

Licensing Sub-Committee

Thursday 12 July 2012 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, Vickie Priestley, Geoff Smith and Neale Gibson
(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
12 JULY 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**
The Industry Club, Unit 9-11 Smithfield, Shalesmoor, Sheffield S3 7AR
Report of the Chief Licensing Officer

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

The existing Standards regime will be abolished from 1st July, 2012 by the Localism Act 2011. From this date, the way that your interests need to be registered and declared will change. Prejudicial and personal interests will no longer exist and they have been replaced by Disclosable Pecuniary Interests (DPIs).

The Act also requires that provision is made for interests which are not Disclosable Pecuniary Interests and requires the Council to introduce a new local Code of Conduct for Members. It is intended that provision will be made in the new Code for dealing with “personal” interests.

The Regulations in relation to Disclosable Pecuniary Interests have only recently been published by the Government and guidance is being developed for circulation to you prior to 1st July.

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: 12th July 2012

Subject: Licensing Act 2003

Author of Report: Andy Ruston

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

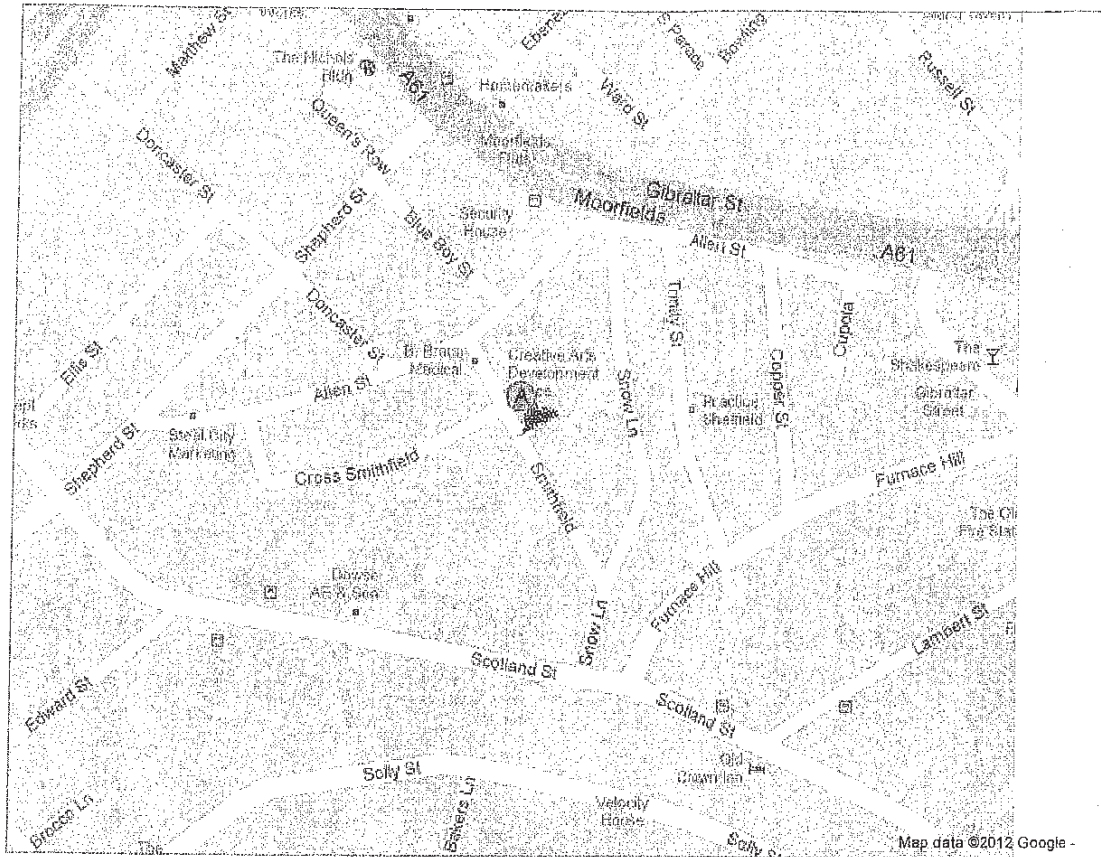
Recommendations: That members carefully consider the representations made and take such steps, as the Committee consider necessary for the promotion of the Licensing Objectives.

Background Papers: Attached documents

Category of Report: OPEN

Google

To see all the details that are visible on the screen, use the Print link next to the map.



①

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

Ref No: 52/12

LICENSING ACT 2003

The Industry Club Ltd, Unit 9-11 Smithfield, Shalesmoor, Sheffield, S3 7AR

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 The Industry Club Ltd.

2.2 The application, which was received on 21 May 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:-

- Police Attached at Appendix 'B'
- Sheffield Safeguarding Children Board Attached at Appendix 'C'
- Environmental Protection Attached at Appendix 'D'
- Health & Safety Attached at Appendix 'E'

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 'F'.

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

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

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

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

6.0 HEARINGS REGULATIONS

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

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

6.3 Attached at Appendix 'G' is the following: -

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

7.0 APPEALS

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

8.0 RECOMMENDATIONS

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

9.0 OPTIONS OPEN TO THE COMMITTEE

9.1 To grant the premises licence in the terms requested.

9.2 To grant the premises licence with conditions.

9.3 To reject the whole or part of the application.

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

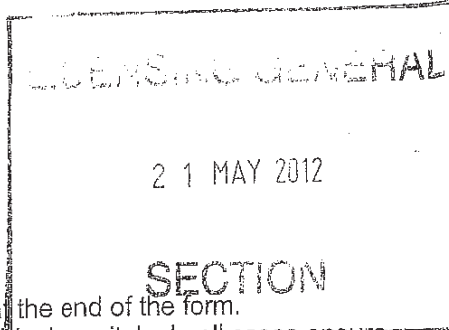
3

Appendix 'A'

4

Rec 16496

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 The Industry Club Ltd

apply for a premises licence under section 17 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 <u>Unit 9-11 Smithfield, Shalesmoor</u>	
Post town <u>Sheffield</u>	Post code <u>S37AR</u>

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 7875

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

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- 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)

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

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)
Day	Start	Finish	
Standard days and timings (please read guidance note 6)			Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for performing plays (please read guidance note 4)
Wed			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)
Thur			
Fri			
Sat			
Sun			

B

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

SECOND INDIVIDUAL APPLICANT (if applicable)

8

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick yes

I am 18 years old or over

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	Paul O'Donnell (Director) The Industry Club Ltd
Address	Unit 9-11 Smithfield Shalesmoor Sheffield S37AR
Registered number (where applicable)	07636317
Description of applicant (for example partnership, company, unincorporated association etc.)	Company 'The Industry Club Ltd'
Telephone number (if any)	07983537134 07875 654442
E-mail address (optional)	paul@industryclubsheffield.com

Part 3 - Operating Schedule

9

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)

The main use of the premises is to be an indoor skatepark and corporate functions venue.

The businesses objective is to cater for children/adults who are interested in a specific sporting activity.

Users for the skatepark will also be catered for hot/cold beverages and food.

The corporate functions venue is to be used for businesses involved with the skatepark and private functions.

With these functions, these will include music entertainment and special themed events catering for the public.

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

C

(10)

Indoor sporting events			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon	1100	0200	
Tue	1100	0200	State any seasonal variations for indoor sporting events (please read guidance note 4) School term time. Skatepark would open or close earlier due to affect of business with schools being in operation.
Wed	1100	0200	
Thur	1100	0200	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	1100	0200	
Sat	1100	0200	
Sun	1100	0200	

D

Boxing or wrestling entertainments			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	
Mon			Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
			Please give further details here (please read guidance note 3)
Tue			
			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)
Wed			
			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)
Thur			
Fri			
Sat			
Sun			

E

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)
Day	Start	Finish	
Standard days and timings (please read guidance note 6)			Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon	1100	0600	Please give further details here (please read guidance note 3) <i>Allowing the performance of live bands/music entertainment for the corporate/private functions</i>
Tue	1100	0600	
Wed	1100	0600	State any seasonal variations for the performance of live music (please read guidance note 4)
Thur	1100	0600	
Fri	1100	0600	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	1100	0600	
Sun	1100	0600	

F

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)
Day	Start	Finish	
Standard days and timings (please read guidance note 6)			Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon	1100	0600	Please give further details here (please read guidance note 3) <i>To allow DJ performances/Jukebox for entertainment purposes at corporate/private functions</i>
Tue	1100	0600	
Wed	1100	0600	State any seasonal variations for the playing of recorded music (please read guidance note 4)
Thur	1100	0600	
Fri	1100	0600	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	1100	0600	
Sun	1100	0600	

G

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)
			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) <i>Dance shows/performances on stage as part of attractions.</i>
Mon	1100	0600	
Tue	1100	0600	State any seasonal variations for the performance of dance (please read guidance note 4)
Wed	1100	0600	
Thur	1100	0600	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)
Fri	1100	0600	
Sat	1100	0600	
Sun	1100	0600	

H

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	1100	0600	
			Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Tue	1100	0600	Please give further details here (please read guidance note 3) <i>As per sections E & F</i>
Wed	1100	0600	
Thur	1100	0600	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Fri	1100	0600	
Sat	1100	0600	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	1100	0600	

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	1100	0600	Please give further details here (please read guidance note 3) <i>Allow live music performances for corporate/private functions at the venue</i>
Tue	1100	0600	
Wed	1100	0600	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)
Thur	1100	0600	
Fri	1100	0600	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	1100	0600	
Sun	1100	0600	

J

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	1100	0600	Please give further details here (please read guidance note 3) <i>Allow members of the public to dance at private/corporate functions.</i>
Tue	1100	0600	
Wed	1100	0600	State any seasonal variations for providing dancing facilities (please read guidance note 4)
Thur	1100	0600	
Fri	1100	0600	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	1100	0600	
Sun	1100	0600	

K

(14)

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 <i>DJ performance/Bands/Music entertainment</i> <i>Sports</i>
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) 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) <i>Facility can be used for corporate/private functions and also a sports facility.</i>
Mon	1100	0600	
Tue	1100	0600	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)
Wed	1100	0600	
Thur	1100	0600	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)
Fri	1100	0600	
Sat	1100	0600	
Sun	1100	0600	

L

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	1100	0600	Please give further details here (please read guidance note 3) <i>Allow alcoholic / non alcoholic refreshments to the public to be consumed on the premises for entertainment purposes (functions)</i>
Tue	1100	0600	
Wed	1100	0600	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)
Thur	1100	0600	
Fri	1100	0600	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	1100	0600	
Sun	1100	0600	

M

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	1100	0600	State any seasonal variations for the supply of alcohol (please read guidance note 4)
Tue	1100	0600	
Wed	1100	0600	
Thur	1100	0600	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	1100	0600	
Sat	1100	0600	
Sun	1100	0600	

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

Name **Paul O'Donnell** (16)
 Address **34 Darbmouth Avenue**
Marley, Leeds
 Post code **LS27 0DJ**
 Personal Licence number (if known) **LEEDS/PERL/06086/11**
 Issuing/licensing authority (if known) **Leeds 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

Standard days and timings
 (please read guidance note 6)

Day	Start	Finish
Mon	1100	0600
Tue	1100	0600
Wed	1100	0600
Thur	1100	0600
Fri	1100	0600
Sat	1100	0600
Sun	1100	0600

State any seasonal variations (please read guidance note 4)

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)

All objectives will be practised and in force.
Regular checks will be done with assessments making sure the objectives are being promoted and practised.
Training and supervision will be run regularly.

b) The prevention of crime and disorder

CCTV system - cameras in operation inside & outside the premises 24/7
backups will be stored
Zero tolerance drugs policy
Plastic glasses and cans no glasses will be used

c) Public safety

First Aid kits present in the skatepark and corporate venue.
Several staff are trained in Emergency first aid.
Seating areas with tables.
Strict door control

d) The prevention of public nuisance

Noise limiter in use
Strict policy for leaving premises quietly
Hours for corporate & private functions are under restricted time controls
Air conditioning and facilities will be regularly serviced.

e) The protection of children from harm

All persons are I.D for age as a strict method of control (under 18/21)
At corporate / private functions there will be strict door control
Children under 18 will not be present after 2200 hrs

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 *Paul O'Donnell*

Date

Capacity

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)

*Paul O'Donnell
34 Dartmouth Avenue*

Post town *Morley*

Post code *LS2700J*

Telephone number (if any) *07983537134*

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

paul@industryclubsheffield.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 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.

Consent of individual to being specified as premises supervisor

I [full name of prospective premises supervisor]
Paul James O'Donnell

of [home address of prospective premises supervisor]
34 Dartmouth Avenue
Morley
Leeds
LS270DJ

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

[type of application] Grant of Prem Lic

by

[name of applicant] The Industry Club Ltd.

relating to a premises licence

[number of existing licence, if any] —

for

[name and address of premises to which the application relates]
Unit 9-11 Smithfield, Shalesmoor
Sheffield
S3 7AR

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

[name of applicant] as above

concerning the supply of alcohol at

[name and address of premises to which application relates]
Unit 9-11 Smithfield, Shalesmoor
Sheffield
S3 7AR

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
 [insert personal licence number, if any] LEEDS/PERL/06866/11

Personal licence issuing authority LEEDS CITY COUNCIL

[insert name and address and telephone number of personal licence issuing authority, if any]

op 31/8/2021

Signed Paul O'Donnell

Name (please print) PAUL O'DONNELL

Date

Bower Claire

From: ARI Environmental Services Ltd. [contact@ariweb.co.uk]
Sent: 26 June 2012 15:19
To: Licensing(General)
Subject: The Industry Skate Park

Attn Of Emma Rhodes

Dear Emma

I have been asked by Paul O'Donnell to assist him with regards to the problems he is encountering in respect of his recent licencing application for The Industry Indoor Skate Park at Unit 9-11 Smithfield, Shalesmoor, Sheffield.

I have looked at his submission and the planning approval and I have also seen the various responses from the authorities concerned. It is obvious that the application that has been submitted has far exceeded what was originally intended and approved. Consequently I discussed the matter with Paul and he explained that his intention was only to give the business more options and not to open a 'nightclub' style venue that could create the problems that have been highlighted in the various responses.

I have advised him that he must restrict his activities to those already agreed and that if there are occasions when he wants to have a 'special event', he will need to deal with that situation as an event on its own and obtain the necessary permissions/licences at the time. My company ARI Environmental Services is an Environmental Health consultancy dealing with many planning and licencing issues and we have agreed to act as consultants to The Industry to ensure that it can comply with all the requirements in terms of nuisance and public safety. In addition we will write and monitor the procedures for security and participant control.

The purpose of this email is to canvass the opinions of those concerned to determine whether the project can proceed and if so the timescale with regards to a possible opening date.

For your information, the following have already been agreed with the operator as a minimum requirement:

Opening times shall be 0800 – 2330 hours on any day.

There shall be no live music – only background piped music through the in-house system which will have audio restriction devices installed.

Separate external refuse facilities will be provided.

First Aid staff will be in attendance at all times.

Means of escape in case of fire will be easily accessible, signed and kept free of all obstructions. There will be a trained fire steward in attendance.

There will be a no glass policy on all drinks. The Industry will operate a Check 21 system.

In addition we are currently finalising the procedures and training schedule for all staff, the site specific risk assessments and security policies.

Given that the operator is wanting to open the venue as soon as possible, I would welcome your views on the current situation and will happily provide any documentation you require on request.

Thank you for your assistance in this matter.

Ian Webster

ARI Environmental Services Ltd.

ARI Environmental Services Ltd.

T: 01377 229292

F: 01377 229123

E: contact@ariweb.co.uk

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify contact@ariweb.co.uk

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

Appendix 'B'

Hollis Georgina (CEX)

From: Lucy.Adams@southyorks.pnn.police.uk on behalf of Sheffield.Liquor-Licensing@southyorks.pnn.police.uk
Sent: 15 June 2012 13:51
To: Licensing(General)
Cc: Benita.Mumby@southyorks.pnn.police.uk
Subject: Objection to new premise licence-9-11 Smithfield

Attachments: 9-11 Smithfield conditions.doc



9-11 Smithfield conditions.doc...

Sent on behalf of Sheffield Licensing, South Yorkshire Police

Licensing General

Block C

Staniforth Road Depot

609 Staniforth Road

Sheffield

S9 3GZ

Date: 15.6.12

Licensing Act 2003

Objection to the application for a premises licence

Unit 9-11 Smithfield, Shalesmoor

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

The grounds of objection are based on the prevention of crime and disorder and public safety. We have serious concerns about the nature of the venue and the combination of indoor skating and alcohol. There appears little in place to ensure customers safety and to prevent the sale of alcohol to underage persons. Our concerns extend to the proposed opening hours until 06.00 and the nature of the private functions requested until this time.

In order for the objection to be withdrawn, we require that the attached conditions are agreed and formally included in the application proposal..

Yours faithfully,

For and on behalf of

Chief Constable, South Yorkshire Police

Cc

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

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

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

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

Application for a premises licence
Unit 9-11 Smithfield, Shalesmoor
Conditions required

- The supply of alcohol will only be authorised during private pre-booked events which are closed to the public. There will be no alcohol sales during any time when the premises are allowing customers to use the indoor skating facilities.
- A CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open (in line with specification July 2011). The CCTV images will be stored for 28 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder. Members of the management team will be trained in the use of the system.
- The use of door supervisors will be risk assessed on an event by event basis and a written record of the risk assessment be kept at site for 6 months and made available to the Police or an Officer of the Licensing Authority upon request. Where engaged, door staff shall be licensed by the SIA.
- No customers carrying opened bottles upon entry shall be admitted to premises
- Clear and legible notices shall be displayed at all exits requesting that the public respect the needs of local residents and to leave the premises and area quietly.

- Events will only be held at the licensed premises following a booking procedure, whereby the Premises Licence Holder / DPS will ensure that if a function is to be booked then full details of the name, address and telephone number of the person to hold the event will be obtained and made available to the Police and other responsible authorities upon request.
- Where external DJ's are to be utilised in addition to complying with the condition above, full details of the proposed DJ's will be taken, including name, address and telephone number and will be made available to the Police 21 days prior to the event should they require it.
- A copy of the South Yorkshire Police Violent Incident Protocol to be displayed within the premises, in sight of staff. This protocol should also form part of staff training and training records to reflect such in put.

- To acquire a suitable number of radio sets for the premises and to take the CCRAC Radio Scheme (City Centre Retailers Against Crime) into use at all times when trading, and continue to be a user whilst this system is in use within Sheffield.

- There shall be a zero tolerance drugs policy at the premises and there shall be a suitably secure 'drop box' for any illegal substances or items confiscated from customers. Seized items will be handed to South Yorkshire Police.

- Staff will receive training on matters concerning underage sales, drugs policies, and operating procedures. Records of such training will be kept and made available for inspection of the authorities.

- Persons under the age of 18 must be accompanied and supervised by an adult and are only permitted between 11:00 hours and 21:00 hours daily unless employed by the company.
- The premises will close and cease all licensable activities at 04.00 Monday-Sunday
- The premises will maintain a register of refusals and incidents. Such records will be kept and made available for inspection of the authorities.
- Bottles and cans will be decanted into plastic drinkware.

Hollis Georgina (CEX)

From: Licensing(General)
Sent: 14 June 2012 14:08
To: Hollis Georgina (CEX)
Subject: FW: Objection to new premise licence-9-11 Smithfield

From: Lucy.Adams@southyorks.pnn.police.uk [mailto:Lucy.Adams@southyorks.pnn.police.uk]
On Behalf Of Sheffield.Liquor-Licensing@southyorks.pnn.police.uk
Sent: 14 June 2012 13:58
To: Licensing(General)
Cc: Benita.Mumby@southyorks.pnn.police.uk; Andrea.Marsden@southyorks.pnn.police.uk;
Elizabeth.Payne@southyorks.pnn.police.uk; Clive.Tyree@southyorks.pnn.police.uk
Subject: Objection to new premise licence-9-11 Smithfield

Sent on behalf of Sheffield Licensing, South Yorkshire Police

Licensing General

Block C

Staniforth Road Depot

609 Staniforth Road

Sheffield

S9 3GZ

Date: 14.6.12

Licensing Act 2003

Objection to the application for a premises licence

Unit 9-11 Smithfield, Shalesmoor

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

The grounds of objection are based on the prevention of crime and disorder and public safety. We have serious concerns about the nature of the venue and the combination of indoor skating and alcohol. There appears little in place to ensure customers safety and to prevent the sale of alcohol to underage persons. Our concerns extend to the proposed opening hours until 06.00 and the nature of the private functions requested until this time.

In order for the objection to be withdrawn, the matters outlined must be addresses to our satisfaction.

Yours faithfully,

For and on behalf of

Chief Constable, South Yorkshire Police

Cc

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

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

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

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Hollis Georgina (CEX)

From: Lucy.Adams@southyorks.pnn.police.uk on behalf of Sheffield.Liquor-Licensing@southyorks.pnn.police.uk
Sent: 28 June 2012 15:46
To: ARI Environmental Services Ltd.
Cc: Gibbons Sean (DEL); Hague Julie; Licensing(General); Hollis Georgina (CEX); 'Lucy.Adams@southyorks.pnn.police.uk'; 'Sheffield.Liquor-Licensing@southyorks.pnn.police.uk'; 'paul@industryclubsheffield.com'
Subject: RE: The Industry Skate Park, 9-11 Smithfield S3 7AR
Attachments: 9-11 Smithfield conditions revised 28.6.12.doc



9-11 Smithfield conditions rev...

Dear Mr Webster,

Further to your below email I have considered your proposals and although we are now satisfied with the suggested opening times the basis of our objection has still not been addressed.

Our main concerns centre around the premises operating as a skate park alongside the sale of alcohol. Upon meeting Mr O'Donnell there appeared very little in place to prevent the sale of alcohol to those utilising the skating facility which causes great concern for the potential of individuals conducting sporting events whilst under the influence of alcohol. Mr O'Donnell made the suggestion that sporting equipment would be confiscated when a customer purchased a drink however Mr O'Donnell was unable to confirm how this could be successfully enforced and how individuals would be successfully prevented from re-entering the sporting facility.

Mr O'Donnell advised his target market would primarily be those under the age of 18 therefore the sale of alcohol alongside the skating facility appeared at conflict with the age of the clientele. Although we can appreciate there may be customers over the age of 18 attending there appeared little in place to prevent under age sales or proxy sales.

I must advise I am not in a position to withdraw my representation at this stage and attach the conditions we would require in order for our objection to be withdrawn.

Please accept this email as my opinion to your scenario outlined below and do not prejudice any representation I may make regarding the forthcoming committee hearing.

Kind Regards

Lucy Adams

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

Lucy Adams 0114 2523617 internal 718617
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"ARI Environmental Services Ltd." <contact@ariweb.co.uk>

26/06/2012 16:41 To
 <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>
 cc
 Subject
 RE: The Industry Skate Park, 9-11 Smithfield S3 7AR

Attn Lucy Adams

Dear Lucy

I have been asked by Paul O'Donnell to assist him with regards to the problems he is encountering in respect of his recent licencing application for The Industry Indoor Skate Park at Unit 9-11 Smithfield, Shalesmoor, Sheffield.

I have looked at his submission and the planning approval and I have also seen the various responses from the authorities concerned. It is obvious that the application that has been submitted has far exceeded what was originally intended and approved. Consequently I discussed the matter with Paul and he explained that his intention was only to give the business more options and not to open a 'nightclub' style venue that could create the problems that have been highlighted in the various responses.

I have advised him that he must restrict his activities to those already agreed and that if there are occasions when he wants to have a 'special event', he will need to deal with that situation as an event on its own and obtain the necessary permissions/licences at the time. My company ARI Environmental Services is an Environmental Health consultancy dealing with many planning and licencing issues and we have agreed to act as consultants to The Industry to ensure that it can comply with all the requirements in terms of nuisance and public safety. In addition we will write and monitor the procedures for security and participant control.

The purpose of this email is to canvass the opinions of those concerned to determine whether the project can proceed and if so the timescale with regards to a possible opening date.

For your information, the following have already been agreed with the operator as a minimum requirement:

Opening times shall be 0800 – 2330 hours on any day.

There shall be no live music – only background piped music through the in-house system which will have audio restriction devices installed.

Separate external refuse facilities will be provided.

First Aid staff will be in attendance at all times.

Means of escape in case of fire will be easily accessible, signed and kept free of all obstructions.

There will be a trained fire steward in attendance.

There will be a no glass policy on all drinks. The Industry will operate a Check 21 system. In addition we are currently finalising the procedures and training schedule for all staff, the site specific risk assessments and security policies.

Given that the operator is wanting to open the venue as soon as possible, I would welcome your views on the current situation and will happily provide any documentation you require on request. Thank you for your assistance in this matter.

Ian Webster
ARI Environmental Services Ltd.

ARI Environmental Services Ltd.

T: 01377 229292
F: 01377 229123
E: contact@ariweb.co.uk <<mailto:contact@ariweb.co.uk>>

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From: Lucy.Adams@southyorks.pnn.police.uk on behalf of Sheffield.Liquor-Licensing@southyorks.pnn.police.uk
Sent: Tue 12/06/2012 08:47
To: Hague Julie
Cc: Licensing(General); Gawthorpe Helen; Pates Neal; paul@industryclubsheffield.com; Gibbons Sean (DEL); Sheffield.Liquor-Licensing@southyorks.pnn.police.uk
Subject: RE: The Industry Skate Park, 9-11 Smithfield S3 7AR

Hi All,

That date and time is fine for us. See you at the premises at 3pm.

Kind Regards

Lucy

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

Lucy Adams 0114 2523617 internal 718617
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Hague Julie <Julie.Hague@sheffield.gov.uk>

06/06/2012 15:44

To

Pates Neal <Neal.Pates@sheffield.gov.uk>, "Gibbons Sean (DEL)" <Sean.Gibbons@sheffield.gov.uk>, Gawthorpe Helen <Helen.Gawthorpe@sheffield.gov.uk>, "paul@industryclubsheffield.com" <paul@industryclubsheffield.com>, "Sheffield.Liquor-Licensing@southyorks.pnn.police.uk" <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>, "Licensing(General)" <General.Licensing@sheffield.gov.uk>

cc

Subject

RE: The Industry Skate Park, 9-11 Smithfield S3 7AR

Hello all

I have just received a call from Paul O'Donnell re confirmation of the arrangements for a meeting on the 12th June to discuss the application. In light of Neal's request a time has been arranged for 3pm on 12th June - I hope that is convenient to you, if not Paul is happy to meet with RA's at a time that suits individuals.

Kind regards

Julie

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board

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

From: Pates Neal
Sent: 01 June 2012 15:39
To: Gibbons Sean (DEL)
Cc: Hague Julie; Gawthorpe Helen; 'paul@industryclubsheffield.com'
Subject: The Industry Skate Park, 9-11 Smithfield S3 7AR

Hi Sean,

As you know I'm off on leave now until 12th June. I have just had a word with Paul O'Donnell and said that I'm hoping for a joint RA meeting on the 12th, or as soon as possible after if other parties can't make that date. Can I be cheeky and ask you to firm this up with Paul – he's on 07983 537 134. Preferably afternoon to give me a chance to take stock my emails, etc.

Thanks,

Neal.

Neal Pates
Environmental Protection Officer
Environmental Protection Service
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel: +44 (0)114 205 3588

Fax: +44 (0)114 273 6464

web: <http://www.sheffield.gov.uk/environment/environmental-health>
<<http://www.sheffield.gov.uk/environment/environmental-health>>

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Sheffield - where everyone matters

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Version: 2012.0.2178 / Virus Database: 2433/5062 - Release Date: 06/11/12

Application for a premises licence
Unit 9-11 Smithfield, Shalesmoor
Conditions required

- The supply of alcohol will only be authorised during private pre-booked events which are closed to the public. There will be no alcohol sales during any time when the premises are allowing customers to use the indoor skating facilities.
- A CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open (in line with specification July 2011). The CCTV images will be stored for 28 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder. Members of the management team will be trained in the use of the system.
- The use of door supervisors will be risk assessed on an event by event basis and a written record of the risk assessment be kept at site for 6 months and made available to the Police or an Officer of the Licensing Authority upon request. Where engaged, door staff shall be licensed by the SIA.
- No customers carrying opened bottles upon entry shall be admitted to premises
- Clear and legible notices shall be displayed at all exits requesting that the public respect the needs of local residents and to leave the premises and area quietly.
- Events will only be held at the licensed premises following a booking procedure, whereby the Premises Licence Holder / DPS will ensure that if a function is to be booked then full details of the name, address and telephone number of the person to hold the event will be obtained and made available to the Police and other responsible authorities upon request.
- Where external DJ's are to be utilised in addition to complying with the condition above, full details of the proposed DJ's will be taken, including name, address and telephone number and will be made available to the Police 21 days prior to the event should they require it.
- A copy of the South Yorkshire Police Violent Incident Protocol to be displayed within the premises, in sight of staff. This protocol should also form part of staff training and training records to reflect such in put.
- To acquire a suitable number of radio sets for the premises and to take the CCRAC Radio Scheme (City Centre Retails Against Crime) into use at all times when trading, and continue to be a user whilst this system is in use within Sheffield.
- There shall be a zero tolerance drugs policy at the premises and there shall be a suitably secure 'drop box' for any illegal substances or items confiscated from customers. Seized items will be handed to South Yorkshire Police.
- Staff will receive training on matters concerning underage sales, drugs policies, and operating procedures. Records of such training will be kept and made available for inspection of the authorities.

- Persons under the age of 18 must be accompanied and supervised by an adult and are only permitted between 11:00 hours and 21:00 hours daily unless employed by the company.
- The premises will maintain a register of refusals and incidents. Such records will be kept and made available for inspection of the authorities.
- Bottles and cans will be decanted into plastic drinkware.

Appendix 'C'

Rhodes Emma (CEX)

From: Hague Julie
Sent: 18 June 2012 14:47
To: Licensing(General)
Cc: 'paul@industryclubsheffield.com'
Subject: REPRESENTATION: APPLICATION FOR A PREMISES LICENCE - UNIT 9 - 11, SMITHFIELD, SHALESMOOR, S3 7AR

Importance: High

Attachments: Unit 9 to 11 Smithfield Shalesmoor Skatepark.doc



Unit 9 to 11
Smithfield Shales...

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 on behalf of the Sheffield Safeguarding Children Board 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 Sub Committee.

I have notified the applicant by copy of this email and will continue to liase with Mr O'Donnell to try to resolve the matter. I will notify the Licensing Authority of any progress made.

Thank you.

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board

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



18.6.12

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: UNIT 9 – 11, SMITHFIELD, SHALESMOOR, SHEFFIELD S3 7AR

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 from the application and from discussion with the applicant at a meeting on 12th June 2012, that if a licence is granted, the premises would operate primarily as an indoor entertainment venue for children and young people, providing skateboard facilities and refreshments. The applicant has confirmed that the day to day business at the premises would attract unaccompanied children and young people as well as adults. Having discussed the proposed style and character of the venue with the applicant and potential risks of the proposed operation, it was verbally agreed by the applicant on 12.6.12 that the provision of alcohol would be withdrawn from the application. However this has not yet been confirmed in writing.

In light of the style of the premises which is designed primarily to facilitate sporting facilities for unaccompanied children and young people, I am concerned that if the licence is granted, alcohol will be on sale daily from 11am until 6am the next day. This presents a risk of unaccompanied children and young people being exposed to disinhibited alcohol related behaviour whilst engaging in sports activities. There is also a risk of underage drinking and proxy purchase as the design of the building does not provide for supervision of the consumption of alcohol from the bar, there is no restricted drinking area and the measures offered in the operating schedule (Part P(e) state merely that "all persons are ID for age as a strict method of control (under 18/21)" which is unclear and inadequate in relation to what measures will be in place to prevent underage sales and proxy purchase.

In light of the above, I am writing to propose that the following licence conditions are considered by the Licensing Authority for the protection of children from harm, if the application is granted:

1. Alcohol must not be on sale or on display at times when persons under the age of 18 years are on the premises.

2. Regular and recorded security patrols must be made to ensure the environment remains safe and family friendly.
3. A suitable member of staff must be assigned to have lead responsibility for safeguarding systems in relation to children and young people. This person should act in compliance with the guidance and training provided by the Sheffield Safeguarding Children Board.

The above conditions would provide a clear and enforceable system to ensure that the premises provides a safe and appropriate environment for unaccompanied children and young people.

I am hopeful that in light of the verbal agreement made in relation to items (1) and (3) above this representation may be resolved without the need for a formal hearing. I will liase with the applicant and notify the Licensing Authority of any progress made. Please note that the Sheffield Safeguarding Children Board does provide guidance and training free of charge to support persons assigned with responsibility for safeguarding issues at the premises.

Yours faithfully

JULIE HAGUE
Licensing Project Manager
Sheffield Safeguarding Children Board

Cc The Applicant : Mr Paul O'Donnel, 34 Dartmouth Avenue, Morley LS2 7DJ

Appendix 'D'

Hollis Georgina (CEX)

From: (GCSX) Pates Neal
Sent: 15 June 2012 11:38
To: 'paul@industryclubsheffield.com'; Hollis Georgina (CEX)
Cc: Licensing(General); Ridge Matthew; Gibbons Sean (DEL); Hague Julie; 'Lucy.Adams@southyorks.pnn.police.uk'; 'Sheffield.Liquor-Licensing@southyorks.pnn.police.uk'
Subject: RE: LAC2003 Act New Premises Licence - Industry Club Ltd, 9 Smithfield S3 7AR
Importance: High

LAC2003 Act New Premises Licence - INDUSTRY CLUB LTD, 9 Smithfield S3 7AR

Licensing Ref: 38607
 EPS Ref: 455466
 HPS Ref: 455465

Dated: 25th May 2012

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

Dear Mr O'Donnell,

I am informed by our licensing service that, contrary to your indication in our meeting of Tuesday this week, you have not as yet withdrawn your application for a premises licence at the above location. I therefore feel it appropriate to remind you of the objection I have already notified you of, as outlined below. This objection is made on the basis of my concerns that the activities and timings you propose are likely to give rise to public nuisance due to noise. Please note that this email is copied to the licensing officer concerned.

You have requested a licence which allows licensable activities from 11:00 to 06:00 including, inter alia; supply of alcohol; live and recorded music; dancing; late night refreshment. In my opinion this allows for the use of the premises as a nightclub style venue. This is contrary to the stated intention of the skatepark as the primary use. This opinion is supported by the fact that when applying for planning permission for the development of these premises, the application was initially for use as a nightclub, and was only revised to a skatepark use when the planning service advised nightclub use would be refused.

The location of these premises is in an area which is currently the subject of concern, both to Environmental Protection, the police and the Local Planning Authority. This is due to noise issues associated with various nearby licensed premises, premises issued with Temporary Events Notices and unlicensed 'rave' events. There are a number of active complaints due to noise from amplified live and recorded music played at night in nearby buildings (including the adjoining industrial premises which are likewise not designed to attenuate noise from regulated entertainment). The area has a number of nearby residential properties which, whilst not immediate neighbours, have suffered nuisance due to noise from such activities:

The fabric and structure of this building, in particular the roof structure, are unsuitable for any use involving loud amplified music. You have stated in section P. (d.) of your application (steps to prevent public nuisance) that there is a noise limiter in use. It was clear at the point of our meeting that this is not the case as yet. Regardless, I am of the opinion that with the current building structure, use of a limiter would not be sufficient in itself, as the setting would need to be so low as to render the proposed use impracticable.

I am also aware that the current planning conditions in place for these premises (covering the permitted use of 'skatepark with ancillary licensed bar' prohibit this use after 23:30 hours on all

days. This restriction was imposed primarily because of concerns regarding the potential for detriment to the amenity of the area in terms of noise disturbance.

For me to withdraw this objection, I require that the following conditions are agreed and formally included in your application proposal:

1. Prior to the commencement of any licensable activities on the premises, a scheme of substantive structural improvements to the fabric of the building designed to mitigate noise breakout to agreed levels must be agreed in writing with Sheffield City Council Environmental Protection Service and implemented in full. The agreed scheme of works shall be thereafter retained.
2. No amplified sound shall be played in the premises except through an in-house amplified sound system fitted with a sound limiter and a cut off device connected to all emergency fire doors, the settings of which shall have received the prior written approval of the Environmental Protection Service.
3. All ventilation outlets, which serve the licensed area, are to be acoustically baffled and there after retained.
4. All doors and windows shall be closed, save for access and egress, whenever regulated entertainment is present in the premises.
5. The premises licence holder shall prominently display notices on all exits reminding patrons to leave the premises in a quite and orderly fashion and to respect the local neighbours' needs.
6. The premises will not open in excess of their permitted hours as limited by the Local Planning Authority at any time.

If you are able to agree to these conditions, please notify me at your earliest convenience, copying in the relevant licensing officer; Georgina Hollis (above).

If you wish to discuss these recommendations, please contact me directly.

Regards,

Neal Pates

Environmental Protection Officer
Sheffield City Council

Tel: (0114) 205 3588

From: Pates Neal
 Sent: 28 May 2012 16:16
 To: 'paul@industryclubsheffield.com'
 Cc: Licensing(General); Ridge Matthew; Pitts Steven; Prasad Shiva; Gibbons Sean (DEL); Hollis Georgina (CEX)
 Subject: LAC2003 Act New Premises Licence - Industry Club Ltd, 9 Smithfield S3 7AR
 Importance: High

LAC2003 Act New Premises Licence - INDUSTRY CLUB LTD, 9 Smithfield S3 7AR

Licensing Ref: 38607
 EPS Ref: 455466
 HPS Ref: 455465

Dated: 25th May 2012

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

Dear Mr O'Donnell,

Thank you for your consultation on this recent application. I work for Sheffield City Council in the capacity of Responsible Authority for the Prevention of Public Nuisance.

I have a number of concerns regarding this application. I am notifying you now of my objection to the details of the application, including the proposed hours for the licensable activities. As a consultee to the planning service for permission 11/01667/FUL, I have also expressed my concerns regarding the apparent disparity between these proposals the planning consent to LPA officer Matthew Ridge.

However, prior to making detailed representation for this application, I would like to clarify some specifics. In particular I would like to confirm the proposed licensable areas on plan. Could you please supply a copy of the floor plan identifying the licensable area, preferably differentiating between the area for sporting use, and that for other licensable activities? Please forward your copy to SCC Licensing c/o Georgina Hollis.

If you have any queries regarding this preliminary objection, please contact me directly.

Best Regards,

Neal Pates

Neal Pates
Environmental Protection Officer
Environmental Protection Service
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel: +44 (0)114 205 3588

Fax: +44 (0)114 273 6464

web: <http://www.sheffield.gov.uk/environment/environmental-health>

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Hollis Georgina (CEX)

From: (GCSX) Pates Neal
Sent: 27 June 2012 10:01
To: 'ARI Environmental Services Ltd.'
Cc: Gibbons Sean (DEL); Hague Julie; Licensing(General); Hollis Georgina (CEX); 'Lucy.Adams@southyorks.pnn.police.uk'; 'Sheffield.Liquor-Licensing@southyorks.pnn.police.uk'; 'paul@industryclubsheffield.com'
Subject: RE: The Industry Skate Park, 9-11 Smithfield S3 7AR

Dear Mr Webster,

Regarding the hypothetical scenario set out below; I can only give an opinion on these proposals in relation to the core objective of the prevention of public nuisance. I am happy to give my opinion, but in the absence of any clear instruction to vary the licence application, I am not in a position to withdraw my representation at this stage.

In principle, I have no objection to music at background level only. As you will be aware, background level music is not a licensable activity. I would also be reassured if the business were restricted by licence condition to the hours currently specified on the planning consent for the premises use as a skate-park, which are 0800 – 2330 hours on any day.

I would take an interest if I were consulted on any TEN application for this premises, given the history. I would not necessarily object outright, but I would want to reassure myself that adequate measures were in place to reduce potential for noise nuisance. I am unclear as to how noise from such events would be controlled, given the proposal for the in-house system to be restricted. As I have already advised Mr O'Donnell, any nuisance complaints received as a result of any TEN granted would reinforce my current concerns if I am required to comment on a subsequent application to vary an existing licence.

I must stress that these opinions are based on the scenario that you have outlined below, and do not prejudice any representation I may make regarding the forthcoming committee hearing for the above premises. My opinions should not be regarded as in any way prejudicial to the representations that other Responsible Authorities may wish to make.

Kind Regards,

Neal Pates
Neal Pates
Environmental Protection Officer
Environmental Protection Service
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel: +44 (0)114 205 3588

Fax: +44 (0)114 273 6464

web: <http://www.sheffield.gov.uk/environment/environmental-health>

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From: ARI Environmental Services Ltd. [mailto:contact@ariweb.co.uk]
Sent: 26 June 2012 15:24
To: Pates Neal
Subject: RE: The Industry Skate Park, 9-11 Smithfield S3 7AR

Dear Neal

I have been asked by Paul O'Donnell to assist him with regards to the problems he is encountering in respect of his recent licencing application for The Industry Indoor Skate Park at Unit 9-11 Smithfield, Shalesmoor, Sheffield.

I have looked at his submission and the planning approval and I have also seen the various responses from the authorities concerned. It is obvious that the application that has been submitted has far exceeded what was originally intended and approved. Consequently I discussed the matter with Paul and he explained that his intention was only to give the business more options and not to open a 'nightclub' style venue that could create the problems that have been highlighted in the various responses.

I have advised him that he must restrict his activities to those already agreed and that if there are occasions when he wants to have a 'special event', he will need to deal with that situation as an event on its own and obtain the necessary permissions/licences at the time. My company ARI Environmental Services is an Environmental Health consultancy dealing with many planning and licencing issues and we have agreed to act as consultants to The Industry to ensure that it can comply with all the requirements in terms of nuisance and public safety. In addition we will write and monitor the procedures for security and participant control.

The purpose of this email is to canvass the opinions of those concerned to determine whether the project can proceed and if so the timescale with regards to a possible opening date.

For your information, the following have already been agreed with the operator as a minimum requirement:

Opening times shall be 0800 – 2330 hours on any day.

There shall be no live music – only background piped music through the in-house system which will have audio restriction devices installed.

Separate external refuse facilities will be provided.

First Aid staff will be in attendance at all times.

Means of escape in case of fire will be easily accessible, signed and kept free of all obstructions.

There will be a trained fire steward in attendance.

There will be a no glass policy on all drinks. The Industry will operate a Check 21 system.

In addition we are currently finalising the procedures and training schedule for all staff, the site specific risk assessments and security policies.

Given that the operator is wanting to open the venue as soon as possible, I would welcome your views on the current situation and will happily provide any documentation you require on request.

Thank you for your assistance in this matter.

Ian Webster
ARI Environmental Services Ltd.

ARI Environmental Services Ltd.

T: 01377 229292
F: 01377 229123
E: contact@ariweb.co.uk

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50

From: Pates Neal [mailto:Neal.Pates@sheffield.gov.uk]
Sent: Tue 12/06/2012 09:33
To: Hague Julie; Gibbons Sean (DEL); paul@industryclubsheffield.com; Sheffield.Liquor-Licensing@southyorks.pnn.police.uk; Licensing(General)
Subject: RE: The Industry Skate Park, 9-11 Smithfield S3 7AR Hi All,

I am ok for this meeting – 15:00 today.

Julie – Thanks for your assistance

See you later.

Neal Pates

Environmental Protection Officer
Sheffield City Council

Tel: (0114) 205 3588

From: Hague Julie
Sent: 06 June 2012 14:43
To: Pates Neal; Gibbons Sean (DEL); Gawthorpe Helen; 'paul@industryclubsheffield.com'; 'Sheffield.Liquor-Licensing@southyorks.pnn.police.uk'; Licensing(General)
Subject: RE: The Industry Skate Park, 9-11 Smithfield S3 7AR

Hello all

I have just received a call from Paul O'Donnell re confirmation of the arrangements for a meeting on the 12th June to discuss the application. In light of Neal's request a time has been arranged for 3pm on 12th June - I hope that is convenient to you, if not Paul is happy to meet with RA's at a time that suits individuals.

Kind regards

Julie

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board

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

From: Pates Neal
Sent: 01 June 2012 15:39
To: Gibbons Sean (DEL)
Cc: Hague Julie; Gawthorpe Helen; 'paul@industryclubsheffield.com'
Subject: The Industry Skate Park, 9-11 Smithfield S3 7AR

Hi Sean,

(51)

As you know I'm off on leave now until 12th June. I have just had a word with Paul O'Donnell and said that I'm hoping for a joint RA meeting on the 12th, or as soon as possible after if other parties can't make that date. Can I be cheeky and ask you to firm this up with Paul – he's on 07983 537 134. Preferably afternoon to give me a chance to take stock my emails, etc.

Thanks,

Neal.

Neal Pates
Environmental Protection Officer
Environmental Protection Service
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel: +44 (0)114 205 3588

Fax: +44 (0)114 273 6464

web: <http://www.sheffield.gov.uk/environment/environmental-health>

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Version: 2012.0.2178 / Virus Database: 2433/5062 - Release Date: 06/11/12

(S2)

Appendix 'E'



Officer: Mr S Gibbons
sean.gibbons@sheffield.gov.uk
Ref: The Industry Club Ltd/sg

Tel: 0114 273 4616
Date: 15 June 2012

Paul O Donnell
34 Dartmouth Avenue
Morley
West Yorkshire
LS27 0DJ

Dear Sir

Licensing Act 2003- Application for New Premises Licence

Premises: The Industry Club Ltd, Unit 9-11 Smithfield, Shalesmoor, S3 7AR

I write with reference to the above application, and the joint meeting held between Responsible Authorities and yourself on 12 June 2012, and would inform you that at this stage I have no alternative than to make a formal representation (objection) as the Responsible Authority towards public safety due to the following reasons.

Within this application and amongst other licensable activities, you have applied for the provision of alcohol, the provision of facilities for dancing and live entertainment. The hours applied for are until 6am. The application as it stands would allow the premises to operate in a nightclub style.

After liaising with colleagues in the planning department, it was brought to our attention that the original planning application submitted was primarily for a nightclub with skateboarding facilities. You will be aware that there are restrictions from planning regarding the usage of this building.

From a public safety aspect, the potential combination of alcohol consumption and participation in skateboarding and BMX activities would have a detrimental effect on safety which gives me serious concerns regarding for both the user of the facilities, staff and spectators alike.

The current British Standard for roller sports, BS EN 14974:2006 +A1:2010 was also brought to your attention during the meeting. The requirement for a Post Installation Inspection was discussed to ensure that the Skate Park meets the requirements of the above British Standard before it is used by the public.

The plan (Drawing 11-11, revision D) accompanying this application states that the occupancy shall be 360 persons. I have concerns regarding this figure and the practicality

Email Address: HealthProtection@sheffield.gov.uk

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Page 55



of such occupancy. Furthermore, facilities shown on the plan would only accommodate 150 people under the current British Standard for toilet facilities-BS 6465-2006+A1:2009.

Furthermore, the above plan does not clarify which areas are to be licensed, so it is assumed that as it stands at the moment, the entire site is being applied for.

I also briefly discussed the following points;

- Control of legionella with respect to the showers to be installed at the premises
- Suitability of floor finishes
- Electrical safety
- Management of emergencies

During the site meeting you were given various options by the Responsible Authorities, and you informed us that you would seek to withdraw this application due to concerns raised. You stated that you would look to submit Temporary Event Notices (TEN's) for corporate events.

Therefore, at this stage I have no option but to strongly object to the granting of the licence on public safety grounds. If you require any further information, please do not hesitate to contact me on the telephone number shown.

Yours faithfully



Mr S Gibbons
Environmental Health Officer

Copy Via Email Legal & Governance – Licensing General Section

Appendix 'F'



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

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

The Sheffield City Council being the licensing authority, on the **21 May 2012** received an application in respect of the premises known as **The Industry Club Ltd, Unit 9-11 Smithfield, Shalesmoor, Sheffield, S3 7AR**

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

- **Police**
- **Sheffield Safeguarding Children Board**
- **Environmental Protection**
- **Health & Safety**
- **Planning Authority**

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 **12 July 2012 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 25 June 2012

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.



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

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

The Sheffield City Council being the licensing authority, on the **21 May 2012** received an application in respect of the premises known as **The Industry Club Ltd, Unit 9-11 Smithfield, Shalesmoor, Sheffield, S3 7AR**

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

- **Police**
- **Sheffield Safeguarding Children Board**
- **Environmental Protection**
- **Health & Safety**
- **Planning Authority**

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

Dated:25 June 2012

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**

Mr Neal Pates
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

The Sheffield City Council being the licensing authority, on the **21 May 2012** received an application in respect of the premises known as **The Industry Club Ltd, Unit 9-11 Smithfield, Shalesmoor, Sheffield, S3 7AR**

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

- **Police**
- **Sheffield Safeguarding Children Board**
- **Environmental Protection**
- **Health & Safety**
- **Planning Authority**

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

Dated: 25 June 2012

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.



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

Mr Sean Gibbons
2-10 Carbrook Hall Road
Sheffield
S9 2DB

The Sheffield City Council being the licensing authority, on the **21 May 2012** received an application in respect of the premises known as **The Industry Club Ltd, Unit 9-11 Smithfield, Shalesmoor, Sheffield, S3 7AR**

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

- **Police**
- **Sheffield Safeguarding Children Board**
- **Environmental Protection**
- **Health & Safety**
- **Planning Authority**

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 **12 July 2012 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 25 June 2012

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.

Appendix 'G'



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

The Industry Club Limited
Unit 9-11 Smithfield
Salesmoor
Sheffield
S3 7AR.

The Sheffield City Council being the licensing authority, on the **21 May 2012** received an application in respect of the premises known as **The Industry Club Ltd, Unit 9-11 Smithfield, Shalesmoor, Sheffield, S3 7AR**

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

- **Police**
- **Sheffield Safeguarding Children Board**
- **Environmental Protection**
- **Health & Safety**
- **Planning Authority**

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 **12 July 2012** 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.

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- 1) The representations 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 application.

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: 25 June 2012

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.

NOTES

Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

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

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

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

(64)

LICENSING ACT 2003

Premises: The Industry Club Ltd
Type of App: LA03_Premises Licence Application
Hearing Date: 12 July 2012

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

Police Licensing Section

Of 1st Floor, Attercliffe Police Station
60 Attercliffe Common
Sheffield
S9 2AD

hereby confirm that I have received the Notice of Hearing dated 25 June 2012 and notify you as follows (please complete):

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

Dated: Signed:

Please see Regulation 8 overleaf

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

Regulation 8

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

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

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

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

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

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

