

# **Licensing Sub-Committee**

**Thursday 19 March 2015 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 David Barker (Chair), Neale Gibson and Vickie Priestley  
Olivia Blake (Reserve)**

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## **PUBLIC ACCESS TO THE MEETING**

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The Licensing Committee carries out a statutory licensing role, including licensing for taxis and public entertainment.

As a lot of the work of this Committee deals with individual cases, some meetings may not be open to members of the public.

Recording is allowed at Licensing Committee meetings under the direction of the Chair of the meeting. 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](http://www.sheffield.gov.uk). You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday.

You may not be allowed to see some reports because they contain confidential information. These items are usually marked \* on the agenda.

If you require any further information please contact Harry Clarke on 0114 273 6183 or email [harry.clarke@sheffield.gov.uk](mailto:harry.clarke@sheffield.gov.uk).

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## **FACILITIES**

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There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

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**LICENSING SUB-COMMITTEE AGENDA  
19 MARCH 2015**

**Order of Business**

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**  
Members to declare any interests they have in the business to be considered at the meeting
- 5. Licensing Act 2003 - South Sea, 3 Spooner Road, Sheffield S10 5BL**  
Report of the Chief Licensing Officer

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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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.

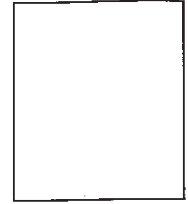
Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email [gillian.duckworth@sheffield.gov.uk](mailto:gillian.duckworth@sheffield.gov.uk).

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**SHEFFIELD CITY COUNCIL  
Licensing Sub Committee  
Report**



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

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**Date:** 19<sup>th</sup> March 2015

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**Subject:** Licensing Act 2003

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**Author of Report:** Clive Stephenson

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**Summary:** To consider objections in relation to an application for a Temporary Event Notice.

South Sea 3 Spooner Road, Sheffield S10 5BL

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

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**Background Papers:** Attached documents

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**Category of Report:** OPEN

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

Ref No 17/15

**LICENSING ACT 2003**

**Hearing to consider a notice of objection to a Temporary Event Notice.**

**South Sea 3 Spooner Road Sheffield S10 5BL**

**1.0 PURPOSE OF REPORT**

1.1 To consider a notice of objection submitted by Environmental Protection Services relating to a temporary event notice for the premises known as South Sea 3 Spooner Road Sheffield S9 5BL

**2.0 THE TEMPORARY EVENT NOTICE**

2.1 The proposed premises user is Mr Matthew Jones.

2.2 The temporary event notice, which was received on 5<sup>th</sup> March 2015 are attached to this report labelled Appendix 'A'.

2.3 The events are as follows;

Recorded Music Event with DJ  
17.00 to 00.00 Friday 20<sup>th</sup> March  
00.01 to 03.00 Saturday 21<sup>st</sup> March

2.4 The licensable activities intended to be carried on at the premises are:

- The sale by retail of alcohol for consumption on the premises
- The provision of regulated entertainment
- The provision of late night refreshment

**3.0 REASONS FOR REFERRAL**

3.1 A notice was submitted by Environmental Protection Services on the 10<sup>th</sup> March 2015, objecting to the temporary event notices. The notices of objection is attached at Appendix 'B'.

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

**4.0 FINANCIAL IMPLICATIONS**

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

## **5.0 THE LEGAL POSITION**

5.1 A Chief Police Officer or Environmental Protection Service of the Local Authority may object to a Temporary Event Notice.

5.2 Where such an objection is received, the relevant licensing authority must –

(a) hold a hearing to consider the objection notice, unless the premises user, the Chief Police Officer / Environmental Protection Service who gave the objection notice and the authority agree that a hearing is unnecessary, and

(b) having regard to the objection notice, give the premises user a counter notice under this section if it considers it necessary for the promotion of the relevant licensing objective to do so.”

## **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 premises user and the chief officer of Police against decisions of the Licensing Authority, to the Magistrates’ Court.

## **8.0 RECOMMENDATIONS**

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

## 9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1 To acknowledge the temporary event notice, allowing the event to go ahead on the proposed date as per the application
- 9.2 To acknowledge the temporary event notice, allowing the event to go ahead on the proposed date with conditions
- 9.3 To give the premises user a counter notice if it considers it necessary for the promotion of the Licensing Objectives.

*Steve Lonnie*

Stephen Lonnie,  
Chief Licensing Officer, Head of Licensing  
11<sup>th</sup> March 2015

# Appendix A

The Application

# Temporary Event Notice - WITH Alcohol

Event Notice : **TEN0130**

## LOCAL AUTHORITY

**Sheffield**  
City Council



**Licensing Service**  
**Place Portfolio**  
Block C Staniforth Road Depot  
Staniforth Road  
Sheffield  
S9 3HD  
Tel: 0114 2734264  
Email: [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)  
Website: [www.sheffield.gov.uk/licensing](http://www.sheffield.gov.uk/licensing)

**A1**

## NAME & ADDRESS OF PERSON SERVING NOTICE

**Matthew James JONES**

**5 Spooner Road Barnsley S Yorkshire S70 6BX**

## NAME & ADDRESS OF PREMISES WHERE THE EVENT IS TO TAKE PLACE

**PREMISES :** South Sea  
**ADDRESS :** 3 Spooner Road  
Sheffield  
S Yorkshire  
S10 5BL

## EVENT DETAILS

**COMMENCES :** Friday 20 March 2015

**EXPIRES :** Saturday 21 March 2015

**HOURS OF EVENT :**

**TIME FROM :**

**TIME TO :**

Friday

5:00pm

midnight

Saturday

12:01am

3:00am

**NATURE OF EVENT :** Recorded Music Event with DJ's

### APPROVED LICENSABLE ACTIVITIES:

The sale by retail of alcohol for consumption ON the premises

The provision of regulated entertainment

The provision of late night refreshment

**MAXIMUM CAPACITY :** 150

**AREA IN WHICH THE EVENT WILL TAKE PLACE :**

All the Premises

## NOTES

This acknowledgement does not guarantee that the event can take place as objections may still be received from South Yorkshire Police, the Environmental Protection Service and/or the Health Protection Service. If any such objections are received we will inform you in writing.

**PLEASE NOTE: It is YOUR responsibility as the premises user to ensure the safety of the public that attend the event.**

It should be noted that giving a temporary event notice does not relieve the premises user from any requirements under planning law. E.g., a TEN given to allow alcohol, music and dancing to take place at a premises until 1am will not override a planning restriction that prevents the premises from being open after 11pm.

If you require any further information regarding this matter, please contact the Licensing Service on the number shown above.



### Fire Safety Guide to operating under a Temporary Event Notice

As the proposed premises user holding an event and operating under a Temporary Event Notice (TEN), you are using premises as a Place of Assembly.

This use is regulated by The Regulatory Reform (Fire Safety) Order 2005 (FSO) and under the FSO **you are the Responsible Person.**

This guide is provided to remind you of your duties and responsibilities.

These include;

- o Producing a fire risk assessment including occupancy figures (capacity)
- o Providing means of detection and warning of fire
- o Providing means of escape in case of fire
- o Ensuring the means of escape are available for use  
(Including escape routes, signs and emergency lighting)
- o Providing means of fighting fire

All of the above should be suitable and sufficient for both the event and the premises.

Further guidance is available in the following Fire Safety Risk Assessment guides:

- Small and Medium Places of Assembly (up to 300 persons)
- Large Places of Assembly (over 300 persons)

The guides can be downloaded from the government's website at:

[www.communities.gov.uk/fire/firesafety/firesafetylaw](http://www.communities.gov.uk/fire/firesafety/firesafetylaw)

Your local Technical Fire Safety Officers can be contacted by calling South Yorkshire Fire and Rescue on 0114 2727202.



Sheffield  
Application for a Temporary Event Notice  
Licensing Act 2003

For help contact  
general.licensing@sheffield.gov.uk  
Telephone: 0114 2734264/2734880

\* required information

Section 1 of 0

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

First name

Family name

E-mail address

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.



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Continued from previous page...

**Your Address**

Address official correspondence should be sent to.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 0**

**APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)**

Have you had any previous or maiden names?

- Yes
- No

Your date of birth  /  /

dd      mm      yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

**Correspondence Address**

Is the address the same as (or similar to) the address given in section one?

- Yes
- No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

**Additional Contact Details**

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes                       No

E-mail

Telephone number

Other telephone number

**Section 3 of 0**

**THE PREMISES**

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

Does the premises have an address?

- Yes                       No

**Address**

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes                       No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither       Premises licence       Club premises certificate

Premises licence number

**Location Details**

Provide further details about the location of the event

AG

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

[Empty box for description and details]

Describe the nature of the premises below (see also guidance on completing the form, note 4)

Public House

Describe the nature of the event below (see also guidance on completing the form, note 5)

Recorded Music Special Event featuring dj's performing jungle, break core, drum and bass musical styles. After consultation with Sheffield councils environmental officer Paul Thorton it has been agreed to turn our main P.A off at 2am and close the event at 3am to alleviate concerns over excessive noise in the early hours of the morning.

Section 4 of 0

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises (see also guidance on completing the form, note 6):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

(see also guidance on completing the form note 7)

Event Dates

There must be a period of at least 10 days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

When are you going to submit this form? 05 / 03 / 2015  
dd mm yyyy

State the dates on which you intend to use these premises for licensable activities 20 / 03 / 2015  
dd mm yyyy

(see also guidance on completing the form, notes 7 and 14)

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 96 hours (four days).

Add another date

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

1700-0300 the following day

(see also guidance on completing the form, note 9)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

150

Note that the maximum number of people cannot exceed 499.

(see also guidance on completing the form, note 10)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

(see also guidance on completing the form, note 11):

- On the premises only
- Off the premises only
- Both

Section 5 of 0

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 12)

Do you currently hold a valid personal licence?

- Yes
- No

Provide the details of your personal licence below.

Issuing licensing authority: Barnsley

Licence number: 010340

Date of issue: 10 / 12 / 2007  
dd mm yyyy

Date of expiry: 10 / 12 / 2017  
dd mm yyyy

Any further relevant details

Section 6 of 0

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 13)

Continued from previous page...

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

- Yes
- No

State the number of temporary event notices you have given for events in that same calendar year

5

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or
  - b) Begins 24 hours or less after the event period proposed in this notice?
- Yes
  - No

Section 7 of 0

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 14)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes
- No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or
  - b) Begins 24 hours or less after the event period proposed in this notice?
- Yes
  - No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes
- No

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Continued from previous page...

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes  No

a) Ends 24 hours or less before; or  
 b) Begins 24 hours or less after the event period proposed in this notice?

**Section 8 of 0**

**CONDITION**

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 4 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user. (See also guidance on completing the form, note 16)

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. This formality requires a fixed fee of £21

**DECLARATION**

\* The information contained in this form is correct to the best of my knowledge and belief.

\* I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and

(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

Capacity

Date  /  /   
 dd mm yyyy

**Add another signatory**

One you're finished you need to do the following:

1. Save this form to your computer by clicking to file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/sheffield/apply-1> to upload this file and continue with your application

Don't forget to make sure you have all your supporting documentation to hand.

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**OFFICE USE ONLY**

Applicant reference number	south sea 20th March 2015
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

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# Appendix B

Objection – Environmental Protection  
Services



BI

**Stephenson Clive (CEX)**

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**From:** Thornton Paul  
**Sent:** 10 March 2015 16:22  
**To:** Proctor Matthew; Stephenson Clive (CEX); licensingservice  
**Cc:** Andrea.Marsden@southyorks.pnn.police.uk; BENITA MUMBY  
(Benita.Mumby@southyorks.pnn.police.uk); Prasad Shiva  
**Subject:** Objection - Environmental Protection Service, Re- 2 x TENs South Sea, 3 Spooner Road  
**Attachments:** DOC060315-06032015112906.pdf; DOC060315-06032015112925.pdf  
**Importance:** High

Objection - Environmental Protection Service (EPS) Re- TEN South Sea, 3 Spooner Road S10 5BL, for events on 13/3/15 and 20/3/15

I wish to object to the TEN applications for events on 13/3/15 and 20/3/15 at the South Sea, Spooner Road on the grounds that they are likely to result in excessive noise at nearby residential properties from amplified music and customers outside the premises.

EPS received complaints from two residents living on Spooner Road up to 2.51am on Saturday 7/3/15 regarding excessive noise from a similar TEN at the South Sea. Complaints were also received for a TEN held at these premises in February 2015 up to 4am.

Please contact me if you require any further information.

Regards

Paul Thornton  
Senior Environmental Protection Officer  
Environmental Protection Service  
Sheffield City Council  
2-10 Carbrook Hall Road  
Sheffield S9 2DB

Tel: (0114) 273 4659

# Appendix C

Hearing Notices / Regulations / Procedures

**Notice of hearing of representations  
in respect of the following application:  
Application for a Temporary Event Notice**

Mr Matthew Jones  
5 Crookes Street  
Barnsley  
S70 6BX

The Sheffield City Council being the licensing authority, on the 5<sup>th</sup> March 2015 received your application in respect of the premises known as;

**South Sea 3 Spooner Road Sheffield S10 5BL**

During the consultation period, the Council received objections from the following authorities/interested parties on the likely effect of this application and on the promotion of the licensing objectives, should it be granted;

Sheffield City Council Environmental Services

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Thursday 19<sup>th</sup> March 2015 at 10.00 am.**

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

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

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

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

Dated: 11<sup>th</sup> March 2015

Signed: Clive Stephenson  
The officer appointed for this purpose  
Licensing Officer

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

**Right of attendance, assistance and representation**

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

**Representations and supporting information**

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

**Failure of parties to attend the hearing**

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

**Procedure at hearing**

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

**LICENSING ACT 2003**

Premises: South Sea 3 Spooner Road Sheffield S10 5BL  
Type of App: **Temporary Event Notice**  
Hearing Date 19<sup>th</sup> March 2015



Form LAR 1  
Regulation 8

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

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

I **Mr M Jones**

Of **South Sea  
3 Spooner Road  
Sheffield  
S10 5BL**

**EMAIL: [mj20125@gmail.com](mailto:mj20125@gmail.com)**

hereby confirm that I have received the Notice of Hearing dated **11<sup>th</sup> March 2015** and notify you as follows (please complete):

I intend to attend the hearing at 10:00 hours on Thursday 19<sup>th</sup> March 2015

I do not intend to attend the hearing

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.

Dated: ..... Signed.....

**Please see Regulation 8 overleaf**

**Notice of hearing of representations  
in respect of the following application:  
Application for a Temporary Event Notice**

C4

Paul Thornton  
Environmental Protection Service  
Sheffield City Council  
2 -10 Carbrook Hall Road  
Sheffield  
S9 2DB

Paul.thornton@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the 5<sup>th</sup> March 2015 received an application in respect of the premises known as;

**South Sea 3 Spooner Road Sheffield S10 5BL**

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

- **Sheffield City Council Environmental Service**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Thursday 19<sup>th</sup> March at 10.00am**

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

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

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

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

Dated: 11 March 2015

Signed: Clive Stephenson  
The officer appointed for this purpose  
Licensing Officer

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

**LICENSING ACT 2003**

Premises: **Terminus Tavern 150a Main Road Sheffield**  
Type of App: **Temporary Event Notice**  
Hearing Date: **21<sup>st</sup> August 2014**

**CS**

**Form LAR 1**  
**Regulation 8**

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

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

I **Paul Thornton**

Of **Sheffield City Council**  
**Environmental Services**

hereby confirm that I have received the Notice of Hearing dated **11<sup>th</sup> March 2015** and notify you as follows **(please complete):**

I intend to attend the hearing at 11.00 am on Thursday 19<sup>th</sup> March 2015

I do not intend to attend the hearing

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.

Dated: ..... Signed.....

**Please see Regulation 8 overleaf**

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

# Appendix D

Current Premises licence & conditions



DI

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

Tel: 0114 273 4264 Fax: 0114 273 5410  
E-mail: [general.licensing@sheffield.gov.uk](mailto:general.licensing@sheffield.gov.uk)  
Website: [www.sheffield.gov.uk/licensingact](http://www.sheffield.gov.uk/licensingact)  
Date: 1<sup>st</sup> November 2014

Mr D Hancock  
South Sea Public House  
3 Spooner Street  
Crookes  
Sheffield  
S10 5BL

Dear Sir,

**Licensing Act 2003:** Application for the Transfer of a Premises Licence  
**Premises:** South Sea, 3 Spooner Road, Sheffield, S10 5BL  
**Premises Licence Number:** SY 1449 PR

I enclose:

- a) **The varied premises licence;** and
  - a) **the varied premises licence summary**
- for the above named premises.

Please check both documents carefully, including all attached papers, and ensure that all details are correct. If they are not, please contact us immediately.

Please also be aware of the following:

- The original (or a certified copy) of the **entire premises licence** must be kept on the premises and available for inspection at all times. This includes any annexes, appendices & other related documents.
- The original (or a certified copy) of the **premises licence summary** must be prominently displayed at the premises.
- Failure to comply with any conditions attached to a licence is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both.

You must inform the Licensing Authority if you wish to do any of the following:

- Vary the licence;
- Vary the Designated Premises Supervisor (DPS) named on the licence;
- Transfer the licence; or
- Surrender the licence.

D2

You must also inform us if the premises licence holder or DPS change their name or address.

Should you wish to make any changes to the licence, please contact us for the relevant forms or refer to the website for information at [www.sheffield.gov.uk/licensingact](http://www.sheffield.gov.uk/licensingact). The original premises licence and premises licence summary must be returned for amendment and accompanied by the required fee (if applicable).

If the original premises licence or premises licence summary is lost or stolen, you must report this to South Yorkshire Police and immediately forward us a statement containing the incident number and/or the officer's details to whom it has been reported and a fee of £10.50 for the replacement.

Please contact me if you have any queries.

Yours faithfully

Anne Anderson  
Licensing Analyst & Processing Officer

Enquiries to: **0114 2734264**  
Enc.

D3

## THE LICENSING ACT 2003

**Premises Licence No: SY 1449 PR**

**ISSUE NO: 13.**

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

### **PART 1 – Premises details**

South Sea  
3 Spooner Road  
Sheffield  
S10 5BL

**Telephone Number:** 0114 268 8041

**Where the licence is time limited, the dates:**

Not applicable.

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

#### **1. Provision of regulated entertainment:**

##### **Films**

Indoors

Sunday – Thursday	10:00 to 24:00 hours
Friday – Saturday	10:00 to 01:00 hours the following day

##### **Live Music**

Indoors

Sunday – Saturday	10:00 to 23:00 hours
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##### **Recorded Music**

Indoors

24 hours a day

#### **2. Late Night Refreshment:**

Indoors

Sunday – Thursday	23:00 to 00:30 hours the following day
Friday – Saturday	23:00 to 01:30 hours the following day
New Years Eve (31.12)	23:00 to 24:00 hours
New Years day (01.01)	00:00 to 05:00 hours and 23:00 to Standard Terminal Hour

D4

Bank Holidays and the day before Bank Holidays : 23:00 hours to 01:30 hours the following day.

**3. Sale by retail of alcohol**

a) for consumption on the premises

b) for consumption off the premises

Sunday – Thursday	10:00 to 24:00 hours
Friday – Saturday	10:00 to 01:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:00 hours

Bank Holidays and the day before Bank Holidays : 10:00 hours to 01:00 hours the following day.

**The opening hours of the premises are**

Sunday – Thursday	10:00 to 00:30 hours the following day
Friday – Saturday	10:00 to 01:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years day (01.01)	00:00 to Standard Terminal Hour

Bank Holidays and the day before Bank Holidays : 10:00 hours to 01:30 hours the following day.

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

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

**PLEASE NOTE:**

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

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

**PART 2**

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

Mr David Hancock  
South Sea  
3 Spooner Street  
Sheffield  
S10 5BL

D5

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

N/A

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

Mr Matthew James Jones  
23 Mickledon Way  
Pogmoore  
Barnsley  
S75 2JT

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

**Personal Licence Number:** 010340  
**Issuing Authority:** Barnsley Borough Council

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

Restricted

**This Premises Licence shall be in force from the 24 November 2012.**

**Issued on: 6 February 2006.**



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

<b>Sheffield City Council – For Office use only</b>	
Variation of Premises Licence	No: 1 Issue Date: 04/08/2011
Variation of DPS	No: 8 Issue Date: 19/07/2011
Transfer of Premises Licence	No: 2 Issue Date: 1 <sup>ST</sup> November 2014
Minor Variation	No: 1 Issue Date: 08/11/2012
Change of Name/Address	

DB

### **Annex 1A – Mandatory Conditions**

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

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

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

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

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

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

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

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

**2. In this section -**

**“children” means persons aged under 18; and**

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

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

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

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

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

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

D8

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

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

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that-

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) Customers are made aware of the availability of these measures.



D9

**Annex 2 – Conditions consistent with the operating schedule**

1. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children, save for the use of authorised AWP machines and cigarette machines.
2. The use of door staff will be risk assessed by management with reference to local events, student activities, seasonal variations and any information supplied from responsible authorities.
3. All current CCTV equipment will be maintained in good operational condition.
4. The broadcast of films will always be ancillary to other licensable activities.
5. A permanent fixed residual device (RCD) must protect the electrical power supply serving all amplified music equipment used for the purpose of live music.
6. The Premises Licence holder shall prominently display A4 notices on all exits reminding patrons to leave the premises in a quiet and orderly fashion to respect the needs of local neighbours needs.
7. The DPS or designated member of staff must take a pro active approach to noise control, checking outside the premises to ensure that noise is kept to a reasonable level from patrons using the external areas and manage noise levels internally so as not to cause a nuisance to the nearest noise sensitive property.
8. All windows and doors shall be closed, except access and egress, when regulated entertainment is present in the premises.
9. All ventilation outlets, which serve the licensed area, are to be installed with acoustic baffles and thereafter retained.
10. Access to the stage area must be restricted to performers and members of staff.

**LICENSING ACT 2003****Premises Licence Summary      ISSUE NO: 11.**

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

**Premises licence number      SY 1449 PR**

South Sea  
3 Spooner Road  
Sheffield  
S10 5BL

**Telephone Number:** 0114 268 8041

**Licensable activities authorised by the licence:****1. Provision of regulated entertainment:****Films**

Indoors

Sunday – Thursday	10:00 to 24:00 hours
Friday – Saturday	10:00 to 01:00 hours the following day

**Live Music**

Indoors

Sunday – Saturday	10:00 to 23:00 hours
-------------------	----------------------

**Recorded Music**

Indoors

24 hours a day

**2. Late Night Refreshment:**

Indoors

Sunday – Thursday	23:00 to 00:30 hours the following day
Friday – Saturday	23:00 to 01:30 hours the following day
New Years Eve (31.12)	23:00 to 24:00 hours
New Years day (01.01)	00:00 to 05:00 hours and 23:00 to Standard Terminal Hour

Bank Holidays and the day before Bank Holidays : 23:00 hours to 01:30 hours the following day.

**3. Sale by retail of alcohol**

a) for consumption on the premises

b) for consumption off the premises

Sunday – Thursday	10:00 to 24:00 hours
Friday – Saturday	10:00 to 01:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:00 hours

Bank Holidays and the day before Bank Holidays : 10:00 hours to 01:00 hours the following day.

**The opening hours of the premises are**

Sunday – Thursday	10:00 to 00:30 hours the following day
Friday – Saturday	10:00 to 01:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years day (01.01)	00:00 to Standard Terminal Hour

Bank Holidays and the day before Bank Holidays : 10:00 hours to 01:30 hours the following day.

**PLEASE NOTE:**

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

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

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

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

**Name, (registered) address of holder of premises licence:**

Mr David Hancock  
South Sea  
3 Spooner Street  
Sheffield  
S10 5BL

**Telephone:** 07842 828432

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

0311034

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol:**

Application Type: LA03\_Minor Variation ApplicatiUnique Flare ID: 031459

D12

Mr Matthew James Jones

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

Restricted

**The Premises Licence shall be in force from 24 November 2005.**

**Issued on: 6 February 2006.**



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