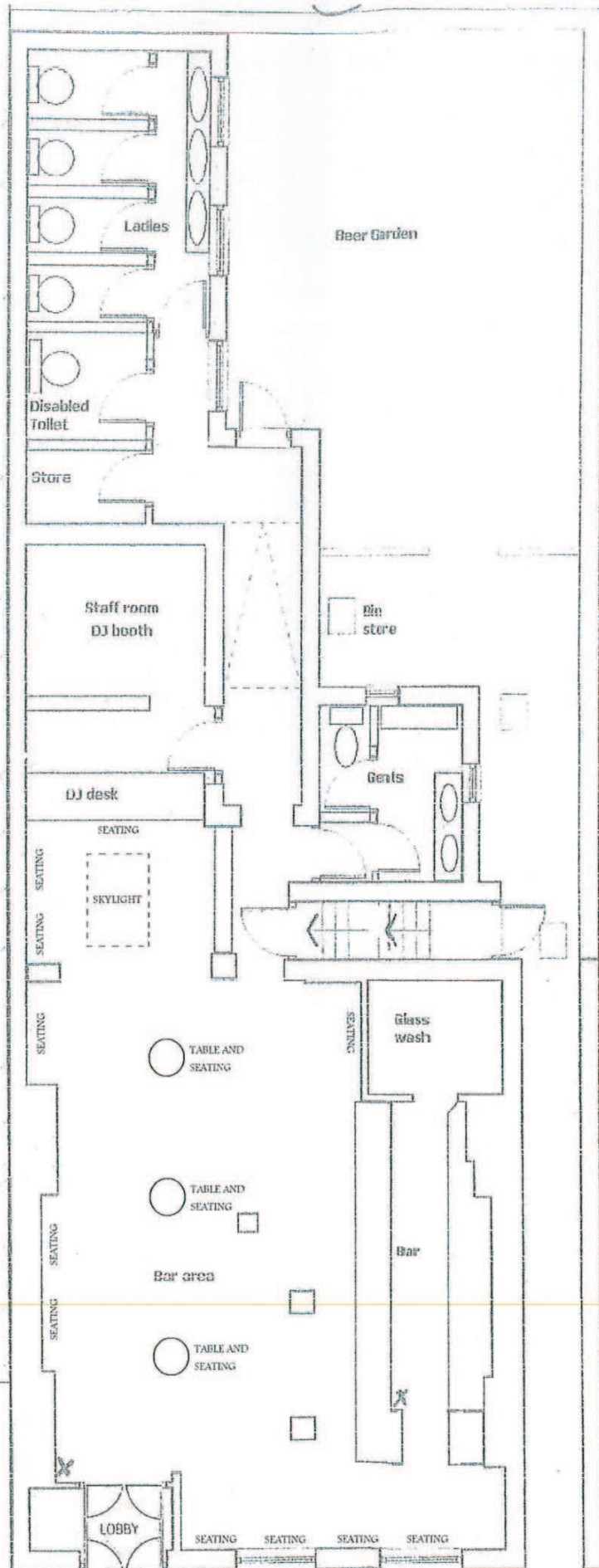
Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

31 Burgess Street  
Sheffield  
S1 2HF

Existing Plan  
Ground Floor  
August 2012

A13



X FILE EX.

# Appendix B

**THE LICENSING ACT 2003**

**Premises Licence No: SY 0820 PR**

**ISSUE NO:9**

The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

**PART 1 – Premises details**

Lions Lair  
31 Burgess Street  
Sheffield  
S1 2HF

**Telephone Number:** 0114 2634264

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

**1. Provision of regulated entertainment:**

**Live Music (maximum of 2 performers)**

Indoors

|           |  |
|-----------|--|
| Sunday    | 11:00 to 24:00 hours                   |
| Monday    | 10:00 to 24:00 hours                   |
| Tuesday   | 10:00 to 24:00 hours                   |
| Wednesday | 10:00 to 24:00 hours                   |
| Thursday  | 10:00 to 24:00 hours                   |
| Friday    | 10:00 to 01:00 hours the following day |
| Saturday  | 10:00 to 01:00 hours the following day |

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsuntide Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday, and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve.

A further additional hour every Boxing Day.

**Recorded Music**

## Indoors

|                        |  |
|------------------------|--|
| Sunday                 | 11:00 to 06:00 hours the following day |
| Monday                 | 10:00 to 24:00 hours                   |
| Tuesday                | 10:00 to 24:00 hours                   |
| Wednesday              | 10:00 to 24:00 hours                   |
| Thursday               | 10:00 to 24:00 hours                   |
| Friday                 | 10:00 to 06:00 hours the following day |
| Saturday               | 10:00 to 06:00 hours the following day |
| New Year's Eve (31.12) | 10:00 to 24:00 hours                   |
| New Year's Day (01.01) | 00:00 to end of permitted hours        |

Additional Hours - 10:00 to 06:00 hours the following day for all Bank Holiday weekends, to include Thursday and Monday evenings, as well as Christmas Eve, Christmas Day, Boxing Day and New Year's Day, whichever days they may fall on.

**2. Sale by retail of alcohol**

a) for consumption on the premises

b) for consumption off the premises

|                        |  |
|------------------------|--|
| Sunday                 | 11:00 to 06:00 hours the following day |
| Monday                 | 10:00 to 24:00 hours                   |
| Tuesday                | 10:00 to 24:00 hours                   |
| Wednesday              | 10:00 to 24:00 hours                   |
| Thursday               | 10:00 to 24:00 hours                   |
| Friday                 | 10:00 to 06:00 hours the following day |
| Saturday               | 10:00 to 06:00 hours the following day |
| New Year's Eve (31.12) | 10:00 to 24:00 hours                   |
| New Year's Day (01.01) | 00:00 to end of permitted hours        |

Additional Hours - 10:00 to 06:00 hours the following day for all Bank Holiday weekends, to include Thursday and Monday evenings, as well as Christmas Eve, Christmas Day, Boxing Day and New Year's Day, whichever days they may fall on.

**The opening hours of the premises are**

|                        |  |
|------------------------|--|
| Sunday                 | 11:00 to 06:30 hours the following day |
| Monday                 | 10:00 to 00:30 hours the following day |
| Tuesday                | 10:00 to 02:30 hours the following day |
| Wednesday              | 10:00 to 00:30 hours the following day |
| Thursday               | 10:00 to 00:30 hours the following day |
| Friday                 | 10:00 to 06:30 hours the following day |
| Saturday               | 10:00 to 06:30 hours the following day |
| New Year's Eve (31.12) | 10:00 to 24:00 hours                   |
| New Year's Day (01.01) | 00:00 to end of permitted hours        |

The opening hours will be extended to 06:30 hours for the days when the sale of alcohol cease at 06:00 hours.

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

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

**PLEASE NOTE:**

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

**PART 2****Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:**

Mr Charles Hall  
30 School Green Lane  
Fulwood  
Sheffield  
S10 4GQ

**Telephone Number:** 07545214978

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

Not Applicable

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

Mr Kevan Johnson  
The Priory Lodge Hotel  
40 Wostenholm Road  
Sheffield  
S7 1LJ

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

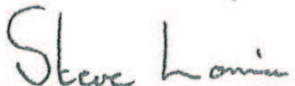
**Personal Licence Number:** SY 1310 Per  
**Issuing Authority:** Sheffield City Council

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

Restricted

**This Premises Licence shall be in force from the 24<sup>th</sup> November 2005**

**Issued on: 28th September, 2005**

  
.....

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

| <b>Sheffield City Council – For Office use only</b> |                                       |
|---|---------------------------------------|
| Variation of Premises Licence                       | No: 2 Issue Date: 14th November 2006  |
| Variation of DPS                                    | No: 8 Issue Date: 21st September 2012 |
| Transfer of Premises Licence                        | No: 2 Issue Date: 4th October 2012    |
| Minor Variation                                     | No: Issue Date:                       |
| Change of Name/Address                              | No: Issue Date:                       |
| Amendment to Premises Licence                       | No: Issue Date:                       |
| Review  | No: Issue Date:                       |
| Summary Review                                      | No: Issue Date:                       |

### Annex 1A – Mandatory Conditions

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

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

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

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

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

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

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

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

2. In this section -

“children” means persons aged under 18; and

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

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

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



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

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

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
    - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–
      - (i) the outcome of a race, competition or other event or process, or
      - (ii) the likelihood of anything occurring or not occurring;
    - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

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

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

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
5. The responsible person shall ensure that—
- (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
- (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml; and
- (b) Customers are made aware of the availability of these measures.

## Annex 2 – Conditions consistent with the operating schedule

1. The Lion's Lair will remain a member of the local pub watch scheme or any replacement as long as it exists.
2. Anyone who appears to be under the age of 21 must provide appropriate proof of age before being served alcohol.
3. There will be zero tolerance of illegal drugs.
4. Fire action notices to be posted, and emergency escape routes to be signposted and illuminated as appropriate. The fire alarm system should be regularly checked.
5. No unaccompanied children are allowed in the premises.
6. Accompanied children must be off the premises by 20:00 hours.
7. A colour CCTV system to the specification of South Yorkshire Police (attached) will be fitted, maintained and in use at all times the premises are open. CCTV images will be stored for 28 days. Police will be given access to, and copies of images for purposes in connection with the prevention and detection of crime and disorder.
8. Persons shall only be allowed to remove drinks from the premises in sealed containers.
9. Each entrance to the premises will be monitored by at least one member of door staff from 21.00 hours on any day the premises remains open after 01.00 hours.
10. To acquire a suitable number of radio set(s) for that premises and take the CCRAC Radio Scheme into use at all times when trading, and continue to be a user whilst this system / facility is in use in Sheffield.
11. Not to trade the requested 'new' hours subject of this application, until South Yorkshire Police have inspected the premises.
12. A permanent fixed residual current device (RCD) must protect the electrical power supply serving all amplified music equipment used for the purpose of live music.
13. Noise or vibration shall not emanate from the premises, so as to cause nuisance to nearby properties after 23.30 hours each day.
14. The licensee shall prominently display large (minimum A4 size) notices on all exits reminding patrons to leave the premises in a quiet and orderly fashion, to respect the local neighbours' needs.
15. All windows and the inner front door shall be closed, except for access and egress, when regulated entertainment is present in the premises after 23.30 hours each day.
16. The use of the outside area to cease at: Sunday to Thursday 24:00 hours  
Friday and Saturday 01:00 hours the following day.

17. There shall be no 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.

Annex 3 -- Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

655lic/B Lions Lair, 31 Burgess Street, S1 2HF  
24TH November 2005

B12

Appendix 1

**LICENSING ACT 2003****Premises Licence Summary**      ISSUE NO:9

The Sheffield City Council being the Licensing Authority under the above Act hereby issue this Premises Licence Summary in respect of:

**Premises licence number**      **SY 0820 PR**

Lions Lair  
31 Burgess Street  
Sheffield  
S1 2HF

**Telephone Number:** 0114 2634264

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

**1. Provision of regulated entertainment:**

**Live Music (maximum of 2 performers)**

Indoors

|           |  |
|-----------|--|
| Sunday    | 11:00 to 24:00 hours                   |
| Monday    | 10:00 to 24:00 hours                   |
| Tuesday   | 10:00 to 24:00 hours                   |
| Wednesday | 10:00 to 24:00 hours                   |
| Thursday  | 10:00 to 24:00 hours                   |
| Friday    | 10:00 to 01:00 hours the following day |
| Saturday  | 10:00 to 01:00 hours the following day |

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsuntide Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday, and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve.

A further additional hour every Boxing Day.



**Recorded Music**

## Indoors

|                        |  |
|------------------------|--|
| Sunday                 | 11:00 to 06:00 hours the following day |
| Monday                 | 10:00 to 24:00 hours                   |
| Tuesday                | 10:00 to 24:00 hours                   |
| Wednesday              | 10:00 to 24:00 hours                   |
| Thursday               | 10:00 to 24:00 hours                   |
| Friday                 | 10:00 to 06:00 hours the following day |
| Saturday               | 10:00 to 06:00 hours the following day |
| New Year's Eve (31.12) | 10:00 to 24:00 hours                   |
| New Year's Day (01.01) | 00:00 to end of permitted hours        |

Additional Hours - 10:00 to 06:00 hours the following day for all Bank Holiday weekends, to include Thursday and Monday evenings, as well as Christmas Eve, Christmas Day, Boxing Day and New Year's Day, whichever days they may fall on.

**2. Sale by retail of alcohol**

- a) for consumption on the premises
- b) for consumption off the premises

|                        |  |
|------------------------|--|
| Sunday                 | 11:00 to 06:00 hours the following day |
| Monday                 | 10:00 to 24:00 hours                   |
| Tuesday                | 10:00 to 24:00 hours                   |
| Wednesday              | 10:00 to 24:00 hours                   |
| Thursday               | 10:00 to 24:00 hours                   |
| Friday                 | 10:00 to 06:00 hours the following day |
| Saturday               | 10:00 to 06:00 hours the following day |
| New Year's Eve (31.12) | 10:00 to 24:00 hours                   |
| New Year's Day (01.01) | 00:00 to end of permitted hours        |

Additional Hours - 10:00 to 06:00 hours the following day for all Bank Holiday weekends, to include Thursday and Monday evenings, as well as Christmas Eve, Christmas Day, Boxing Day and New Year's Day, whichever days they may fall on.

# Appendix C

C1

LICENSING GENERAL

12 MAR 2013

SECTION

Apt. [REDACTED]  
 58 Pinstone Street,  
 Sheffield S1 2HZ

Rmcooley [REDACTED]  
 March 8th, 2013

Dear Sir/Madam

I wish to make an objection to the application by Mr Charles Hall of the Lion's Lair, 31 Burgess Street, Sheffield S1 2HF, to vary the Premises Licence for that address. The applicant wishes to extend the hours during which the pub can play recorded music on Mondays to Thursdays from midnight to 02.30 hours. I wish to object to the application under the Prevention of Public Nuisance Licensing Objective.

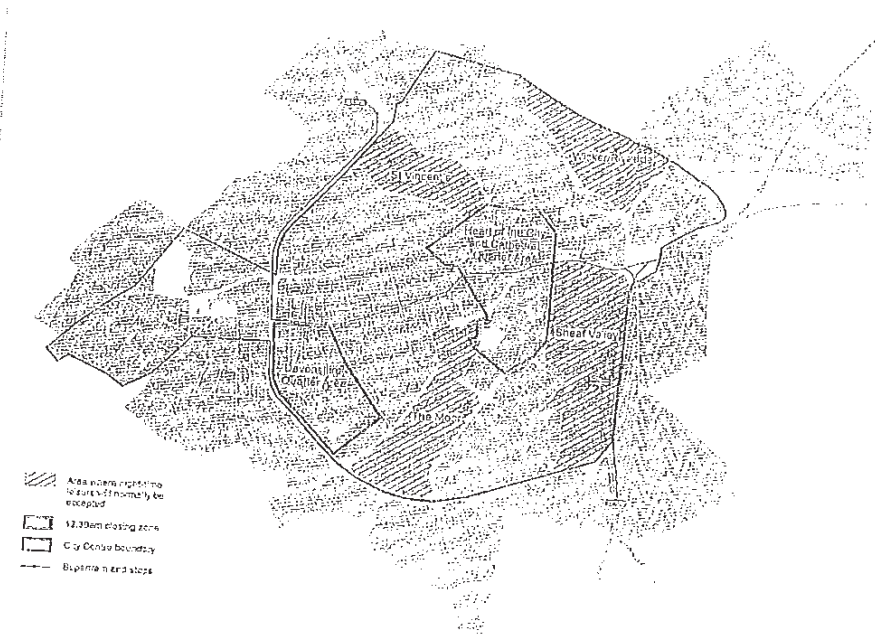
I am a resident of one of the flats in Pinstone Chambers which backs onto the beer garden of the Lion's Lair. There have been problems with noise from the pub dating back to the spring of 2009 when I first complained to the Environmental Protection Service about this issue. Initially the complaints referred to the noise from the beer garden, both from the people using the beer garden and from the music breaking out from the pub when the back door was wedged open, as was frequently the case. This situation continued until late 2010 when, after numerous complaints to the 101 service and a face to face altercation between myself and the then premises manager, the situation improved for a few months due to better management control of the hours people were allowed to stay in the beer garden and to the back door being kept closed except for access.

However, from late 2011 the noise problem, from inside the pub, not from the beer garden, increased dramatically, apparently due to structural alterations which had worsened the soundproofing of the pub. Extremely loud and constant music could be heard until around 05.00 hours every weekend. I often, and I mean by that at least one night every weekend, had to move in the middle of the night from my bedroom, which backs onto the pub, to my study, which is at the front of the building. I know that the residents of another flat had to do the same thing. We should not have to change the room we choose to sleep in because of noise from neighbours. We are lucky though to be able to do this as many of the 11 flats in my building which back onto the pub do not have rooms at the front of the building, so they have no alternative than to put up with the noise. I know of one owner who sold his flat because he could not stand the noise any longer and a tenant who gave in his notice for the same reason. This situation is completely unacceptable.

I must acknowledge that in recent weeks the noise from music inside the pub has been less of a problem and I have been able to sleep in my own bedroom but we have now returned to noise coming from the beer garden during the early hours of the morning. On Friday March 1st I was woken up at 02.35 hours by people outside in the beer garden and again on the following night at 03.50 by an argument going on in the beer garden. Bearing in mind that my bedroom window is at the far end of our building from the pub, and I was still woken up, it must be considerably worse for those flats whose windows are immediately behind the premises.

It is already a cause of some amazement to me that any pub which is adjacent to a residential building should have been granted a music licence until 06.00 hours in the first place. This is exceptionally surprising as the ruling contravenes Planning Guideline 11 as stated in the *City Centre Living, Supplementary Planning Guidance (Updated 2011, Originally approved by Cabinet 28 April 2004)*. According to note added to that Guideline:

Night-Time Uses IPG Guideline 1 removes the small area bounded by Pinstone Street, Cross Burgess Street and the rear of properties on Burgess Street from an "area where night-time leisure will be normally accepted" identified in City Centre Living SPG Guideline 11. This small area is included in the "12.30am closing zone" shown on Plan 1.



Despite the public nuisance caused by this decision to ignore the Planning guidelines and to allow the Lion's Lair to have a beer garden and to have music until 06.00 hours, the residents of my building have been trying to live with this situation without asking for the pub's licence to be revoked, as we do not want the premises manager to lose his living. However, we have now had almost 4 years of disturbance during which time the pub has regularly flouted its licensing regulations by allowing people to use the beer garden outside permitted hours and by leaving the back door open to allow music breakout. Allowing the premises to have music until 02.30 hours instead of midnight can only make a bad situation worse as the premises manager appears to be completely unconcerned about the regular complaints that have been made against the premises and there seems to be no guarantee that he will comply with regulations in the future.

I hope that the views of the pub's neighbours will be taken into consideration when this application is being considered.

Yours sincerely  
Linda Cooley, local resident

# Appendix D

DI

**Rhodes Emma (CEX)**


---

**From:** Licensing(General)  
**Sent:** 14 February 2013 14:26  
**To:** Rhodes Emma (CEX)  
**Cc:** Ruston Andy (CEX)  
**Subject:** FW: Lions Lair, 31 Burgess St, S1 2HF  
**Importance:** High

---

**From:** patrick carroll [mailto:paddyrolluk@██████████]  
**Sent:** 14 February 2013 14:12  
**To:** Licensing(General)  
**Cc:** eamonn.ward@btopenworld.com  
**Subject:** Lions Lair, 31 Burgess St, S1 2HF

FAO: Councillor Rob Murphy  
 RE: Lions Lair revised hours application

Dear Councillor,

I am the owner of Apartment ██████ Pinstone Chambers, one of the few apartments in Pinstone Chambers which has a bedroom window that overlooks the Lions Lair beer garden.

I strongly oppose their application to extend their opening hours every evening to 2.30am. I oppose the application under the licensing objective **The prevention of public nuisance.**

I have lived at Pinstone Chambers for nearly 6 years and have complained to the council on 2-3 occasions throughout that time about the nuisance the pub causes by playing loud music late at night, and into the early hours of the morning. It has now become part of my life, and to some extent, at the weekends, I have learnt to live with it.

However, to permit the pub to open until 2.30am every night is ludicrous when us residents have to get up for work at 7am. They don't observe the noise policies which their current license dictate, i.e. Moving people out of the beer garden into the pub after 11pm (I know, because I overlook the garden). Keeping the fire exit door to the pub shut at all times to contain noise within the pub (which again I overlook). As soon as summer comes around, I am afraid that the heat of the pub will encourage people to go outside and as such I won't get any sleep.

The current owners gave me their mobile number and asked to call whenever things got too loud. It worked at first, then they just started ignoring me. Their current opening hours are too late as it is, because the pub is in a residential area. The new proposal would force me to want to move out of the area.

I urge the council to reject their application. In fact I beg the council to ignore their application. This isn't fair to residents.

Kind Regards,

Patrick Carroll

# Appendix E

E1

Rhodes Emma (CEX)

From: lynne.j.thomas@  
 Sent: 21 February 2013 14:01  
 To: Licensing(General)  
 Cc: Rhodes Emma (CEX)  
 Subject: RE: Lion's Lair 31 Burgess street

My address is St Paul's Chambers, 6 St Paul's Parade Sheffield S1 2JL.  
 Regards

Name: Lynne Thomas  
 Mobile: +44 (0)77

From: Licensing(General) [mailto:General.Licensing@sheffield.gov.uk]  
 Sent: 21 February 2013 13:22  
 To: Thomas,LJ,Lynne,TGFB4 R  
 Cc: Rhodes Emma (CEX)  
 Subject: RE: Lion's Lair 31 Burgess street

Hi Lynne,

In order for your objection to be valid, I will require details of your residential address.

Please do not hesitate to contact the Licensing Service should you wish to discuss this any further.


Kind Regards

Georgina

Georgina Hollis  
 Licensing Officer  
 Licensing Service  
 Business Strategy & Regulation  
 Block C, Staniforth Road Depot  
 Staniforth Road, Sheffield, S9 3HD.

Telephone: 0114 2734264 / 2734880  
 Fax: 0114 2735410  
 Email: [General.Licensing@sheffield.gov.uk](mailto:General.Licensing@sheffield.gov.uk)    [www.sheffield.gov.uk](http://www.sheffield.gov.uk)

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E2

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From: lynne.j.thomas@[REDACTED] [mailto:lynne.j.thomas@[REDACTED]]  
Sent: 21 February 2013 11:51  
To: Licensing(General)  
Subject: Lion's Lair 31 Burgess street

I wish to oppose the new application request on the grounds of "The prevention of Public Nuisance"

I currently reside at St Paul's Chambers and we have had an increase in nightly disturbances following the 24 hour opening of the Genting club. I would like to ensure that the disturbances do not increase and I feel this application would only exacerbate this.

Regards

Name: Lynne Thomas  
Mobile: +44 (0)77 [REDACTED]

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# Appendix F

Rhodes Emma (CEX)

From: Round Jonathan  
 Sent: 15 March 2013 16:51  
 To: Licensing(General)  
 Cc: 'charleshalf1@  
 Subject: Lion's Lair, 31 Burgess Street, Sheffield - Application to Vary Premises Licence

Follow Up Flag: Follow up  
 Due By: 15 March 2013 00:00  
 Flag Status: Flagged

This emailed representation is made in accordance with the agreement with the Licensing Authority on the 18th October 2006 to accept representations by email.

I have the following representation to make with regards to Public Nuisance for the application to vary the Premises Licence for the above premises.

The premises are in close proximity to residential property. The premises have a history of noise complaints, which prior to 2011 mainly related to the use of the outdoor area to the rear. There have been complaints about the noise of patrons, also music breaking out of the venue when the outside area is being accessed. These issues had largely been resolved by restricting access to the outside, and better management control ensuring the door is closed except for access.

Around November 2011 we started to receive complaints from residents to the rear about more constant music breakout, initially thought to be emanating from another premises. Upon investigation it became apparent that the music breakout was emanating from the Lions Lair as a result of structural alterations (which this variation seeks to address).

It would appear that the removal of an internal wall had exposed an acoustically weak ceiling/ roof and possibly some un baffled ventilation. Works have been carried out to the ceiling and a noise limiting device has been fitted to the sound system which has meant that the music has been adequately controlled/ restricted, when the rear door is closed. However over the past few months there have been issues with patron noise with the rear area being used after midnight. The applicant has suggested that these were perhaps issues to do with changing door staff and policy about ejection.

I will have to object to the application as it currently stands but have discussed the application with the applicant at length and propose the following amendments to hours applied for and additional conditions to control the current activities at the premises:

There shall be no increase in hours for regulated entertainment or sale of alcohol on Monday, and Tuesday nights (i.e. to cease at midnight) and the opening hours, sale of alcohol and regulated entertainment applied for cease at 02:00hrs on Wednesday and Thursday nights.

Proposed conditions:

- Music should only be played within the building such that:
  - (i) Noise breakout from the building to the street, or rear outdoor area should not exceed the ambient\* noise levels by more than 3 dB(A) when measured as a 15 minute  $L_{Aeq}$ ;
  - (ii) Noise breakout from the building to the street, or rear outdoor area should not exceed the ambient\* noise levels in any octave band centre frequency by more than 3dB when measured as a 15 minute  $L_{eq}$ ;

\*Where ambient noise level is the  $L_{Aeq, 15 mins}$  in the absence of the specific noise source (breakout from the premises)

- No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiter, the settings of which shall be to the written satisfaction of the Environmental Protection Service.
- The use of the outside area to the rear shall cease at midnight on every day of the week, and staff shall regularly check that the area is not being accessed. *(to replace existing Annex 2 - condition 16. The use of the outside area to cease at: Sunday to Thursday 24:00 hours Friday and Saturday 01:00 hours the following day.*
- Signs shall be put on the rear fire door reminding patrons that the rear area is not in use after midnight and that the door should not be opened after midnight save for emergency purposes.

I'm happy to discuss alternative wording on the sign on the rear door which will achieve the same result and suggest that a check sheet is produced for the regular checks of outdoor area which can be signed and timed. I have checked the current licence and for some reason the opening hours on a Tuesday are 02:30hrs, but all licensable activity should cease at midnight. If you wish to discuss the matter further please call or reply to this email. Please note I shall not pick up my emails until 19th March 2013.

Regards,

Jon.

Jonathan Round  
Environmental Health Officer  
Environmental Protection Service  
Sheffield City Council  
2-10 Carbrook Hall Road  
Sheffield  
S9 2DB

Tel +44 (0)114 273 4658

Fax +44 (0)114 273 6464

Visit us at: <http://www.sheffield.gov.uk/environment/environmental-health>

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# Appendix G



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

Mr Charles Hall  
30 School Green Lane  
Fulwood  
Sheffield  
S10 4GQ

GI

The Sheffield City Council being the licensing authority, on the **7 February 2013** received your application in respect of the premises known as;

**Lions Lair, 31 Burgess Street, Sheffield, S1 2HF**

During the consultation period, the Council received representations from the following authorities/interested parties: Sheffield City Council Environmental Protection Services and three local residents on the likely effect of this application and 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 **11th April 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: 22 March 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.

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

Ms Linda Cooley  
Apartment ■  
58 Pinstone Street  
Sheffield  
S1 2HZ

The Sheffield City Council being the licensing authority, on the **7 February 2013** received an application in respect of the premises known as;

**Lions Lair, 31 Burgess Street, Sheffield, S1 2HF**

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

- **3 No. Local Residents**
- **Sheffield City Council Environmental Protection Service**

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 **11th April 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 (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 22 March 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.

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

Ms Lynne Thomas  
[REDACTED]

6 St. Pauls Parade  
Sheffield  
S1 2JL

The Sheffield City Council being the licensing authority, on the **7 February 2013** received an application in respect of the premises known as;

**Lions Lair, 31 Burgess Street, Sheffield, S1 2HF**

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

- **3 No. Local Residents**
- **Sheffield City Council Environmental Protection Service**

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 **11th April 2013 at 10am**; following which the Council will issue a notice of determination of the application.

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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: 22 March 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.



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

Mr Patrick Carroll  
Apartment [REDACTED]  
Pinstone Chambers  
Sheffield

The Sheffield City Council being the licensing authority, on the **7 February 2013** received an application in respect of the premises known as;

**Lions Lair, 31 Burgess Street, Sheffield, S1 2HF**

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

- **3 No. Local Residents**
- **Sheffield City Council Environmental Protection Service**

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 **11th April 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 (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 22 March 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.

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

Mr Jonathan Round  
Environmental Protection Service  
Sheffield City Council  
2-10 Carbrook Hall Road  
Sheffield  
S9 2DB

The Sheffield City Council being the licensing authority, on the **7 February 2013** received an application in respect of the premises known as;

**Lions Lair, 31 Burgess Street, Sheffield, S1 2HF**

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

- **3 No. Local Residents**
- **Sheffield City Council Environmental Protection Service**

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 **11th April 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 (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 22 March 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.

### 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.

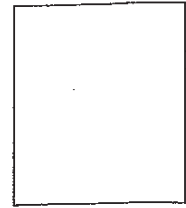
### Procedure at hearing

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.

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## SHEFFIELD CITY COUNCIL Committee Report



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

---

**Date:** 11<sup>th</sup> April 2013

---

**Subject:** Local Government (Miscellaneous Provisions Act) 1982

---

**Author of Report:** Andy Ruston - 2037751

---

**Summary:** Application for a school street trading consent

---

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

---

**Background Papers:** Attached to this report

---

**Category of Report:** Open

---

**REPORT OF THE CHIEF LICENSING OFFICER,**  
**HEAD OF LICENSING TO THE LICENSING SUB COMMITTEE**  
**REF No: 26/13**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

**STREET TRADING – Application for a school street trading consent.**

**CONSENT SITE – Walkley Primary School.**

**1.0 PURPOSE OF REPORT**

1.1 To consider an application for the grant of a consent to street trade at a school.

**2.0 INTRODUCTION**

2.1 The Council as a Licensing Authority have power under the provision of the 1982 Act to regulate Street Trading in the City.

2.2 A Street Trading Consent is required to trade on any Street (which includes roads, footways, forecourts, or other areas to which the public have access) within the Sheffield City Boundary.

2.3 The Licensing Committee at it's meeting of 29<sup>th</sup> January 2002 passed the following resolution:

1. That under the provisions of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982:
  - (a) all streets (which includes roads, footways, forecourts or other areas to which the public have access) within the Sheffield City boundary, shall be designated consent streets and;
  - (b) such street trading designation shall take effect as from the 1<sup>st</sup> April 2002; and
  - (c) all previous designations in relation to street trading will be rescinded as a result of the designation set out above.
2. The effect of this resolution is that from 1<sup>st</sup> April 2002, it will be an offence to engage in street trading in any street or any other place identified in the above resolution without being authorised to do so by consent from the City Council.

2.4 A Local Authority may attach conditions to a Street Trading Consent. The conditions may include conditions to prevent obstruction of the street and danger to persons using the street or nuisance or annoyance.

2.5 A Street Trading Consent may only be granted for a maximum period of twelve months.

2.6 There is no appeal procedure against the refusal or revocation of a consent. An applicant may, however apply for judicial review of the councils decision.

### **3.0 THE APPLICATION**

- 3.1 The applicant is Ronald Wareham and a copy of the application is attached at Appendix 'A'.
- 3.2 The application is to sell Ice Cream and Confectionary.
- 3.3 The application is to trade from a site outside Walkley Primary School. A copy of the location of the site is attached at Appendix 'B'.
- 3.4 A copy of the Council's City Wide Street Trading Quality Specification is attached at Appendix 'C'.

### **4.0 REASONS FOR REFERRAL**

- 4.1 The Licensing Service carried out consultation in 2012, which included consulting existing street trading consent holders with regards to a new Street Trading Policy for the Sheffield area. Following consultation, the proposed policy was presented at a policy meeting on 8<sup>th</sup> November 2012, where the policy was approved. The Policy sets out Sheffield City Councils framework for the management of street trading in the City of Sheffield. The policy document will guide the Licensing Authority when it considers applications for street trading consents. The policy will also inform applicants of the parameters in which the Authority will make decisions and how their needs will be addressed. A copy of the Street Trading Policy can be downloaded via the following link <https://www.sheffield.gov.uk/business-economy/licensing/general-licensing/retail/street-trading.html>.
- 4.2 The above referred to Street Trading Policy specifies at paragraph 3.5.2 that "To be eligible to apply for a school street trading consent, you must hold an ice cream mobile street trading consent". This is because all relevant checks are made to ensure that they have met the Qualitative Criteria and ensures that the applicant is suitable to apply. Therefore the fee for a school street trading consent is at such a low fee. Mr Wareham has requested that consideration be given to his application even though he does not meet the current Street Trading Policy, in that he does not intend to apply for an ice cream mobile street trading consent. The Street Trading Policy also dictates at Appendix 7, City Wide Street Trading Quality Specification that "Motorised vehicles should not be of an age of 5 years or over" Mr Wareham has also requested that consideration be given to the vehicle that he will be using under the consent and whether the vehicle is suitable even though the vehicle is older than 5 years old and does not comply with the City Wide Street Trading Quality Specification referred to in the Street Trading Policy.

The Chief Licensing Officer having considered comments received by the trade regarding the age of the vehicle for ice cream traders feels that an amendment to the policy under delegated powers to set an age limit of ten years for ice cream vans only from date of first registration would be beneficial. Licensees will be given twelve months to meet the criteria

## **5.0 BACKGROUND**

- 5.1 Ronald Wareham submitted an application for a school street trading consent on 19<sup>th</sup> March 2013. Mr Wareham currently does not meet the criteria set out in the above referred to Street Trading Policy, in relation to the requirement to obtain an ice cream mobile street trading consent and the requirement for his vehicle to not be of an age of 5 years or over
- 5.2 Mr Wareham has confirmed that he would like the Licensing Committee to give consideration to his application and as to whether he should meet the criteria set out in the Street Trading Policy.
- 5.3 The applicant has been invited to attend the Licensing Committee hearing. A Copy of the invite is attached at Appendix 'D'.
- 5.4 A copy of the hearing procedure is attached at Appendix 'E'.

## **6.0 FINANCIAL IMPLICATIONS**

- 6.1 If a school street trading consent is granted without the requirement of an ice cream mobile consent the Licensing Service will not recover its costs for administrating and enforcing the terms and conditions of that consent. If members are minded to grant the school street trading consent without an ice cream mobile consent, the Licensing Committee will be required to set a fee to ensure the Licensing Service recovers its reasonable costs.

## **7.0 RECOMMENDATIONS**

- 7.1 That Members consider all the relevant information available and any representations that may be made.
- 7.2 That members accept the new ten year age limit for ice cream vans with 12 months to meet this criteria.
- 7.3 That if members agree to grant the school street trading consent without an ice cream mobile consent, that the fee be set at that of an ice cream mobile consent , which is £236 to allow costs to be recovered.

## **8.0 OPTIONS OPEN TO THE COMMITTEE**

- 8.1 To grant the application for a School Street Trading Consent.
- 8.2 To grant the application in conjunction with the recommendations as set out in paragraph 7.2 and 7.3 above.
- 8.3 To defer the matter for further consideration.
- 8.4 To refuse to grant the application for a School Street Trading Consent.

Steve Lonnia  
Chief Licensing Officer, Head of Licensing  
Staniforth Road Depot



# APPENDIX A

Rec 24628

Licensing Service  
Sheffield City Council,  
Block C, Staniforth Road Depot  
Staniforth Road,  
Sheffield, S9 3HD.  
Tel:0114 2037752 Fax:0114 2734510  
E-mail: [general.licensing@sheffield.gov.uk](mailto:general.licensing@sheffield.gov.uk)  
Website: [www.sheffield.gov.uk](http://www.sheffield.gov.uk)  
Date 28<sup>th</sup> January 2013



Mr Ronald Wareham  
[Redacted]  
Sheffield  
[Redacted]

Reference: LIC/243/streettrading

Dear Sir

**Local Government (Miscellaneous Provisions) Act 1982**  
**Street Trading – Schools – Ice cream**  
**Walkley Primary School**

I refer to the above and your current consent for a school street trading which is due to expire on the 31<sup>st</sup> March 2013.

The Licensing Service consulted with you regards changes to street trading in Sheffield with a new policy, application documents and fees.

The consultation was presented at a policy meeting on the 8<sup>th</sup> November 2012 where it was approved with minor amendments.

School street trading consents are now only permitted if you hold an ice cream mobile consent.

Should you wish to apply for an ice cream street trading consent, you must do so within the new terms and conditions of the policy. The policy can be viewed on our website at [www.sheffield.gov.uk/licensing](http://www.sheffield.gov.uk/licensing) under the heading of street trading or at our Licensing reception at Staniforth Road Depot.

As the Authority will be assessing your application under the new policy, you will be required to submit the following:

- A completed application form.
- The fee of £37.
- 3 colour photographs of the vehicle to be used showing front, back and side.
- Details of the proposed site, including an ordnance survey based map of at least 1:1250 scale (a google map will not be sufficient) clearly identify the proposed trading position. Plans can be obtained from the Licensing Service at a cost of £12 (inc VAT).
- Two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness
- Current passport of the applicant(s).
- Current drivers licence of the applicant(s).



# Local Government (Miscellaneous Provisions) Act 1982

## Application for a School Street Trading Consent

### Notes to Applicant

All questions must be answered unless otherwise stated.  
If relevant questions are not answered, the application will be deemed incomplete and returned to the Applicant.

\*I / \*WE HEREBY APPLY to the Sheffield City Council for the grant of a (school) street trading consent to sell ice cream (\*delete as appropriate).

### A. THE APPLICANT(S)

|     |  | 1 <sup>st</sup> Applicant<br>(Mr/Mrs/Miss/other) | 2 <sup>nd</sup> Applicant<br>(Mr/Mrs/Miss/other) |
|-----|--|--|--|
| Q1  | Full name(s) of the applicant  | RONALD WAREHAM                                   |  |
| Q2  | Applicant(s) permanent private address   | [REDACTED]<br>SHEFFIELD<br>[REDACTED]            |  |
| Q3  | Date of birth  | 22/11/49   |  |
| Q4  | Nationality and place of birth   | BRITISH<br>SHEFFIELD                             |  |
| Q5  | National Insurance No.   | [REDACTED]                                       |  |
| Q6  | Do you have the legal right to work and live in the UK?                        | YES / NO<br>Details:                             | YES / NO<br>Details:                             |
| Q7  | Have you ever been refused a street trading consent in this or any other area? | YES / NO<br>Details:                             | YES / NO<br>Details:                             |
| Q8  | Telephone No   | [REDACTED]                                       |  |
| Q9  | Email address  | —  |  |
| Q10 | Current ice cream mobile consent number  | C12/ST   |  |

## B. COMPANY DETAILS (if applying as a Corporate body)

|     |  |  |
|-----|--|--|
| Q11 | Name   |  |
| Q12 | Registered address   |  |
| Q13 | Registered number  |  |
| Q14 | Telephone number   |  |
| Q15 | Email address  |  |
| Q16 | Please provide details of all Directors (names, addresses, dates of birth and details of any convictions). A separate sheet may be used. |  |

## C. THE VEHICLE

|     |  |   |
|-----|--|---|
| Q17 | Description of vehicle to be used  | FORD TRANSIT                                  |
| Q18 | Registration number  | G181 KWT                                      |
| Q19 | Date of first registration   | 20/12/89                                      |
| Q20 | Last MOT and service   | 24/8/2012.                                    |
| Q21 | Size of vehicle  | Height: 8 FT<br>Width: 10 FT<br>Length: 20 FT |
| Q22 | Items to be sold   | ICE CREAM & CONFECTIONARY                     |
| Q23 | Does the vehicle meet the quality criteria?<br>Your vehicle will be inspected prior to granting a consent. | YES.  |

## D. THE SCHOOL

|     |   |                        |
|-----|---|------------------------|
| Q24 | Name and address of school where you wish to trade: | WALKLEY PRIMARY SCHOOL |
| Q25 | Location of pitch:<br>(include site plan)           | BURNABY CRESCENT       |

## E. CONVICTIONS / CAUTIONS

|  |   |  |                          |
|--|---|--|--------------------------|
| Q26  | Have any of the applicants ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere?<br><br>If the answer is Yes please give full details below: | Applicant 1<br>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |                          |
|  |   | Applicant 2<br>Yes <input type="checkbox"/> No <input type="checkbox"/>            |                          |
| <b>Details of previous convictions and/or cautions</b> |   |  |                          |
|  | <b>Date of Conviction</b>   | <b>Court of Conviction</b>   | <b>Nature of Offence</b> |
|  | <b>Sentence</b>   |  |                          |
|  | <b>Applicant 1</b>  |  |                          |
|  | <b>Applicant 2</b>  |  |                          |

## F. CHECK LIST

The following documents must be attached with this application:

(tick)

|   |                                     |
|---|-------------------------------------|
| The appropriate fee   | <input checked="" type="checkbox"/> |
| Your current passport   | <input checked="" type="checkbox"/> |
| Your current drivers licence  | <input checked="" type="checkbox"/> |
| One other proof of identity, showing your name and current address (recent utility bill, bank statement etc)    | <input checked="" type="checkbox"/> |
| Right to work documentation (if applicable)   | <input type="checkbox"/>            |
| Two colour (recent and identical) passport size photographs signed and dated on the reverse as a true likeness. | <input checked="" type="checkbox"/> |
| Head Teachers written consent   | <input checked="" type="checkbox"/> |
| If trading from private land, written confirmation from the landowner   | <input type="checkbox"/>            |
| Ordnance survey map of at least 1:1250 scale clearly identify the proposed trading position                     | <input checked="" type="checkbox"/> |
| Photographs of the vehicle / unit showing front, side and rear.   | <input checked="" type="checkbox"/> |
| Details of any food hygiene qualifications  | <input checked="" type="checkbox"/> |
| Confirmation that the business has a food hygiene score rating of 3 or more.                                    | <input type="checkbox"/>            |
| Ensure your vehicle meets the qualitative criteria  | <input type="checkbox"/>            |
| Any further information you may wish to submit in support of your application                                   | <input type="checkbox"/>            |



The following documents must be forwarded to us before the grant of your consent:

(tick if enclosed with this application)

|   |  |
|---|--|
| Certificate of insurance in respect of the vehicle / unit                       |  |
| Appropriate vehicle test  |  |
| Public liability insurance (minimum of £2,000,000)                              |  |
| Written confirmation that the vehicle meets the Council's food safety standards |  |
| Waste management contract   |  |
| Declare that you have registered as a food business                             |  |

## G. DECLARATION

### WARNING

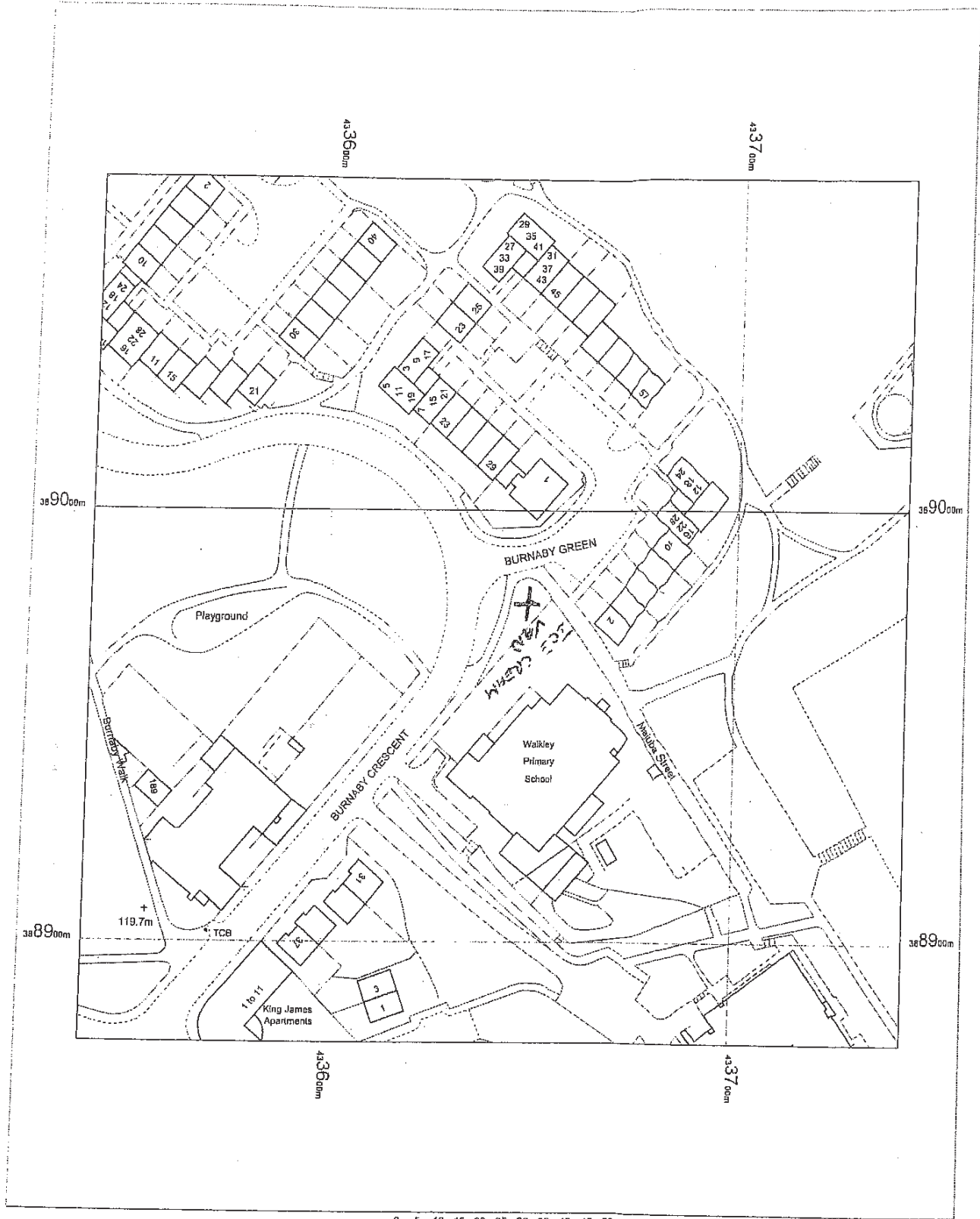
Paragraph 10(3) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 gives the following warning:-

"Any person who, in connection with an application ... for a street trading consent, makes a false statement which he knows to be false, in any material respect, or which he does not believe to be true, shall be guilty of an offence."

I / We,

- declare that all the information I have given in this application is complete and correct;
- declare that I am over 17 years of age (in cases of individual applicants)
- declare I understand and will comply with the Sheffield City Council Street Trading Consent Conditions;
- undertake to pay Sheffield City Council the relevant consent fee in advance whether demanded or not;
- understand that consents are not transferable;
- understand that the Local Authority reserve the right to make further enquiries with South Yorkshire Police as a result of this application as they may consider desirable; and
- understand that giving false information is an offence and may result in prosecution and / or a street trading consent being refused or revoked:

|   |
|---|
| <p><b>Applicant 1</b></p> <p>Signature: <i>R. Wareham</i></p> <p>Print name: <i>RONALD WAREHAM</i></p> <p>Date: <i>30/1/2013</i></p> <p>Capacity: <i>OWNER DRIVER</i></p> |
| <p><b>Applicant 2</b></p> <p>Signature: .....</p> <p>Print name: .....</p> <p>Date: .....</p> <p>Capacity: .....</p>  |



**BURNABY CRESCENT  
S6 2TS**

OS Mastermap  
 01 February 2013, ID: BW1-00204862  
[www.blackwellmapping.co.uk](http://www.blackwellmapping.co.uk)  
 1:1250 scale print at A4, Centre: 433643 E, 388976 N  
 ©Crown Copyright. Licence no. 100041040



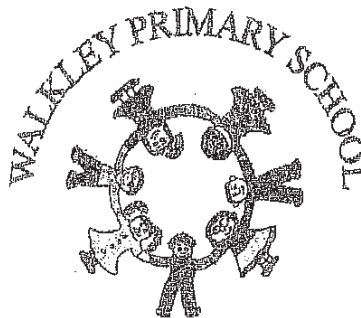
**BLACKWELL'S**  
[www.blackwellmapping.co.uk](http://www.blackwellmapping.co.uk)  
 TEL: 0114 268 7658  
[maps.sheffield@blackwell.co.uk](mailto:maps.sheffield@blackwell.co.uk)

10

Walkley Primary School  
Burnaby Crescent  
Sheffield S6 2RZ

Tel: 0114 2340550  
Fax: 0114 2310553  
Email: [enquiries@walkley.sheffield.sch.uk](mailto:enquiries@walkley.sheffield.sch.uk)  
Web: <http://www.walkleyprimaryschool.org.uk>

Lead Headteacher: Val Sian  
Deputy Head: Sally Whaley



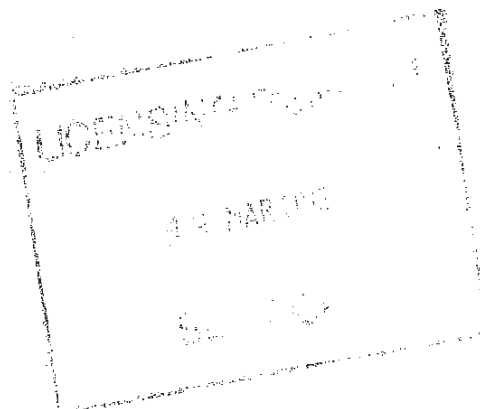
4<sup>th</sup> March 2013

Please accept this letter as confirmation that there are no objections from Mrs V Sian of Walkley Primary School with regards to Mr R Wareham selling ice cream from where the school wall ends on Burnaby Green.

Kind regard

A handwritten signature in cursive script, appearing to read "G. Matthews".

Gill Matthews









**The Distance Learning Organisation for Health Issues**

Healthy Distance Limited certifies that

**ronald wareham**

Has successfully completed the test associated with the

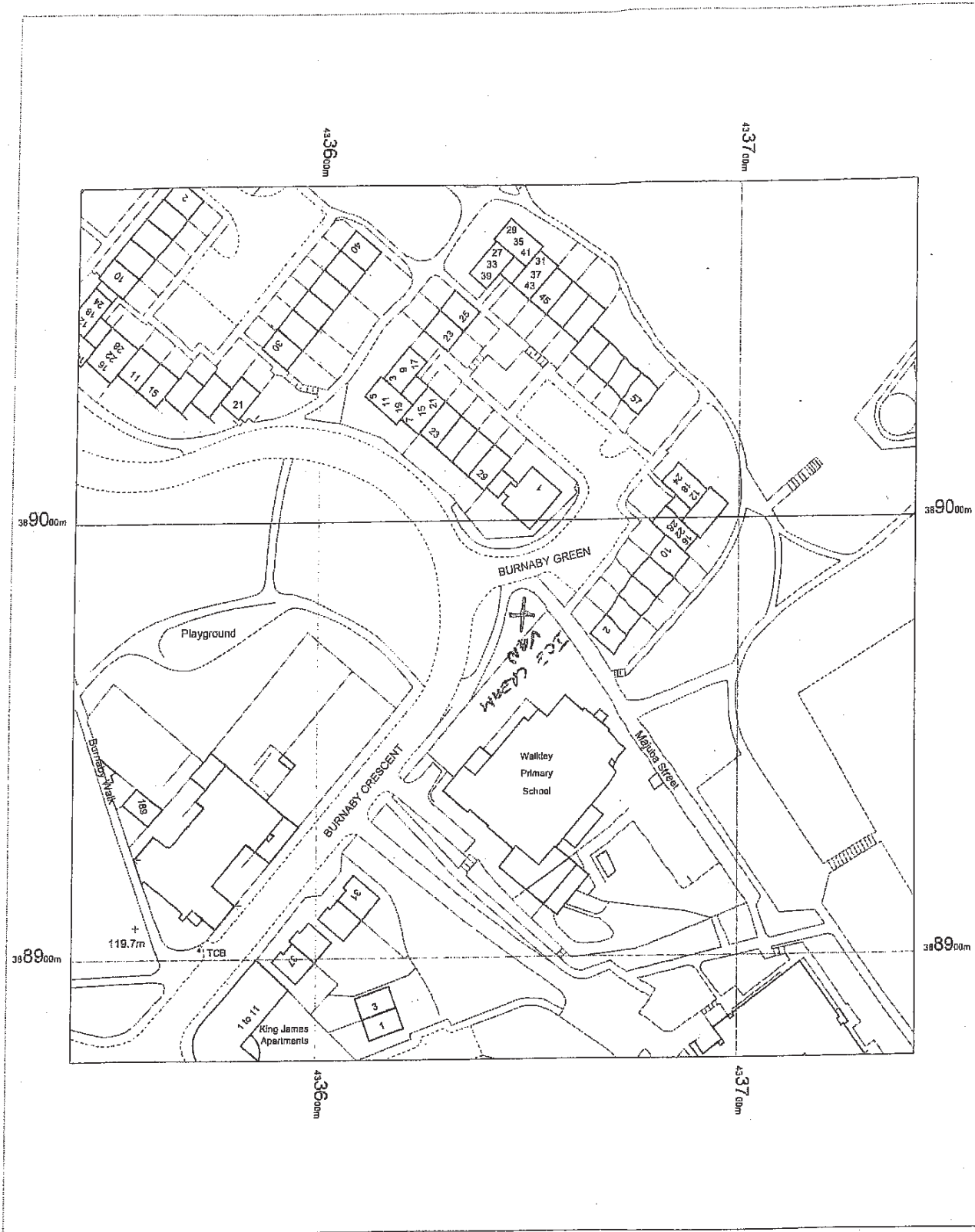
**Basic Food Hygiene Course**

An online training course set at Level 1 as defined in  
The Industry Guides to Good Hygiene Practice

Issued by Healthy Distance Limited Dated: 10th April 2006

# APPENDIX B





**BURNABY CRESCENT  
S6 2TS**

OS Mastermap  
01 February 2013, ID: BW1-00204862  
[www.blackwellmapping.co.uk](http://www.blackwellmapping.co.uk)

1:1250 scale print at A4, Centre: 433643 E, 388976 N

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**BLACKWELL'S**  
[www.blackwellmapping.co.uk](http://www.blackwellmapping.co.uk)

TEL: 0114 268 7658  
[maps.sheffield@blackwell.co.uk](mailto:maps.sheffield@blackwell.co.uk)



# APPENDIX C

**CITY WIDE STREET TRADING  
QUALITY SPECIFICATION**  
(This specification does not include the city centre)

**UNIT DESIGN**

- Good display is an important part of the selling process and top quality presentation encourages purchase and benefits the retailers' reputation.
- It is in the best interest of traders to produce a high quality design both internally and externally in their unit.
- The function of the unit is to identify the trader and add vitality and colour to the immediate area, and reflect the quality, cleanliness in their operation. The unit must contribute to the appearance of the area for good or bad, so design matters to everyone who uses the street, as well as the operator.
- Stalls must enhance the visual appearance of the street rather than detract from it and be constructed in a suitable style and of appropriate materials.

Examples of acceptable designs include:

- Modern, simple, functional stalls with umbrellas, canopies or striped awnings.
- Traditional or 'period' type handcarts, barrows or tricycles.
- The stall design should be fully accessible for all customers.
- The outside of the unit will be limited to the name of the stall, the type of product sold and a simple price list. Ad hoc pictures and advertiser's slogans should be avoided, as should untidy handwritten signs.
- Advertisements on stalls will not be permitted except by permission of the Council in writing and subject to further conditions. The Council shall be the sole judge of what is an acceptable advertisement.
- Sign writing and scrollwork must be finished to a standard acceptable to the City Council.
- The unit must be visually acceptable to the City Council.
- The general design of the unit must meet the requirements of the Council for the location and proposed hours or days of trading. A photograph of the actual unit or proposed model must be submitted on application.
- Bright colours and a sense of fun are encouraged.
- Pitched and curved roofs are encouraged.
- Canopies must be maintained and cleaned.
- No expenditure on units or equipment should be made until the Council has granted consent and the unit design has been approved.

- The internal layout of the unit must be clean and to a high standard.
- Non-motorised vehicles (ie carts/barrows) are encouraged in pedestrian areas. For example shopping areas like Woodseats, Hillsborough, etc.
- Motorised vehicles should not be of an age of 5 years or over.
- Mobile trading vans must have a side hatch to serve customers.
- The unit / vehicle must be clearly identifiable as a trader.

**Environmental Health considerations of the unit design:**

**For Enclosed Food units:**

- The internal arrangements must be such that:
  - There is suitable and sufficient hand washing facilities with hot water;
  - The work surfaces are impervious to water and readily cleansable;
  - There is sufficient compliant temperature controlled food storage facilities appropriate to the business;
  - The gas and electrical installations are certificated and deemed to be safe by a competent and suitably qualified engineer; any gas store cupboard should be outside of the food area;
- The external arrangements must be that the mobile is sufficiently weather and pest proof so as to not risk the contamination of the food.

**For Market-Stall or Street-Barrow type food units:**

- The stall must be covered to prevent the risk of matter falling on to the food;
- The work surfaces likely to be in contact with the food must be impervious to water and readily cleansable;
- Any intrinsic storage food area must be able to be secured against the intrusion by pests;
- If temperature controlled food is to be stored on the mobile, the storage facility shall be capable of maintaining the food in a legally compliant manner;
- That there are adequate hand washing facilities.

**Food Hygiene record (for all food stalls) - all food regulations have been adhered to:**

- The applicant will need to demonstrate that:



- they have registered with their home Local Authority;
- all food handlers have received adequate food safety training appropriate to their job role;
- the food business has a legally compliant Food Safety Management System (e.g. Safer Food, Better Business);
- if there is a history of non-compliance, it has been addressed and accepted by the Food Safety Enforcing Officer, or that the food business is in the process of addressing the issues and the Food Safety Officer does not consider the defect too severe so as to prohibit the food business from trading; and
- their business has a food hygiene rating score of at least 3.

### **DRESS**

- Trader and their assistants must be identifiable (i.e wear a uniform).
- The style of dress worn by stall operators should be chosen to complement the style and period of the unit.
- Over clothing must always be smart and clean. Operators of food stalls should ensure that sufficient changes of clothes are provided so as to enable personnel to always wear over clothing, which is clean.
- Personal cleanliness is also important and persons employed at food stalls are required to have good personal hygiene.

### **GENERAL**

- Vehicles used to tow trailers must be parked legally at all times.
- The Council will reserve the right to not renew any consent where it considers the product/s offered by the operator are not in keeping with the requirements of the site.
- The goods complement and do not conflict with the goods sold by other retailers within their proposed area(s).

**The criteria above are intended to guide applicants for street trading consents as to the type of stall and dress, which the Council is looking to promote as a means of regulating the street trading.**

**It is not intended to exclude any design that does not fall within the examples given.**

# APPENDIX D

19

[REDACTED]

**SHEFFIELD CITY COUNCIL**

**LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982**  
**Street Trading – Walkley Primary School**

**IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING**

To: Mr Ronald Wareham

[REDACTED]  
Sheffield  
[REDACTED]

**LEGISLATION:** Local Government (Miscellaneous Provisions) Act 1982

**LICENCE TYPE:** Street Trading Consent

I refer to the above and your application for the grant of a street trading consent.


This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details will be provided in the report to the Committee which will be sent to you in due course. The Licensing Committee has the authority to decide what action to take in relation to each application.

**The committee has indicated that it expects applicants to attend the meeting.**

The meeting will take place on 11th April 2013 in a Committee Room of the Town Hall, Sheffield (Pinstone Street entrance) and you are invited to attend at 11:00 am.

**PLEASE NOTE:**

I would be grateful if you could confirm that you will be attending the meeting by telephoning the Licensing Office on 0114 2037752.

  
Steve Lonnia  
Chief Licensing Officer  
Head of Licensing

Date: 28th March 2013

**IMPORTANT: A DECISION IS LIKELY TO BE MADE ON THIS ISSUE WHETHER YOU MAKE REPRESENTATION OR NOT.**

Licensing Service, Business Strategy and Regulation, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD  
Telephone 0114 2037752

**The Licensing Service is open from 9.00am to 5.00pm, Monday to Friday**

# APPENDIX E



# STREET TRADING CONSENT APPLICATION

## SUB-COMMITTEE HEARING PROCEDURE

This procedure has been drawn up to assist those parties attending Street Trading Consent Committee hearings.

1. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
2. The Chair will ask the applicants and interested parties to formally introduce themselves.
3. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
4. 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 applicant/consent holder (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.
  - (d) The Chair of the Licensing Committee will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the applicant and/or his/her representative.
  - (e) Consultees / interested parties will be invited to present their representations or elect a spokesperson (which may be a Councillor) to speak on their behalf. New representations must not be raised.
  - (f) The Chair of the Licensing Committee will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the consultees / interested parties.
  - (g) The consultees / interested parties will be invited to sum up. A maximum of 5 minutes will be allowed.
  - (h) The applicant will be invited to sum up. A maximum of 5 minutes will be allowed.
  - (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.
  - (k) Once a decision has been reached, all parties will be invited to return. The Sub-Committee's decision and reasons will be announced by the Chair.
  - (l) The Sub-Committee's decision will be confirmed in writing to the applicant and those parties who made representations.

- 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.

**There is no right of appeal against the Council's decision to refuse to grant or revoke a Street Trading Consent.**

