

Licensing Sub-Committee

Tuesday 3 June 2014 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 Clive Skelton (Chair), Nikki Bond and Neale Gibson
Adam Hurst (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.

Whilst recording is allowed at Committee meetings under the direction of the Chair of the meeting, Licensing Sub-Committee meetings may not be suitable for recording due to the nature of some of the evidence to be given, and the Chair will use discretion to decide if recording is allowed. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

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.

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
3 JUNE 2014**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Licensing Act 2003 - Steers Convenience Store, 69 Burngreave Road, S3 9DF**
Report of the Chief Licensing Officer
- 6. Licensing Act 2003 - Steers Beers, 213 London Road, S2 4LJ**
Report of the Chief Licensing Officer

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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

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

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

You **must**:

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

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

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

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

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

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

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

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

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

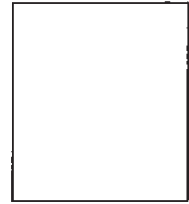
To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's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

Further advice can be obtained from Gillian Duckworth, Interim Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 3rd June 2014

Subject: Licensing Act 2003

Author of Report: Clive Stephenson

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

Steers Convenience Store, 69 Burngreave Road, Sheffield, S3 9DF

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

Background Papers: Attached documents

Category of Report: OPEN

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

Ref No 44 / 14

LICENSING ACT 2003

Review of Premises Licence

Steers Convenience Stores, 69 Burngreave Road, Sheffield, S3 9DF

1.0 PURPOSE OF REPORT

- 1.1 To consider an application for the review of a premises licence made under Section 51 of the Licensing Act 2003 in relation to Steers Convenience Store 69 Burngreave Road Sheffield S3 9DF

2.0 THE APPLICATION

- 2.1 The application is made by Sheffield City Council Trading Standards and was received by the Licensing Service on 4th April 2014.
- 2.2 The grounds for the review are based on the following aspects of the 2003 Licensing Act objectives:-

Prevention of Crime and Disorder
Public Safety
Protection of Children from Harm

- 2.3 The application form is attached at Appendix 'A' and details further the grounds for the review application.

3.0 REASONS FOR REFERRAL

- 3.1 The Licensing Authority must under the Act refer any application for review to the Licensing Committee, unless it is withdrawn, or if representations are made by an interested party that the Licensing Authority are of the opinion that they are frivolous or vexatious.

- 3.2 The Licensing Authority has, during the representation period received representations from the following:-

- | | | |
|----|---------------------------------------|--------------|
| a) | South Yorkshire Police | Appendix 'B' |
| b) | Sheffield Safeguarding Children Board | Appendix 'C' |

- 3.3 The applicant, the Premises Licence Holder and any other person that has made representations have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'D'.

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 52(3) requires that the Licensing Authority must, having regard to the application and any relevant representations, take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

5.2 Section 52(4) states:

"The steps are –

- a) To modify the conditions of the licence;
- b) To exclude the licensable activity from the scope of the licence;
- c) To remove the designated premises supervisor;
- d) To suspend the licence for a period not exceeding three months;
- e) To revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted, or any new condition added."

5.3 If members decide to take the steps referred to in (a) or (b) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

5.4 The Licensing Act 2003 at section 52(11) states that:

"A determination under this section does not have effect –

- a) until the end of the period given for appealing against the decision, or
- b) if the decision is appealed against, until the appeal is disposed of."

5.5 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.

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

7.0 APPEALS

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

8.0 RECOMMENDATIONS

- 8.1 That members carefully consider the application for review along with any other representations made and take such steps as detailed in paragraph 5.2 above that the Committee consider necessary for the promotion of the Licensing Objectives.

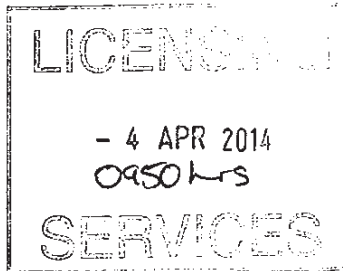
9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1
- a) modify the conditions of the licence;
 - b) exclude a licensable activity from the scope of the licence;
 - c) remove the designated premises supervisor;
 - d) suspend the licence for a period not exceeding three months;
 - e) revoke the licence; or
 - f) reject the application for review.

Steve Lonnie

Steve Lonnie,
Chief Licensing Officer, Head of Licensing
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot
Sheffield
S9 3HD.

Appendix A



Application for the review of a premises licence or club premises certificate 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** David Palmer

apply for the review of a [premises licence under section 51] [club premises certificate under section 87] of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 - Premises details or club premises details

Postal address of premises or club premises, or if none, Ordnance Survey map reference or description Steers Convenience Store 69 Burngreave Road	
Post town Sheffield	Post code S3 9DF
Telephone number (if any) 07813554427	
Name of premises licence holder or club holding club premises certificate (if known) Mr Hardip Singh	
Number of premises licence or club premises certificate (if known) SY 0522 PR	

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an interested party (please complete section (A) or (B) below)
- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises

Delete any words in square brackets which do not apply

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

(2) Insert name(s) of applicant

Please tick ✓ yes

2) a responsible authority (please complete section (C) below)

3) a member of the club to which this application relates (please complete section (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

Current address

Post town

Post code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT (fill in if applicable)

Name and address

Post town

Post code

Telephone number (if any)

E-mail address
(optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in if applicable)

Name and address Sheffield City Council Trading Standards(Weights & Measures Authority) 2-10 Carbrook Hall Road	
Post town Sheffield	Post code S9 2DB

Telephone number (if any)

E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

1. On 4th December 2013, Sheffield Trading Standards received a complaint from a member of the public, alleging that counterfeit alcohol was being sold at the shop.
2. On 6th December 2013, Officers visited the shop in order to examine the stock. They seized from a display shelf, 1 x 1litre bottle and 2 x 70cl bottles of illicit Glen's Vodka. It has since been confirmed by the manufacturer, that these products are genuine and were intended for export, but that at some stage the bottles had been intercepted, their export labels removed and counterfeit duty paid labels applied.
3. During the same visit, 36 "Blunts" were found on sale. These had inadequate UK health warnings and were not intended for the UK market. (Blunts are a rolled tobacco leaf casing, in the shape of a cigarette, intended to be filled with other smoking materials, before lighting and smoking in the normal way.)
4. Previously, on 9th November 2012, officers had discovered 17 bottles of illicit alcohol spirits of various types, on sale in the shop, then trading as Premier Store. These did not display the UK duty paid stamp. Also during that visit, officers found 46 packs of chewing tobacco and 56 packs of blunts, which were non-duty paid and which had incorrect, foreign health warnings or no warnings at all. They were not intended for the UK market. All of these goods were voluntarily forfeited by the licensee and a written warning was issued on 7th December 2012.
5. The risks to the public and in particular, to young people, from the sale of illicit alcohol and tobacco are now well known. In these cases, the alcohol was found to be genuine, but non-duty paid. However, the licensee could not have known this and chose to put his customer's health at risk.
6. In the case of the tobacco products, it should have been obvious to a retailer that the goods were not properly labelled and did not carry the warnings legally required.

1. The licensee has a previous record relating to the sale of illicit alcohol. On the 12th October 2011, Mr Singh signed a simple caution in respect of counterfeit/contaminated spirits purporting to be Glen's vodka, found on sale at his London Road shop, trading as Steers Beers.
2. On 21st June 2012, over 400 bottles of illicit Danoff vodka was seized from the London Road shop. This was subsequently found to be non duty paid and Mr. Singh and his wife Paramjit Kaur, pleaded guilty to an offence under the General Food Regulations 2004 and they each received a conditional discharge and ordered to pay £250 costs at Sheffield Magistrates Court on 6th March 2013. Paramjit Kaur, was the business rates payer, the Premises Licence Holder and DPS at the time of the offences.
3. On 13 February 2013, whilst the above case was pending, Trading Standards Officers seized 6 bottles of spirits labelled as Smirnoff and one bottle labelled as Glen's, from the London Road shop. These were confirmed to be counterfeit and Mr Singh was prosecuted under the Trade Marks Act 1994 and the Food Safety Act 1990. On 4th March 2014 at Sheffield Magistrates Court, Mr Singh received a conditional discharge and was ordered to pay costs of £427.
4. Whilst the two incidences relating to the possession for sale of illicit alcohol and tobacco at the Burngreave Road shop, involved relatively small amounts of offending products, it is clear that since July 2011 and December 2013, the licensee has shown a continuing disregard for the law and for the health of his customers.
5. Counterfeit and illicit spirits are known to contain dangerous industrial chemicals and other contaminants and are made without the quality control measures employed by genuine brand manufacturers. Such products have no genuine batch codes or identification details of the actual manufacturer which makes traceability of the products impossible. This is also an offence. Furthermore, the ABV declared on the label is often inaccurate. As a result the public's safety is at risk when consuming these products, particularly during binge drinking and even when being consumed more responsibly on a regular basis
6. Appended to this application is a report prepared by Dr. Subhashis Basu, Specialty Registrar in Accident and Emergency in Sheffield. Dr Basu details the potential health effects of common contaminants found in illicit alcohol.

Have you made an application for review relating to these premises before?

If yes, please state the date of that application

Day	Month	Year

If you have made representations before relating to these premises, please state what they were and when you made them.

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 4)
If signing on behalf of the applicant please state in what capacity.

Signature 

Date 4/4/14

Capacity Senior Trading Standards Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
David Palmer Sheffield Trading Standards 2-10 Carbrook Hall Road	
Post town Sheffield	Post S9 2DB
Telephone number (if any) 0114 2736291	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Appendix B

CLOSURE NOTICE FOR PERSISTENTLY SELLING ALCOHOL TO CHILDREN

Section 169A(2) of Licensing Act 2003

This notice offers a period of closure as an alternative to criminal prosecution for an offence of repeatedly selling alcohol to underage persons. It is addressed to the person(s) (which may include a company etc) who hold the relevant premises licence for the premises concerned. A copy of this closure notice will be sent to the holder of the premises licence at the address for that person set out in the licence.

The premise licence holder(s) should read parts 7, 8, 9 and 10 of this notice with particular care as they contain information concerning their rights. If you have been handed this notice and are not the premises licence holder, you may wish to inform the premises licence holder(s) that this notice has been served.

1. Name and rank of the police officer (must hold the rank of superintendent or above) / name of the Inspector of weight and measure [delete as appropriate] giving this closure notice
Superintendent Morley
2. Name of the police, community support or trading standards officer [delete as appropriate] serving this closure notice. (A closure notice may be served by being handed to a person on the premises who appears to have control of or responsibility for the premises and who need not be the premises licence holder)
PC642 Tracey Hilton
3. Date on which closure notice is given
07 01 2014

4. Details of Premise & Premise Licence Holder(s)	
4. Address of premises in respect of which this notice is being given	Steers Beers (Premier), 69 Burngreave Road, Sheffield S3 9DF
5. Premises Licence Reference number and issuing authority	SY 0522 PR
6. Name of premises licence holder(s)	Mr Hardip SINGH
7. Address of premises licence holder(s). (This is the address to which a copy of this closure notice will be sent)	Todays Supermarket, 213 London Road, Sheffield, S2 4LJ.

5. Particulars of alleged offence under section 147A of the Licensing Act 2003, including:	
<ul style="list-style-type: none"> • Particulars of unlawful sales made to persons under 18; • Dates of the sales; and • The individuals making the sales (so far as known). 	
(Note: you can be liable for offence if you were a premises licence holder at the time each unlawful sale took place on the premises)	
First unlawful	14/11/13 - Sale of 1 bottle of Stella Artois lager, value £1.15 to a 15 yr old police

Sale:	volunteer by a member of staff, namely Carl SARGEANT. Dealt with by way of Fixed Penalty Ticket number 0012477.
Second unlawful sale:	31/12/13 – Sale of 1 bottle of Stella Cidre (alcohol), value £1.99 to a 16 yr old police volunteer by a member of staff, namely Carl SARGEANT. Dealt with by way of Fixed Penalty Ticket number
Third unlawful sale:	

6. Proposed period during which sales of alcohol by retail are to be prohibited (commencing not less than 14 days after this closure notice was served):			
From	Time: 08.00hrs	To	Time:08.00
	Date: Friday 24 th January 2014		Date: Monday 27 th January 2014

7. Effect of accepting of the proposed prohibition (closure)
If you decide to accept the proposed closure (on how to do this, see part 9 below), all sales by retail of alcohol at the premises during the period specified in part 9 of this notice will be unauthorised. An unauthorised sale is a criminal offence (see section 136 of the licensing Act 2003). A person guilty of an offence under that section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.
8. Right to elect to go trial
You do not have to accept the proposed closure. As an alternative, you may elect to be tried in a court of law for the offence described in part 8 above. That right may be exercised by informing the officer named in part 14 in writing or by e-mail.
9. How to accept the proposed prohibition
In order to accept the proposed closure, <u>all</u> premises licence holder(s) should notify the officer named in part 11 of their decision in writing or by e-mail <u>within 14 days</u> of this notice being served. Failure to notify the officer named in part 11 of acceptance of the prohibition within 14 days will be taken as a decision to elect for trial for the alleged offence described in part 5.
10. Effect of a failure by one or more of the premises licence holders to accept the proposed prohibition
The right to be tried for the alleged offence described in part 8 of this closure notice will be taken to have been exercised unless every person who was a holder of the premises licence at the time this notice was given accepts the proposed prohibition.

11. Name of the police officer or trading standards officer to whom notice exercising the option to accept the prohibition should be given, or election to go to trial must be sent, within 14 days
Inspector Burgess
c/o South Yorkshire Police Licensing
The address of the officer in part 11
Licensing Department, 1 st Floor Attercliffe Police Station, 60 Attercliffe Common, Sheffield, S9 2AD
E-mail address and telephone number of the officer in part 11
Sheffield.liquor-licensing@southyorks.pnn.police.uk
0114 2523163 / 2523617/2523618



South Yorkshire
POLICE

Mr Hardip SINGH
Todays Supermarket
213 London Road
Sheffield
S2 4LJ

Date: 8th January 2014

Dear Mr Singh

Re: Steers Beers (Premier), 69 Burngreave Road, Sheffield, S3 9DF.

We are writing in relation to the above premise for which we understand you are the Premises Licence Holder.

On the 14th November 2013 and 31st December 2013 a Police operation relating to the sale of intoxicants to under- aged persons took place in various districts of Sheffield. The above premise was one of those premises visited by a person under the age of 18 years who successfully managed to make a purchase of alcohol from a member of staff.

Section 169a(2) of the Licensing Act 2003 allows for action to be brought when a Premise fails two Test Purchase Operations in three months. Part of the action includes the option for the Premises to either voluntarily cease selling alcohol for a period of time up to two weeks (as specified by South Yorkshire Police) OR for the Premises Licence Holder be taken to Court and tried for the offence of selling alcohol to an underage person.

We now enclose a copy of the Closure Notice which was served on the premise on 7th January 2014. It allows a period of 14 days within which all Premises Licence Holders should contact South Yorkshire Police Licensing on the details provided in Section 11 of the Form to confirm their acceptance of the proposed closure, or elect for trial for the alleged offence. Acceptance of the voluntary closure can be sent via e mail to Sheffield.liquor.licensing@southyorks.pnn.police.uk. **If we do not hear from you within 14 days from 7th January 2014 we will assume that you have elected to go to go to trial.**

If you have any queries regarding this letter please contact the Licensing Department on 0114 2523617

Yours faithfully,



Abdullah Khalid
<a.khalid@enetcomputers.co.uk>

16/01/2014 17:04

Please respond to
Abdullah Khalid
<a.khalid@enetcomputers.co.uk>

To sheffield.liquor-licensing@southyorks.pnn.police.uk
cc
bcc
Subject steers beers Burngreave sheffield

hi

would like to inform you we will close our store Friday on 24th January until 27th January 2014 8 AM in morning.please find attached closure notice.

Kind Regards



steers beers sheffield Scan_Doc0048.pdf

Appendix C



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 2734828

25.4.14

The Licensing Authority
Town Hall
Surrey Street
Sheffield

Dear Sirs

**APPLICATION TO REVIEW THE PREMISES LICENCE: STEERS CONVENIENCE STORE,
69 BURNGREAVE ROAD, SHEFFIELD S3 9DF**

I am writing to make a representation on behalf of the Safeguarding Children Board as the Responsible Authority for the protection of children from harm under the Licensing Act 2003. The reason for the representation is that the above premise has been evidenced to operate in an irresponsible and illegal way that undermines the core objective for the protection of children from harm, under the Licensing Act 2003.

The evidence submitted by Sheffield City Council Trading Standards demonstrates that the law has not been complied with in relation to products on sale at this premise and that alcohol products have been irresponsibly sold. If products on sale are not legal and safe, there is a risk of harm to children. The risk of harm may escalate at premises that do not operate a robust age verification scheme. The premises has a history of failed test purchase operations; on 14.11.13 and 31.12.13 this premises failed two test purchase operations conducted by South Yorkshire Police to test compliance with the law. This resulted in alcohol being unlawfully sold to young people, thus identifying a child protection risk that the premises management must address. The premises has also failed a test purchase operation in 2011. In all cases Mr Hardip Singh was offered support and free multi agency training by the Safeguarding Children Board, Police and Trading Standards (appendices 1 and 2 refer) however no staff or management from the premises has yet attended the training.

On 22.4.14 I visited the premises to establish what safeguarding systems are in place for the protection of children from harm. I met with Mr Carl Sergeant who described himself as the shop manager. Whilst till prompts were in place, Mr Sergeant did not appear clear in describing to me what age verification scheme operates, however he was able to produce a refusals book when asked; I was concerned that this log did not have any refusals recorded since September 2013 and the majority of entries had been made only by Mr Singh, no other staff appeared to be recording in the book. As signage was lacking with only one sign on the door, I asked Mr Sergeant to show me where additional 'Challenge scheme' signage was displayed and he was

unable to locate any. There was one sign on the door to indicate that only 2 "Under 18's" at any time were allowed in the shop.

In relation to staff training, Mr Sergeant confirmed that he was not a personal licence holder, despite being responsible for the shop. Mr Sergeant was not aware of any training records being in place and could not recall having signed any.

The above has raised concerns for the Safeguarding Children Board that the level of the current management's competence to comply with the law and due diligence systems for the protection of children from harm is lacking and may put children at risk of harm.

In light of the above, the Safeguarding Children Board would ask the Licensing Sub Committee to take positive action to address the concerns presenting at this premise for the protection of children from harm.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Julie Hague', with a stylized flourish at the end.

JULIE HAGUE
Licensing Project Manager



Appendix 1

DNA -

3.11.11

Mr Hardip Singh
Todays Supermarket
213 London Road
Sheffield S2 4LJ

Dear Sir/Madam

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2738753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: Steers Beers (fka) Burngreave Wine Shop, 69 Burngreave Road, Sheffield S3 9DF

I am writing to confirm that a place has been reserved for you, or a member of your staff, on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop. The workshop is free of charge and will take place as follows:

Date: 1.2.12

Time: 1.15pm to 5.15pm

Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop in addition to any other training you may attend, as this training is recognised by the Sheffield Licensing Authority and will assist you with improving partnership work with the responsible authorities and finding out what services are available in Sheffield to help you; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

Meanwhile, please ensure that the following systems are operating at the premises (immediate advice about age verification is available from Greg Ward, Trading Standards (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.noidnosale.com/>; or <http://www.drinkaware.co.uk/resources>. Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

TO SECURE A PLACE PLEASE CONFIRM BY 25TH JANUARY 2012. DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE. Please let us know in advance if you have any special requirements to access the training.

Yours sincerely
JULIE HAGUE

Licensing Project Manager, Sheffield Safeguarding Children Board

DNA



Appendix 2.

14.1.14

MR Hardip Singh
Premier (Steers Beers)
69 Burngreave Road
Sheffield S3 9DF

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 Sir/Madam

**THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: PREMIER (STEERS BEERS), BURNGREAVE ROAD, S3
9DF**

I am writing to inform you that a place has been reserved on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop, for your Designated Premises Supervisor or another responsible member of staff at the above premises. The workshop is free of charge and will take place as follows:

Date: 13.2.14

Time: 1.15pm to 5.15pm

Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop in addition to any other training you may attend, as this training is recognised by the Sheffield Licensing Authority and will assist you with improving partnership work with the responsible authorities and finding out what services are available in Sheffield to help you; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

Meanwhile, please ensure that the following systems are operating at the premises (immediate advice about age verification is available from Greg Ward, Trading Standards (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.noidnosale.com/>; or <http://www.drinkaware.co.uk/resources>. Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

To secure a place please contact me on (0114) 2736753 not later than 6th FEBRUARY 2014 to confirm the name of the person who will attend. DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE. Please let us know in advance if you have any special requirements to access the training.

Yours sincerely


JULIE HAGUE
Licensing Project Manager,
Sheffield Safeguarding Children Board

Appendix D

Notice of hearing to consider an application for review of premises licence and any relevant representations

To: Mr Hardip Singh
c/o Steers Convenience Store
69 Burngreave Road
Sheffield
S3 9DF

The Sheffield City Council being the licensing authority, on the 4th April 2014 received an application from Sheffield City Council Trading Standards for a review of a Premises Licence in respect of premises known as Steers Convenience Stores, Burngreave Road, Sheffield S3 9DF.

During the consultation period the Council also received representations from Sheffield Safeguarding Children Board & South Yorkshire Police.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on Tuesday 3rd June 2014 at 10am; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

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

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

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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 14th May 2014

Signed _____

The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
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),

(c) paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)

(d) 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.

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.

**Notice of actions following receipt
of notice of hearing**

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

licensing@sheffield.gov.uk

tel 0114 273 4264

I

of

hereby confirm that I have received the Notice of Hearing dated 14th May 2014
and notify you as follows:

*I do / do not intend to attend the hearing at 10am on Tuesday 3rd June 2014

*I 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

*** delete as applicable**

Dated

Signed.....

Notice of hearing to consider an application for review of a premises licence and any relevant representations

David Palmer
Sheffield City Council
Trading Standards

The Sheffield City Council being the licensing authority, on the 4th April 2014 received an application from Sheffield City Council Trading Standards for a review of a Premises Licence in respect of premises known as Steers Convenience Store 69 Burngreave Road, Sheffield, S3 9DF.

During the consultation period the Council also received representations from Safe Guarding Children & South Yorkshire Police

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on Tuesday 3rd June 2014 at 10am; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) 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 in connection with the review 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.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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 14th May 2014

Signed _____
The officer appointed for this purpose

Please address any communications to:
The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

licensing@sheffield.gov.uk

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

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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.

**Notice of actions following receipt
of notice of hearing**

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

licensing@sheffield.gov.uk

tel 0114 273 4264

I

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*I do / do not intend to attend the hearing at 10am on Tuesday 3rd June 2014

*I 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

*** delete as applicable**

Dated

Signed.....

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),
- (c) paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
- (d) 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.

Notice of hearing to consider an application for review of a premises licence and any relevant representations

South Yorkshire Police
Central Licensing Team
Attercliffe Police Station
Attercliffe Common
Sheffield
S9 2AD

The Sheffield City Council being the licensing authority, on the 4th April 2014 received an application from Sheffield City Council Trading Standards for a review of a Premises Licence in respect of premises known as Steers Convenience Store 69 Burngreave Road, Sheffield, S3 9DF.

During the consultation period the Council also received representations from Safe Guarding Children.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on Tuesday 3rd June 2014 at 10am; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) 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 in connection with the review 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.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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 14th May 2014

Signed _____
The officer appointed for this purpose

Please address any communications to:
The Licensing Service
Business Strategy and Regulation
Place Portfolio
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),
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**Notice of actions following receipt
of notice of hearing**

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

licensing@sheffield.gov.uk

tel 0114 273 4264

I

of

hereby confirm that I have received the Notice of Hearing dated 14th May 2014
and notify you as follows:

*I do / do not intend to attend the hearing at 10am on Tuesday 3rd June 2014

*I 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
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*** delete as applicable**

Dated

Signed.....

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Notice of hearing to consider an application for review of a premises licence and any relevant representations

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board

The Sheffield City Council being the licensing authority, on the 4th April 2014 received an application from Sheffield City Council Trading Standards for a review of a Premises Licence in respect of premises known as Steers Convenience Store 69 Burngreave Road, Sheffield, S3 9DF.

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Dated 14th May 2014

Signed _____
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

NOTES

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 - (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.

**Notice of actions following receipt
of notice of hearing**

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

licensing@sheffield.gov.uk

tel 0114 273 4264

I

of

hereby confirm that I have received the Notice of Hearing dated 14th May 2014
and notify you as follows:

*I do / do not intend to attend the hearing at 10am on Tuesday 3rd June 2014

*I 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

*** delete as applicable**

Dated

Signed.....

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),

(c) paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)

(d) paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence),

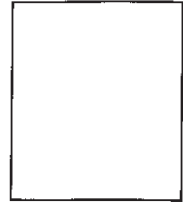
the party shall give the notice no later than two working days before the day or the first day on which the hearing is to be held.

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

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SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 3rd June 2014

Subject: Licensing Act 2003

Author of Report: Clive Stephenson

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

Steers Beers, 213 London Road, Sheffield, S2 4LJ

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

Background Papers: Attached documents

Category of Report: OPEN

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

Ref No 45 / 14

LICENSING ACT 2003

Review of Premises Licence

Steers Beer, 213 London Road, Sheffield, S2 4LJ

1.0 PURPOSE OF REPORT

- 1.1 To consider an application for the review of a premises licence made under Section 51 of the Licensing Act 2003 in relation to Steers Beers 213 London Road Sheffield S2 4LJ

2.0 THE APPLICATION

- 2.1 The application is made by Sheffield City Council Trading Standards and was received by the Licensing Service on 4th April 2014.
- 2.2 The grounds for the review are based on the following aspects of the 2003 Licensing Act objectives:-

Prevention of Crime and Disorder
Public Safety
Protection of Children from Harm

- 2.3 The application form is attached at Appendix 'A' and details further the grounds for the review application.

3.0 REASONS FOR REFERRAL

- 3.1 The Licensing Authority must under the Act refer any application for review to the Licensing Committee, unless it is withdrawn, or if representations are made by an interested party that the Licensing Authority are of the opinion that they are frivolous or vexatious.

- 3.2 The Licensing Authority has, during the representation period received representations from the following:-

a) Sheffield Safeguarding Children Board Appendix 'B'

- 3.3 The applicant, the Premises Licence Holder and any other person that has made representations have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'D'.

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 52(3) requires that the Licensing Authority must, having regard to the application and any relevant representations, take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

- 5.2 Section 52(4) states:

“The steps are –

- a) To modify the conditions of the licence;
- b) To exclude the licensable activity from the scope of the licence;
- c) To remove the designated premises supervisor;
- d) To suspend the licence for a period not exceeding three months;
- e) To revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted, or any new condition added.”

- 5.3 If members decide to take the steps referred to in (a) or (b) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

- 5.4 The Licensing Act 2003 at section 52(11) states that:

“A determination under this section does not have effect –

- a) until the end of the period given for appealing against the decision, or
- b) if the decision is appealed against, until the appeal is disposed of.”

- 5.5 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.

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

6.0 HEARINGS REGULATIONS

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

7.0 APPEALS

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

8.0 RECOMMENDATIONS

- 8.1 That members carefully consider the application for review along with any other representations made and take such steps as detailed in paragraph 5.2 above that the Committee consider necessary for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

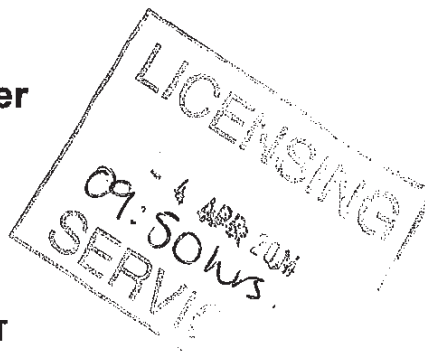
- 9.1
- a) modify the conditions of the licence;
 - b) exclude a licensable activity from the scope of the licence;
 - c) remove the designated premises supervisor;
 - d) suspend the licence for a period not exceeding three months;
 - e) revoke the licence; or
 - f) reject the application for review.

Steve Lonnia

Steve Lonnia,
Chief Licensing Officer, Head of Licensing
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot
Sheffield
S9 3HD.

Appendix A

Application for the review of a premises licence or club premises certificate 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 **David Palmer**

apply for the review of a [premises licence under section 51] [club premises certificate under section 87] of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 - Premises details or club premises details

Postal address of premises or club premises, or if none, Ordnance Survey map reference or description Steers Beers 213 London Road	
Post town Sheffield	Post code S2 4LJ
Telephone number (if any) 255 1705	

Name of premises licence holder or club holding club premises certificate (if known) Paramjit Kaur

Number of premises licence or club premises certificate (if known) SY 0167 PR
--

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an interested party (please complete section (A) or (B) below)
- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises

Delete any words in square brackets which do not apply

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

(2) Insert name(s) of applicant

Please tick ✓ yes

2) a responsible authority (please complete section (C) below)

3) a member of the club to which this application relates (please complete section (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (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 address	
Post town	Post code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT (fill in if applicable)

Name and address	
Post town	Post code

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in if applicable)

Name and address Sheffield City Council Trading Standards(Weights & Measures Authority) 2-10 Carbrook Hall Road	
Post town Sheffield	Post code S9 2DB

Telephone number (if any)

E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

1. On 11th February 2013, Sheffield Trading Standards received a complaint from a member of the public, who stated that he had been made ill after consuming Smirnoff vodka that he had purchased from Steers Beers of London Road, Sheffield.
2. A Trading Standards Officer visited the complainant on 13th February 2013, in order to examine and test the product. An informal test showed the ABV was lower than the 37.5% declared and there were several discrepancies with the bottle and label that caused suspicion.
3. Later that day, Officers visited the shop and found a large number of cases of 70cl Smirnoff Vodka in a store room. One open case of six bottles was seized on suspicion of being counterfeit. This was subsequently confirmed by the trade mark owner and after analysis, the spirit was found to contain tertiary-butanol, chloroform and isopropanol. The ABV was 34.4% and the spirit could not be called vodka.
4. On 4th March 2014, the proprietor, Hardip Singh was convicted of offences under the Trade Marks Act 1994 and the Food Safety Act 1990 and he received a conditional discharge with £427 costs.
5. Previously, on 6th March 2013, Hardip Singh and his wife, Paramjit Kaur, who was at the time Premises Licence Holder and DPS, pleaded guilty to an offence under the General Food Regulations 2004 and both received a conditional discharge for two years and were ordered to pay costs of £250. This offence related to the seizure of over 400 bottles of non-duty paid Danoff vodka found at the London Road premises on 21st June 2012. The lack of genuine receipts rendered the product un-traceable.
6. Prior to these offences, Mr Singh had signed a caution on the 12th October 2011, in relation to the seizure of 16 x 35cl bottles of counterfeit Glen's vodka from the same premises. A sample bottle was found upon analysis to contain tertiary butanol and have an ABV of 49.1%. It could not legally be called vodka. The bottles had been seized on 1st July 2011, following a complaint from a customer who stated he had been made ill by the product. The story was highlighted in a Sheffield Star Action Desk report on 8th July 2011.

Please provide as much information as possible to support the application

(please read guidance note 2)

1. Counterfeit and illicit spirits are known to contain dangerous industrial chemicals and other contaminants and are made without the quality control measures employed by genuine brand manufacturers. Such products have no genuine batch codes or identification details of the actual manufacturer which makes traceability of the products impossible. This is also an offence. Furthermore, the ABV declared on the label is often inaccurate, as found in two of these cases. As a result the public's safety is at risk when consuming these products, particularly during binge drinking and even when being consumed more responsibly on a regular basis.
2. Although the vodka seized on the 21st June 2012 was found to be genuine, but non duty paid, the proprietors could not have known this when they purchased it. It was their customer's good fortune that it was not, on this occasion, a contaminated product. They also gave false information and produced false documents when questioned.
3. Hardip Singh has a further history of dealing in illicit alcohol and tobacco. On 6th December 2013, 3 non duty paid bottles of Glen's vodka, were seized from his other shop at 69 Burngreave Road, along with 36 packs of illicit blunts, (rolled tobacco leaf, intended to be smoked when filled with other substances).
4. Prior to that, on the 9th November 2012, over 100 illicit tobacco products (chewing tobacco and blunts) were seized along with 17 bottles of non duty paid spirits. Mr Singh received a written warning on 7th December 2012 in respect of these offences.
5. Appended to this application is a report prepared by Dr.Subhashis Basu, Specialty Registrar in Accident and Emergency in Sheffield. Dr Basu details the potential health effects of common contaminants found in illicit alcohol.

Please tick ✓ yes

Have you made an application for review relating to these premises before?

If yes, please state the date of that application

Day		Month		Year	

If you have made representations before relating to these premises, please state what they were and when you made them.

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 4)
If signing on behalf of the applicant please state in what capacity.

Signature



Date

4/4/14

Capacity

Senior Trading Standards Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

David Palmer
Sheffield Trading Standards
2-10 Carbrook Hall Road

Post town Sheffield

Post S9 2DB

Telephone number (if any) 0114 2736291

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

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Appendix B



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

25.4.14

The Licensing Authority
Town Hall
Surrey Street
Sheffield

Dear Sirs

APPLICATION TO REVIEW THE PREMISES LICENCE: STEERS BEERS, 213 LONDON ROAD, SHEFFIELD S2 4LJ

I am writing to make a representation on behalf of the Safeguarding Children Board as the Responsible Authority for the protection of children from harm under the Licensing Act 2003. The reason for the representation is that the above premise has been evidenced to operate in an irresponsible and illegal way that undermines the core objective for the protection of children from harm, under the Licensing Act 2003.

The evidence submitted by Sheffield City Council Trading Standards demonstrates that counterfeit alcohol products have been sold at the premises. The Safeguarding Children Board is concerned that these products, which are expected by the public to be legitimate and regulated products, may cause physical harm if consumed by persons under the age of 18. There is potential for children and young people to easily access these products, for example if the products have been legally consumed in a domestic setting, or if the products are accessed by underage or 'proxy sales'.

With respect to the risk of underage sales, I am aware that the premises failed a Test Purchase Operation conducted by South Yorkshire Police on 1.3.13 resulting in the sale of alcohol to a young person. In response and to support the premises management to improve their age verification practice, Mr Pritam Singh was offered free multi-agency staff training places for the next available training session on 11.4.13, however no-one attended the free training session (appendix 1 refers).

On 22.4.14 I visited the premises to discuss a complaint that had been received by the Sheffield Safeguarding Children Board in relation to inappropriate displays of adult magazines which were in close proximity to children's literature; I also visited to establish what safeguarding systems are in place to prevent underage sales. At this visit I had a discussion with Mr Manpreet Singh, who was in charge of the shop and who said he is a relative of Mr Hardip Singh. Mr Singh informed me that the adult magazines had been removed following a warning from Licensing Authority enforcement officers and I observed this to be the case. In relation to

the age verification scheme however I was concerned that Mr Singh was unable to direct me to any signage promoting a Challenge 21 or 25 scheme, nor was he able to tell me which scheme operates at the shop. Nor could Mr Singh locate a refusals book at the premises. When I asked if the shop has till prompts, Mr Singh stated that till prompts are in place, yet he remained unable to clarify which age scheme operates. Regarding staff training, I was informed that most staff are personal licence holders with the exception of one, however there was no training record to evidence that this member of staff had received any training, nor was there evidence of any refresher training having been delivered to any staff. I was concerned that Mr Singh was unable to evidence a robust age verification scheme or state which scheme was in operation, despite him being in charge.

In response to my enquiry about other due diligence schemes I was shown a Licencewatch membership certificate, however this was out of date from 20 July 2010 so I advised Mr Singh accordingly. The premises also displays a 'Responsible Retailer' membership certificate, dated 2005. In order to participate in this scheme, members are expected to maintain staff training records and a robust age verification scheme.

As a result of the above, concerns have been identified in relation to the management's level of commitment and competence in enforcing due diligence systems at the premises for the protection of children from harm. In light of this, the Safeguarding Children Board would ask the Licensing Sub Committee to take positive action to address the concerns presenting at this premise.

Yours sincerely



JULIE HAGUE
Licensing Project Manager

DNA



3.4.13

Pritam SINGH
69 Burngreave Rd
Sheffield

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736763
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Sir/Madam

**THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: STEERS BEERS, 213 LONDON ROAD, SHEFFIELD**

I am writing to inform you that a place has been reserved on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop, for the Designated Premises Supervisor or other responsible member of staff at the above premises. The workshop is free of charge and will take place as follows:

Date: 11.4.13

Time: 1.15pm to 5.15pm

Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop in addition to any other training you may attend, as this training is recognised by the Sheffield Licensing Authority and will assist you with improving partnership work with the responsible authorities and finding out what services are available in Sheffield to help you; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

Meanwhile, please ensure that the following systems are operating at the premises (immediate advice about age verification is available from Greg Ward, Trading Standards (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

CONTINUED .../

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.noidnosale.com/>; or <http://www.drinkaware.co.uk/resources>. Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

To secure a place please contact me on (0114) 2736753 not later than 10 April 2013 to confirm the name of the person who will attend. DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE. Please let us know in advance if you have any special requirements to access the training.

Yours sincerely



JULIE HAGUE
Licensing Project Manager,
Sheffield Safeguarding Children Board

Appendix C

**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

To: Miss Parmajit Kaur
c/o Steers Beers
213 London Road
Sheffield
S2 4LJ

The Sheffield City Council being the licensing authority, on the 4th April 2014 received an application from Sheffield City Council Trading Standards for a review of a Premises Licence in respect of premises known as Steers Beers 213 London Road, Sheffield S2 4LJ.

During the consultation period the Council also received representations from Sheffield Safeguarding Children Board.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on Tuesday 3rd June 2014 at 11:30 am; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

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

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

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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 14th May 2014

Signed 
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
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.
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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.

**Notice of actions following receipt
of notice of hearing**

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

licensing@sheffield.gov.uk

tel 0114 273 4264

I

of

hereby confirm that I have received the Notice of Hearing dated 14th May 2014
and notify you as follows:

*I do / do not intend to attend the hearing at 11.30 am on Tuesday 3rd June 2014

*I 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

*** delete as applicable**

Dated

Signed.....

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),

(c) paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)

(d) 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.

**Notice of hearing to consider an
application for review of a premises
licence and any relevant representations**

David Palmer
Sheffield City Council
Trading Standards

The Sheffield City Council being the licensing authority, on the 4th April 2014 received an application from Sheffield City Council Trading Standards for a review of a Premises Licence in respect of premises known as Steers Beers 213 London Road, Sheffield, S2 4LJ.

During the consultation period the Council also received representations from Safe Guarding Children .

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on Tuesday 3rd June 2014 at 11.30 am; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) 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 in connection with the review 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.

**You should complete form LAR1 and return it to: The Licensing Service,
Business Strategy and Regulation, Place Portfolio, 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 14th May 2014

Signed Clive Stephenson
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

licensing@sheffield.gov.uk

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.

**Notice of actions following receipt
of notice of hearing**

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

licensing@sheffield.gov.uk

tel 0114 273 4264

I

of

hereby confirm that I have received the Notice of Hearing dated 14th May 2014
and notify you as follows:

*I do / do not intend to attend the hearing at 11.30 am on Tuesday 3rd June 2014

*I 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

*** delete as applicable**

Dated

Signed.....

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.
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 - (d) paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence),

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**Notice of hearing to consider an
application for review of a premises
licence and any relevant representations**

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board

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Dated 14th May 2014

Signed Clive Stephenson
The officer appointed for this purpose

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Place Portfolio
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