

Licensing Sub-Committee

Thursday 9 April 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 Geoff Smith (Chair), Jillian Creasy and George Lindars-Hammond
Cliff Woodcraft (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.

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. 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
9 APRIL 2015**

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.

Merge Data into Document Template

Lose previous edits Count pages

Merge template: Agenda

% Complete: [Progress bar]

Messages: Checking page 3 report pages 45 report page Updating front Updating attendees Refreshing fields This document contains New Style Tags Merging agenda item 1 Merging agenda item 2 Merging agenda item 3

Start Merge Cancel Delete

Security Alert

Revocation information for the security certificate for this site is not available. Do you want to proceed?

Yes No View Certificate

Merge Data into Document Template

Lose previous edits Count pages

Merge template: Agenda

% Complete: [Progress bar]

Messages: Checking page 3 report pages 45 report page Updating front Updating attendees Refreshing fields This document contains New Style Tags Merging agenda item 1 Merging agenda item 2 Merging agenda item 3

Start Merge Cancel Delete

Security Alert

Revocation information for the security certificate for this site is not available. Do you want to proceed?

Yes No View Certificate

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.

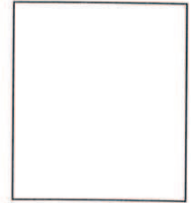
To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's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

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

This page is intentionally left blank



SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 9th April 2015

Subject: Licensing Act 2003

Author of Report: Georgina Hollis

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

Crawshaw Farm, Ughill, Sheffield, S6 6HU

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

5.0 THE LEGAL POSITION

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

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

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

6.0 HEARINGS REGULATIONS

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

6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix '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 and those making representations against decisions of the Licensing Authority to the Magistrates' Court.

8.0 RECOMMENDATIONS

8.1 That Members carefully consider the representations made and take such steps as the Sub Committee consider appropriate for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

9.1 To grant the premises licence in the terms requested.

9.2 To grant the premises licence with conditions.

9.3 To reject the whole or part of the application.

Stephen Lonnia
Chief Licensing Officer
Head of Licensing

Appendix A

The Application

3

10/2/15
11-49.

BATCH 2689715
DOC 14210260

4

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/ FGOWI Ltd
We

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Crawshaw Farm, Ughill,			
Post town	Sheffield	Postcode	S6 6HU

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£0.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

5

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B) ✓
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name FGOWI Ltd
Address 32 Providence Road Walkley Sheffield S6 5BD
Registered number (where applicable) 05508298
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 0114 234 9979
E-mail address (optional) info@fgowi.co.uk

Part 3 Operating Schedule

12 06 2015

When do you want the premises licence to start?

DD MM YYYY

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

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

Farmland

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

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

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

Provision of regulated entertainment

Please tick any that apply

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

Provision of late night refreshment (if ticking yes, fill in box I) ✓

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	
					Outdoors	
					Both	✓
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Plays will be performed on a temporary stage under marquee cover or outdoors on the event site.			
Mon						
Tue						
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4) The premises will only be open to the public for only one weekend (Friday, Saturday and Sunday only) during the year. Only one event with licensable activities, open to the public, will take place on site per year.			
Thur						
Fri	10:00	00:00	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat	10:00	00:00				
Sun	10:00	18:00				

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3) Films will be screened on a large screen television, hired, erected and maintained by a professional large screen hire company.	Both	✓
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4) The premises will only be open to the public for only one weekend (Friday, Saturday and Sunday only) during the year. Only one event with licensable activities, open to the public, will take place on site per year.		
Thur					
Fri	10:00	00:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	10:00	00:00			
Sun	10:00	18:00			

C

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3) Boxing/wrestling entertainment would be performed on a temporary stage.		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4) The premises will only be open to the public for only one weekend (Friday, Saturday and Sunday only) during the year. Only one event with licensable activities, open to the public, will take place on site per year.		
Thur					
Fri	10:00	00:00	Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	10:00	00:00			
Sun	10:00	18:00			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	✓
Mon			<u>Please give further details here</u> (please read guidance note 3) Live music will be performed both outdoors on a temporary stage and undercover of a marquee.		
Tue					
Wed					
Thur			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) The premises will only be open to the public for only one weekend (Friday, Saturday and Sunday only) during the year. Only one event with licensable activities, open to the public, will take place on site per year.		
Fri	10:00	00:00			
Sat	10:00	00:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	10:00	18:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	Outdoors
				<input checked="" type="checkbox"/>
Mon			Please give further details here (please read guidance note 3) Recorded music will be played through a PA system on the premises.	
Tue				
Wed				
Thur			State any seasonal variations for the playing of recorded music (please read guidance note 4) The premises will only be open to the public for only one weekend (Friday, Saturday and Sunday only) during the year. Only one event with licensable activities, open to the public, will take place on site per year.	
Fri	10:00	00:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	10:00	00:00		
Sun	10:00	18:00		

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	Outdoors
Mon				
Tue				
Wed				
Thur				
Fri	10:00	00:00		
Sat	10:00	00:00		
Sun	10:00	18:00		✓

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing Street and cabaret performers. Art and craft workshops and demonstrations with local artists/instructors.		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	✓
Tue					
Wed			<u>Please give further details here</u> (please read guidance note 3) Street and cabaret performers may be employed to perform throughout the event site, either outdoors or under cover of marquees. Groups and individuals may gain instruction from artists/instructors on a variety of artistic and craft practises. Artists and skilled persons may be asked to the premises to perform demonstrations of their various skills.		
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4) The premises will only be open to the public for only one weekend (Friday, Saturday and Sunday only) during the year. Only one event with licensable activities, open to the public, will take place on site per year.		
Fri	10:00	00:00			
Sat	10:00	00:00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	10:00	18:00			

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	
					Outdoors	
					Both	✓
Day	Start	Finish				
Mon			<p><u>Please give further details here</u> (please read guidance note 3) All food traders will be registered and will be required to have provided documentary evidence of this registration and their adequate insurance and relevant risk assessments.</p>			
Tue						
Wed			<p><u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) The premises will only be open to the public for only one weekend (Friday, Saturday and Sunday only) during the year. Only one event with licensable activities, open to the public, will take place on site per year.</p>			
Thur						
Fri	23:00	00:30	<p><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)</p>			
Sat	23:00	00:30				
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption -- please tick</u> (please read guidance note 7)		On the premises	
					Off the premises	
Day	Start	Finish			Both	✓
Mon			<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) The premises will only be open to the public for only one weekend (Friday, Saturday and Sunday only) during the year. Only one event with licensable activities, open to the public, will take place on site per year.			
Tue						
Wed						
Thur			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Fri	10:00	00:00				
Sat	10:00	00:00				
Sun	10:00	18:00				

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

Name Carly Whitfield	
Address 46 Wellgreen Road Stannington Sheffield	
Postcode	S6 6DF
Personal licence number (if known) SY05576PER	
Issuing licensing authority (if known) Sheffield City Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).
 N/A
 All alcohol sales will follow Challenge-25 policy.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) The premises will only be open to the public for only one weekend (Friday, Saturday and Sunday only) per year. Only one event with licensable activities, open to the public, will take place on site per year.
Day	Start	Finish	
Mon			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue			
Wed			
Thur			
Fri	10:00	00:30	
Sat	08:00	00:30	
Sun	08:00	18:00	

M

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

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

The event site will be managed and staffed by professional event staff/security/first aid and all subcontractors will be reputable companies.
A full operational Event Plan will be provided by the event safety officer alongside thorough risk assessments to be made available to all members of the Safety Advisory Group and at any and all Safety Advisory Group meetings.

b) The prevention of crime and disorder

The event site will be managed and staffed by professional event staff/security and all subcontractors will be reputable companies.
SIA security will be on site 24hrs throughout the duration of the event.
A full operational Event Plan will be developed by the event safety officer alongside thorough risk assessments to be made available to all members of SAG.

c) Public safety

The event site will be managed and staffed by professional event staff/security/first aid and all subcontractors will be reputable companies.
SIA security will be on site 24hrs throughout the duration of the event, including on the event bar area during opening hours.
A full operational Event Plan will be provided by the event safety officer alongside thorough risk assessments to be made available to all members of SAG.

d) The prevention of public nuisance

The event site will be managed and staffed by professional event staff/security and all subcontractors will be reputable companies.
A full operational Event Plan will be made available to all members of SAG.
The event will be ticketed in advance only with proof of ID required to permit entry to the event site.
The premises will only be open to the public for only one weekend (Friday, Saturday and Sunday only) per year. Only one event with licensable activities, open to the public, will take place on site per year.

e) The protection of children from harm

The premises will be used for an event targeted at adults over the age of 18.
Only adults over the age of 18 will be permitted on site unless accompanied by an adult over the age of 18.
SIA and stewards will be on site to permit entry to only who have pre-ordered tickets and who can provide adequate photo ID.
No licensable activities will be age-restricted (with the exception of alcohol sales which will operate Challenge-25 Policy) on site will be unsuitable for children.
A full operation event safety plan will be provided by the event safety officer in conjunction with the Child Safety Officer who will provide a child safety policy which can be discussed if required at any SAG meeting.

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

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

Signature	C. Whitfield
Date	10.02.15
Capacity	Event organiser

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Carly Whitfield of FGOWI Ltd			
Post town	Sheffield	Postcode	S6 5BD
Telephone number (if any)	0114 234 9979		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) carly@fgowi.co.uk			

Consent of individual to being specified as premises supervisor

I

of

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

by

relating to a premises licence

for

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

concerning the supply of alcohol at



TOTAL SITE = 41141M²
(Including external site areas)

EVENT ENCLOSURE = 10285M²
can comfortably accommodate 20, 570 people
empty

**NB THIS SITE PLAN IS NOT TO SCALE AS
THE SIZE OF SITE EQUIPMENT IS STILL TO
BE CONFIRMED.**

-  MAIN STAGE (SIZE TBC)
-  BIG SCREEN (SIZE TBC)
-  TOILETS (NUMBERS TBC)
-  HERAS FENCING
-  EMERGENCY ACCESS/EGREEE POINT
-  MAIN PUBLIC ENTRANCE
-  BAR (SIZE TBC)
-  MARQUEE (SIZE TBC)
-  MARQUEE (SIZE TBC)
-  TRADERS/CATERING AREA (SIZE TBC)

24

Appendix B

Objection – 1 Member of the Public

Crawshaw Michael (CEX)

From: Hollis Georgina (CEX) on behalf of licensingservice
Sent: 17 February 2015 14:34
To: Crawshaw Michael (CEX)
Subject: FW: RE: Objection to license by FGOWI Ltd, at Crawshaw Farm, Ughill, Sheffield S6 6HU

Mick – please can you put this objection with the application?

From: A BEVIS [mailto: [REDACTED]]
Sent: 17 February 2015 13:32
To: licensingservice
Subject: Re: RE: Objection to license by FGOWI Ltd, at Crawshaw Farm, Ughill, Sheffield S6 6HU

Dear Ms Hollis,

In answer to your Email,

My address is Crawshaw Lodge, Rodside, Sheffield S6 6GN.

The core to my **objection** to the proposed application is:

The location is a muddy field off Rodside Road, and is unsuitable for vehicles.

The Rodside Road is unlit and with no public transport links access will be in the main private vehicles.

The consumption of alcohol there is a real possibility of drink driving offences being caused.

Rodside Road is an unrestricted speed limited minor road.

The nearest bus stop is more than four miles away so those attending will be walking (unless being driven by private vehicles) at night and in dangerous circumstances.

There are a number of dwellings next to and in the vicinity of the event including myself, who will be subject to noise and general disturbance, and a nuisance to us and animals in our keeping.

The location is in the Peak District National Park and is contrary to National Park Policy.

Due to the dangers associated to the choice of location a police presence will be required. Have they been notified and permission given?

What arrangements have been made for sanitation, are Environmental Health aware of what is planned?

Is there Public Liability Insurance to cover the likelihood of injury to persons coming to the egress from the site, and at the event itself?

What provision has been made for medical assistance on site to the possibility of injured persons?

26

The inhabitants of Crawshaw Farm have no experience of being party to an event of this nature, the impact of large numbers of people being on a working farm, and being in the vicinity of livestock.

This is a wholly unsuitable location for a venue of this type, and the granting of a license to proceed is I submit contrary to Licensing Laws and a danger to the public.

Kind regards

Yours Sincerely

Antony Bevis

-----Original message-----

From : licensing@sheffield.gov.uk

Date : 17/02/2015 - 11:48 (GMTST)

To : [REDACTED]

Cc : Michael.Crawshaw@sheffield.gov.uk

Subject : RE: Objection to license by FGOWI Ltd, at Crawshaw Farm, Ughill, Sheffield S6 6HU

Dear Mr Bevis,

I am writing to acknowledge your representation.

To support your objection, I will require details of your address.

Please can you also confirm what core objectives your objection is based around for clarification.

Please contact me should you wish to discuss this, I will require the above information to validate your objection.

Kind Regards

Georgina

Georgina Hollis
Licensing Enforcement & Technical Officer
Licensing Service
Business Strategy & Regulation
Block C, Staniforth Road Depot
Staniforth Road, Sheffield, S9 3HD.

Telephone: 0114 2734264

Fax: 0114 2734073

Email: licensing@sheffield.gov.uk

www.sheffield.gov.uk

(27)

Part or all of the information contained in this document may be subject to legal professional privilege and must not be disclosed without the prior consent of Legal & Governance Services. It may be exempt from disclosure by virtue of Section 42 of the Freedom of Information Act 2000 and Para 10, Sch 7 of the Data Protection Act 1998 P

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

From: A BEVIS [mailto:██]

Sent: 17 February 2015 11:29

To: licensing@sheffield.gov.uk

Subject: Objection to license by FGOWI Ltd, at Crawshaw Farm, Ughill, Sheffield S6 6HU

Dear Sirs,

Objection to a license being granted to FGOWI Ltd, Providence Road, Walkley, Sheffield S6 5BD, for Crawshaw Farm, Ughill, Sheffield S6 6HU.

I am lodging my objection to your granting a sale of alcoholic liquor permission to the above application to hold and event at the above location.

The proposed weekend event is to be held in a field next to a group of dwellings on Rodside Road, Hollow Meadows, Sheffield.

The location is wholly unsuitable for this kind of happening.

It is to be held in a muddy field off Rod Side Road, an unlit country road with an unrestricted speed limit for vehicles.

There is no public transport to the site, the nearest bus stop being in Stannington more than four miles from the location.

Access to the event will therefore be by private vehicles only, and as alcoholic consumption is proposed to be on sale at the happening there is a real and probable cause for concern that those attending will either be drink driving or walking some considerable distance on this dangerous road to and from the site.

Further consideration should be given to the noise that will be caused to a quiet rural community and the disruption to farm vehicles using the road.

The location is therefore wholly inappropriate and you are advised as to the real dangers to persons coming and going to the proposed event.

I request that you do not give a license on this application for FGOWI Ltd, at Crawshaw Farm, under Section 17 Part 3 of the Licensing Act principally on Health and Safety grounds and for the other reasons stated.

Yours faithfully

Antony Bevis

28

This Email, and any attachments, may contain non-public information and is intended solely for the individual(s) to whom it is addressed. It may contain sensitive or protectively marked material and should be handled accordingly. If this Email has been misdirected, please notify the author immediately. If you are not the intended recipient you must not disclose, distribute, copy, print or rely on any of the information contained in it or attached, and all copies must be deleted immediately. Whilst we take reasonable steps to try to identify any software viruses, any attachments to this Email may nevertheless contain viruses which our anti-virus software has failed to identify. You should therefore carry out your own anti-virus checks before opening any documents. Sheffield City Council will not accept any liability for damage caused by computer viruses emanating from any attachment or other document supplied with this e-mail

Appendix C

Agreed conditions – South Yorkshire Police,
Health & Safety, Environmental Protection &
Safeguarding Children

Responsible Authority : Agreed Conditions

South Yorkshire Police

1. *At least 28 days prior notice of each annual event must be given in writing to the Public Safety Responsible Authority and Police Licensing.*
2. *All drinks to be provided in plastic containers.*

Health Protection Service

1. *At least 28 days prior notice of each annual event must be given in writing to the Public Safety Responsible Authority in respect of the Licence and Police Licensing Authority.*
2. *Risk assessment and other event specific information including stewarding and policing proposals will be discussed at event planning meetings between the licensee (or representatives) and responsible authorities where appropriate.*

Environmental Protection Service:-

1. *The Designated Premises Supervisor/Promoter shall appoint a named person to co-ordinate noise issues. Contact details for the named 'noise coordinator' shall be notified to Sheffield City Council's Environmental Protection Service at least 4 weeks prior to the event commencement date. The noise co-ordinator shall liaise between all parties - Environmental Protection Service, SCC Night Time Noise Service, DPS, Promoter, sound system suppliers, sound engineers and the Licensing Authority on all matters relating to noise control prior to and during the event.*
2. *A noise propagation test shall be undertaken prior to the start of the event in order to set appropriate control limits at the sound mixer position. The system shall be limited so as to prevent the $L_{Aeq(15\text{ minute})}$ music noise level exceeding 65dB when measured at the position of any nearby residential façade. The sound system shall be configured and operated in a similar manner as intended for the event. The sound source used for the test shall be similar in character to the music most likely to be produced during the event.*
3. *The noise co-ordinator shall ensure that noise is monitored at the perimeter of the site (or other appropriate noise sensitive locations) throughout the event and at least during each different artist, to ensure continued compliance with the specified 65dB music noise level limit.*
4. *The noise co-ordinator shall comply with any request made by a nominated officer of SCC Environmental Protection Service to reduce or remix sound emanating from the amplification system. Upon request, facilities shall be provided at the mixing desk(s), or other appropriate position(s), for a nominated officer of the Environmental Protection Service to monitor and where necessary secure a reduction in the music noise level.*

5. *Throughout the duration of the 3 day event the DPS or an appointed person shall take a pro-active approach to noise control, regularly and frequently checking so as to ensure that event activities and event attendees, both on site and in the immediate vicinity of and associated with the site, are managed so as not to cause a public nuisance.*
6. *Live amplified music shall cease at 23:00 hours on the Friday and Saturday night. Any continuing recorded music shall be reduced in level from 23:00 hours, and the bass content adjusted if necessary, to ensure that music noise is not clearly audible at any nearby (off-site) noise sensitive residential property.*

Safeguarding Children

1. *An auditable age verification scheme must operate at the point of sale and collection of tickets and on entry to the premises. This will include a record of refused sales and admissions to the event.*
2. *Persons under the age of 18 years are not permitted in any area of the premises.*
3. *Persons re-entering the premises will be subject to identification checks.*

Appendix D

Licensing Service – Additional information.

Hollis Georgina (CEX)

From: A BEVIS [REDACTED]
Sent: 13 March 2015 10:45
To: Hollis Georgina (CEX)
Subject: Re: FW: RE: Objection to license by FGOWI Ltd, at Crawshaw Farm, Ughill, Sheffield S6 6HU

Dear Ms Hollis,

My objection to the proposed event still stands, and as the licensing authority you shall be held accountable for breach of the safety concerns that I have raised.

I do not intend to make representation at a hearing.

Yours sincerely

Antony Bevis

-----Original message-----

From : Georgina.Hollis@sheffield.gov.uk
Date : 12/03/2015 - 10:35 (GMTST)
To : [REDACTED]
Subject : FW: RE: Objection to license by FGOWI Ltd, at Crawshaw Farm, Ughill, Sheffield S6 6HU

Dear Mr Bevis,

In relation to your objection below, I can now confirm that the last date for comments has passed on the application for the proposed event to take place at the above location for 3 days per year.

In light of the limitations that have been agreed for amplified regulated entertainment to a reduced hour of 23:00hours Friday and Saturday and at low background level until midnight as well as limitations for music volume set by the Environmental Protection Service, I am emailing you to enquire if your representation still stands at this stage?

Please may I also bring to your attention that during the consultation period, additional conditions have also been agreed with South Yorkshire Police, Health Protection and Safeguarding Children and each authority have now withdrawn their representations. I have listed the agreed conditions that each Responsible Authority have agreed:-

Environmental Protection Service:-

1. *The Designated Premises Supervisor/Promoter shall appoint a named person to co-ordinate noise issues. Contact details for the named 'noise coordinator' shall be notified to Sheffield City Council's Environmental Protection Service at least 4 weeks prior to the event commencement date. The noise co-ordinator shall liaise between all parties - Environmental Protection Service, SCC Night Time Noise Service, DPS, Promoter, sound system suppliers, sound engineers and the Licensing Authority on all matters relating to noise control prior to and during the event.*
2. *A noise propagation test shall be undertaken prior to the start of the event in order to set appropriate control limits at the sound mixer position. The system shall be limited so as*

to prevent the $L_{Aeq(15\text{ minute})}$ music noise level exceeding 65dB when measured at the position of any nearby residential façade. The sound system shall be configured and operated in a similar manner as intended for the event. The sound source used for the test shall be similar in character to the music most likely to be produced during the event.

3. The noise co-ordinator shall ensure that noise is monitored at the perimeter of the site (or other appropriate noise sensitive locations) throughout the event and at least during each different artist, to ensure continued compliance with the specified 65dB music noise level limit.
4. The noise co-ordinator shall comply with any request made by a nominated officer of SCC Environmental Protection Service to reduce or remix sound emanating from the amplification system. Upon request, facilities shall be provided at the mixing desk(s), or other appropriate position(s), for a nominated officer of the Environmental Protection Service to monitor and where necessary secure a reduction in the music noise level.
5. Throughout the duration of the 3 day event the DPS or an appointed person shall take a pro-active approach to noise control, regularly and frequently checking so as to ensure that event activities and event attendees, both on site and in the immediate vicinity of and associated with the site, are managed so as not to cause a public nuisance.
6. Live amplified music shall cease at 23:00 hours on the Friday and Saturday night. Any continuing recorded music shall be reduced in level from 23:00 hours, and the bass content adjusted if necessary, to ensure that music noise is not clearly audible at any nearby (off-site) noise sensitive residential property.

South Yorkshire Police

1. At least 28 days prior notice of each annual event must be given in writing to the Public Safety Responsible Authority and Police Licensing.
2. All drinks to be provided in plastic containers.

Health Protection Service

1. At least 28 days prior notice of each annual event must be given in writing to the Public Safety Responsible Authority in respect of the Licence and Police Licensing Authority.
2. Risk assessment and other event specific information including stewarding and policing proposals will be discussed at event planning meetings between the licensee (or representatives) and responsible authorities where appropriate.

Safeguarding Children

1. An auditable age verification scheme must operate at the point of sale and collection of tickets and on entry to the premises. This will include a record of refused sales and admissions to the event.
2. Persons under the age of 18 years are not permitted in any area of the premises.
3. Persons re-entering the premises will be subject to identification checks.

In light of the above agreements made, should the application go to Licensing Sub-Committee, you as the only objector will be invited to the hearing and put your objection forward to the Committee and the applicant on only the relevant points that you have made in relation to the Core Objectives of the Licensing Act 2003. 35

I would be grateful if you could confirm if you would like to discuss the additional conditions by telephone or by email as soon as possible or indeed if you do intend to continue with your representations, please confirm this so that I can arrange for a hearing to be made.

Kind Regards

Georgina

Georgina Hollis

Licensing Enforcement & Technical Officer

Licensing Service

Business Strategy & Regulation

Block C, Staniforth Road Depot

Staniforth Road, Sheffield, S9 3HD.

Telephone: 0114 2734264

Fax: 0114 2734073

Email: licensing@sheffield.gov.uk

www.sheffield.gov.uk

Part or all of the information contained in this document may be subject to legal professional privilege and must not be disclosed without the prior consent of Legal & Governance Services. It may be exempt from disclosure by virtue of Section 42 of the Freedom of Information Act 2000 and Para 10, Sch 7 of the Data Protection Act 1998 P

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

From: A BEVIS [mailto: [\[REDACTED\]](mailto: [REDACTED])]

Sent: 17 February 2015 13:32

To: licensing@sheffield.gov.uk

Subject: Re: RE: Objection to license by FGOWI Ltd, at Crawshaw Farm, Ughill, Sheffield S6 6HU

Dear Ms Hollis,

In answer to your Email,

My address is Crawshaw Lodge, Rodside, Sheffield S6 6GN.

The core to my **objection** to the proposed application is:

The location is a muddy field off Rodside Road, and is unsuitable for vehicles.

The Rodside Road is unlit and with no public transport links access will be in the main private vehicles.

The consumption of alcohol there is a real possibility of drink driving offences being caused.

Rodside Road is an unrestricted speed limited minor road.

The nearest bus stop is more than four miles away so those attending will be walking (unless being driven by private vehicles) at night and in dangerous circumstances.

36

There are a number of dwellings next to and in the vicinity of the event including myself, who will be subject to noise and general disturbance, and a nuisance to us and animals in our keeping.

The location is in the Peak District National Park and is contrary to National Park Policy.

Due to the dangers associated to the choice of location a police presence will be required. Have they been notified and permission given?

What arrangements have been made for sanitation, are Environmental Health aware of what is planned?

Is there Public Liability Insurance to cover the likelihood of injury to persons coming to the egress from the site, and at the event itself?

What provision has been made for medical assistance on site to the possibility of injured persons?

The inhabitants of Crawshaw Farm have no experience of being party to an event of this nature, the impact of large numbers of people being on a working farm, and being in the vicinity of livestock.

This is a wholly unsuitable location for a venue of this type, and the granting of a license to proceed is I submit contrary to Licensing Laws and a danger to the public.

Kind regards

Yours Sincerely

Antony Bevis

-----Original message-----

From : licensing@sheffield.gov.uk

Date : 17/02/2015 - 11:48 (GMTST)

To : [REDACTED]

Cc : Michael.Crawshaw@sheffield.gov.uk

Subject : RE: Objection to license by FGOWI Ltd, at Crawshaw Farm, Ughill, Sheffield S6 6HU

Dear Mr Bevis,

I am writing to acknowledge your representation.

To support your objection, I will require details of your address.

Please can you also confirm what core objectives your objection is based around for clarification.

37

Please contact me should you wish to discuss this, I will require the above information to validate your objection.

Kind Regards

Georgina

Georgina Hollis

Licensing Enforcement & Technical Officer

Licensing Service

Business Strategy & Regulation

Block C, Staniforth Road Depot

Staniforth Road, Sheffield, S9 3HD.

Telephone: 0114 2734264

Fax: 0114 2734073

Email: licensing@sheffield.gov.uk

www.sheffield.gov.uk

Part or all of the information contained in this document may be subject to legal professional privilege and must not be disclosed without the prior consent of Legal & Governance Services. It may be exempt from disclosure by virtue of Section 42 of the Freedom of Information Act 2000 and Para 10, Sch 7 of the Data Protection Act 1998 P

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

From: A BEVIS [mailto:██]

Sent: 17 February 2015 11:29

To: licensing@sheffield.gov.uk

Subject: Objection to license by FGOWI Ltd, at Crawshaw Farm, Ughill, Sheffield S6 6HU

Dear Sirs,

Objection to a license being granted to FGOWI Ltd, Providence Road, Walkley, Sheffield S6 5BD, for Crawshaw Farm, Ughill, Sheffield S6 6HU.

I am lodging my objection to your granting a sale of alcoholic liquor permission to the above application to hold an event at the above location.

The proposed weekend event is to be held in a field next to a group of dwellings on Rodside Road, Hollow Meadows, Sheffield.

The location is wholly unsuitable for this kind of happening.

It is to be held in a muddy field off Rod Side Road, an unlit country road with an unrestricted speed limit for vehicles.

There is no public transport to the site, the nearest bus stop being in Stannington more than four miles from the location.

Access to the event will therefore be by private vehicles only, and as alcoholic consumption is proposed to be on sale at the happening there is a real and probable cause for concern that those attending will either be drink driving or walking some considerable distance on this dangerous road to and from the site.

Further consideration should be given to the noise that will be caused to a quiet rural community and the disruption to farm vehicles using the road.

The location is therefore wholly inappropriate and you are advised as to the real dangers to persons coming and going to the proposed event.

I request that you do not give a license on this application for FGOWI Ltd, at Crawshaw Farm, under Section 17 Part 3 of the Licensing Act principally on Health and Safety grounds and for the other reasons stated.

Yours faithfully

Antony Bevis

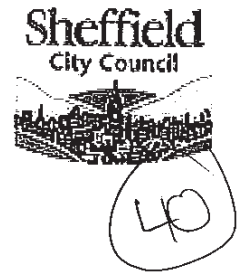
This Email, and any attachments, may contain non-public information and is intended solely for the individual(s) to whom it is addressed. It may contain sensitive or protectively marked material and should be handled accordingly. If this Email has been misdirected, please notify the author immediately. If you are not the intended recipient you must not disclose, distribute, copy, print or rely on any of the information contained in it or attached, and all copies must be deleted immediately. Whilst we take reasonable steps to try to identify any software viruses, any attachments to this Email may nevertheless contain viruses which our anti-virus software has failed to identify. You should therefore carry out your own anti-virus checks before opening any documents. Sheffield City Council will not accept any liability for damage caused by computer viruses emanating from any attachment or other document supplied with this e-mail

This Email, and any attachments, may contain non-public information and is intended solely for the individual(s) to whom it is addressed. It may contain sensitive or protectively marked material and should be handled accordingly. If this Email has been misdirected, please notify the author immediately. If you are not the intended recipient you must not disclose, distribute, copy, print or rely on any of the information contained in it or attached, and all copies must be deleted immediately. Whilst we take reasonable steps to try to identify any software viruses, any attachments to this Email may nevertheless contain viruses which our anti-virus software has failed to identify. You should therefore carry out your own anti-virus checks before opening any documents. Sheffield City Council will not accept any liability for damage caused by computer viruses emanating from any attachment or other document supplied with this e-mail

301

Appendix E

Hearing Notices / Regulations /
Procedures



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

Carly Whitfield
FGOWI Ltd
32 Providence Road
Sheffield
S6 5BD

carly@fgowi.co.uk

The Sheffield City Council being the licensing authority, on the 10th February 2015 received your application in respect of the premises known as;

Crawshaw Farm, Ughill, Sheffield, S6 6HU

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

1 No. public representations / objections

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 9th April 2015 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 19th March 2015

Signed: Georgina Hollis
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

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

Mr Antony Bevis
Crawshaw Lodge
Rodside
Sheffield
S6 6GN

[REDACTED]
The Sheffield City Council being the licensing authority, on the 10th February 2015 received an application in respect of the premises known as;

Crawshaw Farm, Ughill, Sheffield, S6 6HU

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

1 No. public representations / objections

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 9th April 2015 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 19th March 2015

Signed: Georgina Hollis
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.

Regulation 8

43

- (1) A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating –
 - (a) whether he intends to attend or be represented at the hearing;
 - (b) whether he considers a hearing to be unnecessary
- (2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.
- (3) In the case of a hearing under –
 - (a) section 48(3)(a) (cancellation of interim authority notice following police objection), or
 - (b) section 105(2)(a) (counter notice following police objection to temporary event notice),

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

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

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

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

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

44

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

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

- 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

This page is intentionally left blank