

Licensing Sub-Committee

Tuesday 30 July 2013 at 10.00 am

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

The Press and Public are Welcome to Attend

Membership

**Councillors John Robson (Chair), Nikki Bond and Philip Wood
Stuart Wattam (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
30 JULY 2013**

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. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Licensing Act 2003 - Shell Crest, 320 Handsworth Road, Sheffield S13 8TA**
Report of the Chief Licensing Officer

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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

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

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

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

You **must**:

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

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

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

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

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

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

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in

land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or

- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

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

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

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

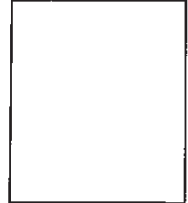
To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's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

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

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**SHEFFIELD CITY COUNCIL
Licensing Sub Committee
Report**



Report of: Chief Licensing Officer, Head of Licensing

Date: 30th July 2013

Subject: Licensing Act 2003

Author of Report: Matt Proctor

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

Shell Crest, 320 Handsworth Road, Sheffield, S13 8TA

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

Background Papers: Attached documents

Category of Report: OPEN

LICENSING ACT 2003

Shell Crest, 320 Handsworth Road, Sheffield, S13 8TA

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a premises licence made under section 17 of the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is Shell UK Oil Products Limited.

2.2 The application, which was received on 21st May 2013, is attached to this report labelled Appendix 'A'. Any blank pages have been omitted to save paper, but the original application will be available at the hearing.

3.0 REASONS FOR REFERRAL

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

a) Members of the Public – 2 Objections / Representations - Appendix 'B'

3.2 The applicant has contacted the objectors directly with an offer of mediation in the form of reducing the hours of sale for alcohol. Pages B3-B4 refer. At the time of writing the report no response had been received from the objectors.

3.3 The applicant and public objectors have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'C'.

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

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

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

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

6.0 HEARINGS REGULATIONS

6.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.

6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'C'.

6.3 Attached at Appendix 'C' 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 Sub 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

30th July 2013

Appendix A

The Application

Rec. 26717
Chg. 703823 AI

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We SHELL UK OIL PRODUCTS LIMITED
(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description SHELL CREST 320 HANDSWORTH ROAD			
Post town	SHEFFIELD	Post code	S13 8TA
Telephone number at premises (if any)	01142 691084		
Non-domestic rateable value of premises	£32500		

Part 2 - Applicant Details

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

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

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital 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)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

Name	SHELL UK OIL PRODUCTS LIMITED
Address	SHELL CENTRE LONDON SE1 7NA
Registered number (where applicable)	3625633
Description of applicant (for example, partnership, company, unincorporated association etc.)	PRIVATE LIMITED COMPANY
Telephone number (if any)	0207 9341234
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	9	06 2013

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

Day	Month	Year

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

SEE ATTACHED OVERVIEW.

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

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

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- | | |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) THE PROVISION OF HOT PIES, SAVOURIES, SOUP, HOT DRINKS ETC CONSISTENT WITH A TAKEOUT SERVICE FOR CONSUMPTION ON OR OFF THE PREMISES.		
Mon	23.00	05.00			
Tue	23.00	05.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	23.00	05.00			
Thur	23.00	05.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Fri	23.00	05.00			
Sat	23.00	05.00			
Sun	23.00	05.00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	00.00	24.00			
Tue	00.00	24.00			
Wed	00.00	24.00			
Thur	00.00	24.00			
Fri	00.00	24.00			
Sat	00.00	24.00			
Sun	00.00	24.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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

Name GREG PAUL FEE	
Address 84 TWENTYWELL LANE DORE SHEFFIELD	
Postcode	S17 4QE
Personal Licence number (if known) SY 4631 PER	
Issuing licensing authority (if known) SHEFFIELD 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)

NONE

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	00.00	24.00	
Tue	00.00	24.00	
Wed	00.00	24.00	
Thur	00.00	24.00	
Fri	00.00	24.00	
Sat	00.00	24.00	
Sun	00.00	24.00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (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)

SEE ATTACHED SHEET.

b) The prevention of crime and disorder

SEE ATTACHED SHEET.

c) Public safety

SEE ATTACHED SHEET.

d) The prevention of public nuisance

SEE ATTACHED SHEET.

e) The protection of children from harm

SEE ATTACHED SHEET.

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

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

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals book will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A Challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits will be located behind the counter.

b) The prevention of crime and disorder.

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

Spirits will be located behind the counter.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

c) Public Safety.

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

d) Prevention of public nuisance.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

e) The protection of children from harm.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals book will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A Challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits will be located behind the counter.

Please tick yes

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

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	<i>M. J. H. P.P. Lockett + Co</i>
Date	20 TH MAY 2013
Capacity	LOCKETT & CO - DULY AUTHORISED AGENTS

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

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

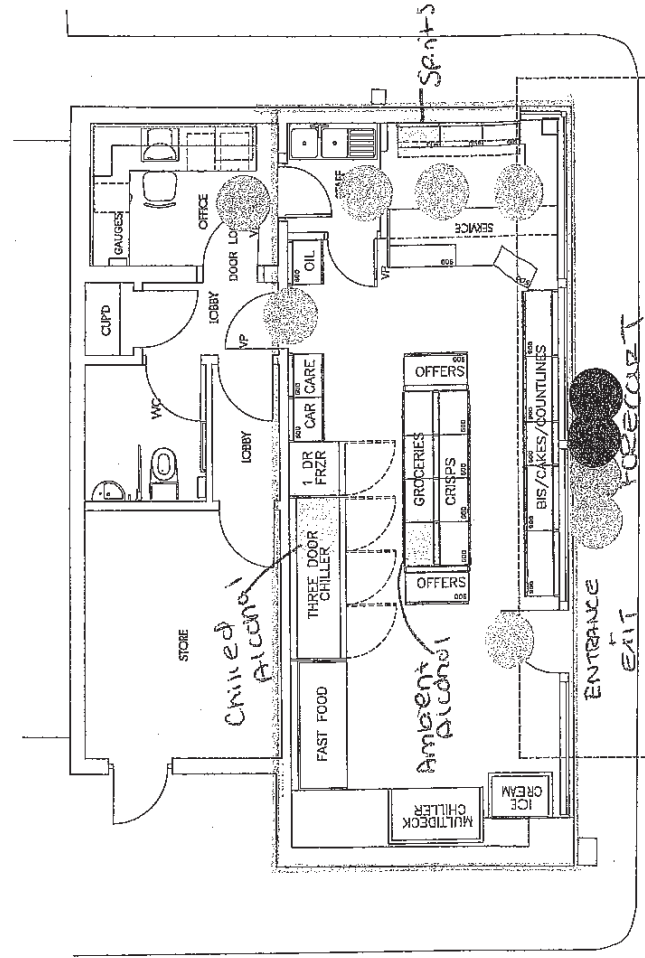
LOCKETT & CO
LOCKETT HOUSE
13 CHURCH STREET

Post town	KIDDERMINSTER	Post code	DY10 2AH
Telephone number (if any)	01562 864488		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) info@lockett.uk.com			

Notes for Guidance

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

Display of alcohol is to be permitted throughout the store, spirits to be located only behind the counter.



Key:

- Fire extinguisher.
- CCTV.
- Fire bucket.
- Area to be licenced for the sale of alcohol for consumption off the premise and LNR.

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SALES BUILDING-GROUND FLOOR PLAN	
SHELL CREST SHEFFIELD	
SHEFFIELD	
SHEFFIELD	
SHEFFIELD	
DATE	001/09/07
SCALE	SIX
NO	001

Consent of individual to being specified as premises supervisor

I, GREGORY PAUL FEE
[full name of prospective premises supervisor]

of TWENTYWELL LANE DORE SHEFFIELD, S17 4QE
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for NEW PREMISES LICENCE APPLICATION FOR THE SALE OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES AND LWR
[type of application]

by SHELL UK OIL PRODUCTS LIMITED
[name of applicant]

relating to a premises licence: / [number of existing licence, if any]

or SHELL CREST, 320 HANDSWORTH ROAD, SHEFFIELD
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by: SHELL UK OIL PRODUCTS LIMITED
[name of applicant]

concerning the supply of alcohol at:

SHELL CREST, 320 HANDSWORTH ROAD SHEFFIELD
[name and address of premises to which application relates]

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

Personal licence number: SY. 4631 Per [insert personal licence number, if any]

Personal licence issuing authority: Sheffield City Council, Block C, Spinkfield Road Dept, Spinkfield Road, Sheffield, S9 3RD, Tel: 0114 273 4264
[Insert name and address and telephone number of personal licence issuing authority, if any]

Signed GPF

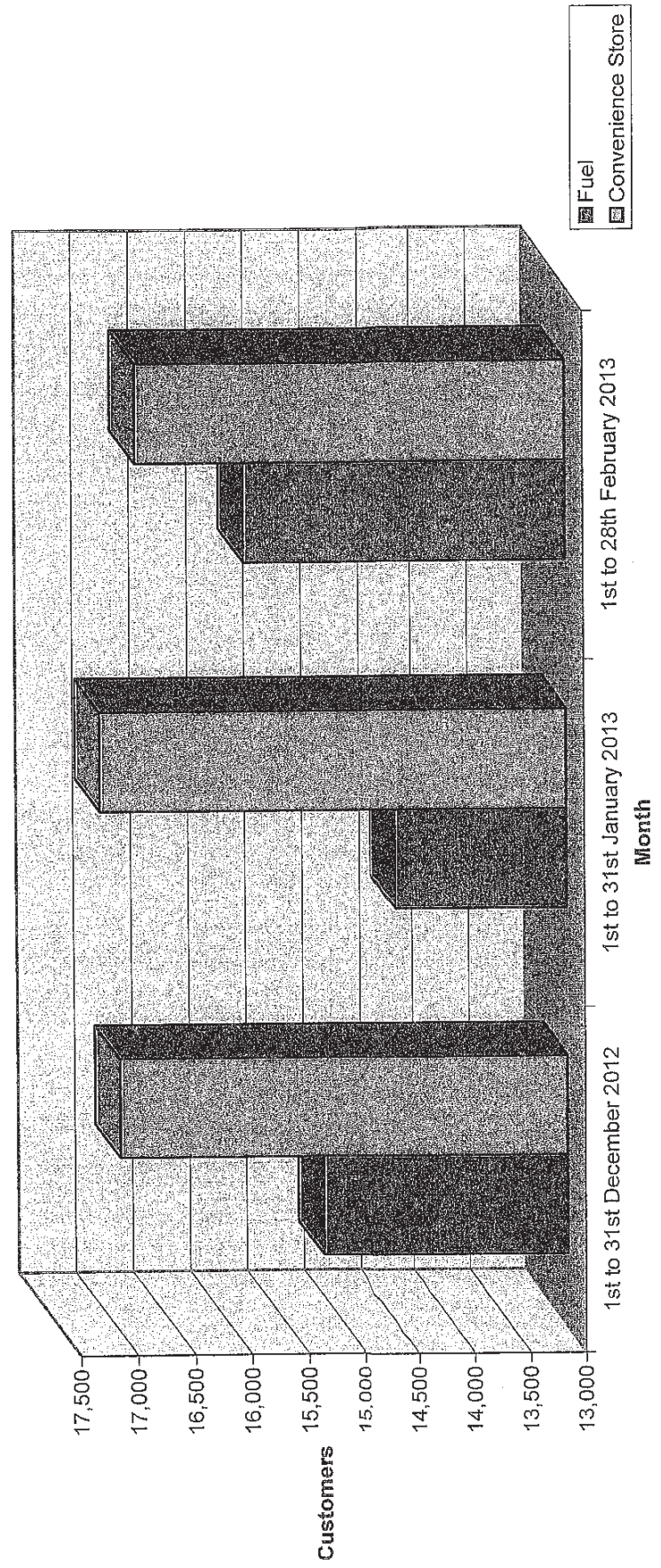
Name (please print) GREGORY FEE

Dated 20/5/13

Date of Birth 24/06/64

Place of Birth MARLIFAX, W. YORKS

Analysis of Intensity of Use
Shell Crest, 320 Handsworth Road, Sheffield, S13 8TA.
1st December 2012 to 28th February 2013 incl.



Analysis of Intensity of Use.

Shell Crest, 320 Handsworth Road, Sheffield, S13 8TA.

1st December 2012 to 28th February 2013 incl.

	Fuel	Convenience Store	Total
1st to 31st December 2012	15,206	16,984	32,190
1st to 31st January 2013	14,532	17,142	31,674
1st to 28th February 2013	15,879	16,826	32,705
TOTAL	45,617	50,952	96,569

**General description supplementary to the premises licence
application for:**

**SHELL UK OIL PRODUCTS LIMITED
SHELL CREST
320 HANDSWORTH ROAD
SHEFFIELD
S13 8TA**

Contents:

- **Convenience Store overview.**
- **Due Diligence overview.**

Convenience Store Overview.

This is a well established convenience store site. It is operated by the retailer Greg Fee, trading under SHELL with ancillary fuel sales. There are 8 pumps located on the forecourt. There are no facilities on site for the maintenance and/or sale of motor vehicles.

The Convenience Store.

The convenience store has a retail area of approximately 480 sq ft. The purpose built store has been designed to serve both the local community along with passing trade. The convenience store operates 24 hours, seven days per week under the company's own format. The store stocks a range of fresh foods and dairy produce, groceries and other domestic products and also offers 'express' lunch and coffee facilities. In addition dry fuel products such as BBQ charcoal/kindling/logs are available. Off sales are a standard and expected feature of the convenience store service.

The Operation.

The convenience store is operated by the Manager, assisted by a team of full and part time staff. The Designated Premises Supervisor, is trained and certified through an accredited scheme and is responsible for training all staff-utilising the Lockett & Co Due Diligence pack-and keeping complete training records. The Challenge 25 trading initiative is used supported by the refusals system with records kept in the Refusals Log.

Security.

The internal and external digital CCTV system benefits from a recorder with 28 day image retention. Recordings can be made available to Police and other enforcement agencies as needed. The convenience store operates at closed door policy between the hours of 23.00 and 05.00 seven days per week with all service taking place through the night hatch.

LOCKETT & CO DUE DILIGENCE PACKAGE.

Our due diligence package consists of the following:

1. A Premises Licence Manual:

This consists of all the relevant information you will need regarding your premises licence and what the requirements are under the Licensing Act.

2. Staff Training Manual:

This manual is designed so that you can carry out in house training of all your staff on a regular basis, ensuring that all staff know their legal duties, what the requirements are under the Licensing Act and the penalties if the law is not adhered to.

3. Premises Refusals Log:

This log is where your staff will record any refused sales to customers (for example if they are underage, did not have any ID, etc). This log allows all refusals to be kept in one place. If the Police or Trading Standards ask if you are making the correct ID checks and refusing sales to anyone who is under 18 years of age, you have documented evidence to prove you have been compliant.

If a customer comes into your premise, and you refuse a sale of alcohol or age restricted product, you will need to record this information in this log, including date, time, person who refused service and why.

4. Premises Incident Log:

This log is where your staff will record any incidents that occur in your premises (for example theft, non payment for service, violence, etc).

If any of these incidents or any other relevant incidents occur, you will need to record them in the incident log including details of the event, who was involved, date, time and any other applicable information.

5. Refusals Cards (per 1000 for alcohol):

The cards are for your staff members to give out to customers when they are refused service when trying to purchase alcohol, telling them why they were refused. The use of the card can assist in reducing potential confrontation.

If a staff member refuses to sell alcohol to the customer they will need to tick the reason why on the card, stamp or write the name of the premise on the back and date and sign the card. Once they have done this they can give the card to the customer. They should record the refused sale in the refusal log.

6. Refusals Cards (per 500 for age restricted products):

These cards are for your staff members to give out to a customer when they are refused service for age restricted products, telling them why they were refused.

If a staff member refuses to sell age restricted products to the customer they will need to tick the reason why on the card, stamp or write the name of the premise on the back and date and sign the card. Once they have done this they can give the card to the customer. They should record the refused sale in the refusal log.

7. U 25 Drink Awareness Badges (per 20):

These badges are for staff members to wear, showing customers that they will be requesting ID from anyone who appears to be under the age of 25 when purchasing alcohol. It will inform customers that this is company policy, rather than just a staff member being awkward or unfair requesting ID.

All staff members on the premise should wear these badges.

8. U 25 Drink Awareness Posters (per set A3, A4 & A2):

These posters are for you to display around your premise, portraying the message that anyone who appears to be under the age of 25 will be asked for ID when purchasing alcohol. Again these posters are there to advise customers that this is company policy, and will assist in the prevention of underage requests for alcohol.

These posters should be displayed around the premise.

9. Staff Guide to Selling Alcohol Booklet (per 10):

This small booklet is an easy guide for staff members to refer to regarding their responsibilities with regard to the sale of alcohol. The booklet has been designed so that you can keep it in your pocket or under the counter.

All staff members should be issued with one of these booklets upon completion of training.

Appendix B

Objections / Representations
& Associated Correspondence

From: Whitworth Kim
Sent: 03 June 2013 13:10
To: Licensing(General)
Subject: 24 hour sale of alcohol, Shell Garage, Handsworth Road

I wish to strongly object oppose the application for the sale of alcohol at the Shell Garage on Handsworth Road. Handsworth Road already has more than enough premises selling alcohol, ie. 4 public houses, an off-licence, Aldi and Asda. The ginnel at the side of the Shell garage is already subject to gathering of youths, who are intimidating to anyone wanting to pass by or use the ginnel to get the their home. A 24 hour license for the sale of alcohol at the Shell Garage is not needed or required and will only exacerabe the the situation and encourage alchol fuelled anti-social behaviour in the area.

Also may I suggest that the application for this is signposed properly and not around the foot of a post where it is at the moment. It needs to be seen clearly by local residents so that they can lodge any concerns.

With regards.

Kim Whitworth
Resident of Handsworth Road

1516

B2

● Wheatley Grove
Handsworth
Sheffield S13 8HZ

11 June 2013

Re: Shell UK Oil Products Ltd.

Shell Crest 320 Handsworth Rd. Sheffield S13 8TA.

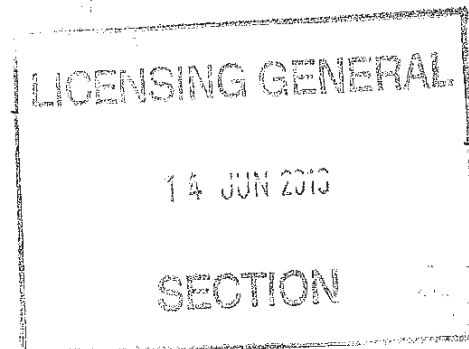
Re the above application for Alcohol for consumption off the premises provision for late night refreshment. There is already a problem of many, many items of litter i.e. bottles, cans, paper etc and the pathway/lane at the side of Crest and Parsley Hay estate is a gathering place/somewhere to hang out. This situation is not fair on the local community – WHO would want it on their doorstep?? Although I am a motorist and petrol is purchased from Shell, I walk constantly on the Parsley Hay estate, through the pathway to the local shops. The pathway referred to is always an eyesore with rubbish and somewhat of a worry wondering who may be loitering about. I know some of the residents on Parsley Hay have been out themselves to clear the rubbish. This action is appreciated but they may not always be able or want to carry this out. I doubt whether this area is/has ever been cleaned up by the Council?

Please – there is no need for another easy outlet of drink for street drinkers in this area – we have plenty of pubs and an off licence on Handsworth Road. Granting Shell a licence would also affect the local trade – to see any more shops struggling for sales is not beneficial to Handsworth or the residents. Many folk in Handsworth would be relieved not to have more outlets for cheap drink and the many problems that could arise.

Yours sincerely

K W Pemberton (Mrs)

K. W. Pemberton





2nd July 2013

Ms K. Whitworth

BY EMAIL ONLY; kim.whitworth@[REDACTED]

B3
* COPY ALSO SENT TO *
MRS PEMBERTON

Dear Ms Whitworth,

Mediation Statement – Premises licence application –Shell Crest, 320 Handsworth Road., Sheffield, S13 8TA.

Thank you for your correspondence in respect of the above matter which has been forwarded to Lockett & Co by Sheffield City Council.

Lockett & Co are Licensing Consultants acting on behalf of Shell UK Oil Products (the applicant) and also the retailer with regard to the premises licence application.

Shell and the retailer would like to offer a reduction in the sale of alcohol hours from 24 hours per day to 05.00-23.00 hours seven days per week, the premise will continue to operate as a 24 hour site-as it does currently- with all sales taking place through the night hatch between the hours of 23.00 and 05.00 hours.

The application also relates to the provision of late night refreshment between the hours of 23.00 and 05.00 each day. The late night refreshment application pertains to the sale of hot drinks and snacks which are heated in a microwave (for example pasties and sausage rolls), the service is no different to that which is offered throughout the day but this activity is subject to a licence between the hours of 23.00 and 05.00. We can confirm that foodstuffs such as kebabs and burgers will not be sold.

The site is owned by Shell but operated by Greg Fee. The operation of a service station is a lot more complex than a normal retail shop, as a forecourt retailing fuel the site operators have to have a licence to retail this highly flammable liquid, the licence carries many onerous conditions. The site also sells other age restricted products which again are strictly monitored.

The operator has strict staff training in respect of age restricted products supported by Shell and Lockett & Co and this will also be extended to alcohol sales (subject to the premises licence being granted) using a comprehensive system with documented records and regular refresher training.

Within the operating schedule of the premises licence application a number of conditions have been volunteered by the applicant which promote the Licensing Objectives and also demonstrate responsible retailing, a copy of the conditions are included for information.

We would also like to stress that breach of any such conditions can result in enforcement action being taken and/or large fines having to be paid by the licence holder. Residents also have the option to bring a review of the premises licence should there be persistent problems at the site.

Lockett House
13 Church Street
Kidderminster
Worcestershire
DY10 2AH

Local Rate 0845 2305625
Telephone 01562 864488
Facsimile 01562 862539
E-mail info@lockett.uk.com
Web site www.lockett.uk.com

BL

The issue of need is not an area that can be considered under the Licensing Act 2003.

The applicant is keen to work with local residents and enjoy a positive relationship moving forward, it not in their interest nor that of the business to allow anti-social behaviour to manifest itself or for it to become an issue.

We hope that the proposed amendment to the application allays your concern and allows you to reconsider your position. Should you wish to withdraw your representation, please would you be able to notify the Licensing Department at Sheffield City Council directly.

Should you have any queries or require further information, please do not hesitate to contact me.

Yours sincerely,



Sara Clement
Licensing Manager

cc. Licensing Department – Sheffield City Council.

Appendix C

Hearing Notices / Regulations / Procedure

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

Shell UK Oil Products Limited
c/o Lockett & Co
13 Church Street
Kidderminster
Worcestershire
DY10 2AH

The Sheffield City Council being the licensing authority, on the **21st May 2013** received your application in respect of the premises known as;

Shell Crest, 320 Handsworth Road, Sheffield, S13 8TA

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

2 members of the public

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Tuesday 30th July 2013 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 10th July 2013

Signed: _____



The officer appointed for this purpose
Licensing Officer

Please address any communications to:

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

Licensing.general@sheffield.gov.uk

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

Kim Whitworth

Via email

The Sheffield City Council being the licensing authority, on the **21st May 2013** received an application in respect of the premises known as;

Shell Crest, 320 Handsworth Road, Sheffield, S13 8TA

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

- **2 members of the public**

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 **Tuesday 30th July 2013 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 10th July 2013

Signed: _____



The officer appointed for this purpose
Licensing Officer

Please address any communications to:

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

General.licensing@sheffield.gov.uk

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

Mrs K W Pemberton
■ Wheatley Grove
Handsworth
Sheffield
S13 8HZ

The Sheffield City Council being the licensing authority, on the **21st May 2013** received an application in respect of the premises known as;

Shell Crest, 320 Handsworth Road, Sheffield, S13 8TA

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

- **2 members of the public**

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

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

Dated: 10th July 2013

Signed: _____


The officer appointed for this purpose
Licensing Officer

Please address any communications to:

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

General.licensing@sheffield.gov.uk

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.

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