



SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: Monday 11th May 2015

Subject: Licensing Act 2003

Author of Report: Georgina Hollis

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

Tesco, Sharrow Lane, Sheffield, S7 1LJ

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

Background Papers: Attached documents

Category of Report: OPEN

**REPORT OF THE CHIEF LICENSING OFFICER
(HEAD OF LICENSING) TO THE LICENSING SUB COMMITTEE
LICENSING ACT 2003**

Ref No 30/15

Tesco, Sharrow Lane, Sheffield, S7 1LJ

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a premises licence made under section 17 of the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is Tesco Stores Ltd.

2.2 The application, which was received on 18th March 2015, is attached to this report labelled Appendix 'A'. Any blank pages have been omitted to save paper, but the original application will be available at the hearing.

3.0 REASONS FOR REFERRAL

3.1 Representations concerning the application have been received from the following and are attached at Appendix B:-

- 1 Councillor Objection
- 5 Public Objections
- 1 Petition detailing 33 objector details – lead spokes person, Mr Sadiq

3.2 There are no outstanding representations from any Responsible Authority.

3.3 The applicant, objectors and lead petitioner have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'C'

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

5.1 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 'C'.

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

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

7.0 APPEALS

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

8.0 RECOMMENDATIONS


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

9.0 OPTIONS OPEN TO THE COMMITTEE

9.1 To grant the premises licence in the terms requested.

9.2 To grant the premises licence with conditions.

9.3 To reject the whole or part of the application.


Stephen Lonnia
Chief Licensing Officer
Head of Licensing

Appendix A

The Application

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(A1)



Sheffield
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 19

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

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

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

Are you an agent acting on behalf of the applicant?

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

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

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

Applying as an individual

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

Applicant Business

* Is your business registered in the UK with Companies House? Yes No

* Registration number

* Business name If your business is registered, use its registered name.

* VAT number Put "none" if you are not registered for VAT.

* Legal status

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address
- OS map reference
- Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

[Empty rectangular box]

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

Retail Premises (supermarket) selling a range of good and services. This includes the sale of alcohol for consumption off the premises. Sales of alcohol for consumption off the premises are made from the supermarket sales floor as shown on the enclosed plan.

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

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<i>Continued from previous page...</i>
Section 6 of 19
PROVISION OF PLAYS
Will you be providing plays? <input type="radio"/> Yes <input checked="" type="radio"/> No
Section 7 of 19
PROVISION OF FILMS
Will you be providing films? <input type="radio"/> Yes <input checked="" type="radio"/> No
Section 8 of 19
PROVISION OF INDOOR SPORTING EVENTS
Will you be providing indoor sporting events? <input type="radio"/> Yes <input checked="" type="radio"/> No
Section 9 of 19
PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS
Will you be providing boxing or wrestling entertainments? <input type="radio"/> Yes <input checked="" type="radio"/> No
Section 10 of 19
PROVISION OF LIVE MUSIC
Will you be providing live music? <input type="radio"/> Yes <input checked="" type="radio"/> No
Section 11 of 19
PROVISION OF RECORDED MUSIC
Will you be providing recorded music? <input type="radio"/> Yes <input checked="" type="radio"/> No
Section 12 of 19
PROVISION OF PERFORMANCES OF DANCE
Will you be providing performances of dance? <input type="radio"/> Yes <input checked="" type="radio"/> No
Section 13 of 19
PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE
Will you be providing anything similar to live music, recorded music or performances of dance? <input type="radio"/> Yes <input checked="" type="radio"/> No
Section 14 of 19
LATE NIGHT REFRESHMENT
Will you be providing late night refreshment?

Ab

Continued from previous page...

Yes

No

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

On the premises

Off the premises

Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

[Empty box for continuation]

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

[Empty box for non-standard timings]

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 06:00

End 23:00

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start 06:00

End 23:00

Start

End

WEDNESDAY

Start 06:00

End 23:00

Start

End

THURSDAY

Start 06:00

End 23:00

Start

End

FRIDAY

Start 06:00

End 23:00

Start

End

SATURDAY

Start 06:00

End 23:00

Start

End

SUNDAY

Start 06:00

End 23:00

Start

End

State any seasonal variations

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

[Empty box for additional days during summer months]

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

[Empty box for non standard timings]

Section 18 of 19

LICENSING OBJECTIVES

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

a) General - all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

We are a national retailer that sells alcohol as part of a broad offering of goods and services. We have held off-licences in our stores for many years and are an approved British Institute of Inn-keeping examination centre. We have written training policies and formal training programmes are in place, which ensure our people are equipped to meet all licensing objectives. All training and revision/refresher materials are reviewed regularly. All stores currently comply with our 'Think 25' policy, this is brought to customer's attention through point of sale material within the store. We take legal compliance very seriously and in addition to local training we employ a central alcohol licensing compliance manager and have a compliance committee.

b) The prevention of crime and disorder

The premises will have digital CCTV system that covers many areas of the shop floor, including the proposed area which will be used for beer and wine, should we be successful with our application. Images will be retained for a minimum of 21 days and made available on enforcement request. Ordinarily, a member of the Management team will be on the premises all the time the store is open. A person will have responsibility for the premises whilst the premises are open.

c) Public safety

A person will have responsibility for the premises whilst the premises are open. Management will be trained to support the running of the premises including looking after our customers and staff. The store will adhere to all rules and regulations relating to public safety.

d) The prevention of public nuisance

We intend to be an active member of the community. We welcome the opportunity to liaise with Police and enforcement authorities should the need arise.

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A10

Continued from previous page...

e) The protection of children from harm

All staff will be trained and regularly refreshed in the corporate 'Think 25' Policy. Staff will be trained to look at the customer and 'Think 25' when selling alcohol.

A till prompt will appear on the initial sale of alcohol that will remind the seller of their responsibilities including not to sell alcohol to anyone under the age of 18.

The store will display signage around the premises informing both staff and customers of our 'Think 25' policy on alcohol.

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

11

Continued from previous page...

* I/we understand 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.

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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

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

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

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="4349"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 Next >

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Consent of individual to being specified as designated premises supervisor

I

Greg Bartley <i>Full Name</i>	[REDACTED] <i>Date of Birth</i>	[REDACTED] <i>Place of Birth</i>
----------------------------------	------------------------------------	-------------------------------------

Of

Home Address:
[REDACTED]
[REDACTED]
[REDACTED]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for varying a premises licence to specify an individual as designated premises supervisor under section 37 of the Licensing Act 2003 by Tesco Stores Ltd relating to a premises licence:

Tesco Stores Ltd

for

Store Number: 4349
Store Address:
Sharrow Lane, Sheffield, S7 1L1

and any premises licence to be granted or varied in respect of the application made by Tesco Stores Ltd concerning the supply of alcohol at the above premises.

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

HARLOW/PCRS/0094

Personal Licence issuing authority

Harlow

Signed

[Signature]

Name (Please Print)

Greg Bartley

Date

11/3/15

Appendix B

1 Councillor Objection

5 Public Objections (Appendix 'B')

1 Petition detailing 33 objector details

Telephone: 0114 2734264

Fax: 0114 2734073

Email: licensing@sheffield.gov.uk

www.sheffield.gov.uk

(B1)

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

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

Objection

From: Dietsch Jason (CEX)

Sent: 17 April 2015 13:53

To: licensing@sheffield.gov.uk

Cc: Smalley SarahJane (GN CLLR); Murphy Robert (GN CLLR); Creasy Jillian (GN CLLR); Lonnie Stephen (CEX)

Subject: FW: Response to licensing application - please forward

Hi,

Please find below for your attention, correspondence from Councillor Smalley regarding the application for a Premises Licence for Tesco, Sharrow Lane.

I've forwarded this on Councillor Smalley's behalf as she was unsure of where to send it using email. Would Notices normally include the Licensing Service email address?

Thanks

Jason

Jason Dietsch,
Head of Member Services
Sheffield City Council, Town Hall, Pinstone Street,
Sheffield S1 2HH

Telephone: 0114 2734117
jason.dietsch@sheffield.gov.uk

From: Smalley SarahJane (GN CLLR)

Sent: 17 April 2015 13:28

To: Dietsch Jason (CEX)

Cc: Murphy Robert (GN CLLR); Creasy Jillian (GN CLLR)

Subject: Response to licensing application - please forward

Dear Jason,

I can't work out who I can email this note to the application notice (picture attached) only gives a postal address (how very dark ages!) – of the Staniforth Road Depot. Please can you work your magic and makes sure it gets to the right person? The deadline is the 17th (tomorrow) according to the notice.

Re: Tesco application for alcohol licence on Sharrow Lane.

Dear all,

I would like to object to this licensing application as I am concerned about the potential impact on our neighbourhood. As well as being the local Councillor, I live literally around the corner from this new building. It is bang opposite a large council housing estate and close to a number of halfway houses. It is a designated residential area on the UDP and, to my mind and that of many others in the community, should never have been granted planning permission in the first place. It is clearly a danger to public safety, to the safety of our children who attend the local school (in terms of traffic, and granting this licence will generate additional deliveries) and will likely draw the street drinkers and drugs users who sometimes hang around. For whom there are many halfway houses and B&Bs in the local neighbourhood.

At present, the only very local shop which sells alcohol only sells two high percentage beers and he sells them at a relatively high price point. The owner actively wants to encourage people to drink sensibly and to discourage any anti-social behaviour. He and his staff won't serve anyone who looks underage and take an active part in the community.

I am concerned that granting this licence will mean that cheap alcohol is available which will pull people to Sharrow Lane who otherwise would not have come into this residential area. There is a low wall around the Tesco car-park (there is space for around 8 vehicles to park) and I am concerned that people are going to sit on the wall and drink and be a public nuisance. Ours is not an affluent area. I imagine that Tesco will be matching their price points to local people's low incomes to entice them to buy.

We already get some street noise in our residential area, due to the make-up of the area – with students and halfway houses and the like. I can't imagine that making cheap alcohol readily available is going to help this situation. Further, it is likely to draw other people (ie those who live this side of Nether Edge who would have gone to Sainsbury's at Nether Edge previously).

Our local school – Sharrow Juniors – is within a few hundred yards of this Tesco. 85% of children there are from BME backgrounds and this gives an indication of the ethnic make-up of our area. Many people are from muslim backgrounds and do not drink alcohol. This licence will not help them, whilst driving business to the Tesco, impacting on the many British Asian shopkeepers in the area.

At the planning meeting for this Tesco – to which the local MP, the three local councillors and 300+ people objected – there was concern about the traffic management and delivery plan. Additional deliveries for alcohol sales will obviously impact on this questionable 'plan' (to empty the car-park when deliveries are made – and all deliveries to be made within sociable hours as this is a residential area).

Initially the developer of this land invented a bogus company "Sharrow Organic Supplies" to try and hoodwink the local community into thinking that this would be an independent shop. The builders have flouted regulations including using the pavement and highway for weeks on end without a licence (pictures attached). Even this application is for a timeframe (from 6am) which,

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were the shop to open then would be a breach of the permission given (Condition 20 – ref 13/03495/FUL). As a result of these behaviours, I am utterly unconvinced that there is any real intention to keep to any guidelines given.

Finally, I am concerned that the supermarket staff won't have the same integrity in their dealings with the community and that young people will be able to buy alcohol underage.

Please don't grant this application.

Best wishes,
Sarah Jane Smalley

Councillor Sarah Jane Smalley
Sheffield Central Ward

~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~

B4

Hollis Georgina (CEX)

From: Tabarak Sadiq <[REDACTED]@gmail.com>
Sent: 17 April 2015 19:37
To: licensingservice
Subject: Objection : Tesco Stores Ltd, Former St. Johns Church, Sharrow Lane, Sheffield, S11 8AN.

Categories: Nina Hollis

Dear Sirs,

Tesco Stores Ltd, Former St. Johns Church, Sharrow Lane, Sheffield, S11 8AN.

I am writing to register my objection to the application for a premises licence by Tesco Stores Ltd for the former St. Johns Church Site, Sharrow Lane, Sheffield. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

The application proposes that alcohol will be sold for consumption off the premises between 6:00am and 7.00pm, seven days a week. This timeframe is a problem to begin with as the planning permission sought for the site was granted on the basis that the store will be open from 7am and the timing requested on the alcohol licence application contradicts this which may not be permissible. Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels.

Residents in this area already suffer noise nuisance and antisocial behavior. This will be further amplified significantly as there is very limited parking available at the site (only 7 normal spaces and one disabled bay) and there is only a single entry and exit point from and onto already a very busy road. This will cause significant noise as well as congestion. The traffic management plan for the site also states that the car park will have to be completely empty for the delivery lorries to come onto the site and they can only come down the road and not up from London Road side which cannot practically work at all. In fact, all this will do is cause further noise pollution, nuisance, seriously risk the safety of the local residents and add to the misery. This represents a particular, danger to the young children attending the school only yards away from the site and they will have to pass the site daily. It is bad enough here already and the residents cannot be expected to endure any more.

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully,

Mr Sadiq
Sharrow Lane
Sheffield

BS

Tesco Stores, Premises Licence at former St John's Church, Sharrow Lane, S11 8AN.

To: Licensing Section
Sheffield City Council
Block C,
Staniforth Road,
Sheffield
S9 3HD

I object to the above alcohol licence application on the following grounds:

will increase Alcoholism in
the area and threaten local
business

Name: philippa o'connor

Address: ~~XXXX~~ langdon street
S11 ~~XXXX~~

(B6)

Tesco Stores, Premises Licence at former St John's Church, Sharrow Lane, S11 8AN.

To: Licensing Section
Sheffield City Council
Block C,
Staniforth Road,
Sheffield
S9 3HD

Object to the above alcohol licence application on the following grounds:

for the benefit of my fellow
Lansdowne estate residents, I hereby
submit my objections to the tesco
licensing request:

crime and general unsocial behaviour
the safety of my fellow residents
and the protection of young, influential
individuals.

much appreciated

£

Name: Ben Pepper

Address: ~~XXXXXXXXXX~~ Washington road

(B7)

Tesco Stores, Premesis Licence at former St John's Church, Sharrow Lane, S11 8AN.

To: Licensing Section
Sheffield City Council
Block C,
Staniforth Road,
Sheffield
S9 3HD

I object to the above alcohol licence application on the following grounds:

local community will be impacted
by public nuisance, crime + general
disorder and the safety of our children,

JM

Name: Joe Pepper

Address: ~~11~~ Manor Street

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Tesco Stores, Premises Licence at former St John's Church, Sharrow Lane, S11 8AN.

To: Licensing Section
Sheffield City Council
Block C,
Staniforth Road,
Sheffield
S9 3HD

I object to the above alcohol licence application on the following grounds:

I object to the licensing of alcohol at tesco S11 8AN as it would increase alcoholism and crime in the area. This would affect public safety and increase the possibility of underage drinking. This could directly affect the local youth due to the scope of the area. Also hinders local business.

Name: Cory Helly-Smith

Address: 8 [redacted] Shoreham street, S2 [redacted]

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~~18/11~~
BIC

Objections again the Premesis Licence at former St Johns Church site, Sharrow Lane by Tesco Stores Ltd.

Licensing considers 4 objectives:

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

NAME	ADDRESS	COMMENTS
M. Hallam	 CLUB 4010	1
S. Fozisby	 Langden St	1
S. Mornington	 Fenterville Street.	1
S. Kabir	 club Oerdm Road	the protection of children from harm
D. Mughton	 Leverton Gardens	" " "
R. Fowler	 Sharrow Lane	3
J. Hoopes	 ABERDALE RD	1
T. 	 Wostenholme Road	1
R. WADSWORTH	 CLUB GARDEN ROAD	protection of children
P. Ashton	 Long Henry Row PARKHILL S2	the protection of children from harm
E. B. 	Washington Road	Protect children
A. CAVE	 STADE RD S1	IV

B14

Objections again the Premesis Licence at former St Johns Church site, Sharrow Lane by Tesco Stores Ltd.

Licensing considers 4 objectives:

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

NAME	ADDRESS	COMMENTS
F. Hakeem	Flat W Wostenholme M	Public Safety and Nuisance
M. K. Kapinga	Wostenholme Rd	"
F. KUMAR	SHARROW LANE	"
L. Peters	Wostenholme Rd	child safety "
M. Cuthi	W Sharrow Lane	"
Peter Lubman	W Sharrow Lane	"
Akash Anwar	W Sharrow Lane	"
P. Madhala	W Wostenholme M	Alcohol abuse, Serious Safety risk and a definite increase in nuisance.
M. IBRAHIM	W SHARROW Ln.	"

Appendix C

Hearing Notices / Regulations / Procedures



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

(C1)

Greg Bartley
Tesco Stores Ltd
Cirrus Building
Shire Park
Welwyn Garden City
Herts AL7 1ZR

Licensing.team@uk.tesco.com

The Sheffield City Council being the licensing authority, on the 18th March 2015 received your application in respect of the premises known as;

Tesco, Sharrow Lane, Sheffield, S7 1LJ

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

**1 Councillor
5 Objectors
1 Petition detailing 33 representations**

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 **Monday 11th May 2015 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 27th April 2015

Signed: Georgina Hollis
The officer appointed for this purpose
Licensing Officer

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

02

Councillor Sarah Jane Smalley
Sheffield Central Ward

Sarahjane.Smalley@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the 18th March 2015 received an application in respect of the premises known as;

Tesco, Sharrow Lane, Sheffield, S7 1LJ

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

**1 Councillor
5 Objectors
1 Petition detailing 33 representations**

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 **Monday 11th May 2015 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 27th April 2015

Signed: Georgina Hollis
The officer appointed for this purpose
Licensing Officer

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

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

(C3)

Mr Sadiq
174 Sharrow Lane
Sheffield
S11 8AR

Empire2013@gmail.com

The Sheffield City Council being the licensing authority, on the 18th March 2015 received an application in respect of the premises known as;

Tesco, Sharrow Lane, Sheffield, S7 1LJ

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

**1 Councillor
5 Objectors
1 Petition detailing 33 representations**

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 **Monday 11th May 2015 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 27th April 2015

Signed: Georgina Hollis
The officer appointed for this purpose
Licensing Officer



LICENSING ACT 2003

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

(C4)

Mr Ben Pepper
Washington Road
Sheffield
S11

The Sheffield City Council being the licensing authority, on the 18th March 2015 received an application in respect of the premises known as;

Tesco, Sharrow Lane, Sheffield, S7 1LJ

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

**1 Councillor
5 Objectors
1 Petition detailing 33 representations**

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 **Monday 11th May 2015 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 27th April 2015

Signed: Georgina Hollis
The officer appointed for this purpose
Licensing Officer

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

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licensing@sheffield.gov.uk

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

CS

Cory Heiley-Smith
Shoreham Street
Sheffield
S2

The Sheffield City Council being the licensing authority, on the 18th March 2015 received an application in respect of the premises known as;

Tesco, Sharrow Lane, Sheffield, S7 1LJ

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

**1 Councillor
5 Objectors
1 Petition detailing 33 representations**

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 **Monday 11th May 2015 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 27th April 2015

Signed: Georgina Hollis
The officer appointed for this purpose
Licensing Officer



LICENSING ACT 2003

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

(C6)

Mr Joe Pepper
Mount Street
Sheffield
S11

The Sheffield City Council being the licensing authority, on the 18th March 2015 received an application in respect of the premises known as;

Tesco, Sharrow Lane, Sheffield, S7 1LJ

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

**1 Councillor
5 Objectors
1 Petition detailing 33 representations**

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 **Monday 11th May 2015 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 27th April 2015

Signed:

Georgina Hollis

The officer appointed for this purpose
Licensing Officer

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

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LICENSING ACT 2003

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

(C7)

Philippa O'Connor
Langdon Street
Sheffield
S11

The Sheffield City Council being the licensing authority, on the 18th March 2015 received an application in respect of the premises known as;

Tesco, Sharrow Lane, Sheffield, S7 1LJ

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

**1 Councillor
5 Objectors
1 Petition detailing 33 representations**

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 **Monday 11th May 2015 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 27th April 2015

Signed: Georgina Hollis
The officer appointed for this purpose
Licensing Officer

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

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Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

Regulation 8

(C9)

- (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)

C10

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.

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