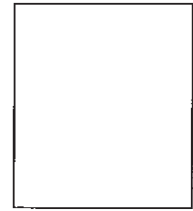




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 16th October 2014

Subject: Licensing Act 2003

Author of Report: Claire Bower

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

Pointing Dog, 516 Eccelsall Road, Sheffield, S11 8PY

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

Background Papers: Attached documents

Category of Report: OPEN

LICENSING ACT 2003

Pointing Dog Clubhouse, 516 Eccelsall Road, Sheffield, S11 8PY

1.0 PURPOSE OF REPORT

1.1 To consider an application for the **variation** of the premises licence made under section 34 of the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is Java Joe Ltd.

2.2 The application, which was received on 1st September 2014 is attached to this report labelled Appendix 'A'.

2.3 The application form details the proposed variation. In short, it proposes to extend the terminal hour for the sale of alcohol only on Thursday to Saturday from 12 midnight to 01:00 the following day.

2.4 The current premises licence is attached at Appendix 'B'.

3.0 REASONS FOR REFERRAL

3.1 Representations concerning the application for variation were received from the following :-

- | | | |
|----|---|---------------------|
| a) | Sheffield City Council Environmental Protection Service | Appendix 'C' |
| b) | 41 local residents | Appendix 'D' |
| c) | 1 Ward Councillor | Appendix 'D' No. 41 |

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

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

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

- a) the prevention of crime and disorder,
- b) public safety,
- c) the prevention of public nuisance,

d) the protection of children from harm.

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

6.0 HEARINGS REGULATIONS

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

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

6.3 Also attached at Appendix 'E' is the following: -

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

7.0 APPEALS

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

8.0 RECOMMENDATIONS

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

9.0 OPTIONS OPEN TO THE COMMITTEE

9.1 To vary the premises licence in the terms requested.

9.2 To vary the premises licence with modified conditions.

9.3 To reject the whole or part of the application.



Stephen Lonnia
Chief Licensing Officer, Head of Licensing, October 2014

Appendix A

The Application

Application to vary a premises licence 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.

We, Java Joe Ltd being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number

SY 2224 PR

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Pointing Dog Clubhouse, 516 Ecclesall Road,	
Post town Sheffield	Post code S11 8PY

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 – Applicant Details

Daytime contact telephone number

Email address (optional)

Current postal address if different from premises address

Post Town Postcode

Part 3 – Variation

Do you want the proposed variation to have effect as soon as possible?

Please tick π yes

If not do you want the variation to take effect from

Day Month Year

--	--	--	--	--	--	--	--	--	--

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

Please describe briefly the nature of the proposed variation (please read guidance note 1)

The premises are licensed to provide sale by retail of alcohol both on and off the premises together with limited regulated entertainment as detailed in the Premises Licence and subject to the conditions therein.

The normal hours of operation for the premises, as licensed for licensable activity, are Sunday to Wednesday 10:00 to 23:00 hours and Thursday to Saturday 10:00 to 24:00 hours.

Non standard timings for Bank Holiday weekends and other "special" dates as specified in the Premises Licence at 10:00 to 00:30 hours save for New Years Eve where the permitted hours run through to 2nd January at 00:30 hours.

The variation sought is to extend the terminal hour on Thursday to Saturdays from 24:00 hours to 01:00 hours the following morning (the premises closing to the general public 30 minutes thereafter) and to extend the terminal hour for those special dates mentioned in the Licence as above to 01:00 the following morning.

Similarly late night refreshment for Thursday to Saturday and for those "special dates" will be extended to 01:00 hours the following morning.

No further amendment is proposed to the Licence either in terms of the hours of operation or the conditions imposed on the Licence.

The premises are currently trading without apparent difficulty so far as the Responsible Authorities are concerned and it is not anticipated that the proposed extension will adversely impact upon the four licensing objectives.

In that no variation is intended to the layout of the premises further copies of the licensing plans are not being submitted.

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Please tick π yes

Provision of regulated entertainment

- 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)

Sale by retail 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)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 4)		
Thur						
Fri				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 (please read guidance note 5)		
Sat						
Sun						

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 {Y} (please read guidance note 2).	Indoors	π	
Day	Start	Finish		Outdoors		
Mon	10:00	23:00	Please give further details here (please read guidance note 3)	Both		
Tue	10:00	23:00				
Wed	10:00	23:00		State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	10:00	01:00				
Fri	10:00	01:00		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	01:00				
Sun	10:00	23:00			See Box J below	

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	10:00	23:00	
Tue	10:00	23:00	
Wed	10:00	23:00	State any seasonal variations for indoor sporting events (please read guidance note 4)
Thur	10:00	01:00	
Fri	10:00	01:00	Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5) See Box J below
Sat	10:00	01:00	
Sun	10:00	23:00	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
Tue					
Wed			Please give further details here (please read guidance note 3)		
Thur					
Fri			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Sat					
Sun					
			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)		

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	π
Day	Start	Finish		Outdoors	
Mon	10:00	23:00	Please give further details here (please read guidance note 3)	Both	
Tue	10:00	23:00			
Wed	10:00	23:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	10:00	01:00			
Fri	10:00	01:00	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 (please read guidance note 5) See Box J below		
Sat	10:00	01:00			
Sun	10:00	23:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	π
Day	Start	Finish		Outdoors	
Mon	10:00	23:00	Please give further details here (please read guidance note 3)	Both	
Tue	10:00	23:00			
Wed	10:00	23:00	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	10:00	01:00			
Fri	10:00	01:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) See Box J below		
Sat	10:00	01:00			
Sun	10:00	23:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	π
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	23:00	Please give further details here (please read guidance note 3)		
Tue	10:00	23:00			
Wed	10:00	23:00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	10:00	01:00			
Fri	10:00	01:00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) See Box J below		
Sat	10:00	01:00			
Sun	10:00	23:00			

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		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

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 {Y} (please read guidance note 2).	Indoors	π	
Day	Start	Finish		Outdoors		
Mon	23:00	23:00	Please give further details here (please read guidance note 3)	Both		
Tue	23:00	23:00				
Wed	23:00	23:00		State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	01:00				
Fri	23:00	01:00				
Sat	23:00	01:00		Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sun	23:00	23:00			See Box J Below	

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	π	
Day	Start	Finish		Off the premises		
Mon	10:00	23:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both		
Tue	10:00	23:00				
Wed	10:00	23:00				
Thur	10:00	01:00		Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	10:00	01:00				
Sat	10:00	01:00		Bank Holiday Weekends 10:00 - 01:00 the following day. Christmas Eve 10:00 - 01:00 the following day. New Years Eve as existing.		
Sun	10:00	23:00		New Years Day 00:00 - 01:00 the following day. All Saints Days 10:00 - 01:00 the following day.		

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)

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	23:30	
Tue	10:00	23:30	
Wed	10:00	23:30	
Thur	10:00	01:30	
Fri	10:00	01:30	
Sat	10:00	01:30	
Sun	10:00	23:30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

None

Please tick π yes

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

No new steps have been identified in relation to the four licensing objectives save as below.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed

c) Public safety

No further risks have been identified which need to be addressed.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed.

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

I have made or enclosed payment of the fee

- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected



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

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners.....

Date: 29 August 2014

Capacity: Solicitors.....

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) 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: John Gaunt & Partners.....

Date:

Capacity: Solicitors.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT
Telephone number (if any) 0114 266 8664	
If you would prefer us to correspond with you by email your email address (optional) jgaunt@john-gaunt.co.uk	

Appendix B

Current Premises Licence

THE LICENSING ACT 2003



Premises Licence No: SY 2224 PR ISSUE NO: 5.

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

Pointing Dog Clubhouse (fka Dover Rd Club)
516 Ecclesall Road
Sheffield
S11 8PY

Telephone Number: 0114 2661238

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

1. Provision of regulated entertainment:

Films

Indoor Sporting Events

Live Music

Recorded Music

Performances of Dance

Indoors

Sunday - Wednesday	10:00 to 23:00 hours
Thursday - Saturday	10:00 to 24:00 hours

Bank Holiday Weekends (Friday, Saturday, Sunday & Monday) 10:00 to 00:30 hours the following day

Christmas Eve (24.12)	10:00 to 00:30 hours the following day
Boxing Day (26.12)	10:00 to 00:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 00:30 hours the following day
All Saints Day	10:00 to 00:30 hours the following day

2. Late Night Refreshment:

Indoors

Thursday - Saturday	23:00 to 24:00 hours
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Bank Holiday Weekends (Friday, Saturday, Sunday & Monday) 23:00 to 00:30 hours the following day

Christmas Eve (24.12)	23:00 to 00:30 hours the following day
Boxing Day (26.12)	23:00 to 00:30 hours the following day
New Years Eve (31.12)	23:00 to 05:00 hours the following day

New Years Day (01.01) 23:00 to 00:30 hours the following day
All Saints Day 10:00 to 00:30 hours the following day

4. Sale by retail of alcohol

a) for consumption on the premises

b) for consumption off the premises

Sunday - Wednesday 10:00 to 23:00 hours
Thursday - Saturday 10:00 to 24:00 hours

Bank Holiday Weekends (Friday, Saturday, Sunday & Monday) 10:00 to 00:30 hours the following day

Christmas Eve (24.12) 10:00 to 00:30 hours the following day
Boxing Day (26.12) 10:00 to 00:30 hours the following day
New Years Eve (31.12) 10:00 to 24:00 hours
New Years Day (01.01) 00:00 to 00:30 hours the following day
All Saints Day 10:00 to 00:30 hours the following day

The opening hours of the premises are

Sunday - Wednesday 10:00 to 23:30 hours
Thursday - Saturday 10:00 to 00:30 hours the following day

Bank Holiday Weekends (Friday, Saturday, Sunday & Monday) 10:00 to 01:00 hours the following day

Christmas Eve (24.12) 10:00 to 01:00 hours the following day
Boxing Day (26.12) 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 01:00 hours the following day
All Saints Day 10:00 to 01:00 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:

Java Joe Ltd
Pointing Dog Clubhouse (fka Dover Rd Club)
516 Ecclesall Road
Sheffield
S11 8PY

Telephone Number: -

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

8419896

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

Philip Roberts
7 Mulberry Court
Doncaster
DN4 9GD

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: DN1 1RN0413
Issuing Authority: Doncaster Metropolitan Borough Council

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

Restricted

This Premises Licence shall be in force from the 20 June 2013.

Issued on: 24 October 2013.



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

Sheffield City Council – For Office use only	
Variation of Premises Licence	No: 1 Issue Date: 12/02/2014
Variation of DPS	No: 1 Issue Date: 30/04/2014
Change of Name/Address	No: 1 Issue Date: 26/02/2014
Amendment to Premises Licence	No: 1 Issue Date: 04/06/2014

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
- (a) 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).
 - (a) 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 6th 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.

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.

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.
2. A permanent fixed residual current device (RCD) must protect the electrical power serving all amplified music).
3. There will be no movements, sorting or removal of waste bottles, material or other articles nor movement of skips or bins outside the building between 22:00 and 08:30 hours, Monday - Saturday and 22:00 and 09:00 hours on Sunday's and Bank Holidays. No deliveries to the building will be carried out between these hours.
4. There will be no collection of glass / bottles / skips and refuse bins / skips by collection contractors between 22:00 and 08:30 hours Monday to Saturday and 22:00 to 09:00 hours on Sunday's and Bank Holidays.
5. No intoxicating liquor shall be sold or supplied otherwise to the following persons:-
 - a) members
 - b) bona fide guests of members provided that such a member enters the name and address of the guest in a book kept by the club for such purpose
 - c) persons attending private previously organised meetings, lunches, dinners, dances, wedding receptions, birthday parties, engagement parties and other functions of a similar nature which are not open to the public at large.
 - d) any member of a club, team or sports body in any organised game or contest against the club on the club premises in a pre- arranged match, game or contest and any official attending the premises in connection with such match, game or contest.
 - e) persons specifically invited by the proprietor and entertained by him at his expense.
6. Names and addresses of members and their guests must be kept on the premises and be available for production and inspection by a Police Constable in uniform.
7. The use of door staff will be risk assessed on an ongoing basis by the Premises Licence Holder or premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
8. Alcohol and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
9. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
10. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
11. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years, staff training

will be carried out in order to safeguard against the sale of alcohol to persons under 18 years.

12. The management of the premises will liaise with the Police on issues of concern or local disorder.

13. CCTV will be installed with recording facilities, such recordings shall be retained for a period of 31 days and made available within a reasonable time upon request by the Police, such as to cover the main entrance to the premises.

14. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.

15. Toughened glasses will be used in the premises where appropriate.

16. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.

17. Patrons shall be encouraged by staff to leave quietly and respect the interest of the occupiers of any nearby noise sensitive premises. Where appropriate the licensee or a suitable staff member will monitor patrons leaving at closing time.

18. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.

19. Contact numbers for local taxi firms shall be kept at the premises and made available to patrons requiring a taxi.

20. Children under the age of 16 shall not be permitted to enter the premises after 21:00 hours.

21. The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises, their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.

22. Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.

23. A satisfactory electrical certificate shall be provided for the premises.

Annex 3 – Conditions attached after a hearing by the licensing authority

1. Amplified entertainment is to be passed through a noise limiter set by the Local Authority Environmental Protection Service.
2. The tennis court area is to be excluded from the licensing application.

Annex 4 – Plans

Ground & First Floor
Drawing No: 4042-27
Date: March 2013

Second Floor
Drawing No: 4042-28
Date: March 2013

Appendix C

SCC Environmental Protection Service
Representation



Bower Claire

From: Gough Jayne (CEX)
Sent: 29 September 2014 13:42
To: Bower Claire
Subject: FW: Application for Variation - Pointing Dog Clubhouse 516 Ecclesall Road, S11 8PY

From: Round Jonathan
Sent: 29 September 2014 11:11
To: licensingservice; Gough Jayne (CEX)
Cc: jgaunt@john-gaunt.co.uk
Subject: Application for Variation - Pointing Dog Clubhouse 516 Ecclesall Road, S11 8PY

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

I have the following representation to make with regards to Public Nuisance for the application for a variation of the Premises Licence for the above premises.

The premises are in close proximity to residential property, indeed the kitchen wall of the premises is a party wall with outbuildings on Wilson Road. The outside area to the front of the premises has a clear line of sight with properties on Dover Road and residential accommodation on Ecclesall road. As such there is an enhanced potential for noise from people at the premises to give rise to complaints relating to public nuisance. In particular I am concerned that residents in close proximity will potentially be affected by excessive noise disturbance from noise from customers in the outside area of the premises and outside the venue waiting to gain entry into the premises, or arriving or waiting for taxis on the highway later than under existing arrangements. I am currently receiving complaints about the noise from people in the outside areas of licensed premises in the vicinity of, and including the Pointing Dog. Night Time Noise Service Officers (NTNS) have witnessed elevated noise levels as a result of people noise while responding to complaints to the 101 NTNS. While it is difficult to attribute all the people noise and the vehicle arrivals and departures to an individual premises it would be impossible to discount the contribution this premises outside area adds to the situation. The outside area at the Pointing Dog is considerably larger than other outside areas and can accommodate more people than others in the vicinity. More importantly after 21:00hrs it is the only premises in the vicinity to have permission to allow customers to sit and drink in an external area.

Granting a licence which would allow people on the premises later to purchase alcohol at this premises will mean that in addition to already having the latest operating outside area fronting onto Ecclesall road, (currently it operates 3 hours beyond other premises on Thurs to Sat, if granted it will be 4 hours beyond other premises), it will also have one of the latest licences for the sale of alcohol on Ecclesall road. This will mean that the potential for excessive noise from both people already in the outside area later into the evening than under current arrangements and an increase in noise from potential customers making their way from closing surrounding licensed premises, people in the street having conversations while passing with customers on the premises, queuing to gain entry while membership details are checked, and the associated noise from taxi doors slamming will be enhanced.

Controlling noise from people in outside areas is very difficult and causes problem all over the city. When this licence was originally granted it was understood to be a continuation of the members club ethos, where you would expect almost every 'member' would be known by the staff. However the way this membership scheme works is not the same as in a traditional members club, I understand that the membership scheme is little more than an email circulation list, so the actual relationship of the staff with the customers is not like a traditional members club, where you could expect a higher level of cooperation from members than you would from simply a licensed premises.

I shall have to object to the application as it currently stands, but I would welcome the opportunity to discuss what management controls could be put in place to mitigate the noise from both people in the outside area for longer and measures to reduce the impact of noise from people in the street as they arrive and leave the premises later and taxis arriving and dropping off and arriving and collecting fares later than under current arrangements.

Regards,

Jon.

Jonathan Round
Environmental Health Officer
Environmental Protection Service
Business Strategy and Regulation
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel +44 (0)114 273 4658
Fax +44 (0)114 273 6464

Visit us at: <http://www.sheffield.gov.uk/environment/environmental-health>

Appendix D

Public Representations

From: [REDACTED]
Sent: 17 September 2014 14:46
To: licensingservice
Subject: Objection to Application for an Extension to late night drinking Licence at the Pointing Dog - 516 Ecclesall Road, Sheffield 11

To whom it may concern

I have lived in Wigfull Road/Bristol Road for 29 years and have witnessed the increase in the number and size of the restaurant/ bar businesses in the immediate vicinity of the Ecclesall Road/ Dover Road Junction. The associated significant increased disturbance to our local community is causing mounting concern. The noise can already be heard within our previously quiet residential enclave after midnight.

The Pointing Dog Club's extensive external terrace accommodates over 100 people on a busy night and the noise level generated locally is already offensive. The associated vehicle movements and noise generated by their drivers before leaving the area from roads within our BACA area is equally intolerable.

(BACA – Botanical Area Community Association)

Any licence extension for either internal or external activity is totally unacceptable as it will only increase the disturbance to this predominantly residential area. Please do not allow this already unacceptable infringement on our daily (nightly) lives to be extended .

Please acknowledge receipt of this objection.

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

Sheffield S11 8RJ



Gough Jayne (CEX)

From: [Redacted]
Sent: 13 September 2014 14:02
To: Gough Jayne (CEX)
Subject: Java Jo's application re Pointing Dog, Ecclesall Road

I wish to register an objection to the application for an extension of the licence of the Pointing Dog 'Club' to allow the serving of alcohol until 1pm..

The existing operation of the Pointing Dog does not sit well with the City Council's current Statement of Licensing Policy. The Statement recognises that "the prevention of public nuisance could include low-level nuisance affecting a few people living locally as well as major disturbance affecting the whole community."

Our community already suffers from both at the weekends particularly from the noise of cars looking for parking places or driving up our roads to find a turning point after dropping people off at the club. There is also the noise, late at night, of people returning to their cars and revving up to drive off. .

Extending the drinking hours would further worsen the problem. It would also increase the impact of the noise made by people sitting on the club's terrace as studies have already shown that the absence of other ambient sound at this time of night increase the effect of what noise there is.

Since the Pointing Dog opened this part of Ecclesall Road has attracted more people looking for late night drinking. Extending the alcohol licence for the Pointing Dog would further this trend with its associated problems of late night noise and nuisance.

It is noticeable that the noise nuisance from D'Michael's has increased since the Pointing Dog opened as has the number of people who appear to be using Ecclesall Road as a route for a 'pub crawl'.


Since Ecclesall Road is identified as particular area of concern about the cumulative impact of late night drinking in the City Council's current Statement of Licensing Policy, it would seem perverse to increase that impact by granting this extension.

AS a footnote I do wish the licensing committee would use its powers to exercise some control over black cabs which now regularly park on double yellow lines and obscure the junctions around the Pointing Dog in the hope of picking up fares both from the Dog and from D'Michaels .



Opposition to application for an extension to late night drinking at the Pointing Dog (516 Ecclesall Road)

We **oppose** to the application by the Pointing Dog Clubhouse to extend its licence to serve alcohol from 12 midnight to 1am on Thursdays, Fridays and Saturdays. We do not oppose the late opening on Christmas Eve and New Years Eve. We oppose the application because we are already facing significant problems of weekend noise nuisance and disturbance from late night drinking. Extending the alcohol licence would make things worse. Noise and congestion has increased significantly over the last six months partly because of the opening of the Pointing Dog, and the quality of life for many here has deteriorated, mainly because of lack of cooperation from the management of The Pointing Dog and D'Michaelas; and because of the ineffectiveness of the control measures.



Gough Jayne (CEX)

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 15 September 2014 10:16
To: Gough Jayne (CEX)
Subject: FW: Opposition to application for an extension to late night drinking at the Pointing Dog (516 Ecclesall Road)
Attachments: Pointing Dog extended alcohol Sept 2014.docx

From: [REDACTED]
Sent: 13 September 2014 23:56
To: licensingservice
Subject: Opposition to application for an extension to late night drinking at the Pointing Dog (516 Ecclesall Road)

Please find below and attached my letter of objection to the application to vary the alcohol licence at the Pointing Dog (Ecclesall Road).

Best wishes

[REDACTED]

Opposition to application for an extension to late night drinking at the Pointing Dog (516 Ecclesall Road)

We are writing in **strong opposition** to the application by the Pointing Dog Clubhouse to extend its licence to serve alcohol from 12 midnight to 1am on Thursdays, Fridays and Saturdays and extend the licence to serve alcohol on bank holidays. We oppose the application because we are already facing significant problems of noise nuisance and disturbance from late night drinking. Noise nuisance has increased significantly over the last six months partly because of the opening of the Pointing Dog.

Background: since opening earlier this year the Pointing Dog has been successful and has attracted significant number of visitors on Friday and Saturday nights. This has led to a substantial increase in general noise, nuisance and late night disturbance in and around our house on Dover Road. Living close to Ecclesall Road we expected, and have tolerated, a certain amount of late night noise. However the problem has worsened considerably this year months in terms of the overall volume of noise and its extension into the early hours. On most weekends our sleep is now disturbed until well after 1am and our 6 year old son is regularly woken up. We have had to change windows in all our bedrooms but this has only partially addressed the problem. The late night noise and disturbance is not just due to the Pointing Dog but the Pointing Dog is certainly part of the problem. Extending the drinking hours can only lead to increased noise and nuisance between 12 midnight and 1am and beyond. The key issues are:

1. Increased late night street noise is a particular problem on Dover Road because the Pointing Dog has no parking for customers. Our residents' parking scheme operates until 8.30pm. After that (and often before) the road fills up with people using the surrounding restaurants and this can create significant late night noise and disturbance as customers return to their cars. It only takes one or two noisy groups to create a nuisance, especially if they stay talking or arguing on the street (often sitting our garden walls). Extending the drinking hours would further worsen the problem. We and other residents have raised the issue with licensing and Sheffield City Council on a number of occasions but there is unlikely to be any change to parking restrictions in the evening. It is difficult to capture street noise in phone calls to 101 because it is not a constant disturbance, but we are woken regularly after midnight on Friday and Saturday nights. We have therefore not registered the countless times we have been woken up by late night street noise. Again, the problem is not just down to the Pointing Dog, but extending the licence would increase the potential to worsen an existing problem. Licensing officers have acknowledged that conditions to minimise noise of those leaving the premises are virtually impossible to enforce.

2. Increased traffic noise - there has been a significant increase in late night traffic on Ecclesall Road and Dover Road, particularly with taxis dropping off/picking up, the sounding of car horns and cars driving up and down our street in search of parking spaces. Extending the alcohol licence can only make that worse.

3. The outside terrace of the Pointing Dog would be a particular problem. On warm Friday and Saturday nights the outside terrace can have 50-100 people. Some are seated, but the majority are standing drinking. There is no requirement to close the terrace early or reduce the area late at night (by contrast Nonna's Restaurant across the road has to clear its far smaller outside seating area at 10pm and 543 Ecclesall Road opposite has a planning condition to clear the small outside terrace at 9pm). The volume of noise from the terrace increases throughout the evening and is clearly audible in the lower half of Dover Road. We are unable to open windows when the terrace is full and noisy. We have occasionally rung 101 about the noise from the Pointing Dog terrace, but we can usually tolerate the noise because the terrace starts to calm down between 11 and midnight. (The Pointing Dog's terrace noise has also been tended to be drowned out by noise from D'Michael's bar.) Extending the alcohol licence to 1am would tip the balance in terms of terrace noise by extending the potential for disturbance and potentially encouraging an increase in the number of customers visiting the Pointing Dog solely to drink (or moving on to the Pointing Dog after neighbouring bars and pubs have closed). We have also raised the issue directly with Pointing Dog door staff when the volume is high. They have been understanding but are unable to exert meaningful control when the terrace is busy.

4. Cumulative impact – over the last year the opening of D'Michael's bar (543 Ecclesall Road) and the Pointing Dog has led to this part of Ecclesall Road becoming a focus for late night drinking. This was not previously the case. The late night character of this part of Ecclesall Road has changed as a result. Extending the alcohol licence for the Pointing Dog would further this trend with its associated problems of late night noise and nuisance. What is at stake is the future balance between late night drinking and residential amenity on this part of Ecclesall Road. If the situation worsens further we would have to move to maintain our health and sanity. It is noticeable that the noise nuisance from other bars such as D'Michael's (across the road at 543 Ecclesall Road) has increased since the Pointing Dog opened, either because they are busier or are doing more to attract late night drinkers. We note that Ecclesall Road is identified as particular area of concern about the cumulative impact of late night drinking in the City Council's current Statement of Licensing Policy. Late night drinking should be winding down after 11.30pm, not being allowed to extend until 1am when it can attract those who want to continue drinking after neighbouring bars and pubs have stopped serving.

5. Holding the line on late night opening - we would suggest that the existing late night licence for the Pointing Dog is an historical anomaly that is out of step with prevailing policy on late night licensing for Ecclesall Road. Furthermore, the current licence was granted before it was possible to gauge the full impact of the Pointing Dog e.g. the development of the terrace and the Council's inability to restrict its late night use through planning conditions. The number of customers and the scale and noise of the terrace has far

exceeded what we anticipated at the time. We feel that the hours of serving alcohol should be reduced rather than extended.

6. We have also been disappointed at owners' unwillingness to compromise with local residents despite being made aware of our concerns. There has been no consultation with residents over the current application and the application itself reflects the general insensitivity shown to local residents. We also cannot see why the application to serve alcohol until 1pm was not included in the original licence application. It smacks of trying to get things through by stealth.

7. We cannot see why local residents should suffer more nuisance on bank holiday weekends. Having a young family means that our routine is not any different and we work on some bank holidays. We cannot see why the application includes Thursday evenings when Friday is a working day.

8. The existing operation of the Pointing Dog does not sit well with the City Council's current Statement of Licensing Policy. The Statement recognises that "the prevention of public nuisance could include low-level nuisance affecting a few people living locally as well as major disturbance affecting the whole community." It recommends that premises ensure that in order to prevent noise nuisance from outdoor drinking, premises "ensure that drinkers remain seated" (p.32)

To summarise, we are currently experience significant (and sometimes severe) problems of noise nuisance that affects our sleep and relaxation. Some of that noise nuisance is due to the Pointing Dog and extending the drinking hours to 1am would increase the disturbance from the premises and potential cumulative impact on this part of Ecclesall Road. The majority of noise nuisance is from an open terrace and customers entering or leaving the building. This is difficult to control, especially as there is not a requirement to close the terrace earlier in the evening. We think that it is unacceptable to be disturbed and woken on Thursday, Friday and Saturday evenings until 1am and later. We feel that we should be able to open our bedroom windows. We have lived in Dover Road for over 3 years but this year the noise nuisance has increased dramatically. We would suggest that the hours of serving alcohol in the Pointing Dog need to be restricted rather than extended in the interests of protecting residential amenity that is increasingly threatened by increased late night drinking.



5

Acknowledged ✓

From: [REDACTED]
Sent: 10 September 2014 23:39
To: licensingservice
Subject: Pointing Dog

To whom it may concern,

As a local resident I would like to express in the strongest terms my opposition to an extension to the opening hours of Pointing Dog on Ecclesall Road.

The facility opened very recently and it is clearly their strategy to open with reasonable licenced hours and then extend their hours gradually, and this is a trend we recognise in other venues in this area.

The area is a community hub with a distinctive character to it, based on largely long-term residential housing, the Botanic Gardens, and the shopping centres of Ecclesall Road and Sharrowvale Road which still comprises entirely independent businesses - a remarkable phenomenon and unique in Sheffield, yet always susceptible to commercial pressure and weak planning and licensing controls.

From the point of view of residents and users of the area, an extension to the hours for Pointing Dog would be utterly against the public interest, substantially extending the disturbance to a residential area, and would set a precedent for an inevitable slide into a nightclub zone. Residents already have to endure noise at night and we frequently have to avoid vomit on the pavements in the morning as we walk our children to school.

The clear pattern in similar cases elsewhere is that, when planners and licencing authorities are weak, it does not take long for long-term residents to move away and the unique community and commerce of an area to decline.

I urge you not to set this precedent.

If you refuse this and similar future applications, you will act in the interests of sustainable, well integrated and thriving communities and commerce in this area.

Yours faithfully,

[REDACTED]

[REDACTED]

Sheffield

6

Acknowledged

From: [REDACTED]
Sent: 11 September 2014 09:00
To: licensingservice
Subject: the pointing dog

To whom it may concern,

As a local resident living just off Ecclesall road I would like to express in the strongest terms my opposition to an extension to the opening hours of Pointing Dog on Ecclesall Road.

This outlet is a club and has considerable outside seating, a large premises demanding much parking which it does not provide and it is clearly establishing it's self and is now applying to expand opening hours and therefore disruption to the local area. The whole scale is greater than anything else that has come before with consequentially much greater disturbance and now they want to make this even greater...

As planners for Sheffield we ask you to consider what Ecclesall road is aiming to be. It is a largely long-term residential housing area, with Ecclesall park the Botanic Gardens, and the shopping centres of Ecclesall Road and Sharrowvale Road which still attracts independent businesses – it suffers from high rents and therefore turn over and the risk is that chains and huge corporate ventures are becoming the only ones that can establish them selves in the area. It is now crucial that you make some strategic decisions on our behalf; to support a diverse and thriving out door and day time commercial area that people want to shop in and live in or allow the large commercial companies to draw high profit at the expense of the residents quality of life. By extending licencing hours these premises are NOT catering for the local community, is their profit more important than the quality of life of many?

From the point of view of residents and users of the area, an extension to the hours for Pointing Dog would be utterly against the public interest, substantially extending the disturbance to a residential area. Residents already have to endure noise at night and we frequently have to avoid vomit on the pavements in the morning as we walk our children to school and poorly driven and parked cars when we return home in the evenings.

I urge you to draw a line beyond which no premises can open and so that we can stop businesses continually applying to operate late at night in residential areas.

Yours faithfully,

[REDACTED]

7

Acknowledged



From: [Redacted]
Sent: 11 September 2014 08:20
To: licensingservice
Subject: Pointing Dog, Ecclesall Road

Dear Madam/Sir,

As a resident of Southgrove Road I would like to express in the strongest terms my opposition to an extension to the opening hours of Pointing Dog on Ecclesall Road.

The facility opened very recently and it is clearly their strategy to open with reasonable licenced hours and then extend their hours gradually. This is a trend we recognise in other venues in this area. The effect on that part of Ecclesall road is already very striking, the outside area of the facility being large and raised and the corner made around Nonnas, D'Michales and PD becoming quite unpleasantly loud and alcohol fuelled from early on a friday night. Pointing Dog, as opposed to Nonnas, with whom most residents have enjoyed a long and respectful relationship, can often be noisy and is always a very visible and ostentatious disruption to the otherwise discrete and modest enterprises along Ecclesall road. Our area is a community with a distinctive character to it, based on largely long-term residential housing, the Botanic Gardens, and the shopping centres of Ecclesall Road and Sharrowvale Road, mostly independent businesses - a remarkable and unique part of Sheffield, yet always susceptible to commercial pressure and weak planning and licensing controls.

From the point of view of residents and users of the area, an extension to the hours for Pointing Dog would substantially extend the disturbance to a residential area, and would set a precedent for an inevitable slide into a nightclub zone, alienating many of those who choose to visit the area as an alternative to the city centre type of nightlife.

The clear pattern in similar cases elsewhere is that, when planners and licencing authorities are weak, it does not take long for long-term residents to move away and the unique community and commerce of an area to decline.

As residents, we would appreciate a sense of balance between the interests of various parties and a late licence seems to be a risky and potentially costly move.

I urge you not to set this precedent.

If you refuse this and similar future applications, you will act in the interests of sustainable, well integrated and thriving communities and commerce in this area.

[Redacted signature block]

8

Acknowledged ✓

-----Original Message-----

From: [REDACTED]
Sent: 11 September 2014 18:36
To: Licensing(General)
Subject: Online Feedback about Licensing

The following information was sent from the Legal & Governance Feedback Form on 11/09/2014 18:36

First Name

[REDACTED]

Surname

[REDACTED]

[REDACTED]

Address

[REDACTED]

Telephone Number

[REDACTED]

Email

[REDACTED]

Subject
Pointing Dog

Details

I object to the Pointing Dogs application to extend it's opening hours to 1am. The owners of this business are quite selfish in thinking that this is acceptable in what is, predominately a residential area, and if people wish to drink until that time in the morning then there are plenty of places open on West Street.

9

Acknowledged

Gough Jayne (CEX)

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 19 September 2014 12:29
To: Gough Jayne (CEX)
Subject: FW: Extended License application for Pointing Dog, Sheffield

From: [REDACTED]
Sent: 19 September 2014 12:23
To: Licensing(General)
Cc: [REDACTED]
Subject: Extended License application for Pointing Dog, Sheffield

Dear Licensing team,

My husband and I have been made aware that the Pointing Dog has applied for an extended license to open until early morning.

As residents living on Dover Road, we strongly object to any further extended opening hours. Regarding the Pointing Dog, we are pleased to see the Old Polish Club back in use, and the owners have done a good job with the refurbishment, however, there are a number of growing issues surrounding this club affecting this residential part of Sheffield:

1. As everyone is fully aware now, the application to reinstate the membership license granted to the Polish Club had little to do with creating a members club, and everything with obtaining the late license it afforded. It is the most inclusive membership scheme I have ever seen: there is no qualification criteria (other than to apply) and, it seems, no restriction on the numbers of memberships given out. Unfortunately, the side effect of the 'open to all as long as you have registered' seems to necessitate the instatement of 'nightclub-like' bouncers at the main entrance. This is not the city centre, it is a residential area, yet this seems to have been conveniently forgotten. It is unfathomable how this license has not subsequently been called in to question. And equally unfathomable, how a licensed coffee shop further down the same road (Couch) was refused a license for a small outdoor seating area.
2. Since the club has opened there has been (as predicted) a significant increase in the traffic up and down Dover Road putting pressure on already limited residents parking. This starts early in the morning with staff parking on the road, through to deliveries blocking the road, and then on to customers arriving and departing well after midnight.
3. Unfortunately, drinking parties rarely leave quietly so the disturbance is evident to most residents on Dover Road, particularly lower down. On more than one occasion, my husband has had to tackle anti-social behaviour, such as beer bottles being jammed in hedges and loud shouting. This concerns me greatly.

It is good to see smart establishments reinvesting in the area, however, it should not be at the expense of residents who themselves have made a significant investment and commitment to this very special part of Sheffield. The character of the area is changing and there is a risk, with too many late night drinking establishments being allowed to set up, that residents themselves will move on. Hopefully they will stay in Sheffield but with a mobile and connected economy, who can say. I wonder if the owners of the Pointing Dog would like to purchase one of the lovely family homes near the club? A year ago, quite possibly. Now, I suspect not. Perhaps these will revert to student accommodation? Unlikely, given the restriction on HMOs in the area. Oh dear.

To sum up, we object to any further and extended licenses at the Pointing Dog. In fact, we would like to see the original membership license reviewed but are resigned to the unlikeliness of this. And we would like to see some thought given to residents of Ecclesall who have invested time and energy creating a diverse and vibrant community, which in turn has contributed significantly to the desirability of the area.

10

Acknowledged

Gough Jayne (CEX)

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 22 September 2014 10:55
To: Gough Jayne (CEX)
Subject: FW: Late night licence extension application by Pointing Dog

From: [REDACTED]
Sent: 20 September 2014 11:41
To: licensingservice
Subject: Late night licence extension application by Pointing Dog

Dear Sir or Madam

We are writing to oppose in the strongest terms the application that has been submitted by the Pointing Dog (516 Ecclesall Road) to extend its licence from 12 midnight to 1 am on Thursdays, Fridays and Saturdays and extend the licence to serve alcohol on bank holidays.

We have two major reasons for opposing this application:

1. Since the Pointing Dog opened there has been a significant increase in noise and disturbance in the area as a result of the increased traffic, and late night drinking. There has also been an increase in noise and disturbance during bank holiday weekends, throughout the days and well into the late nights. It is no longer possible to sit out in our bank garden without hearing the noise of loud conversations and shouting from the premises. We did not expect this to be the case given that we are located at the top of Wilson Road but it seems to us as though the peace and tranquillity of our back garden is now a thing of the past. We feel very sorry for those families living closer to the premises whose lives and sleep are now regularly disturbed by the increased noise coming from the premises. Extending the licence would only make the situation worse. In our view, the licence should actually be curtailed to restrict the serving of alcohol to the interior of the premises. It should certainly not be extended.
2. There has been a significant increase in traffic in the area, particularly in the early evenings, as taxis and private cars draw up to the premises and drop off passengers. In the evenings at weekends, it frequently proves very difficult to both turn into Wilson Road because of the line of cars outside the Pointing Dog which often impedes access to Wilson Road. Equally, it is becoming increasingly difficult for drivers to exit Wilson Road onto Ecclesall Road. There are also a lot more people crossing the road to enter the Pointing Dog, without using the pedestrian traffic lights. It is only a matter of time before there will be a serious accident. Extending the licence is irresponsible and would only make this situation worse.

The Pointing Dog is situated in a residential area. There has been a significant increase in noise and disturbance in the area since the Pointing Dog opened for business. Any extension to its licence would only make this problem worse, and lead to an decline in the health and wellbeing of residents in the area.

Please do not approve this application.

Yours faithfully,

A large black rectangular redaction box covers the signature area, completely obscuring the name and any handwritten notes.

11

Acknowledged ✓

Gough Jayne (CEX)

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 22 September 2014 10:52
To: Gough Jayne (CEX)
Subject: FW: Objection to licence extension at Pointing Dog

-----Original Message-----

From: [REDACTED]
Sent: 21 September 2014 21:52
To: licensingservice
Subject: Objection to licence extension at Pointing Dog

To whom it may concern,

As a local resident I would like to express in the strongest terms my opposition to applications to extend the opening hours of "Pointing Dog" on Ecclesall Road.

This pub/club opened very recently and it seems clear that their strategy is to open with reasonable licenced hours and then extend their hours gradually. This is a dangerous trend we recognise in other venues in this area.

Our area is a community hub with a distinctive character to it, based on largely long-term residential housing, the Botanical Gardens, and the shopping centres of Ecclesall Road and Sharrowvale Road which both still have many independent businesses - a great benefit to the diversity of commerce in Sheffield, yet always susceptible to commercial pressures and weak planning and licensing controls.

From the point of view of residents and others that use the area for shopping, an extension to the hours for Pointing Dog would be utterly against the public interest, substantially increasing disturbance to a residential area, and would set a precedent for an inevitable slide into late night drinking and entertainment venues in this area which is one totally unsuitable for this type of use. Residents have already had to endure some increased noise at night in recent times and sleep disturbance from late night revellers due to the increased number of licensed premises in the area. Further steps along this road would be unacceptable to most residents in my view.

The clear pattern in similar cases elsewhere is that, when planners and licencing authorities are weak, it does not take long for long-term residents to move away and the unique community and commerce of an area to go into irreversible decline.

I urge you in the strongest terms not to set this precedent.

Please refuse this and similar future applications and prevent a change in the character of our area from residential and diverse commerce, including some well regulated licensed premises, to one where late night drinking establishments, entertainment and clubbing venues become the norm and you will be acting in the long term interests of residents and a sustainable, thriving community.

Yours faithfully,

[REDACTED]

12

Acknowledged



Gough Jayne (CEX)

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 22 September 2014 10:59
To: Gough Jayne (CEX)
Subject: FW: Pointing Dog extended license applicaion

22/09/2014

From: [REDACTED]
Sent: 19 September 2014 17:15
To: licensingservice
Subject: Pointing Dog extended license applicaion



19/9/2014

Dear Sirs, I wish to object in the strongest possible terms to the current extended license application by the owners of the Pointing Dog, Ecclesall Road, Sheffield. Being a reasonable person I am happy to share the available space in the 'area of special interest' that is Ecclesall Road with other residents, retailers, workers and visitors; the latter whose main purpose is either shopping, dining or drinking. In the past, with a little tolerance on all sides we have all been able to make the most of what is historically one of Sheffield's best loved areas and well documented as such in the serious press, in-flight magazines and estate agents. However, I am sad to say that the character of my neighbourhood is changing from one where we have been proud that everyone is able to fit in, to one that is dominated by a late night drinking culture and is gradually becoming an intimidating place to live. I fear we may be on the verge of totally losing the protection from the council that is afforded other council tax payers in Sheffield.

Dover Road and the surrounding area is now little more than an evening car park for the Pointing Dog with cars very often travelling at speed up and down our now permanently congested roads as their owners search for a parking place. Groups emerging from the cars can be very excited and noisy but not nearly as excited and noisy as they are on departure. Their behaviour very often involves loud, drunken arguments peppered with offensive language as they sit on our garden walls discarding their cigarette ends and packets on the streets we actually annually clean ourselves, or worse into our gardens. As annoying and offensive as this is it is preferable to finding the contents of an over imbibed stomach spread on the pavement as is often the case, particularly at the weekends.

There is no doubt that the Pointing Dog has proved to be a success for the owners and its visitors but for residents it has degraded our quality of life, changed the atmosphere of the Botanical Roads from that of a village where we have our own Community Association, annual street party and choir to that of the inner city where late night rabble rousing in a culture dominated by noise and alcohol has become the norm. As the noise levels and numbers have increased at the Pointing Dog there has been a knock on effect at other local bars as drinkers make their way from one place to another. Some of my neighbours have had no alternative but to replace windows and then keep them closed in an attempt make noise levels bearable. Whilst late night drinking and partying may be very entertaining for visitors who can then go home to peace and quiet this is our home and we are also entitled to peace and quiet. To increase drinking hours at the Pointing Dog will prove to be of even more detriment to our area which I'm sad to say despite our best efforts is deteriorating and will soon be known for little other than somewhere to go and get drunk.

13

Acknowledged
✓

Gough Jayne (CEX)

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 22 September 2014 10:59
To: Gough Jayne (CEX)
Subject: FW: Pointing Dog extended alcohol license application

-----Original Message-----

From: [REDACTED]
Sent: 19 September 2014 20:58
To: licensingservice
Subject: Pointing Dog extended alcohol license application

I would like to register an objection to the proposed extension of licensing hours at the Pointing Dog on Ecclesall Road.

I am a resident on Wigfull road, near to the Pointing Dog. Since opening, this establishment has not shown any consideration for local residents.

They have a large terraced area, with many people drinking outside, which generates considerable noise levels in what is a residential area.

There is further disruption from increased traffic, with clients at the Pointing Dog (which provides no parking spaces) parking in Dover Road, and other neighbouring streets. In addition to the shortage of parking this creates, there is the disturbance late at night from people returning to their cars.

Extended licensing would increase sleepless nights for local residents. I would urge the council to refuse this application,

[REDACTED]

14

Acknowledged.

Gough Jayne (CEX)

From: Gough Jayne (CEX) on behalf of licensingservice
Sent: 22 September 2014 10:53
To: Gough Jayne (CEX)
Subject: FW: Objection to application to extend license by Pointing dog

From: [REDACTED]
Sent: 21 September 2014 15:12
To: licensingservice
Subject: Objection to application to extend license by Pointing dog

Dear sir/madam

Although my wife has already written to object, I wish to also do so in my own right as well.

The opening of the Pointing Dog has had a major negative impact in the area. The two main problems are noise and parking/highway problems.

I hope the licensing committee has a chance to visit this area on a non-raining day when the open area of the Pointing Dog is packed to see the degree of noise that comes from this place. This part of Ecclesall Road has always had a small amount of noise from restaurants and one pub but what has happened since the Pointing Dog opened is noise to a completely different scale.

The second problem are the cars and taxis. As predicted there is a parking problem and patrons of this establishment park in the adjacent residential areas. The worst problem however are the taxis and minicabs that are parked in the corners of the roads dropping and waiting to pick up customers. It is now often dangerous to come out of Wilson road because of where the taxis are located on Ecclesall Road.

I wish to strongly object to the application for extension. I also wish to plea that in view of how this place led to the deterioration of the area that their license is curtailed from its current position, or at least you that you place a restriction in allowing so many people to stand outside drinking and shouting so late.

Finally I wish to state the obvious that their "membership" scheme is a joke since you can join when you turn up and there is no fee for membership. All it involves is writing your name on a list.

I can see no reason at all why you would consider treating this place in any way different to Nonna's across the road.

Yours sincerely

[REDACTED]

15

Acknowledged

Ruston Andy (CEX)

From: [REDACTED]
Sent: 23 September 2014 11:11
To: licensingservice
Subject: With subject: Pointing Dog (516 Ecclesall Road) extended alcohol licence

I am writing to object to the extended license request for the Pointing Dog.

I oppose the license to to the amount of late night noise being generated already with the existing license from:

- Noise generated from the outside terrace from late night drinking
- Noise generated from people leaving the bar late at night and walking up the surrounding residential roads
- Noise generated from parking cars / car stereos / people talking outside cars parked on the surrounding streets late at night

[REDACTED]

16

Acknowledged ✓

Ruston Andy (CEX)

From: webmanager@sheffield.gov.uk
Sent: 23 September 2014 16:18
To: Licensing(General)
Subject: Online Feedback about Licensing

The following information was sent from the Legal & Governance Feedback Form on 23/09/2014 16:17

First Name

[REDACTED]

Surname

[REDACTED]

[REDACTED]

Address

[REDACTED]

Telephone Number

[REDACTED]

Email

[REDACTED]

Subject

Pointing Dog Application for license to 1am

Details

I saw a notice that said The Pointing Dog club on Ecclesall Road has applied for an extended licence. I would like to object to this application. I live locally and the noise, traffic and general nuisance in that section of Ecclesall Road in the evenings has increased substantially since the Pointing Dog opened and I fear this would only get worse if they were routinely allowed to stay open late. As it is, the noise and nuisance already continues after 'normal' closing time.

17

Acknowledged

Ruston Andy (CEX)

From: [REDACTED]
Sent: 23 September 2014 12:27
To: licensingservice
Subject: @bjection to extending the time for Pointing Dog

i am objecting to the above because there is far too much traffic in this area at night due to the three restaurant and drinking Bars that are on Ecclesall Road so close to family homes on Dover Road. The noise and nuisance caused should not be allowed to be prolonged even further by granting an extension to such inconsiderate owners of the Pointing Dog Club.

The families that live at the bottom of Dover and Wilson Road have suffered too much and are surely deserving of consideration and respect in trying to bring up their children in peace and safety from the late night noise of taxi cabs and drunken revilers.

Yours faithfully

[REDACTED]

18



Sheffield
S11 8QL

21st September 2014

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

LICENSING
23 SEP 2014
SERVICES

Dear Sirs

Ref: Pointing Dog Clubhouse
516 Ecclesall Road Sheffield S11 8PY

We are writing to object to the application submitted by the above to extend opening hours on Thursdays to Saturdays from 12 midnight to 1.00a.m. the following morning.

The grounds for objection are Public Nuisance.

The premises are in a residential area and noise created by patrons is very disruptive to residents quality of life. The outside area of the premises where patrons sit is a large area, and the volume of noise created by patrons cannot really be controlled when they are out socialising.

Even though the applicants stated on the previous application that notices would be displayed requesting the public leave the premises quietly and Staff would ask the public to leave quietly, (copy enclosed) we do not see how noise can be controlled, when people are out to enjoy themselves.

It is not only the noise at closing time when patrons are leaving, the volume of noise could be at any time that the premises are open for business, and therefore disrupt residents quality of life at any time of the day or night.

The majority of licensed premises in the vicinity of the Pointing Dog have to close at 11-30p.m.

Also there is several taxis regularly parked outside the premises creating a taxi rank, which also adds to the noise problem.

In view of the close proximity to residential properties , we request that this application is refused.

Yours faithfully



2. Names and addresses of members and their guests must be kept on the premises and be available for production and inspection by a Police Constable in uniform.

A13

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

1. The use of door staff will be risk assessed on an ongoing basis by the premises licence holder or premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
2. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
3. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
4. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
5. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.
6. The management of the premises will liaise with police on issues of local concern or disorder.
7. CCTV will be installed with recording facilities such recordings shall be retained for a period of 31 days and made available within a reasonable time upon request by the police, such as to cover the main entrance to the premises.

c) Public safety

No further risks have been identified which need to be addressed, save as below

1. To comply with the reasonable requirements of the fire officer from time to time.
2. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
3. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
4. Toughened glasses will be used in the premises where appropriate.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
3. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
4. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.

e) The protection of children from harm

- 1) The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.
- 2) No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.

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Licensing Solicitors

A14

- 3) Children under the age of 16 shall not be permitted to enter the premises after 21:00.
- 4) There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
- 5) The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
- 6) Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.

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

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

Part 4 – Signatures (please read guidance note 10)

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

Signature: John Gaunt & Partners..... *John Gaunt & Partners*

Date: 8 May 2013.....

Capacity: Solicitors.....

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: John Gaunt & Partners.....

Date:

Capacity: Solicitors.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT

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 John Gaunt & Partners
 Licensing Solicitors

19

Acknowledged

I oppose the current application from the Pointing Dog (516 Ecclesall Road) for an extended licence.

Opposition is on the grounds that an extension of hours will increase the problems which the Pointing Dog is already causing .

Noise - Local residents are unable to get to sleep before drinkers at the Pointing Dog have left the area. As this happens significantly later than 'closing time' at the bar this already means after 1am. Many local residents are small children or people needing to get up to work the following day. The Pointing Dog makes little effort to encourage people to leave its terrace area, where drinkers' voices compete with each other. And even after drinkers have left the premises, they stand talking outside parked cars right outside bedrooms.

The Pointing Dog also frequently breaches a condition of its current licence by conducting noisy cleaning and 'bottling up' activities after 10pm. That would be likely to worsen if an extended licence resulted, as the proprietors intend, in greater and later consumption.

Also, in warm weather, residents are having to keep windows closed in order to try to reduce the volume of noise intruding into their homes.

Traffic – Dover Road is a residential Street, unsuitable for the volume of traffic generated by people coming from outside the area to drink at the Pointing Dog. Cars regularly drive up to the top of the road seeking a parking space, and then drive back down noisily and aggressively in frustration at not finding a space.

Taxis loitering and cars illegally parked on the double-yellow lines at the junction of Ecclesall and Dover Roads create a hazard for cars entering and exiting Dover Road.

Parking – residents are finding it impossible to park near their own homes, as visitors to the Pointing Dog fill up the spaces, sometimes wilfully illegally, and sometimes in confusion at the apparently contradictory signage.

Dirt – Particularly at weekends and on Bank Holidays (i.e. when later opening already applies), the pavement on Dover Road outside the Pointing Dog is littered with vomit, empty beer bottles, glasses and cigarette ends thrown from the terrace. The cleaning staff of the Pointing Dog decline to clear this up, regarding it as 'not their premises', although it is evidently generated by their drinkers. Again, the volume of this would increase if extended hours led to greater numbers of drinkers (which is the clear intention of the application.)

All this is not simply a matter of aesthetics, but a hazard to the health of children and adult residents for whom the pavement is part of their everyday environment.



20

Acknowledged

Bower Claire

From: Gough Jayne (CEX)
Sent: 26 September 2014 12:41
To: Bower Claire
Subject: FW: Pointing Dog



From: Harper Craig **On Behalf Of** licensingservice
Sent: 25 September 2014 09:17
To: Gough Jayne (CEX)
Subject: FW: Pointing Dog

From: [REDACTED]
Sent: 24 September 2014 17:55
To: licensingservice; Licensing(General)
Subject: Pointing Dog

Licensing Services

Dear Sir/Madam

I would like to object to the application Pointing Dog has made to extend its license. I believe it is not appropriate to have alcohol served so late, considering its massive capacity and outside seating/ inevitable very late outside smoking, and the noise associated with this premises is already having a bad effect on the sleep of children living nearby - this constitutes harm.

Yours sincerely

[REDACTED]

Bower Claire

From: Gough Jayne (CEX)
Sent: 26 September 2014 12:41
To: Bower Claire
Subject: FW: Extended License application for Pointing Dog, Sheffield



From: Harper Craig **On Behalf Of** licensingservice
Sent: 25 September 2014 09:20
To: Gough Jayne (CEX)
Subject: FW: Extended License application for Pointing Dog, Sheffield

From: [REDACTED]
Sent: 24 September 2014 17:56
To: Licensing(General)
Cc: [REDACTED]
Subject: Extended License application for Pointing Dog, Sheffield

Good evening

I **strongly object to the application to extend the licence of the Pointing Dog**. Whilst I am pleased that the Club is successful, this application shows a disregard for local residents - many of whom are already paying a considerable price for that success.

There are a number of key factors:

1. The number of people using the Pointing Dog. Despite being a Members' Club, there seems to be an open door policy with no limit to the numbers of Members, or any 'qualifying' criteria. As a result the Club is already very heavily used. Any extension to licensing hours would increase the number of customers.
2. The hours of operation. Customers arrive at, and leave, the Pointing Dog very late at night. Any extension to licensing hours would see the disturbance they create continue even later into the night/early hours.
3. The Pointing Dog is not a city-centre or out-of-town venue; it butts up against established residential roads. Those living in the area already experience considerable disruption as a direct result - something that was predicted when plans for the Club were first submitted. It is clear that any extension to licensing hours would exacerbate these problems.

My specific objections are:

- 1 Late night drinkers rarely notice the noise they are making, and the disturbance they create is substantial. Any extension to licensing hours would see this disruption increase and continue further into the night.
- 2 Traffic using Dover Road has increased substantially since the Pointing Dog opened. The junction with Ecclesall Road is frequently blocked by taxis, delivery vehicles and customers looking for parking spaces. Any extension to licensing hours would see this disruption increase and continue further into the night.

- 3 The junctions towards the top of Dover Road have become the de facto turning circles for driving customers and taxis. A proportion of the drivers using Dover Road are inconsiderate – driving too quickly, making a considerable amount of noise and parking thoughtlessly. Any extension to licensing hours would see this disruption increase and continue further into the night.
- 4 There has been a noticeable increase in demand for parking in the area and spaces are now at a premium. Any extension to licensing hours would mean that there would be even greater pressure on the limited parking available and increase the inconvenience this causes local residents.
- 5 The 'morning-after-the-night-before' detritus – you can imagine what that is - is becoming a significant problem. Granted this is not all down to the Pointing Dog, but it is undoubtedly a result of late-night drinking in the area. Any extension to licensing hours would see this issue increase.

Far from considering an extension to the current licence, I would hope the authorities are investigating what measures (increasing the number of resident-only parking places, placing limits on Membership numbers, prompt/thorough cleaning up, traffic enforcement measures etc) must be imposed now to address the issues that are already being created.

Regards



Dover road Resident

22

Acknowledged

Bower Claire

From: Gough Jayne (CEX)
Sent: 26 September 2014 12:43
To: Bower Claire
Subject: FW: The Pointing Dog, Ecclesall Road - Extension to opening hours

From: [REDACTED]
Sent: 25 September 2014 20:13
To: Gough Jayne (CEX); licensingservice
Subject: Re: The Pointing Dog, Ecclesall Road - Extension to opening hours

Dear Jayne,

Thank you for your prompt response and helpful guidance on valid objections to the licensing application. I would therefore like to amend my objection to the following.

I object to the application to the extension of licensed hours of the Pointing Dog on Ecclesall Road on two counts:

- Public Nuisance
- Crime and Disorder.

Public Nuisance.

All pubs and clubs cause some public nuisance as patrons leave in the evening. As the Pointing Dog is situated in a predominantly residential area there are a large number of local residents who are impacted by this general behaviour.

Extending the hours to even later in the evening/early morning will cause either

- additional disturbance due to increased numbers of noisy customers making additional noise and general disturbance or
- a similar total amount of noise and disorder but later in the evening which increases its impact on local residents.

Crime and Disorder.

This is essentially an extension of the previous concern / objection. Again all pubs and clubs risk being the cause of crime and disorder particularly when their patrons drink to excess. This can result in violent and abusive behaviour as well as criminal damage.

Increasing the licensed hours simply increases that total risk.

In addition it also makes Pointing Dog more of a target for drinkers who want to drink as much as possible, who are more likely to be disorderly, and who move to places with late licenses after others have closed. The risk of crime and disorder is therefore further increased.

I therefore urge you to reject this application.

Regards

23

Acknowledged

Bower Claire

From: Gough Jayne (CEX)
Sent: 26 September 2014 12:43
To: Bower Claire
Subject: FW: Pointing Dog request for late license



From: Harper Craig **On Behalf Of** licensingservice
Sent: 26 September 2014 09:02
To: Gough Jayne (CEX)
Subject: FW: Pointing Dog request for late license

From: [REDACTED]
Sent: 26 September 2014 08:57
To: licensingservice
Subject: Pointing Dog request for late license

Dear Sirs

We live at [REDACTED] Dover Road, S11 8RH and would like to comment on the request by the Pointing Dog to extend the license at the pointing Dog until 1am at weekends and Bank Holidays.

Our view is that there is already enough disturbance and debris incurred because of this premises, and that to allow later opening would only exacerbate what is already an unacceptable impact on the residents of the surrounding area.

No heed is paid by patrons of the Pointing Dog to the restricted parking and we have in the past been unable to get our vehicle off the drive because of inconsiderate parking, on one occasion until after 8am the next day. Parking attendants are not always around to stop this. As well as that some drivers bomb around to find a space as if their lives depend on it.

The staff have left piles of cigarette butts on the kerb whilst using it as their smoking area and the general noise levels late at night are a real nuisance.

We believe there is a petition at the Pointing Dog seeking support for the application, but we think it should be viewed in the context that those signing it do not live in the area, so would be unaffected by the consequences of success.

Please do not allow this application to be approved.

Yours Faithfully

[REDACTED]

24

Acknowledged

Bower Claire

From: Gough Jayne (CEX)
Sent: 26 September 2014 12:44
To: Bower Claire
Subject: FW: Pointing Dog Ecclesall Road licence extension application



From: Harper Craig **On Behalf Of** licensingservice
Sent: 26 September 2014 09:04
To: Gough Jayne (CEX)
Subject: FW: Pointing Dog Ecclesall Road licence extension application

From: [REDACTED]
Sent: 25 September 2014 18:52
To: licensingservice
Subject: Pointing Dog Ecclesall Road licence extension application

I would like to record my objection to the Pointing Dog application for a licence extension to 1am. Dover Road is an entirely residential street. The Pointing Dog is already the source of considerable late night noise disturbance and traffic noise. Extending the licence will inevitably mean that this noise is extended to an even more unreasonable hour.



25

Acknowledged

Bower Claire

From: [REDACTED]
Sent: 26 September 2014 13:08
To: licensingservice
Subject: Pointing Dog 516 Ecclesall Rd

I oppose the current application for extended hours from Pointing Dog.

Not only should no extension be granted, but the current licence should be reviewed.

Pointing Dog secured its current licence from Sheffield Council by claiming it would operate as a private club and that local residents would experience little difference from the previous Polish Club at that site. The subsequent degree of development far exceeded what the Licensing function of the Council had been given to understand, and the impact on local residents has been enormous.

Pointing Dog regularly breaches the terms of its current licence. In particular:

- despite its claim to operate as a private members only club, on many occasions visitors are not asked whether they are members
- the restriction on noise-generating cleaning and deliveries to between 8am and 10pm is breached on a daily basis.



Please confirm that this message has been received by the deadline and will be considered.

26

Acknowledged



Bower Claire

From: [REDACTED]
Sent: 26 September 2014 15:27
To: Bower Claire
Subject: Extension of the licensing hours for the Pointing Dog "club" house.

Dear Ms Bower,

We hereby strongly oppose the suggested extension and would suggest that the licensing committee considers shortening the hours, rather than extending them. Since this venue opened, all residents in the surrounding roads (Wilson, Wigful, Botanical, Bristol and particularly Dover Road) have constantly been struggling with car parking spaces (or rather, the sudden lack of them), increased traffic and related traffic noise, caused by the restaurant's customers, searching for parking spaces. Many of them are neither able or willing to follow and understand the residents' parking restrictions. The noise caused by customers leaving the restaurant is also a considerable nuisance, not to mention increased taxi traffic, blocking roads and residents' access to their properties whilst collecting or dropping off customers. Residents in the surrounding areas should be entitled to at least some peace and quiet during weekends and over bank holiday periods, particularly families with young children and senior citizens, of which we have many.

Yours sincerely,

[REDACTED]

27

Acknowledged
○

Bower Claire

From: [REDACTED]
Sent: 26 September 2014 16:28
To: Bower Claire
Subject: Objection to the pointing dog extended hours application

I understand that the original email address provided does not work, please confirm that this objection has been received....

[REDACTED]
Sheffield
S11 8RL

As long term (20 year) residents of Bristol Road we wish to object strongly to the application to extend the opening hours of the Pointing Dog.

The noise (voices, taxis, late night disturbance) from the site is substantial and should not be underestimated - the current end of this is late enough, the surrounding area will not benefit from this be prolonged.

The area we moved to 20 years ago was substantially different to the area today - we did not make an active choice to live in an area with so many bars and restaurants, or late night opening. Licence and planning permission for the Pointing Dog were granted based on the current operating hours - this is clearly an application to extend it by stealth just like their other (currently rejected) application to build a block of flats in the car park.

I am pleased that the business seems to be successful but applying to extend the hours is purely greed to increase profits and should not be seen as a service the kind owners feel they should provide to their customers (as implied in their email campaign).

There is currently a campaign by the owners to garner support from customers - as an occasional customer I have been emailed myself. I hope that the support that this campaign generates will NOT be given much weight compared to the voices of local residents. Customers can come and go and leave the premises when they chose - residents have to put up with the noise permanently.

The dangerous parking problem at the bottom of Dover Road has been increased by the presence of the Pointing Dog and will only be enhanced. More people now park on and around the corner especially when the Parking Wardens have left for the day. The width of the road then only allows one car up or down so when cars are parked on both sides it is not uncommon for cars to turn into Dover road then have to pause in the mouth of the road or partly out in Ecclesall Road while another car comes down the hill. This danger does not need extending over a greater time period.

Any application for later opening on Ecclesall Road that might be granted would be taken by other businesses as an open door to apply themselves for a similar extension and how would you argue denial of each one that follows? So effectively the granting of one extension should be taken as the granting of all. Please do not approve this application.

[REDACTED]
26.9.2014

28

Acknowledged

Bower Claire

From: [REDACTED]
Sent: 26 September 2014 20:16
To: Bower Claire
Subject: Fw: Pointing dog

On Sunday, 21 September 2014, 20:16, [REDACTED] wrote:

To whom it may concern re late night opening at the Pointing Dog

We live at [REDACTED] Dover Road. The arrival of the Pointing Dog has made a considerable impact on our area . We cannot park , we hear noise late at night , customers rev their cars and bang doors when they leave and disturb our sleep. Why should this continue for an extra hour or so? Just lately we have had at least two incidences of men urinating against our drive entrance . Not pleasant. Please spare us any more problems in the early morning.
[REDACTED]

Sent from Yahoo Mail for iPad

29

Acknowledged

○

Bower Claire

From: [REDACTED]
Sent: 26 September 2014 21:53
To: licensingservice; Bower Claire
Subject: Pointing Dog application for licence extension

Dear Sir or Madam

Last night at a little past midnight I was woken by people talking quite loudly outside my house. This has happened quite a lot since the Pointing Dog opened. Usually I suffer in silence until well after they have gone, trying to get back to sleep. This time I was so annoyed that I got dressed and went out to ask the people why they thought it was OK to have a loud conversation at that time of night. They said they had been enjoying the evening at the Pointing Dog 'Clubhouse' and that it is now well known by fellow 'members' of the Club that they can park anywhere in the resident area of our roads from 7pm onwards.

It is a nuisance that if I get home after about 8pm on Friday, Saturday and any time on Sunday afternoon I nearly always have to park some distance away from home. At present this doesn't matter too much but it will be more important once the winter sets in.

But being woken up after midnight on quite a frequent basis is more than just a nuisance, it's having an effect on my ability to function properly the next day. For example last weekend I drove down to London on Saturday, having been disturbed the night before. It was a long drive anyway and I'm not convinced that I was properly safe by the end. I truly sympathise with families who live on Dover Road who I know suffer much worse disturbance.

If the licence is extended then this kind of disturbance will move to 1am or later, which will be even worse. So I STRONGLY object to the extension. This area is being seriously threatened by all the drinking establishments that have been opening, and the Pointing Dog is one of the foremost causes of this.

[REDACTED]

Bower Claire

From: [REDACTED]
Sent: 27 September 2014 16:26
To: licensingservice; Bower Claire
Subject: Pointing Dog, 516 Ecclesall Road license application

On behalf of the Broomhall Park Association, I object strongly to the current application from the Pointing Dog.(516 Ecclesall Road) for an extended licence on the following grounds:

The prevention of public nuisance

There is already a very considerable public nuisance caused by the activities of the customers and staff of the Pointing Dog.

Long after closing time, there is a racket from drinkers chatting loudly on the terrace or in the street, often till at least 1 in the morning. Sleep for local residents is frequently disturbed, during the week as well as at weekends.

Staff clear bottles into dumpsters, frequently after 10pm, the limit set under the current licensing conditions.

The rubbish created by customers throwing cigarette ends and bottles and worse into the street from the terrace area is a public health hazard as well as a public nuisance.

The promotion of public safety

Parking in the area is limited, as residents in the surrounding streets do not have sufficient off-road parking for their own needs. Visitors to the Pointing Dog drive dangerously, frustrated at the lack of street parking, creating a danger to themselves, other vehicles and pedestrians.

The protection of children from harm

Sleep deprivation for adults needing to get to work the next morning is bad enough, but for children who must be able to concentrate on school the next day, lack of sleep is very harmful and damaging.

All of the above problems exist as a consequence of the current licensing conditions at the pub. It would take an extremely perverse judgement to suggest any of these problems would be resolved or ameliorated by extending the licensing hours. We urge, therefore, that the current application to extend licensing hours is firmly rejected and, moreover, that the current licensing conditions are reviewed.

Jill Thompson

Broomhall Park Association

4 Park Lane

S10 2DU

Bower Claire

From: [REDACTED]
Sent: 28 September 2014 18:25
To: Bower Claire
Cc: licensingservice; [REDACTED]
Subject: Objection to the application for extension of license at the Pointing Dog

Dear Sirs,

I oppose the application by the Pointing Dog on Ecclesall Road for the extension of their license to serve alcohol until 1.00am.

Since the Pointing Dog has been opened they have shown no social responsibility at all in what is a residential area.

Dover Road is the main road used by those who attend the Pointing Dog. The Road has suffered considerably since it has opened.

Practically it is often difficult to access Dover Road due to cars, realising there is limited parking, stopping at the bottom of the road dropping people off and trying to turn. Realising this is difficult they drive quickly to the top, turn and drive quickly down. This happens right through until the place closes.

Those who find parking return to their vehicle right through to the early hours anyway, talking or shouting loudly, and leaving their engines running until conversations have stopped. This significantly affects sleep. It happens throughout the week. My family is significantly affected with their sleep having to work or go to school the following day.

The amount of rubbish in the street has increased. In short many of those attending the Pointing Dog just do not care. Numerous times we have seen vomit on the pavement, or beer glasses, and bottles, left lying around, as well as an increase in cigarette packets etc.

We are very fed up with all of this and see an extension as very much adding to the problems. It will make things very much worse.

Rather than extending the license can I suggest that the Council enforce conditions on the license which will in turn force the Pointing Dog into accepting their responsibilities towards those who use the premises.

In addition I would ask the Council to listen to the residents. Most are very longstanding residents and recent developments have had an impact beyond any we can recall.

The Council must give serious consideration to putting in speed bumps and 20mph signage. It must be a special case due to allowing the bottom of the road to be affected in the way it has. Also there should be more rigorous policing of those illegally parked, particularly at the bottom of the road adding to restricted access.

In short this road and the surrounding roads are not designed for this. The Council must take responsibility for enforcing conditions. This must be done before any consideration can be given to any extension request.

Yours Faithfully,

[REDACTED]

Bower Claire

From: [REDACTED]
Sent: 28 September 2014 20:56
To: Bower Claire
Subject: Pointing Dog objection

Dear Claire Bower,

I am writing to object to the licensing application by Pointing Dog to extend its opening times by an hour on Thursdays to Saturdays.

Extending drinking to later into the night will disrupt the sleep of people on nearby residential roads through noise from the large external terrace, which is likely to get noisier as drinkers consume more alcohol. There will also be noise from taxis and people returning to their cars.

The level of disturbance local residents are subjected to is already intolerable from this and neighbouring premises, and allowing the opening hours of the Pointing Dog to be extended when it has a substantial external drinking area can only make the situation worse.

I therefore request that this application is rejected.

Regards,

[REDACTED]

Bower Claire

From: Harper Craig on behalf of licensingservice
Sent: 29 September 2014 09:40
To: Bower Claire
Subject: FW: Objection - Pointing Dog application for extension of licence

From: [REDACTED]
Sent: 28 September 2014 11:27
To: licensingservice
Subject: Objection - Pointing Dog application for extension of licence

Dear Sir/Madam,

I wish to object, on behalf of my family at [REDACTED] Wilson Road, to the extension of Pointing Dog Club's licence. This establishment, operating with its current licensing hours, has already had a significant negative effect on the quality of life of the local community.

There has been a significant increase in traffic congestion and traffic noise late at night from taxis and from cars driving around looking for parking places. Later licensed hours will result in more late traffic and noise with people arriving from other venues which close earlier.

We are subjected to disturbing levels of noise from customers use of the outdoor space until closing time. Currently, a Saturday midnight licence means loud noise until much later when people disperse. A 1 a.m. license is likely to mean noise from revellers until 1.40. The request for 1 a.m. license includes nights followed by a normal working weekday - Thursdays, Bank Holiday Mondays (and do they mean Hallowe'en, not All Saints Day). This is particularly inconsiderate and unacceptable.

Yours sincerely,
[REDACTED]

Bower Claire

From: Harper Craig on behalf of licensingservice
Sent: 29 September 2014 09:41
To: Bower Claire
Subject: FW: Extension of licensing hours for the Pointing Dog, Ecclesall Rd

-----Original Message-----

From: [REDACTED]
Sent: 28 September 2014 15:22
To: licensingservice
Subject: Extension of licensing hours for the Pointing Dog, Ecclesall Rd

Dear Sir

I would like to make it clear that I object to the application of the "Pointing Dog" to extend its opening hours. I am a resident of Dover Rd. Although I live towards the top of the road and cannot claim to have been significantly disturbed by noise, I am aware that many of my neighbours who live closer to the building have noticed a significant increase in noise level. I can testify to both an increased difficulty in finding places to park on the road, and as a doctor with on call duties at the Northern General Hospital this can present annoying problems. I can also testify to disturbance caused by people leaving the club and finding their cars late at night. Clearly extending opening hours will only result in this behaviour extending further into the night, thus further compromising the residential nature of the neighbourhood.

I am also concerned that a successful appeal by the Pointing Dog will lead to appeals by other establishments in the area, such as Nonna's, the Mud Crab Diner, whatever takes over d'Michaels and the Porter Brook to extend their opening hours. Many of these establishments have already applied for an extension and have failed to get one.

Finally, I would point out that the Pointing Dog is supposedly operating on a club license. The management of this is laughably lax. I would put it to you that if they cannot even manage to work within the terms of their existing license, they will certainly not adhere to any new conditions.

[REDACTED]

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Acknowledged

Bower Claire

From: Harper Craig on behalf of licensingservice
Sent: 29 September 2014 09:43
To: Bower Claire
Subject: FW: Online Feedback about Licensing

-----Original Message-----

From: webmanager@sheffield.gov.uk [mailto:webmanager@sheffield.gov.uk]
Sent: 28 September 2014 20:04
To: Licensing(General)
Subject: Online Feedback about Licensing

The following information was sent from the Legal & Governance Feedback Form on 28/09/2014 20:04

First Name

[REDACTED]

Surname

[REDACTED]

[REDACTED]

Address

[REDACTED]

Telephone Number

[REDACTED]

Email

[REDACTED]

Subject

Pointing Dog Application to extend licence to 1am

Details

I strongly object to the above. This creates a considerable public nuisance -The huge outside space means that all noise can be heard by residents trying to sleep. In terms of public safety - There are already problems with people crossing the roads not using the crossing and worse the wear for drink - only a matter of before an accident. Also people looking for parking spaces tear around the local roads where children are playing. This establishment has made this part of Ecclesall Rd a no go area for local residents. [REDACTED]

[REDACTED] -An extended licence will, only increase crime and disorder.

* Detail omitted at request of submitter *

Bower Claire

From: [REDACTED]
Sent: 29 September 2014 19:48
To: Bower Claire
Subject: Re: objection to Pointing Dog licence application

I wish to object to the extension of licensing hours of the Pointing Dog "Club " on the following grounds:

The present hours have had a profound impact on this residential area in terms of noise , safety , parking and anti social behaviour by the " members "

At the original hearing for the licence, residents were assured that parking would not be a problem (despite the fact which was pointed out at the time that the original substantial parking area had been built over) It might not be a problem for them because they blatantly ignore double yellow lines , garages and driveways and frequently park on the pavement, and right at the junction with Ecclesall Road on both sides of the road, making it difficult if not impossible for residents to turn into to the road safely from the main road.

Likewise trying to get out is fraught with difficulty and danger with cars and taxis parking outside the " club" obscuring the view.

Despite the presence of security staff, there seems to be no evidence of them remonstrating with illegal and inconsiderate parkers.

The noise at " turning out time "at weekends and bank holidays has to be heard to be believed. Shrieking, screaming and door banging is disturbing the sleep of residents, particularly those with young children.

I have belonged to various clubs in my life and in all cases there have been club rules that apply to all members, and repercussions for non compliance.

Are there stated rules for this so called club ? I somehow doubt it.

Calling it a club is a misnomer. It does not appear to operate as such.

I know of people who have been served without being members, and it has been reported to me that people have " joined " without giving their address.

The present hours have made it intolerable. To increase them would be to compound the problem for the residents in this formerly quiet neighbourhood.

I have lived in this house for more than 40 years, and like many of my neighbours chose it because it is a lively and interesting area, but this is a step too far.

I also wonder why so many people drive to the " club " and trust that each car has a designated driver.

PLEASE DO NOT ALLOW THIS EXTENSION

[REDACTED]

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Acknowledged

Bower Claire

From: Harper Craig on behalf of licensingservice
Sent: 29 September 2014 09:49
To: Bower Claire
Subject: FW: Objection to extension to licensing hours at Pointing Dog, Ecclesall Rd, Sheffield

From: [REDACTED]
Sent: 28 September 2014 22:27
To: licensingservice
Subject: Objection to extension to licensing hours at Pointing Dog, Ecclesall Rd, Sheffield

Dear Sirs

I understand that the new bar The Pointing Dog has applied to extend its licensing hours to 1am.

I am not sure how widely this has been publicised, a lot of these grants seem to go through as the local residents are not aware of them, to object.

As a local resident I am concerned about the recent changes on Ecclesall Rd. Pointing Dog has opened as a "membership" bar, presumably as The Polish Club was such and licensing required this again. Of course the "membership" or "guest" criteria is given to everyone who wants to go in, as indeed I have done. It would be interesting to know how many "members" and "guests" have been in the venue.

When I moved to Sheffield from Manchester over 20 years ago I chose to live in this area as I liked its vibrancy and mix of people. I had lived in a similar area in Manchester. I still like it very much and would not choose to live in another area of Sheffield. However it is notable that Ecclesall Rd is filling up with chains of big commercial venues. Presumably as they can afford the rent.

The council need to ensure that local residents are not pushed out of the area as these commercial entities become more prolific. It is still a residential area. I would hope it can remain so.

I sometimes enjoy a drink at Nonnas and have over the summer months seen the number of people standing outside Pointing Dog and wondered about the impact of the noise and traffic on the residents of Dover Road. I have driven past Pointing Dog just before midnight and people are still outside drinking. There are other bars that are not able to open that late. Why is Pointing Dog different? Are all the other bars for eg Nonna and The Porter Brook to be given late licences? Why should it be different for them? Heaven forbid, the area could become like West Street!

I would suggest that midnight is late enough for The Pointing Dog to open. They already have a later licence than many other venues on Ecclesall Rd.

I understand that the fast food place Pappa Johns is now open until 5am in the morning. What is the justification for this? It must have implications for the residents nearby. Of course many residents in the roads at that end of Ecclesall Rd are now students only as other residents have left over the years because the area became too "studenty". Students help keep this area vibrant and diverse (our neighbours are students) but there has to be balance just as there must be in relation to the bars and opening hours.

Of course if the city centre were developed to attract more up-market bars and restaurants then that would be a plus for the city and would mean that the Eccelsall Road area could remain a lovely mix of residential and commercial. Hopefully with smaller independents also being encouraged to open in the area.

I object to Pointing Dog's licensing hours being extended on the grounds of noise and public nuisance in a residential area.

Will there be a public meeting which local residents can attend. Also please can we receive notice of other applications for extensions?

This is the first objection I have made to a request for an extended licence. I really believe the balance of the area could change and ordinary families move out if this proliferation in late hours drinking and takeaways is allowed to continue.

Yours faithfully

A large black rectangular redaction box covering the signature of the sender.

Sent from Windows Mail

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Acknowledged

Bower Claire

From: [REDACTED]
Sent: 29 September 2014 10:24
To: Bower Claire
Subject: Pointing Dog

I wish to register my objection to the extension of opening hours for the Pointing Dog Restaurant Bar on Ecclesall Road. This establishment has caused a great deal of noise and nuisance to local residents, un safe parking, late night noise of cars and taxis, and drunken revelling and argument as drinkers leave the establishment. Users park their cars on Dover, Wilson Wigfull, Bristol andf Botanical Road and create noise when parking and leaving. I can can hear the noise from the outdoor terrace from my garden in the evening and I consider it to be a nuisance.

[REDACTED]

Bower Claire

From: [REDACTED]
Sent: 29 September 2014 10:48
To: Bower Claire
Subject: Pointing Dog - Ecclesall Road

Dear Madam,

I live at [REDACTED] Dover Road and gather the licensee of the Pointing Dog has applied for an extension to his drinks licence.

I wish to object to this application in the strongest possible terms. Already the noise levels at night, especially on Fridays and at weekends, cause the Dover Road residents a great deal of distress and an extension of activity would only make life for them considerably worse. The parking regulations on Dover Road favours the drinkers and not the residents on Saturday nights, for they arrive after 8.30 pm when the restrictions are no longer in force and either leave cars parked up until and through Sunday or collect them late that night amid slamming doors and shouting.

If it is within the powers of the licensing justices I would like to see a reduction in the drinking hours and not an extension.

Furthermore, I gather the licensee of the premises is gathering a petition from clients and maybe others with a vested interest in support of his application. Though I have not seen the petition I very much doubt it contains the option "OR would you like to see measures taken to improve the quality of life for local residents". This surely is what the planning officers and licensing justices should be primarily concerned about and therefore the extension application should properly be refused.

Yours faithfully

[REDACTED]

Bower Claire

From: [REDACTED]
Sent: 29 September 2014 11:36
To: Bower Claire
Subject: Pointing Dog licence

Dear Madam,

The Pointing Dog "Club" at the corner of Ecclesall Road and Dover Road has applied for an extension to 1.00 am of its licence to sell alcohol.

This "club" (really a pub that sells food) already causes difficulties for local residents, especially those who live on Dover Road.

The main troubles that already occur are:

Noise from late night customers - shouting and banging doors of cars etc.

Parking of customers cars, especially when the hours for Residents Only parking have ended (8.30 pm). In fact the Parking Wardens do not work after 6.30 pm so that this in reality is the time when regulations stop.

I strongly oppose any extension of the licencing hours for the Pointing Dog.

Yours sincerely,

[REDACTED]

Bower Claire

From: Harper Craig on behalf of licensingservice
Sent: 29 September 2014 13:51
To: Bower Claire
Subject: FW: Representation on application by the Pointing Dog to vary a premises license

From: Webster Brian (GN CLLR)
Sent: 29 September 2014 12:36
To: licensingservice
Subject: Representation on application by the Pointing Dog to vary a premises license

Dear Licensing Service,

Please find below my representation as a local councillor on the licensing application by the Pointing Dog at 516 Ecclesall Road to vary its premises license.

I would be grateful if you could confirm receipt of this comment by return email.

Thanks,
Brian

Councillor Brian Webster
Broomhill ward, Sheffield

brian.webster@sheffield.gov.uk
07583 015 928

I object to this application to vary the premises license of the Pointing Dog at 516 Ecclesall Road. If granted, it would bring the opening of the Pointing Dog still further past the 11:30pm closing time that is standard for licensed premises in this area. Extending the licensed hours to 1am would not be compatible with preventing public nuisance. Even with the current opening hours, there have been significant and demonstrable impacts on nearby residents – including families with small children – in the form of late-night noise. This has emanated from the site itself (mainly via customers gathering on the outside terrace), but also from customers leaving the site by taxi, private car and on foot in the early hours. Permitting the extension of opening hours for this site would extend this noise nuisance for residents by another hour. This would be entirely inappropriate for a premises in close proximity to residential streets.

Bower Claire

From: [REDACTED]
Sent: 29 September 2014 15:29
To: Bower Claire
Cc: licensingservice
Subject: Pointing Dog License Extension Application

Dear Claire,

We are writing to you to respond to the application for a license extension by the Pointing Dog Club. We live at [REDACTED] Dover Road, opposite the rear entrance to the club and have lived there for nearly 8 years. We are a family with young children (3 and a half and 10 months). We work in Sheffield and appreciate being at the heart of a vibrant community where we can walk to work, nursery and schools and enjoy the delights of the Botanical Gardens, Endcliffe Park and the woods leading up to Forge Dam.

We are very, very concerned that a license extension will make an already grave situation worse. The construction and operation of the club has had a very detrimental impact on us and our neighbours. We speak to the owner of the club and have been calling 101 and raising our concerns about late night noise on Ecclesall Road for a year now. The level of late night (ie after 1130pm) activity on Ecclesall Road has increased dramatically since the club was opened. The noise continues and is having a considerable impact on us in the form of disturbed sleep and intense frustration that nothing is being done about existing problems.

The number of people using the club, especially the outside seating areas, far exceeds the previous level of use (the previous Polish Ex-Servicemens' Club was inactive from at least April 2008). This license application must be rejected and late night drinking should be controlled for the following reasons:

Noise - the noise of people in the club and coming and going to it from surrounding roads can be heard inside houses at the bottom of Dover Road with double glazing windows closed. This is very disturbing and leading to loss of sleep and health problems. This application includes late night drinking on Thursday evenings with Friday being a working day for most.

Glass noise - licensed premises in the area are emptying glass bins at 6am, routinely. The existing levels of consumption mean that glass bins are emptied frequently - the sudden loud noise is very disturbing at any time of day. Extended opening hours will only more sudden crashing sounds adding to the disturbance caused to us and our neighbours.

Industrial bin emptying - Viridor come to empty PDC's bins anytime from 6:30 onwards Mon-Sat. This is totally unacceptable and appears to be outside the control of the club owner.

Parking - parking controls are ineffective. Parking attendants are ignoring illegally parked cars when they are actually in the area and they don't patrol past 7pm with permit systems in force until 8:30pm. Illegal parking occurs at all hours of the day with cars parked badly and even blocking in other cars, especially 7pm to midnight.

General background noise - the increased trade of PDC has dramatically increased the level of activity on Ecclesall Road. Whilst this may be good for the licensed premises it is changing the nature of the area. The noise of raised voices, cars, car doors slamming, the odd argument and worst of all, cars and motorbikes revving and accelerating up and down Ecclesall Road is very disturbing. The sheer numbers of people using the PDC and the elevated height of the

seating/standing area makes for a very imposing scene on the corner of Dover and Ecclesall Road - not a very pleasant experience for anyone to walk past in the evenings.

Litter - Ecclesall Road and the adjoining roads are a pretty disgusting sight first thing in the morning. The cleaning contract is not working effectively and litter (and much worse) gets dropped from visitors to PDC on Ecclesall Road and surrounding roads spoiling it for other users.

The cumulative impact of the above is:

1) Disturbance, stress, loss of sleep and a loss of amenity to affected residents in all surrounding neighbourhoods. It must be borne in mind that the Polish Ex-Servicemen's Club dwindled away over the period 2000-2007 and never entertained the same number of diners and drinkers as the PDC and that residents' expectation of what may reasonably be expected in this mixed use area has been significantly exceeded. Residents, who warned of the consequences at the planning application hearing, have been ignored and feel thoroughly let down by the lack of support from the council.

2) The degeneration of Ecclesall Road into some kind of centre for drinking into the night is changing the nature of the Botanical Gardens area and dramatically reducing its amenity for other users.

This application must be rejected on the grounds that the current situation is already out of control. Until effective measures can be used to control late night noise, parking, glass and bin emptying and litter cleared away properly, we will strongly object to any increased licensing hours and believe that all licensed premises should stop serving at 11:30pm and be closed by midnight at the latest on Fri and Sat nights. Opening hours Mon-Thu should reflect the fact that the following day is a working day for most people. Outside seating areas should be cleared by 1030pm and all windows and doors less access, kept closed to minimise noise.

Licensing must act strongly to restore faith in Sheffield City Council that it is able to consider all users of Ecclesall Road. Is the consumption of alcohol late into the night something the council wants to encourage? Who stands to benefit? Sheffield City Council has previously used the strap line 'Where everyone matters'. Maintaining the balance of this unique area by rejecting this application would be a positive demonstration that this is still the case.

We strongly believe that this application must be rejected, and that consultation between Sheffield City Council Licensing and Planning, councillors, license holders, community associations, interested residents, other users and businesses begins immediately with the aim of creating an agreed policy for Ecclesall Road licensing. Once this policy is agreed, and the associated control measures proved to be effective, an extension of existing hours may be more palatable to us.

yours sincerely,

[REDACTED]

[REDACTED]

Appendix E

Hearing Notices / Regulations / Procedure

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

Local Resident

The Sheffield City Council being the licensing authority, on the 1st September 2014 received an application in respect of the premises known as;

Pointing Dog Clubhouse, 516 Eccelsall Road, Sheffield, S11 8PY

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

- Environmental Protection Service
- 41 local residents
- 1 Ward Councillor

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 16th October at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 3rd October 2014

Signed: Claire Bower
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.

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

Councillor Brian Webster
Broomhill Ward Councillor

The Sheffield City Council being the licensing authority, on the 1st September 2014 received an application in respect of the premises known as;

Pointing Dog Clubhouse, 516 Eccelsall Road, Sheffield, S11 8PY

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

- Environmental Protection Service
- 41 local residents
- 1 Ward Councillor

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

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Dated: 3rd October 2014

Signed: Claire Bower
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.

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

Jon Round
Environmental Health Officer
Environmental Protection Service

The Sheffield City Council being the licensing authority, on the 1st September 2014 received an application in respect of the premises known as;

Pointing Dog Clubhouse, 516 Eccelsall Road, Sheffield, S11 8PY

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

- Environmental Protection Service
- 41 local residents
- 1 Ward Councillor

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 16th October at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 3rd October 2014

Signed: Claire Bower
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.

**Notice of hearing of representations
in respect of the following application:
LA03 - Application to Vary a Premises Licence**

John Gaunt & Partners
Omega Court
372-374 Cemetery Road
Sheffield
S11 8FT

The Sheffield City Council being the licensing authority, on the 1st September 2014 received a variation application in respect of the premises known as;

Pointing Dog Clubhouse, 516 Eccelsall Road, Sheffield, S11 8PY

During the consultation period, the Council received representations 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;

- Environmental Protection Service
- 41 local residents
- 1 Ward Councillor

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 16th October 2014 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: 3rd October 2014

Signed: _____ Claire Bower _____
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.

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 _____

Of **John Gaunt & Partners
Omega Court
372-374 Cemetery Road
Sheffield
S11 8FT**

hereby confirm that I have received the Notice of Hearing dated 1st October 2014 and notify you as follows **(please complete)**:

- I intend to attend the hearing at 10am on the 16th October 2014
- 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 thatshould 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.

General.licensing@sheffield.gov.uk

Regulation 8

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

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

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

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

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

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

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

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

