

Licensing Sub-Committee

Thursday 7 June 2012 at 11.00 am

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

The Press and Public are Welcome to Attend

Membership

**Councillors John Robson (Chair), Neale Gibson and Clive Skelton
Vickie Priestley (Reserve)**

PUBLIC ACCESS TO THE MEETING

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. 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.

FACILITIES

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.

**LICENSING SUB-COMMITTEE AGENDA
7 JUNE 2012**

Order of Business

- 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. Licensing Act 2003**
K-Max Karaoke Bar & Restaurant, 51 Scotland Street, Sheffield S3 7BS

Report of the Chief Licensing Officer

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

You will have a **personal interest** in a matter if it relates to an interest that you have already registered on the Register of Interests; relates to an interest that should be registered but you have not yet done so; or affects your well-being or financial position or that of members of your family or your close associates, to a greater extent than it would affect the majority of people in the ward affected by the decision.

The definition of family is very wide and includes a partner, step-relations, and in-laws. A "close associate" is someone whom a reasonable member of the public might think you would be prepared to favour or disadvantage.

If you have a personal interest you must: declare the existence and nature of the interest at the beginning of the meeting, before it is discussed or as soon as it becomes apparent to you; but you can remain in the meeting, speak and vote on the matter unless the personal interest is also prejudicial.

However, in certain circumstances you may have an **exemption** which means that you might not have to declare your interest.

- You will have an exemption where your interest arises solely from your membership of or position of control/management in a body to which you have been appointed or nominated by the authority; and/or a body exercising functions of a public nature (e.g. another local authority).

In these exceptional cases, provided that you do not have a **prejudicial interest** you only need to declare your interest if you intend to speak on the matter.

- You will have an exemption if your personal interest is simply having received a gift or hospitality over £25 which you registered more than 3 years ago.

When will a personal interest also be prejudicial?

Your personal interest will also be prejudicial if a member of the public who knows the relevant facts would reasonably think the personal interest is so significant that it is likely to prejudice your judgement of the public interest; and

- i. either the matter affects your financial position or the financial position of any person or body through whom you have a personal interest. For example, an application for grant funding to a body on your register of interests or a contract between the authority and that body; or
- ii. the matter relates to the determining of any approval, consent, licence, permission or registration that affects you or any relevant person or body with which you have a personal interest. For example, considering a planning or licensing application made by you or a body on your register of interests.

Exemptions: You will not have a prejudicial interest if the matter relates to:

- i. the Council's housing functions – if you hold a lease or tenancy with the Council, provided that the matter under consideration is not your own lease or tenancy;
- ii. school meals, transport or travel expenses – if you are the parent or guardian of a child of school age, provided that the matter under consideration is not the school the child attends;
- iii. statutory sick pay;
- iv. Members' allowances;
- v. ceremonial honours for Members; or
- vi. setting the Council Tax.

If you have a prejudicial interest, you must:

- (a) Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- (b) Leave the room unless members of the public are allowed to make representations, give evidence or answer questions about the matter. If that is the case, you can also attend to make representations, give evidence or answer questions about the matter.
- (c) Once you have finished making representations, answering questions etc., you must leave the room. You cannot stay in the room whilst the matter is being discussed neither can you remain in the public gallery to observe the vote on the matter. In addition, you must not seek to improperly influence a decision about the matter.

FURTHER INFORMATION

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

Advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email lynne.bird@sheffield.gov.uk

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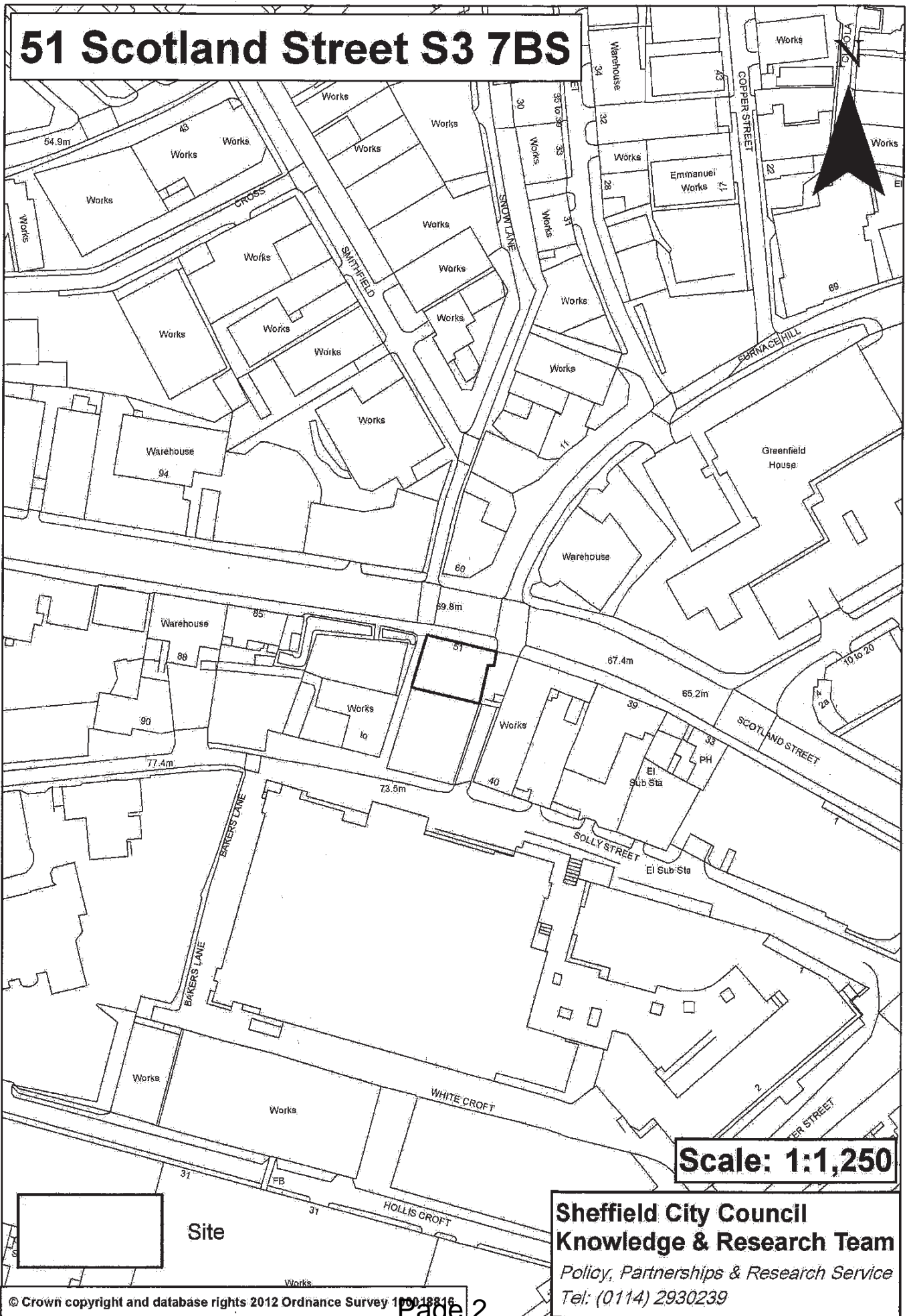


SHEFFIELD CITY COUNCIL Committee Report

4

| | |
|----------------------------|--|
| Report of: | Chief Licensing Officer, Head of Licensing |
| Date: | 7 June 2012 |
| Subject: | Licensing Act 2003 |
| Author of Report: | Andy Ruston |
| Summary: | To consider a Premises Licence Application made under the Licensing Act 2003. |
| Recommendations: | That members carefully consider the representations made and take such steps, as the Committee consider necessary for the promotion of the Licensing Objectives. |
| Background Papers: | Attached documents |
| Category of Report: | OPEN |

51 Scotland Street S3 7BS



Scale: 1:1,250

**Sheffield City Council
Knowledge & Research Team**
Policy, Partnerships & Research Service
Tel: (0114) 2930239

(1)

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

Ref No: 49/12

LICENSING ACT 2003

K-Max Karaoke Bar & Restaurant, 51 Scotland Street, Sheffield, S3 7BS.

1.0 PURPOSE OF REPORT

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

2.0 THE APPLICATION

2.1 The applicant is K-Max Entertainment Project Ltd.

2.2 The application, which was received on 16 April 2012 is attached to this report labelled Appendix 'A'.

3.0 REASONS FOR REFERRAL

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

- Sheffield Safeguarding Children Board Attached at Appendix 'B'
- Local Councillor Attached at Appendix 'C'
- Local Residents Attached at Appendix 'D'

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

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

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

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

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

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

6.0 HEARINGS REGULATIONS

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

7.0 APPEALS

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

8.0 RECOMMENDATIONS

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

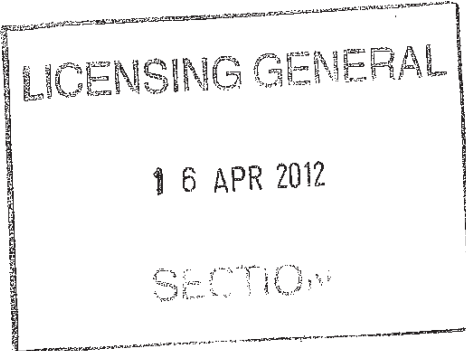
9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1 To grant the premises licence in the terms requested.
- 9.2 To grant the premises licence with conditions.
- 9.3 To reject the whole or part of the application.

Stephen Lonnia
Chief Licensing Officer, Head of Licensing
**Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road,
Sheffield, S9 3GZ.**

Appendix 'A'

Application for a premises licence to be granted 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 ~~NAN WANE~~ K-Max Entertainment Project LTD

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

Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description
K-Max Karaoke Bar & Restaurant.
51. Scotland Street, Sheffield. S3 7BS

Post town Sheffield Post code S3.7BS

Telephone number at premises(if any) 0114 2722203

Non-domestic rateable value of premises £ 13250

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

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

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

(2) Insert name(s) of applicant

- (5)
- c) a recognised club please complete section (B)
 - d) a charity please complete section (B)
 - e) the proprietor of an educational establishment please complete section (B)
 - f) a health service body please complete section (B)
 - g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
 - ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity within the meaning of that Part) in an independent hospital in England please complete section (B)
 - h) the chief officer of police of a police force in England and Wales please complete section (B)

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

Please tick ✓ yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname First names

I am 18 years old or over

Please tick ✓ yes

Current postal address if different from premises address

Post town Post code

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

(6)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post code

Daytime contact telephone number

E-mail address
(optional)

(B) OTHER APPLICANTS

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

Name

K-Max Entertainment project LTD.

Address

*51 Scotland Street, Sheffield
S3 7BS*

Registered number (where applicable)

7909562

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

Company

Telephone number (if any)

0114 2722203

E-mail address (optional)

~~*K-Max*~~ *skykmax@gmail.com*

Part 3 - Operating Schedule

7

When do you want the premises licences to start?

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

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

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

Please give a general description of the premises (please read guidance note 1)

We supply food, drinks, karaoke bar.

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

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What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick ✓ yes

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

Provision of 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)

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

In all cases complete boxes N, O and P

A

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|--|-------|--------|--|
| Plays | | | Will the performance of a play take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| Standard days and timings (please read guidance note 6) | | | |
| Day | Start | Finish | Please give further details here (please read guidance note 3) |
| Mon | | | |
| Tue | | | |
| Wed | | | State any seasonal variations for performing plays (please read guidance note 4) |
| Thur | | | |
| Fri | | | |
| Sat | | | 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) |
| Sun | | | |
| | | | |

B

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|--|-------|--------|--|
| Films | | | Will the exhibition of films take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| Standard days and timings (please read guidance note 6) | | | |
| Day | Start | Finish | Please give further details here (please read guidance note 3) |
| Mon | | | |
| Tue | | | |
| Wed | | | State any seasonal variations for the exhibition of films (please read guidance note 4) |
| Thur | | | |
| Fri | | | |
| Sat | | | 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) |
| Sun | | | |
| | | | |

C

(10)

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|--|-------|--------|---|---|
| Indoor sporting events | | | Please give further details here (please read guidance note 3) | |
| Standard days and timings (please read guidance note 6) | | | | |
| Day | Start | Finish | State any seasonal variations for indoor sporting events (please read guidance note 4) | |
| Mon | | | | |
| | | | | |
| Tue | | | | |
| | | | | |
| 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 | | | | |
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| Sat | | | | |
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| Sun | | | | |
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D

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|--|-------|--------|--|
| 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) |
| Standard days and timings (please read guidance note 6) | | | |
| 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 | | | State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4) |
| | | | |
| Wed | | | |
| 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

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|--|-------|---------------------------|--|
| Live music | | | Will the performance of live music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) |
| Standard days and timings (please read guidance note 6) | | | |
| Day | Start | Finish | Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| Mon | 12:00 | 23:30 02:00 | Please give further details here (please read guidance note 3) |
| | | | |
| Tue | 12:00 | 23:30 02:00 | State any seasonal variations for the performance of live music (please read guidance note 4) |
| | | | |
| Wed | 12:00 | 23:30 02:00 | <i>(see email re: - Cherise NY 17.4.12 NYE (31.12) 12:00-04:00 was no following day)</i> |
| Thur | 12:00 | 23:30 02:00 | |
| Fri | 12:00 | 04:00 | Non-standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5) |
| | | | |
| Sat | 12:00 | 04:00 | |
| Sun | 12:00 | 02:00 | |

F

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|--|-------|--------|--|
| Recorded music | | | Will the playing of recorded music of take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) |
| Standard days and timings (please read guidance note 6) | | | |
| Day | Start | Finish | Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| Mon | 12:00 | 02:00 | Please give further details here (please read guidance note 3) |
| | | | |
| Tue | 12:00 | 02:00 | State any seasonal variations for the playing of recorded music (please read guidance note 4) |
| | | | |
| Wed | 12:00 | 02:00 | <i>As above</i> |
| Thur | 12:00 | 02:00 | |
| Fri | 12:00 | 04:00 | Non-standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times from those listed in the column on the left, please list (please read guidance note 5) |
| | | | |
| Sat | 12:00 | 04:00 | |
| Sun | 12:00 | 02:00 | |

G

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|--|-------|--------|---|
| Performances of dance Standard days and timings (please read guidance note 6) | | | Will the performance of dance take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) |
| Day | Start | Finish | Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| Mon | 12:00 | 02:00 | Please give further details here (please read guidance note 3) |
| Tue | 12:00 | 02:00 | |
| Wed | 12:00 | 02:00 | State any seasonal variations for the performance of dance (please read guidance note 4) |
| Thur | 12:00 | 02:00 | |
| Fri | 12:00 | 04:00 | Non-standard timings. Where you intend to use the premises for the performance of dance entertainment at different times from those listed in the column on the left, please list (please read guidance note 5) |
| Sat | 12:00 | 04:00 | |
| Sun | 12:00 | 02:00 | |
| | | | |

See email Chinese NY 12:00 - 04:00 hrs the 17.4.12 NYE (31.12) following day

H

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|---|-------|--------|--|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6) | | | Please give a description of the type of entertainment you will be providing |
| Day | Start | Finish | Will this entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) |
| Mon | 12:00 | 02:00 | Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| Tue | 12:00 | 02:00 | Please give further details here (please read guidance note 3) |
| Wed | 12:00 | 02:00 | |
| Thur | 12:00 | 02:00 | State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) |
| Fri | 12:00 | 04:00 | |
| Sat | 12:00 | 04:00 | Non-standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times from those listed in the column on the left, please list (please read guidance note 5) |
| Sun | 12:00 | 02:00 | |

As above - email 16/4/12

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|--|-------|--------|---|
| Provision of facilities for making music | | | Please give a description of the facilities for making music you will be providing |
| Standard days and timings (please read guidance note 6) | | | Will the facilities for making music be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) |
| Day | Start | Finish | Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| Mon | 12:00 | 02:00 | Please give further details here (please read guidance note 3) |
| Tue | 12:00 | 02:00 | |
| Wed | 12:00 | 02:00 | State any seasonal variations for the provision of facilities for making music (please read guidance note 4) <i>Chinese NY NYE (31.12) 12:00 - 04:00 hrs the following day</i> |
| Thur | 12:00 | 02:00 | |
| Fri | 12:00 | 04:00 | Non-standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times from those listed in the column on the left, please list (please read guidance note 5) |
| Sat | 12:00 | 04:00 | |
| Sun | 12:00 | 02:00 | |

J

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|--|-------|--------|--|
| Provision of facilities for dancing | | | Please give a description of the facilities for dancing you will be providing |
| Standard days and timings (please read guidance note 6) | | | Will the facilities for dancing be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) |
| Day | Start | Finish | Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| Mon | 12:00 | 02:00 | Please give further details here (please read guidance note 3) |
| Tue | 12:00 | 02:00 | |
| Wed | 12:00 | 02:00 | State any seasonal variations for providing dancing facilities (please read guidance note 4) <i>As above</i> |
| Thur | 12:00 | 02:00 | |
| Fri | 12:00 | 04:00 | Non-standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times from those listed in the column of the left, please list (please read guidance note 5) |
| Sat | 12:00 | 04:00 | |
| Sun | 12:00 | 02:00 | |

K

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| Provision of facilities for entertainment of a similar description to that falling within J or K | | | Please give a description of the type of entertainment facility you will be providing |
| Standard days and timings (please read guidance note 6) | | | Will the entertainment facility be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) |
| Day | Start | Finish | Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| Mon | 12:00 | 02:00 | Please give further details here (please read guidance note 3) |
| Tue | 12:00 | 02:00 | |
| Wed | 12:00 | 02:00 | State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4) As per email Chinese NY 12:00-0400 hrs 17.4.12 NYE (31.12) The following day |
| Thur | 12:00 | 02:00 | |
| Fri | 12:00 | 04:00 | Non-standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within j or k at different times from those listed in the column on the left, please list (please read guidance note 5) |
| Sat | 12:00 | 04:00 | |
| Sun | 12:00 | 02:00 | |

(15)

L

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| Late night refreshment | | | Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) |
| Standard days and timings (please read guidance note 6) | | | |
| Day | Start | Finish | Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| Mon | 23:00 | 02:00 | Please give further details here (please read guidance note 3) |
| Tue | 23:00 | 02:00 | |
| Wed | 23:00 | 02:00 | State any seasonal variations for the provision of late night refreshment (please read guidance note 4) |
| Thur | 23:00 | 02:00 | |
| Fri | 23:00 | 04:00 | Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5) |
| Sat | 23:00 | 04:00 | |
| Sun | 23:00 | 02:00 | |
| | | | |

Chinese NY NYE (31.12) 12:00-04:00hrs the following day

M

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|---|-------|--------|--|
| Supply of alcohol | | | Will the sale of alcohol be for consumption - please tick box <input checked="" type="checkbox"/> (please read guidance note 7) |
| Standard days and timings (please read guidance note 6) | | | |
| Day | Start | Finish | On the premises <input checked="" type="checkbox"/> Off the premises <input type="checkbox"/> Both <input type="checkbox"/> |
| Mon | 12:00 | 02:00 | State any seasonal variations for the supply of alcohol (please read guidance note 4) |
| Tue | 12:00 | 02:00 | |
| Wed | 12:00 | 02:00 | |
| Thur | 12:00 | 02:00 | Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5) |
| Fri | 12:00 | 04:00 | |
| Sat | 12:00 | 04:00 | |
| Sun | 12:00 | 02:00 | |

As above (email 17.4.12).

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

Name **Mr NAN WANG** (15)
 Address **20 Wood End Road, Erdington, Birmingham**
 Post code **B24 8AD**
 Personal Licence number (if known) **5114**
 Issuing licensing authority (if known) **Birmingham city council**

N

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

O

| | | | |
|---|-------|--------|---|
| Hours premises are open to the public | | | State any seasonal variations (please read guidance note 4) |
| Standard days and timings (please read guidance note 6) | | | |
| Day | Start | Finish | |
| Mon | 12:00 | 02:00 | |
| Tue | 12:00 | 02:00 | |
| Wed | 12:00 | 02:00 | |
| Thu | 12:00 | 02:00 | |
| Fri | 12:00 | 04:00 | |
| Sat | 12:00 | 04:00 | |
| Sun | 12:00 | 02:00 | |
| Non-standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) | | | |

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

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

[Empty response box for objective a)

b) The prevention of crime and disorder

We got CCTV

c) Public safety

[Empty response box for objective c)

d) The prevention of public nuisance

noise limited

e) The protection of children from harm

challenge 25

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick 'on the premises', if you wish people to be able to purchase alcohol to consume away from the premises please tick 'off the premises'. If you wish people to be able to do both please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Please tick yes

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

* 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 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 李松芝

Date 16/04/2012

Capacity Director

For joint applications signature of 2nd applicant, 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)

Consent of individual to being specified as premises supervisor

exp:- 19/3/2019.

I [full name of prospective premises supervisor]
NAN WANG

of [home address of prospective premises supervisor]
*20 Wood End Road, Erdington,
Birmingham, B24 8AD*

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

[type of application] *premise Licence*

by

[name of applicant] *K-Max Entertainment Project LTD*

relating to a premises licence

[number of existing licence, if any]

for

[name and address of premises to which the application relates]
51 Scotland Street, Sheffield. S3 7BS

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

[name of applicant] *K-Max Entertainment Project LTD*

concerning the supply of alcohol at

[name and address of premises to which application relates]
51 Scotland Street, Sheffield. S3 7BS

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

| | |
|--|-------------------------|
| Personal licence number | 5114 |
| [insert personal licence number, if any] | |
| Personal licence issuing authority | Birmingham City Council |
| [insert name and address and telephone number of personal licence issuing authority, if any] | |

Signed *Nan Wang*

Name (please print) *NAN WANG*

Date *16/04/2012*

Hollis Georgina (CEX)

From: Hollis Georgina (CEX)
Sent: 17 April 2012 11:21
To: 'goldenmandarin@hotmail.co.uk'
Subject: K-max Karaoke Bar

Importance: High

Dear Mr Wang,

Following our telephone conversation today, please could you confirm that you wish to add Chinese New Years Eve and New Years Eve (31.01) to your application stating the following hours:-

Chinese New Years Eve 12:00 to 04:00 hours the following day
New Years Eve (31.01) 12:00 to 04:00 hours the following day

Please could you respond to me at your earliest convenience so that I can forward this confirmation to the Responsible Authorities.

Kind Regards

Georgina

Georgina Hollis
Licensing Officer
Licensing General Section
Development Services, Place Portfolio
Block C, Staniforth Road Depot
Staniforth Road, Sheffield, S9 3HD.

Telephone: 0114 2734264 / 2734880
Fax: 0114 2735410
Email: georgina.hollis@sheffield.gov.uk www.sheffield.gov.uk

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Hollis Georgina (CEX)

From: Hollis Georgina (CEX)
Sent: 18 April 2012 09:51
To: EPS; Gibbons Sean (DEL); Hague Julie; Jones Angela (DEL); Lobo Rose; Mettam Ian; Paul Webster; Pitts Steven; Planning (E-mail); Police Licensing (E-mail 2); SY Fire; Ward Greg
Subject: FW: K-Max Karaoke Bar, 51 Scotland Street - Additional hours - NYE / Chinese NYE

Hi All,

In relation the above application that you should have received, please see below amendments to hours for licensable activities and operating hours for New Years Eve and Chinese New Years Eve.

Last date for comments = 14/05/2012

Regards

Nina

-----Original Message-----

From: sky Wang [mailto:goldenmandarin@hotmail.co.uk]
Sent: 18 April 2012 00:01
To: Hollis Georgina (CEX)
Subject: Re: K-Max Karaoke Bar, 51 Scotland Street

Dear Miss Georgina

Thank you for your phone and Email to me.

I am totally agree below the timetable.

If you need any morn information please do not hesitate to contact me.

Kind Regads

Mr N Wang

Dear Mr Wang,

Following our telephone conversation today, please could you confirm that you wish to add Chinese New Years Eve and New Years Eve (31.01) to your application stating the following hours:-

Chinese New Years Eve 12:00 to 04:00 hours the following day
New Years Eve (31.01) 12:00 to 04:00 hours the following day

Please could you respond to me at your earliest convenience so that I can forward this confirmation to the Responsible Authorities.

Due to the size of the plan provided with the application, a copy will be available for inspection at the hearing.

25

Appendix 'B'

Hollis Georgina (CEX)

From: Hague Julie
Sent: 13 May 2012 16:35
To: Licensing(General)
Cc: 'Chris Grunert'
Subject: REPRESENTATION: APPLICATION FOR A PREMISES LICENCE - K-MAX KARAOKE BAR & RESTAURANT, 51 SCOTLAND STREET, SHEFFIELD S3 7BS

Attachments: K-Max Karaoke Bar.doc; Proof of Age Scheme Criteria to prevent ADMISSION.doc; K-Max Karaoke cover letter.doc



K-Max Karaoke Bar.doc (135 KB)...



Proof of Age Scheme Criteria t...



K-Max Karaoke cover letter.doc...

For the attention of the Licensing Authority

This e'mailed representation is made in accordance with the agreement with the Licensing Authority on the 18th October 2006 to accept representations by e'mail

Please be informed that I have made a representation in relation to the above application. The representation is submitted to the Licensing Authority and is attached to this e'mail along with related correspondence for the consideration of the Licensing Board.

I will liase with the applicant and try to resolve the issues without the need for a formal hearing and will notify the Licensing Authority of any progress made.

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board

Tel 0114 2736753
julie.hague@sheffield.gov.uk



13.5.12

The Licensing Authority
General Licensing Section
Town Hall
Surrey Street
Sheffield S1 2HH

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children
Board - Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Sirs

APPLICATION FOR A PREMISES LICENCE: K-MAX KARAOKE BAR & RESTAURANT, 51 SCOTLAND STREET, SHEFFIELD S3 7BS

I am writing on behalf of the Sheffield Safeguarding Children Board to make a Representation in relation to the above application. The reason for the Representation is stated below and I would ask the Licensing Authority to consider that, if the application is granted, the proposed conditions should be attached to the premises licence for the Protection of Children from Harm, under The Licensing Act 2003.

I note that if a licence is granted, the premises would operate as an adult orientated entertainment venue where alcohol is on sale from 12noon until 2am the next day Sunday to Thursday and until 4am the next day on Friday and Saturdays. Entertainment is provided in private cubicles with a public bar/waiting area and there is no designated family area or facilities for children and young people.

The application does not include at Section P(e) any restrictions regarding access to children and young people. As the applicant does not state that facilities or entertainment shall be provided that are suitable for children and young people, I am concerned that children would be allowed to remain unrestrictedly at this adult orientated premises when the main trade is for the sale and consumption of alcohol and the provision of entertainment within private cubicles.

In light of the above, I am writing to propose that the following conditions are attached to the licence, if granted by the Licensing Authority:

1. Persons under the age of 18 are not permitted.
2. The Challenge 25 proof of age scheme must be operated in compliance with the multi agency guidance issued by the Safeguarding Children Board, Police and Trading Standards. (I attach a copy for the consideration of the Licensing Board.)
3. All employees, volunteers or entertainers must be aged 18 years or over. A record of each employee's name, address, national insurance number, photograph and date of birth will be retained and these details must be checked and verified by the premises manager or premises licence holder, against other recognised forms of identity (passport; photo-driving licence). These records must be retained at the premises for a minimum of 12 months from

the date of employment and made available to officers of Responsible Authorities on request.

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4. Signage must be displayed at points of entry that persons under the age of 18 are prohibited and that the Challenge 25 scheme operates.
5. Persons re-entering the premises must be subject to the same security and identity checks as customers first entering the premises at any given period of trade.
6. Persons using VIP/Guest passes to access the premises must be subject to the same security and age verification checks as non concessionary customers.

The above conditions would provide a clear and enforceable system to prevent children and young people from accessing this adult venue.

Yours faithfully

JULIE HAGUE
Licensing Project Manager
Sheffield Safeguarding Children Board

Cc The Applicant
Mr Grunert, John Gaunt Solicitors

(29)

**SHEFFIELD MULTI-AGENCY
TACKLING UNDERAGE SALES GROUP**

Criteria for a Recognised Proof of Age Scheme

This guidance was produced by the Sheffield 'Tackling Underage Sales Group', a strategic partnership between the Licensing Authority, City Council Trading Standards, South Yorkshire Police and the Sheffield Safeguarding Children Board. Its purpose is to clearly set out the criteria that licensees and their staff are expected to meet in order to operate a proof of age scheme that is recognised and approved by the authorities in Sheffield.

For a proof of age scheme to be recognised and approved, it must seek to prevent access to persons under the age of 18 to adult premises and/or prevent the sale of all age restricted products, including alcohol, tobacco and adult magazines/publications and must operate the following components:

- **Proof of Age** must be requested if staff suspect that the customer is under the age of 18 years. To assist staff, the 'Challenge 21' rule or similar should be applied. This means that if a customer appears to be under 21 years of age staff must ask them to prove they are over 18. Documents acceptable as proof of age must have a photograph of the holder plus a date of birth, ie passport, driving licence or an ID card featuring the 'PASS' hologram. If the customer cannot prove they are old enough, admission / the sale must be refused.
- **Refusals Register** –when a refusal of admission or ejection is made this must be recorded. Records should include the date and time of the refusal, the product the young person attempted to buy or reason for refusal/ejection, a physical description of the customer and any other significant comments (for example if the incident was reported to the police; customer confrontation). The refusals register should be kept near the door/ till. Refusals registers should be retained made available to the authorities for inspection on request. Refusals records should be regularly checked by the premises management to ensure staff are completing them properly and to help management identify staff training needs.
- **Signage** to publicise the scheme should be prominently displayed throughout the premises, particularly at point of entry and point of sale and in alcohol display areas and around the till. This alerts customers to the fact that they may be asked to prove their age and can help staff to diffuse confrontations by transferring the blame on to the scheme/law. Signage also reminds staff to ask for proof of age.
- **Staff training** – staff should receive induction training prior to starting their duties and refresher training must be delivered regularly. Training records must be maintained and detail: the content of the training*, date, name and qualifications of the trainer, signatures of the trainer and trainee. Training records must also include evidence that the trainee has knowledge/understanding of the training (for example, a test or quiz, completed and signed by the trainee).

***The content of the training must include:** the admission policy; existing licence conditions and how to enforce them; the law in relation to young people and alcohol/ age restricted goods; what are age restricted goods; how to monitor for proxy purchase; the penalties for making an underage sale; how to make a refusal; how to record a refusal; types of acceptable ID and how to check it; the four core objectives of the Licensing Act 2003 and the premises policy for meeting the core objectives to ensure the premises operates legally and responsibly to prevent underage sales or access to children and young people if they are prohibited or restricted.

Please note: Membership of the Responsible Retailer scheme will help you to fulfil this criteria and comply with the Challenge 21 scheme. If you wish to join the scheme contact Greg Ward, Sheffield City Council Trading Standards, (0114) 2736241.

14/05/2012



13th May 2012

Mr C Grunert
John Gaunt Solicitors

BY EMAIL

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children
Board - Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Sirs

**APPLICATION FOR A PREMISES LICENCE: K-MAX KARAOKE BAR & RESTAURANT, 51
SCOTLAND STREET, SHEFFIELD S3 7BS**

Thank you for providing a copy of the above application to the Safeguarding Children Board as the Responsible Authority for the protection of children from harm under the Licensing Act 2003. I am writing to inform you that I have made a representation in relation to the application. Please find enclosed with this letter a copy of the representation for your information.

If you wish to further discuss the representation please contact me on the above number. However, if you are able to agree to the proposed licence conditions for the protection of children from harm, please confirm in writing (email is acceptable) as soon as possible so that the Representation can be withdrawn.

Yours sincerely

JULIE HAGUE
Licensing Project Manager
Sheffield Safeguarding Children Board

Cc Licensing Authority

Appendix 'C'

Hollis Georgina (CEX)

From: Murphy Robert (CLLR)
Sent: 14 May 2012 15:08
To: Licensing(General)
Cc: Rhodes Emma (CEX)
Subject: Objection to Licensing application by K-Max, 51, Scotland Street S3 7BS

Please accept this as an objection from myself to Licensing application by K-Max, 51 Scotland St, S3 7BS Thanks, Rob The site is almost directly opposite Chapel West on the corner of Scotlabd St and Furnace Hill, a 15 apartment chapel conversion completed about 10 years ago. It is a single glazed listed building in a relatively quiet area. A lot of people live within 400 yards of this site including the large blocks Velocity Village, City Point and Metis and smaller blocks Cutlery Works, White Croft Works and Mayfair Court. Total number of apartments approximately 720. But all those blocks are at least 150 yards away - Chapel West is not. It is an area where prostitutes operate and residents advise that this is an issue in the car park at the rear of the block.

It's a formerly industrial area where cultural enterprises are growing up in the old industrial buildings. But many remain unoccupied as do the former licensed premises such as a former pub just further up Scotland Street. Chapel West is a small block on its own - it won't be obvious to customers that they are entering or exiting the premises in a residential area. Quite the opposite is likely - they are unlikely to be familiar with the area in daylight and may think it is effectively in the middle of nowhere where noise is not an issue. Taxi drivers will have dropped off at some of the other bigger blocks but may be unaware of the smaller Chapel West block and behave accordingly. Apart from being opposite the premises, most routes pass the building including the side road Furnace Hill which is a quick route to West bar and the ring road.

Two Chapel West residents objected to the successful 2011 planning application which granted opening to 2330 Sunday to Thursday, midnight Friday and Saturday and later on selected bank holidays and new years. While residents were disappointed I think they accepted that the hours allowed were broadly in line with what might be acceptable opposite a residential block. Even if they were to expect quiet maybe an hour later than they would normally go to bed at night and would have to adjust to it. This application is a completely different proposition requesting a further 2 1/2 hours later midweek and 4 hours later at the weekend.

Blocks in St Vincents and Kelham Island allow thousands of people to live quietly close to the city centre. In many cases they can walk to work and do not need to own a car, helping traffic and pollution issues in the city . There are many younger people who may go for a night out in the noise and chaos of West Street after midnight but the quiet quickly returns as they walk back across Broad Lane to the St Vincent's area. Thousands of people live within 300 yards of West Street but long term residents have been driven out as bars and clubs open to 4am and street noise and anti-social behaviour has become the norm. St Vincents and Kelham Island need more amenities but careful development to keep the special qualities of the formerly industrial areas. More amenities and more people on the streets will help people feel safe and drive away prostitution. But we are talking about concern about safety from darkness to maybe midnight here - not at 4am.

Once the rush hour is over and the commuters have gone, this area is pretty quiet from maybe 7pm. It is an area that police need to monitor due to prostitution but not anti-social behaviour from pubs and clubs. This application, if allowed, will bring with it the potential for noise more than 9 hours later at weekends. Residents are concerned about noise breakout from the building but will have to settle for planning conditions on noise attenuation . Their much bigger concern is the likely behaviour of customers entering and exiting the premises and car and taxi noise, arriving, waiting and leaving. Groups of people are likely to be on the streets waiting for taxis. Are intoxicated people leaving a karaoke bar more likely to carry on singing outside ? Probably. Will smokers chatting outside the bar be enough to disturb people in a single glazed building without sound proofing. Possibly.

Residents are unlikely to be able to take measures to protect themselves from any noise and anti-social behaviour . This received from Urban Design and Conservation in response to a request by

Eamonn Ward, Licensing and Planning support worker to the Green council group :

Dear Mr Ward

Chapel West was refurbished around 10 years ago and was subject to both planning permission and listed building consent at the time. The listed status reflects the buildings special architectural and historic character, a main part of this is the design and appearance of the fenestration.

To replace the existing windows would require listed building consent and planning permission but as they are unique to the style of the building it would be unlikely to get consent.

External noise from a venue i.e. a pub or club would in most cases need to be controlled from the source and this would be up to the owner of that business to provide sufficient detail of sound attenuation measures if it is likely to affect surrounding residents.

I hope this has been of some help.

Kind regards

David Marsh

Business Support Officer

Urban Design & Conservation

Howden House

This area needs to be carefully developed to ensure that residents can live and work happily in or close to the city centre. Plonking a 4am bar in the middle of St Vincent's cannot fit with any plans to carefully develop this area. And the situation that Chapel West residents find themselves in should be fully considered. It is highly likely they will have to live with this with single glazing. It only takes one noise or anti-social behaviour incident to wake you up in a quiet area. If K-Max is allowed to open until 4am, the West St experience suggests the potential for multiple incidents per night at weekends. There must be a likelihood of negative impacts on the other blocks in the area, most of which are on walking and car routes that customers will use. Although is a planning guidance I would point to the City Centre Living Strategy and its goal of managing potential conflict between residential uses and late night venues.

For the reasons stated above I object to this application on the grounds of the prevention of public nuisance and the prevention of crime and disorder.

Appendix 'D'

Bower Claire

From: Johnson, Ruth (L & P - Hartshead) [REDACTED]
Sent: 10 May 2012 14:00
To: Ruston Andy (CEX); Licensing(General)
Subject: K-Max Karaoke Bar & Restaurant, 51 Scotland Street, S3 7BS

Dear Andy

Objection to K-Max Karaoke Bar & Restaurant, 51 Scotland Street, S3 7BS

Please take this as a formal objection to the licensing of K-Max Karaoke Bar & Restaurant; I understand they have made an application to open for the following hours:

- Sunday to Thursday, 12:00 to 02:00 the following day;
- Friday and Saturday, 12:00 to 04:00 the following day; and
- Chinese and UK New Year, 12:00 to 04:00 the following day.

We are objecting to this on the grounds of prevention of public nuisance. We live at Flat [REDACTED] Chapel West – on the first floor directly opposite K-Max.

The area is currently a very residential, quiet area – especially at night. At present, we can leave our bedroom window open at night and sleep undisturbed. If this bar were to open, people would be coming/going at very unsociable hours, and under the influence of alcohol some customers would no doubt be loud and rowdy. Additionally, there would be taxis coming and going constantly to drop off/pick people up – with the late hours this bar would be opening people wouldn't be able to use public transport, and as it serves alcohol it seems unlikely that many people would drive. There would be a lot of extra noise caused by the traffic, and car horns when taxi drivers are alerting people to their presence. The windows in our building are not double glazed, and cannot be altered as it is a listed building – therefore, we rely on the maintenance of the quiet, peaceful area we currently live in. There are children living in the building, I know particularly of a young baby – and families have become accustomed to the residential atmosphere of the area. There is also the concern of customers of the bar dropping litter (e.g. gum wrappers/cigarette ends) outside – which would be just across the road from our building. The bar itself is an eyesore – with a neon red and blue sign in an area with currently has a range of modern and old style architecture which complement each other.

There is a nursery extremely close to K-Max (Breedon House Nurseries, 39 Scotland Street, Sheffield, S3 7BS), and we feel with the extra traffic, and the serving of alcohol – this would be a less pleasant atmosphere for the children. K-Max's opening hours will clash with the nursery's as it's opening from noon.

It also greatly concerns us that if/when we come to wanting to move and sell the property – that it will be a lot more difficult to sell with a bar opposite than it would otherwise have been. We imagine the majority of people would be put off by living so close to a bar; and even if having close by night life appealed, the city centre and West Street with many bars is only a short walk away, so at present there is convenience without the disturbance of having a bar on your doorstep.

I really feel the opening of K-Max would have a detrimental effect on our current, serene, residential area.

Kind regards

Ruth Johnson and Tom Paine
 Flat [REDACTED] Chapel West
 4 Furnace Hill



Sheffield
S3 7AF

Ruth Johnson MPMI
Senior Pensions Administrator

Capita Hartshead
Hartshead House
2 Cutlers Gate
Sheffield
S4 7TL

Tel: [REDACTED]
Fax: [REDACTED]
Email: [REDACTED]
[REDACTED]

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Hollis Georgina (CEX)

From: Chris Johnson [REDACTED]
Sent: 13 May 2012 21:48
To: Licensing(General)
Subject: K-Max Karaoke Bar & Restaurant: Objection to Licensing Application

Dear Sir

I am writing to object to the granting of a licence to permit live and recorded music and the sale of alcohol to K-Max Karaoke Bar & Restaurant at 51 Scotland Street.

I am objecting to the application on the grounds that it would be in contravention to the licensing objective of the prevention of public nuisance.

I jointly own Flat [REDACTED] Chapel West, 4 Furnace Hill, S3 7AF (Scotland Street Methodist Chapel) with my daughter. Since 2009 my daughter has been a permanent, full-time resident there. In the future it is quite likely that I or another member of my family will reside there. Therefore I have a strong interest in ensuring the area remains suitable for residential living. The one bedroom flat is situated on the corner of Furnace Hill and Scotland Street, directly opposite the proposed bar. I estimate the distance between the flat (and the bedroom in particular) and the bar to be about 25 metres. The bar is requesting to be licensed from 12 noon through to 2am or 4am. Thus the very nature of the establishment clearly means that the clientele are likely to be loud and boisterous, particularly as they leave the premises late at night or in the early hours of the morning. The close proximity of the flat and the bar will inevitably lead to anyone sleeping in the flat being disturbed at all times the bar is open, definitely by people coming and going and possibly by the music emanating from the premises. I therefore believe granting a licence to the bar is totally inappropriate for this residential area.

In addition, I think it is important to note that Sheffield City Council published an Action Plan (2004/2005, I believe) for the St Vincent's Area of Sheffield of which the proposed bar and the Chapel West flats are a part. This document was produced "following extensive consultation and Sheffield Cabinet endorsement in December 2004". The council website (<https://www.sheffield.gov.uk/business-economy/licensing/general-licensing/alcohol/licensing-act-2003/information-for-residents.html#whohasasay>) says:

" The Action Plan provides a 10-year vision of the area and will be used by the City Council to guide future development in the area. The Action Plan is a material consideration in determining planning applications in the area bounded by Broad Lane, Tenter Street, Corporation Street to the South and East, Green Lane and Alama Street to the North and Netherhorpe Road to the West." The general tenor of this action plan is to create an area which allows a residential community to thrive – to quote from page 9 of this document "this area has always provided a home to a city centre population". Allowing a Karaoke Bar a licence for the majority of every day is clearly contradictory to Sheffield council's vision.

Furthermore, the council's urban design website specifically discusses a vision for The St Vincent's Quarter (http://sccplugins.sheffield.gov.uk/urban_design/quarters_vincent_vision.htm). It includes the following statements:

"The primary routes within the quarter at Upper Allen Street, Scotland Street, Solly Street will become mixed use streets, providing activity and local amenities for residents, students and workers in the area."

" New green spaces will see this area recreated as an attractive, high density 'garden suburb' within the city centre".

So once again, the locating of a Karaoke Bar in this area with such lengthy licensing hours is clearly contrary to the council's own stated vision.



Taking all these points into consideration, I respectfully ask that this application for a licence is rejected.

Yours sincerely

C J Johnson

Chris Johnson
Whinfell Court
Sheffield S11 9QA

Tel:
Mob:



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Ruston Andy (CEX)

From: Ruston Andy (CEX)
Sent: 02 May 2012 13:26
To: sam whistler
Subject: RE: Licensing objection

Dear Sam Whistler,

Thank you for the below email. I will attach your email as representation to the application and I will contact you again once the period for making representations against the application has ended on 15.5.12.

Regards
Andy Ruston
Senior Licensing Officer
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9.

Telephone: 0114 20 37751 Fax: 0114 20 37750
Email: Andy.Ruston@sheffield.gov.uk

www.sheffield.gov.uk

>*** PLEASE NOTE***

>On the 9th January 2012 the entire Licensing Service will be relocating from the Town Hall to:
>Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3GZ.
>We will be operating a reception service from Staniforth Road and our opening hours will be:
>Monday to Friday - 9:00am till 5:00pm
>Our telephone numbers will remain the same.
>Please make a note of this information if you wish to visit us in the new year.

>
>
Part or all of the information contained in this document may be subject to legal professional privilege and must not be disclosed without the prior consent of Legal & Governance Services. It may be exempt from disclosure by virtue of Section 42 of the Freedom of Information Act 2000 and Para 10, Sch 7 of the Data Protection Act 1998 P Please don't print this e-mail unless you really need to

-----Original Message-----

From: sam whistler [REDACTED]
Sent: 02 May 2012 13:00
To: Ruston Andy (CEX)
Subject: Licensing objection

Dear Mr Ruston,

I would like to make an official objection to the licence application made by the property at 51 Scotland Street, Sheffield, S3 7DB. I apologise that I do not have an official case number for the application, but I was only made aware that they have applied for a licence by another resident in my building. Several residents in our building objected when planning permission was applied for this property, and I believe we will now do everything in our power to object to them obtaining a

licence.

The property in question is to become a late night Kareoke bar and restaurant. They have applied for a licence to play music and serve food and drink up til 02.00 on a weekday, or 04.00 on a weekend.

My objection centers around these vastly innapropriate licence hours for an establishment located opposite a residential building. My main concern is that although the music may not be audible in our building (although I suspect it will be), the noise disturbance outside will be completley unacceptable. Our residential building is an old converted chapel with approximatley 20 flats in it- and sometimes we suffer from noise disturbance from the street because people do simply not realise it is a residential building. Often cars use their horns outside in the early hours, thinking nobody will hear them. As it is a very old building, we also do not benefit from double glazing, and in fact have very large chapel windows. As a result, we have almost no noise insulation from the comings and goings in the street. Normally, this is not a huge problem, but place a noisy bar opposite our building and it will be a very large disturbance for everybody who lives here.

I understand from the application that the bar does not have permission to have a drinking area outside- but people will of course be standing outside smoking, waiting for taxis, and coming and going from the bar. I have no doubt that, as always when intoxicated people are in the street, there will be a great deal of shouting and laughter going on during these times- and that it will keep us awake every night until the closure of the bar. Indeed, I see nothing to stop people staying after closing time, creating a disturbance on the street, and perhaps even causing fights or other criminal activity.

Another concern of mine is the proximity of the bar to a children's nursery on our street about two doors down from the bar- is this really appropriate? Where there are bars, there is broken bottles and glass on the floor, and sometimes vomit- which could cause considerable distress to parents and children using the nursery. As well as on the street, I do not doubt that some of the waste from the bar will end up being thrown over the gate to our building. As stated before, it is not immediatley obvious that this building is residential, so people may do things like this without thinking about any residents.

I propose that all of the above makes this location completley unsuitable for a bar which may be open til 4am. I am in no doubt that the opening of this bar will cause considerable distress to the residents of my building, and anybody who uses the local area. Many of the residents may decide to move, at considerable expense to themselves and the owners of the flats. Although I would prefer the bar does not open at all, I think that more reasonable opening hours for it would be until 23.00 on weekdays, and midnight on weekends. I do not understand why they need to stay open so late- are they a kareoke bar, or a nightclub? Hours like this would not be permitted if they opened a bar on a housing estate, so why would they be permitted directley opposite a block of flats? I would appreciate you taking the concerns of all the residents of our building into account before any decision is made regarding this licence.

Yours,
Sam Whistler
Flat ■
58 Scotland Street
Sheffield
S3 7DB

Hollis Georgina (CEX)

41

From: Alex Morris [REDACTED]
Sent: 14 May 2012 14:00
To: Licensing(General)
Subject: Re: Kmax Karaoke bar licensing application objection

Hi,

Thanks for getting back to me.

Address is Flat 58 Scotland Street, Sheffield, S3 7DB

Regards,

Alex Morris

El 14 May 2012, a las 13:29, "Licensing(General)" <General.Licensing@sheffield.gov.uk> escribió:

- > Hi Alex,
- >
- > I can confirm that your objection has been received.
- >
- > Please could you provide details of your full address.
- >
- > Kind Regards
- >
- > Georgina
- >
- >
- > Georgina Hollis
- > Licensing Officer
- > Licensing General Section
- > Business Strategy & Regulation
- > Block C, Staniforth Road Depot
- > Staniforth Road, Sheffield, S9 3HD.
- >
- > Telephone: 0114 2734264 / 2734880
- > Fax: 0114 2735410
- > Email: georgina.hollis@sheffield.gov.uk www.sheffield.gov.uk
- >
- >
- > Part or all of the information contained in this document may be
- > subject to legal professional privilege and must not be disclosed
- > without the prior consent of Legal & Governance Services. It may be
- > exempt from disclosure by virtue of Section 42 of the Freedom of
- > Information Act 2000 and Para 10, Sch 7 of the Data Protection Act
- > 1998 P Please don't print this e-mail unless you really need to
- >
- >
- > -----Original Message-----
- > From: Alex Morris [REDACTED]
- > Sent: 14 May 2012 12:00
- > To: Licensing(General)



> Subject: Fwd: Kmax Karaoke bar licensing application objection

>

> Please can you confirm that you received this email?

>

> Alex Morris

>

> Inicio del mensaje reenviado:

>

>

>

> De: Alex Morris [REDACTED]

> Fecha: 14 May 2012 10:21:58 GMT+01:00

> Para: "general.licensing@sheffield.gov.uk" <general.licensing@sheffield.gov.uk>

> Asunto: Kmax Karaoke bar licensing application objection

>

>

>

> To whom it may concern;

>

> I'm writing this letter to state my objection to the licensing application from the Karaoke bar opposite my residence. The license that they have proposed requests opening hours outside of the hours stated in the planning application (which I also objected to). I am objecting to this licensing application on the terms that it will be a public nuisance to residents in the area. As I stated on my previous objection to the planning application, the flats within 58 Scotland Street <x-apple-data-detectors://5> are directly opposite this premises and will suffer from noise pollution from the bar, especially as the flats only have single glazing windows, which are not sound proof. Even if the bar is sound proofed internally to prevent the noise of the music from leaking onto the streets, it will not stop the noise of the clientele visiting and leaving the place. With the customers visiting the bar, comes the knock on effect of their method of transport from the bar, ie taxis. With the current licensing application, it's quite probable that at closing time, during the working week I may add, at 02:00am <x-apple-data-detectors://6> there will be a rank of taxis with drunken customers stumbling up and down the street trying to get home. As the customers may not be aware of the nearby residences, it is fair to assume that they will make no effort to lower their volume when out on the streets, having just been singing at the tops of their voices within the bar...

>

> I hope that this conveys my reasons for objection to this application, and paints a picture of the likely aftermath if this application is approved.

>

> Regards,

>

> Alex Morris

>

>

>

>

> This Email, and any attachments, may contain non-public information

> and is intended solely for the individual(s) to whom it is addressed.

> It may contain sensitive or protectively marked material and should be

> handled accordingly. If this Email has been misdirected, please notify the author immediately. If

> you are not the intended recipient you must not disclose, distribute, copy, print or rely on any of

> the information contained in it or attached, and all copies must be deleted immediately. Whilst we

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> nevertheless contain viruses which our anti-virus software has failed to identify. You should

> therefore carry out your own anti-virus checks before opening any documents. Sheffield City

> Council will not accept any liability for damage caused by computer viruses emanating from any

attachment or other document supplied with this e-mail

v
v



Hollis Georgina (CEX)

From: Johnny Tyson [REDACTED]
Sent: 14 May 2012 13:52
To: Licensing(General)
Subject: Objection to licensing - K-Max Karaoke Bar at 51 Scotland Street

Attachments: Scotland_St.pdf



Scotland_St.pdf (31
KB)

FAO: Andy Rushton

Dear Mr Rushton,

Please find attached my letter which I have written to you in relation to the licensing application to the council by K-Max Karaoke Bar at 51 Scotland Street. Could you confirm that you have received this letter?

Yours sincerely,

Mr John R Tyson

Mr Johnny Tyson
Flat [REDACTED]
8 Furnace Hill
Sheffield
South Yorkshire
S3 7AF
[REDACTED]

John R Tyson

Flat 45 Chapel West, 8 Furnace Hill • Sheffield S3 7AF • Phone: [REDACTED]
E-Mail: [REDACTED]

Date: 8th May, 2012

Mr. Andy Rushton
Licensing Service
Block C
Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD

Dear Mr. Rushton

I am writing to you with reference to the licensing application made by K-Max Karaoke Bar & Restaurant, 51 Scotland Street, Sheffield, S3 7BS.

I would like to object to this application in relation to the prevention of public nuisance as I feel there will be increased levels of noise, anti-social behavior and littering in this quiet residential area. In particular, I am concerned about the noise caused by the bar's clientele leaving the premises in between the hours of 11pm to 4am whether by taxi or on foot. All of the routes to and from the premises in question have to pass our residential block, which is a converted chapel with only single glazing so we have very little protection from noise. At present, this not an issue since our area is generally quiet in the evening and at night - but the application is very likely to result in increased noise. In September, my wife and I are due to have a baby and we are concerned the disturbance will cause distress to our new family.

In addition, I object to this application on the grounds of the prevention of crime and disorder. Residents in the Chapel West building already have to deal with prostitutes and their clients in our streets and car park and there have been several incidents of vandalism in the surrounding area recently. I feel that the licensing application is likely to worsen this situation.

We hope you will take these objections into account when making your decision on the licensing application. Please feel free to contact me, if you wish to discuss further my concerns.

Sincerely,

John R Tyson



Ruston Andy (CEX)

From: [REDACTED]
Sent: 23 April 2012 21:25
To: Ruston Andy (CEX)
Subject: 51 Scotland Street, Sheffield, S3 7BS

Dear Mr Ruston

Thank you for your email regarding my concerns about the application for a premises licence by K-Max Entertainment Project Limited at 51 Scotland Street.

Based on the information in your email, I wish to object to the above application in relation to the prevention of public nuisance.

I have included part of my previous email as part of this objection:

I understand that a condition of the licence is that noise must not be heard from inside the building but I am sceptical that this will be achieved.

Furthermore, I am concerned about people making a noise when leaving late at night, especially if alcohol is allowed to be sold on the premises.

We already have a night club in this immediate area that plays very loud music periodically and carries on all night until around 6.00 am on a Sunday.

In addition there is a high proportion of young people who live in the locality, some of whom pass by our window in the small hours without realising that they are being rather too noisy.

With all this in mind, I hope that you can appreciate my concerns about yet another source of annoyance.

Kind regards

Alan [REDACTED]

[REDACTED]
Chapel West
6 Furnace Hill
Sheffield
S3 7AF

(47)

Ruston Andy (CEX)

From: Ruston Andy (CEX)
Sent: 23 April 2012 11:25
To: [REDACTED]
Cc: PlanningEnforcement
Subject: RE: 51 Scotland Street, Sheffield, S3 7BS

Dear Alan [REDACTED]

I refer to the above premises and your email below.

Please note that the Licensing Service does not deal with matters in relation to planning and therefore I am unable to comment in relation to your below concerns with regards to the planning application. I presume my colleagues in planning enforcement will contact you direct to address your concerns.

However the Licensing Service deals with the licensing of venues under the Licensing Act 2003, with regards to the provision of regulated entertainment, such as Karaoke and the sale of alcohol. I am aware that an application for a premises licence under the Licensing Act 2003 has been made by K-Max Entertainment Project Limited on 16.4.12, to cover the above premises. The Licensing Act 2003 dictates that objections can be made to an application for a premises licence during a 28 day period (starting on the day after the application is made), and such objection can be made by an interested party, which includes local residents. As your flat is in close proximity to the above premises, you can if you so wish object to the application for a premises licence for the above premises as an interested party. Please note that an objection to an application must be in relation to one or more of the four licensing objectives, which are the prevention of crime and disorder, the promotion of public safety, the prevention of public nuisance and the protection of children from harm. Should you wish to object to the application you can do so by either writing to the Licensing Service at the address referred to at the bottom of this email, or by emailing me direct. Please note that your objection will need to be received by the Licensing Service by no later than 14.5.12 as failure to do so will mean that your objection will not be valid.

If you require any further assistance regarding the above, please can you contact me either via email or on the telephone number shown below.

regards

Andy Ruston
Senior Licensing Officer
Business Strategy and Regulation
Place Portfolio
Block C, Stan forth Road Depot, Stan forth Road, Sheffield, S9.

Telephone: 0114 20 37751 Fax: 0114 20 37750
Email: Andy.Ruston@Sheffield.go.auk

www.Sheffield.go.auk

***** PLEASE NOTE*****

On the 9th January 2012 the entire Licensing Service will be relocating from the Town Hall to:

**Block C, Stan forth Road Depot, Stan forth Road,
Sheffield, S9 PHD.**

Ruston Andy (CEX)

From: [REDACTED]
Sent: 22 April 2012 20:21
To: Ruston Andy (CEX); PlanningEnforcement
Subject: 51 Scotland Street, Sheffield, S3 7BS
Attachments: DSCF4277.JPG

[REDACTED]
Chapel West
6 Furnace Hill
Sheffield
S3 7AF
22nd April 2012

Dear Sir/Madam

I write to you with regard to your letter ref. 11/02505/FUL dated 12 September 2011.

In the letter you refer to the proposal for the use of premises for class A3/A4 purposes at 51 Scotland Street Sheffield S3 7BS.

These premises are close to our flat which is near the corner of Scotland Street and Furnace Hill.

After I received the letter I did not view the planning application before the deadline for comments, but I now wish that I had. Although the conversion of the building into a karaoke bar and restaurant is now almost complete I feel that I must comment on the situation.

The sign that has been erected on front of the building is very unsightly, especially at night when it is lit up to reveal garish colours. I take it that someone from planning has seen the sign and I wonder what the judgement is. I have attached a photograph of the front of the building.

I understand that a condition of the planning is that noise must not be heard from inside the building but I am sceptical that this will be achieved. Furthermore, I am concerned about people making a noise when leaving late at night, especially if alcohol is allowed to be sold on the premises.

We already have a night club in this immediate area that plays very loud music periodically and carries on all night until around 6am on a Sunday. In addition there is a high proportion of young people who live in the locality, some of whom pass by our window in the small hours without realising that they are being rather too noisy.

With all this in mind, I hope that you can appreciate my concerns about yet another source of annoyance.

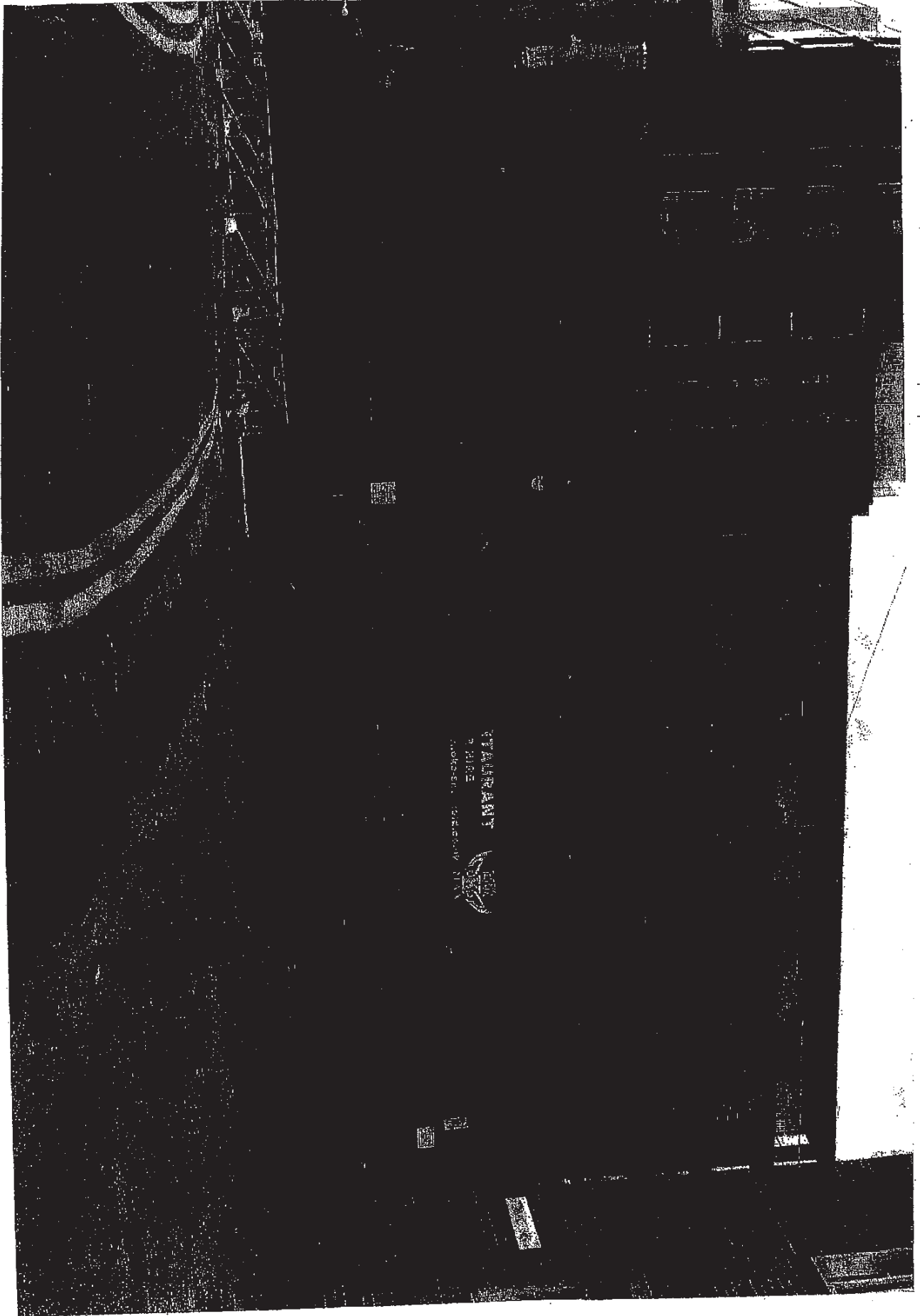
Can you offer me assurance that any disturbance caused by the new karaoke bar will be dealt with promptly and effectively?

26/04/2012



Best regards

Alan 



Ruston Andy (CEX)

From: [REDACTED]
Sent: 11 May 2012 15:52
To: Ruston Andy (CEX)
Subject: 51 Scotland Street Sheffield S3 7BR

Dear Mr. Ruston

Further to my previous email regarding my objection to the issue of a license for the karaoke bar, I wish to add to this objection on the basis of prevention of crime and disorder, promotion of public safety, and protection of children from harm.

I am doing this because I feel these issues are very important and I hope that it may strengthen my case.

Best regards

Alan Lewis



& Governance Services. It may be exempt from disclosure by virtue of Section 42 of the Freedom of Information Act 2000 and Para 10, Sch 7 of the Data Protection Act 1998

P Please don't print this e-mail unless you really need to

From: Jonathan [REDACTED]
Sent: 25 April 2012 16:34
To: Ruston Andy (CEX)
Subject: Re: Karaoke Bar, Scotland Street, Sheffield

Hi Andy

Many thanks for the email.

I would formally like to object to the application on the grounds of noise nuisance.

I would be grateful if you could acknowledge safe receipt

Thanks and kind regards

Jonathan

This E-Mail and its contents may be confidential. Access is only authorised by the intended recipient. The contents of this e-mail may not be disclosed to, or used by, anyone other than the intended recipient, or stored or copied in any medium. If you are not the intended recipient, please advise the sender immediately. ask4 Ltd. Registered in England & Wales with company number 3980594. Registered Address: Devonshire Green House, 14 Fitzwilliam Street, Sheffield, S1 4JL

On 25 Apr 2012, at 09:30, Ruston Andy (CEX) wrote:

Dear Jonathan,

I refer to the above premises and your email below.

An application for a premises licence under the Licensing Act 2003 has been made by K-Max Entertainment Project Limited on 16.4.12, to cover the above premises. The Licensing Act 2003 dictates that objections can be made to an application for a premises licence during a 28 day period (starting on the day

53

after the application is made), and such objection can be made by an interested party, which includes local residents. As your flat is in close proximity to the above premises, you can if you so wish object to the application for a premises licence for the above premises as an interested party. Please note that an objection to an application must be in relation to one or more of the four licensing objectives, which are the prevention of crime and disorder, the promotion of public safety, the prevention of public nuisance and the protection of children from harm. Should you wish to object to the application you can do so by either writing to the Licensing Service at the address referred to at the bottom of this email, or by emailing me direct. Please note that your objection will need to be received by the Licensing Service by no later than 14.5.12 as failure to do so will mean that your objection will not be valid.

If you require any further assistance regarding the above, please can you contact me either via email or on the telephone number shown below.

regards

Andy Ruston

Senior Licensing Officer

Business Strategy and Regulation

Place Portfolio

Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9.

Telephone: 0114 20 37751

Fax: 0114 2037750

Email: Andy.Ruston@sheffield.gov.uk

www.sheffield.gov.uk

***** PLEASE NOTE *****

On the 9th January 2012 the entire Licensing Service will be relocating from the Town Hall to:

Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3GZ.

We will be operating a reception service from Staniforth Road and our opening hours will be:

Monday to Friday - 9:00am till 5:00pm

Our telephone numbers will remain the same.

Please make a note of this information if you wish to visit us in the new year.

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P Please don't print this e-mail unless you really need to

From: Jonathan [REDACTED]
Sent: 25 April 2012 09:18
To: Ruston Andy (CEX)
Subject: Karaoke Bar, Scotland Street, Sheffield

Hello,

My name is Jonathan [REDACTED] Chapel West, Scotland Street, Sheffield.

I understand that the above named venue has applied for an alcohol and entertainment licence. I am writing to express my concerns as I believe that bar would cause significant nuisance to residents in the Chapel West building, the Velocity residential building and the Metis Building, all of which are in close proximity to the front or rear of the venue. As it is karaoke bar I am particularly concerned about sound escape and about noise from customers arriving or leaving the venue late at night.

There are already issues regarding sound escape from the CADS buildings on Smithfield which are similar industrial buildings that have been converted for entertainment use, without proper consideration to sound insulation, and I am concerned that the Karaoke Bar will be a similar and more proximate nuisance, beyond what could be considered reasonable.

I would ask that potential for public nuisance to be considered in reviewing the application.

Thanks and kind regards

Jonathan

Appendix 'E'

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

John Gaunt and Partners
Omega Court
372-374 Cemetery Road
Sheffield
S11 8FT.

The Sheffield City Council being the licensing authority, on the **16 April 2012** received an application in respect of the premises known as **K-Max Karaoke Bar & Restaurant, 51 Scotland Street, Sheffield, S3 7BS.**

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

- Sheffield Safeguarding Children Board
- Local Councillor
- Local Residents

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **7 June 2012 at 11am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 18/5/12

Signed: 

The officer appointed for this purpose
Licensing Officer, Place Portfolio

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



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

Julie Hague
Sheffield Safeguarding Children Board
Licensing Project
Floor 2
Redvers House
Union Street
Sheffield
S1 2JQ

The Sheffield City Council being the licensing authority, on the **16 April 2012** received an application in respect of the premises known as **K-Max Karaoke Bar & Restaurant, 51 Scotland Street, Sheffield, S3 7BS.**

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

- Sheffield Safeguarding Children Board
- Local Councillor
- Local Residents

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **7 June 2012 at 11am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 18/5/12

Signed: 

The officer appointed for this purpose
Licensing Officer, Development Services

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

To; Councillor Robert Murphy

The Sheffield City Council being the licensing authority, on the **16 April 2012** received an application in respect of the premises known as **K-Max Karaoke Bar & Restaurant, 51 Scotland Street, Sheffield, S3 7BS.**

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

- Sheffield Safeguarding Children Board
- Local Councillor
- Local Residents

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **7 June 2012** at **11am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 18/5/12

Signed: 

The officer appointed for this purpose
Licensing Officer, Development Services



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

To: The Objector

The Sheffield City Council being the licensing authority, on the **16 April 2012** received an application in respect of the premises known as **K-Max Karaoke Bar & Restaurant, 51 Scotland Street, Sheffield, S3 7BS.**

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

- Sheffield Safeguarding Children Board
- Local Councillor
- Local Residents

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **7 June 2012 at 11am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 18/5/12

Signed: 

The officer appointed for this purpose
Licensing Officer, Development Services

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

(60)

Appendix 'F'



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

John Gaunt and Partners
Omega Court
372-374 Cemetery Road
Sheffield
S11 8FT.

The Sheffield City Council being the licensing authority, on the **16 April 2012** received an application in respect of the premises known as **K-Max Karaoke Bar & Restaurant, 51 Scotland Street, Sheffield, S3 7BS.**

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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 **7 June 2012** at **11am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 18/5/12

Signed: 

The officer appointed for this purpose
Licensing Officer, Place Portfolio

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

Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

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

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

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

Form LAR 1
Regulation 8

Notice of actions following receipt of notice of hearing

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

Of John Gaunt and Partners
Omega Court
372-374 Cemetery Road
Sheffield
S11 8FT.

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

- I intend to attend the hearing
- I do not intend to attend the hearing
- I intend to be represented at the hearing by:
- I do not intend to be represented at the hearing by:
- I consider the hearing to be unnecessary because:
- I request that should appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

Dated: Signed:

Please complete this form and return it to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD. Please see Regulation 8 overleaf

Regulation 8

- (1) A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating –
- (a) whether he intends to attend or be represented at the hearing;
 - (b) whether he considers a hearing to be unnecessary
- (2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.

- (3) In the case of a hearing under –
- (a) section 48(3)(a) (cancellation of interim authority notice following police objection), or
 - (b) section 105(2)(a) (counter notice following police objection to temporary event notice),

the party shall give the notice no later than one working day before the day or the first day on which the hearing is to be held.

- (4) In the case of a hearing under –
- (a) section 167(5)(a) (review of premises licence following closure order),
 - (b) paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence), paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
 - (c) paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence),

the party shall give the notice no later than two working days before the day or the first day on which the hearing is to be held.

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

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