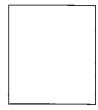
Agenda Item 5



SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Chief Licensing Officer, Head of Licensing
Monday 22 nd June 2015
Licensing Act 2003
Clive Stephenson
To consider an application to grant a premises licence made under the Licensing Act 2003. Millhouses Cricket Pavilion – S7 2QL
That members carefully consider the representations made and take such steps, as the Sub Committee consider necessary for the promotion of the Licensing Objectives.
Attached documents
OPEN

REPORT OF THE CHIEF LICENSING OFFICER Ref No 41/15 (HEAD OF LICENSING) TO THE LICENSING SUB COMMITTEE LICENSING ACT 2003

Millhouses Park Cricket Pavillion, Millhouses Park, Abbeydale Road Sth.

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 The Secretary (lain Mallet) Millhouses Works Cricket Club.
- 2.2 The application, which was received on 24th April 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:-

11 Public Objections

- 3.2 There are no outstanding representations from any Responsible Authority.
- 3.3 The applicant and objectors 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 'D'.
- 6.3 Attached at Appendix 'D' is the following:
 - a) a copy of the Notice of Hearing;
 - b) the rights of a party provided in Regulations 15 and 16;
 - c) the consequences if a party does not attend or is not represented at the hearing
 - d) the procedure to be followed at the hearing.

7.0 APPEALS

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

8.0 RECOMMENDATIONS

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

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1 To grant the premises licence in the terms requested.
- 9.2 To grant the premises licence with conditions.
- 9.3 To reject the whole or part of the application.

Stephen Lonnia Chief Licensing Officer Head of Licensing

-3,5C..... __-----



Appendix A The Application

4

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



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You	may wis	sh to keep a copy of the completed	form for your re	cords.		Rec Chq	
Part auth	(Insert) y for a p 1 below ority in	ouses Works Cricket Club name(s) of applicant) oremises licence under section 17 of the premises) and I/we are mai accordance with section 12 of th mises Details	king this applica	ation 1		emises described	1
Mill Mill	houses P houses P	es of premises or, if none, ordnance Park Cricket Pavilion Park Cricket Ground Park Road South	survey map refe	erence	2 4 A	ISING PR 2013 LIS VICES	
Post	town	Sheffield			Postcode	S7 2QL	_
Tele	phone nu	umber at premises (if any)	N/A				_
Non-	domestic	c rateable value of premises	£0				
Part 2	2 - Appli	cant Details					
Pleas	e state w	whether you are applying for a pren		se tick	as appropriate		
a)	an ind	ividual or individuals *			please complete	e section (A)	
b)	a perso	on other than an individual *					
	i. a	as a limited company			please complete	e section (B)	
	ii. a	as a partnership		please complete	e section (B)		
	iii. a	as an unincorporated association or			please complete	section (B)	
	iv. c	other (for example a statutory corpo	oration)		please complete	section (B)	
c)	a recog	gnised club		\boxtimes	please complete	section (B)	
d)	a chari	ity			please complete	section (B)	
e)	the pro	oprietor of an educational establish	ment		please complete	section (B)	
Ð	a healt	h service body		П	please complete	section (B)	

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(2)
15
\Box

g)		is registered und 2000 (c14) in r des				please comple	ete section (B)		
ga)	a person who is registered under Chapter 2 of Part 1 please complete section (B) of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England								
h)	the chief office and Wales	er of police of a	police force	in England		please comple	ete section (B)		
* If yo	ou are applying	as a person desc	cribed in (a)	or (b) please c	onfirm	•			
Please	tick yes								
	arrying on or pr able activities; o	oposing to carr	y on a busine	ss which invo	lves the	e use of the pre	emises for	\boxtimes	
I am m	naking the appli	cation pursuant	to a						
	statutory func								
	a function discharged by virtue of Her Majesty's prerogative								
		chargoa by viite		gosty s prorog				_	
		oningod by vitte		gesty s prereg					
(A) IN		PPLICANTS (
(A) IN					Other	r Title (for pple, Rev)			
	IDIVIDUAL A	PPLICANTS (licable)	Other				
Mr Surna	IDIVIDUAL A	PPLICANTS (licable) Ms	Other	ple, Rev)	e tick yes		
Mr Surnal I am 18	Mrs Mrs Me 8 years old or out postal address ont from premise	PPLICANTS (Miss ver		licable) Ms	Other	ple, Rev)	e tick yes		
Mr Surna I am 13 Curren differe	Mrs Mrs me 8 years old or out postal address nt from premises	PPLICANTS (Miss ver		licable) Ms	Other exam	ple, Rev)	e tick yes		
Mr Surnal I am 13 Curren differe address	Mrs Mrs me 8 years old or out postal address nt from premises	PPLICANTS (Miss ver	fill in as appl	licable) Ms	Other exam	ple, Rev)	e tick yes		

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name Mills and Works Cricket Club
Millhouses Works Cricket Club Address
c/o The Secretary
Iain Mallett
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) Constituted Sports Club
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When	do you want the premises licence to start?	0 1 0 6 2 0 1 5
_	wish the licence to be valid only for a limited period, when do you it to end?	DD MM YYYY
The p cricke Crick	e give a general description of the premises (please read guidance note 1) premises are a wooden-framed cricket pavilion of approximately 71 metre et ground in Millhouses Park. The premises are owned by Sheffield City of the Club. Approximately half of the building is given over to changing fact the half comprises of a kitchenette and social area.	s square situated next to the Council and leased to the
	00 or more people are expected to attend the premises at any one time, e state the number expected to attend.	N/A
What	licensable activities do you intend to carry on from the premises?	•
(Plea	se see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2	to the Licensing Act 2003)
Provi	sion of regulated entertainment	Please tick any that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	
Prov	ision of late night refreshment (if ticking yes, fill in box I)	
	oly of alcohol (if ticking yes, fill in box J)	\boxtimes
	·	

A.				1	
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 (please read guidance note 2)	Indoors	
		ance note	guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for performing plays (note 4)	please read guid	ance
Thur					
Fri			Non standard timings. Where you intend to use the performance of plays at different times to those listed the left, please list (please read guidance note 5)	premises for the	<u>e</u> 1 on
Sat					
Sun					

В

D				T	1
Films Standard days and timings (please read guidance note			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
(please 6)	read guid	ance note	note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for the exhibition of fill guidance note 4)	ms (please read	
Thur					
Fri			Non standard timings. Where you intend to use the exhibition of films at different times to those listed in left, please list (please read guidance note 5)	premises for the the column or	the
Sat					
Sun			Page 13		

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Standa	sporting rd days and read guida	d timings	Please give further details (please read guidance note 3) Pool table Dominoes Card games Darts
Day	Start	Finish	Quizes
Mon	10.00	23.00	
Tue	10.00	23.00	State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed	10.00	23.00	
Thur	10.00	23.00	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)
Fri	10.00	23.00	<u>, p</u> (p
Sat	10,00	23.00	
Sun	10.00	23.00	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)		d timings	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Тие					
Wed			State any seasonal variations for boxing or wrestling (please read guidance note 4)	g entertainmen	<u>t</u>
Thur					
Fri			Non standard timings. Where you intend to use the or wrestling entertainment at different times to thos column on the left, please list (please read guidance no	e listed in the	oxing
Sat					
Sun			Page 14		

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<u> </u>					,	
Live music Standard days and timings (please read guidance note			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors		
6)	Toda guide	1100 11010	From gardance hote 2)	Outdoors		
Day	Start	Finish		Both		
Mon			Please give further details here (please read guidance	note 3)		
Tue						
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)			
Thur			-			
Fri			Non standard timings. Where you intend to use the performance of live music at different times to those on the left, please list (please read guidance note 5)	premises for the co	ie lumn	
Sat			1			
Sun						

F

r				·-			
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 (please read guidance note 2)	Indoors			
				Outdoors			
Day	Start	Finish		Both			
Mon			<u>Please give further details here</u> (please read guidance note 3) Simply recorded music via small speakers in the social area				
	1000	2300	Simply recorded music via sman speakers in the social area				
Tue							
	1000	2300					
Wed			State any seasonal variations for the playing of record read guidance note 4)	rded mu <u>sic</u> (ple	ase		
	1000	2300	Total guidance note 1)				
Thur							
	1000	2300					
Fri			Non standard timings. Where you intend to use the playing of recorded music at different times to those				
	1000	2300	on the left, please list (please read guidance note 5)				
Sat							
	1000	2300					
Sun			Page 15				

Standard days and timings			or outdoors or both - place tick (place read	Indoors		
(please read guidance note 6)			or outdoors or both - please tick (please read guidance note 2)	Outdoors		
Day	Start	Finish	, S	Both		
Mon			Please give further details here (please read guidance	note 3)		
Tue					:	
Wed			State any seasonal variations for the performance of guidance note 4)	dance (please re	ead	
Thur						
Fri			Non standard timings. Where you intend to use the performance of dance at different times to those liste the left, please list (please read guidance note 5)			
Sat						
Sun					:	
Н						
Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)		g) timings				
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance	Indoors		
Mon			note 2)	Outdoors		
				Both	Ш	
Tue			Please give further details here (please read guidance	note 3)		
Wed						
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)			
Fri			•			
Sat			Non standard timings. Where you intend to use the entertainment of a similar description to that falling at different times to those listed in the column on the	within (e), (f) o	r (g)	
Sun			(please read guidance note 5)			

Page 16

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Late night refreshment Standard days and timings (please read guidance note		l timings	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)	u			Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		ment
Thur					
Fri			Non standard timings. Where you intend to use the provision of late night refreshment at different time the column on the left, please list (please read guidance)	s, to those listed	
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	
				Off the premises	
Day	Start	Finish		Both	
Mon	1200	2300	State any seasonal variations for the supply of alcohologuidance note 4)	ol (please read	
Tue	1200	2300			
Wed	1200	2300			
Thur	1200	2300	Non standard timings. Where you intend to use the supply of alcohol at different times to those listed in left, please list (please read guidance note 5)		
Fri	1200	2300			
Sat	1200	2300			:
Sun	1200	2300	Page 17		

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

Name
Not Applicable (See attached form) SIMON HENDERSON.

Address
GS. PINGLE RD.

MILLHOUSES

SHEFFIELD.

Postcode S7 2LL.

Personal licence number (if known) PENDING

Issuing licensing authority (if known)

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 variations (please read guidance note 4) The main usage of this facility would be during the cricket season which starts early April and finishes at the end of September.
Day	Start	Finish	
Mon	10.00	23.00	
Tue	10.00	23.00	
Wed	10.00	23.00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left,
Thur	10.00	23.00	please list (please read guidance note 5)
Fri	10.00	23.00	
Sat	10.00	23.00	
Sun	10.00	23.00	
			Page 18

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

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

Access to the cricket club will be for cricket club members only, guests would have to be signed in by a cricket club member.

Proof of age would be requested from younger guests and members before any alcohol sale is carried out.

Signage will be provided stating that alcohol may be only consumed on the premises.

b) The prevention of crime and disorder

Members will be required to sign a rules of membership form which will state loss of membership for antisocial behaviour.

A proof of age requirement will be put in place by the bar staff.

c) Public safety

The building has a fire extinguisher that has a yearly inspection certified by Dronfield Fire Protection Ltd.

Fire exits will be clearly marked.

External lighting will be provided on the exit side of the door to ensure safe access to the adjacent tarmac path.

d) The prevention of public nuisance

Notices will be displayed requesting members to avoid making excessive noise whilst leaving the building.

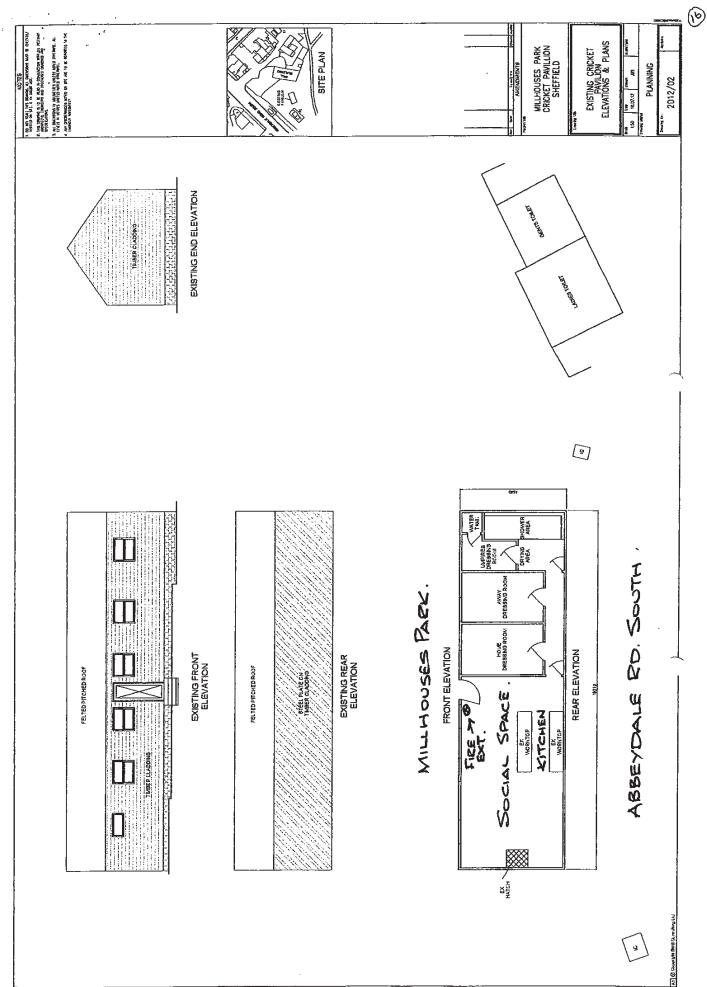
This will be a condition of membership.

e) The protection of children from harm

Children will be only allowed in the social area if supervised by an adult member or signed in guest, over the age of 18 who has been signed in by a member of the cricket club.

Checklist:

			Please tick to	indicate agree	ment				
I have made	or enclosed paym	nent of the fee.							
I have enclo	sed the plan of the	e premises.							
 I have sent of applicable. 	copies of this appli	ication and the plan to responsible	authorities and	others where					
	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.								
 I understand 	I understand that I must now advertise my application.								
 I understand rejected. 	• I understand that if I do not comply with the above requirements my application will be								
LEVEL 5 ON TE	E STANDARD	N SUMMARY CONVICTION T SCALE, UNDER SECTION 158 NT IN OR IN CONNECTION V	OF THE LIC	ENSING ACT 2					
Part 4 – Signatur	es (please read g	uidance note 10)							
		at's solicitor or other duly author nt, please state in what capacity.	ised agent (see	guidance note l	1).				
Signature	\$68	ume till.		·					
Date	24 th April 2015								
Capacity	Club Chairman (Authorised Agent)							
		f 2 nd applicant or 2 nd applicant's). If signing on behalf of the app							
Signature									
Date									
Capacity									
Contact name (who application (please John Summerhill 19, Richmond Ave	read guidance no	given) and postal address for corrette 13)	espondence asso	ociated with this					
Post town Sh	effield	· · · · · · · · · · · · · · · · · · ·	Postcode	S13 8TH					
Telephone number	(if any)	07989 712508							
If you would prefe jbs_ltd@btinternet		with you by e-mail, your e-mail a	ddress (Preferre	d)					





Appendix B 11 Public Objections

Re: ApliSEBNICES Intes Cribet and Under lection 17 Part 3 of the hiversing Act 2003 for grant of a perises licence for Millones Chicket anilion.

I wish to storyly object to the above application for the prevision of leteristic of alcohol. Than his

The pavilion is the property of the Chicket aub but the rest of the Jank public. I am very concerned about the Is for the ejoyment of the general

> would have to police this and I honestly do not think they would be able to do so, especially with the potential problems this will compe with late night drinking throughout the back. The rembers of the chicket club possibility of underage dunking.
> This is a residential area and the

would cause many problems not only with ge drunks but also little from cons and Page broken stass. pank is very near a great many of the bondes in the vicinity and I seek this

yours Saithdull

The hiconory Section, SC.C. application for the grant of a premises licence for Helhouses Gicket kvilian in Milhouses Park, asseydable Road South, pplication on three nam grounds i. alabel should not be graileste for sale in a S.C.C. Rulie Park, Such sale could lead to more mindless vandalism within the

From:

Harper Craig on behalf of licensingservice

Sent:

20 May 2015 09:55

To:

Gough Jayne (CEX); Hollis Georgina (CEX); Marshall Shelley; Proctor Matthew; Rhodes Emma (CEX); Ruston Andy (CEX); Anderson Anne (CEX); Blakemore Renee (CEX); Crawshaw Michael (CEX); Dalgarno Richard; Palmer Helena; Hellewell Lindsey;

Ricketts Pauline (CEX); Triandafillithis Julia

Subject:

FW: Millhouses Park Cricket Club

Hi,

Can whoever is dealing this app please do the necessary with the below objection.

Thanks.

Craig

From:

Sent: 19 May 2015 20:10

To: licensingservice

Subject: Millhouses Park Cricket Club

I understand that Millhouses Park Cricket Club had applied for a licence to serve alcohol from its pavilion in Millhouses Park. I should like to request that you refuse this application.

This building is situated not on private ground, but in a public park, widely used by families. It would, therefore, open the possibility of exposing children to harm if the cricket club members were drinking in such a space. The club may protest that its members are not prone to excess, but the reality is that it would be impossible to police the volumes of alcohol consumed. Because this pavilion is in a public park, it is in an area where the public expect, and are entitled, to be free from any public nuisance caused by consumption of alcohol, nor should they be exposed to any threat to their safety or to their enjoyment of this public space, or to any crime or disorder which may ensue. Again something that cannot be guaranteed where alcohol is served.

There are two pubs within easy walking distance of the cricket ground, so there is absolutely no necessity for this to be granted. Indeed, the Wagon and Horses recently applied to take over a part of the park to use as a beer garden. This was met with fierce resistance from the Friends of Millhouses Park and other park users and was subsequently turned down. This indicates the strength of feeling against the mix of alcohol and a family park.

In short, the Cricket Club is welcome to use the ground in our park, but not to take it over for use as a bar.

Please refuse this application.



, local resident and park user.

Stephenson Clive (CEX)



From: Sent:

21 May 2015 00:22 licensingservice

To: Cc:

Subject:

Application for licensing of the Millhouses Park Cricket Club

Dear Sirs

I am writing on behalf of the Friends Of Millhouses Park to object to the application for licensing of the cricket pavilion in Millhouses Park. Since the application has been made public we have been made aware of peoples general concerns over the possible problems that may develop if a licence to sell alcohol in the park is granted.

Whilst we as a group support the playing of cricket in the Park and have done for many years, it would be a big change to the Park that would set a precedent for others to follow. By allowing such a wide ranging licence to supply alcoholic drinks, especially every day over 11 hours between midday and 11.00 PM, we feel that the aim of the scheme is well outside the usual times when cricket is played in the park and threatens to get out of hand.

Initially we were under the impression that the licence would operate on certain match days and be tightly controlled by the club to ensure that there would not be any drinking beyond the club house and only within certain hours. Whilst we understand that the licence may need to be applied for in a certain format, we do not agree that it should be so wide ranging and encompassing to the point where it may be difficult to control or rescind at a later date should problems occur. We also feel that the noise levels and disturbance associated with this use may be problematic for the neighbours in the immediate area on Abbeydale Road South and also to other park users.

So upon reflection we feel as a group that we cannot support the application for this licence and it should not be granted in its present format. We now feel that the sales of alcohol associated with sports or clubs should be kept outside the Park, particularly as there are several public houses nearby that can cater for these facilities more than adequately.

Regards

Stephenson Clive (CEX)





From:

21 May 2015 09:36

Sent: To:

licensingservice

Subject:

Application for licensing of Millhouses Park Cricket Club

Dear Sirs

Whilst no longer involved with Millhouses Park I have spent over 10 years working towards the rejuvenating the park into what it is today. This has involved raising hundreds of thousands of pound and many other people and transformed the park into one of, if not the, most popular parks in Sheffield and beyond. 12 years ago it was unpopular, run down, with drug and alcohol anti-social behaviour and damage particularly after dark. It has taken a lot of co-operation with the police to change that image.

The application for a licence by the cricket club would not be to the benefit of this wonderful family park. The licence, if granted, could only have a detrimental effect on the park as in so many sporting events where it has been totally banned. We have seen over boisterous behaviour during cricket matches when alcohol has been brought and consumed along the path outside the pavilion. This deters visitors with young families and can only encourage young teenagers to gather in the evening with more alcohol which, only recently, took nearly a year for the local police to break up.

Alcohol has been available at Cliffhanger under very strict control but still we saw people walking round the water play areas with full pints of beer. Also an application for a licence to open up into the park, by the Waggon & Horses, was also turned down. Cricket has always been a very welcome part of Millhouses Park and should be for many generations to come but it is part of a public park and they must accept that fact and work within the confines that privilege imposes upon them – it should not need alcohol for any reason whatsoever.

Kind Regards



17 May 2015

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

Dear Sirs

Re:Application under Section 17 Part 3, Licensing Act 2003
Grant of a premises license for
Millhouses Cricket Pavilion
Millhouses Park
Abbeydale Road South
Sheffield

I am writing to oppose the license for the above on the following grounds:-

- 1. The park is a public facility for use by all members of the public from the cradle to the grave.
- 2. It is not a private members club. The club uses the park facility.
- 3. I am sure the sale of alcohol in a public park will not go down well with many sections of the community.
- 4. The times specified 10am to 11pm are well beyond the closing time of the park.
- 5. If granted, there will be increased noise and commotion for the neighbourhood particularly late at night.
- There are already three public houses, namely the Millhouses, Robin Hood and Wagon and Horses in very close proximity to the cricket pavilion all of which provide late night refreshments and the sale of alcohol.
- 7. If a license were to be granted does this open it up for a license to be granted to the bowling club or model boat society. Where does it end?

In conclusion I cannot see any justification for the granting of the license and I trust you will agree.





7 @ nd ~ 281.

MILLHOUSES PARK BOWLING CLUB

1 8 MAY 2015

SERVICES



10th May 2015

Dear Sir or Madam

On behalf of the Bowling Club I wish it to be recorded that we, the Club object to the granting of a licence to sell or supply alcohol by Millhouses Works Cricket Club in their recent application.

We object to the application on the following grounds.

Currently the park is alcohol free and in our opinion there are at least three local public houses in close proximity to the park that adequately supply the needs of the public.

Millhouses Park is a public park and we do not think the sale of alcohol should be permitted inside the park where young children and families currently enjoy many of the amenities. It is inevitable that there could be language and behaviour problems associated with the supply of alcohol which could offend and infringe on the enjoyment of the space.

Currently the park is well managed and problems occurring after the hours of darkness are minimal, we feel that by allowing the sale of alcohol particularly in the evening this could promote public safety problems and vandalism.



The granting of a licence might open up applications from other establishments currently operating within the park.

The Bowling Club has always maintained a policy of not encouraging our members to bring any form of alcohol into the park or consuming it around the greens.

I trust you will record our objections.





I am writing on behalf of Carter Knowle and Millhouses Community Group to object to the application for licensing of the cricket pavilion in Millhouses Park.

There is widespread concern about this application. People who live nearby are worried about noise going on late into the night, and possible disturbance by people leaving after 11pm.

There are no proposed restrictions on where pavilion users can drink the alcohol – so there will be drinkers around the perimeter of the pitch or even further away in the Park. The Park provides for healthy family activity, and serves a very diverse population and we do not think it is appropriate for alcohol to be served there. It is a matter of safety for families, especially those with small children, that they can have quiet enjoyment of this public place. People watching cricket sit outside the pavilion and on benches alongside the path which is a main thoroughfare through the park. It is inevitable that their language and behaviour while supporting their team will become more exuberant, boisterous and potentially threatening during the hours of the match. The club can have all the rules and codes of conduct it can muster but they cannot be sure to be able to control the behaviour of visiting teams. This is not a private cricket ground. This is a club that plays in a *public park* which makes a very material difference to how this application should be judged.

Also, the hours applied for go well outside the times when cricket is usually being played: currently Saturday afternoons and some evenings. Whilst the club say that the application is for infrequent use, the hours covered by it are from midday to 11 o'clock every day of the week so, if, for example, the club wanted to have a birthday party or stag night the license would allow for that and with people's homes just across the road this could constitute a public nuisance.

People around here have raised hundreds of thousands of pounds in recent years to benefit the park and many commit themselves to regular voluntary work in upkeep of it. There is already a sickening amount of late-night vandalism in the park and having a place, lit and with music and alcohol-fuelled revelry in there would not help.

A short while ago, the Wagon and Horses wanted to rent a small patch in the park to use as a beer garden. There was huge public outcry and the idea was quashed. If the cricket club licence were to go ahead it could be the thin end of the wedge and it would be impossible to stand in the way of future applications.

This application would not benefit the Council, the park or its users and the wider community. It would, however, introduce new risks and potentially increase costs in the running of the park. Please reject it.





From:

Ruston Andy (CEX) on behalf of licensingservice

Sent: To: 15 May 2015 10:17 Ruston Andy (CEX)

Subject:

W: Application for licensing of the cricket pavilion in Millhouses Park

From:

Sent: 15 May 2015 09:11 **To:** licensingservice

Subject: Application for licensing of the cricket pavilion in Millhouses Park

As a longterm resident of Millhouses whose family has used Millhouses Park for years and who has watched the ongoing refurbishment of the Park with much appreciation, I am writing to object to the application for licensing of the cricket pavilion.

I share the widespread local concern about this application and feel people who live closer than we do are right to be genuinely worried about noise going on late into the night and about possible disturbance from people leaving the site after 11.00 pm.

I note that there are no proposed restrictions on where users of the pavilion could drink alcohol. This seems to suggest that if a licence were granted, people could drink anywhere in the Park which totally goes against a previous decision not to allow the Wagon and Horses to rent a small patch in the Park to use as a beer garden. Even the application for a licence for Cliffhangar was proposing that the number of times alcohol could be sold should be strictly limited.

Given the Park is heavily used by families from across the City and is there to create a healthy and enjoyable environment for all, to allow the introduction of alcohol consumption is not appropriate. It is a matter of safety for those visitors and families, particularly those with younger children. The consumption of alcohol tends to increase boisterous behaviour and unacceptable language and this would not be in the interest of most park users or of local residents. There is also an issue as to how members of visiting teams would behave.

In addition the hours applied for do not coincide with the times when cricket is usually being played. If the hours covered by the licence are to be from midday to 11.00 pm every day of the week, does this imply that the premises are to be used for purposes other than providing refreshment for cricket players? Noisy week day events could well constitute a public nuisance.

It is my view that this application would also be to the detriment of the Council as there is the possibility of increased litter and damage to deal with which would involve additional costs. Nor does it seem to have any benefit for the majority of Park users or the wider community.

This is a public park and any club that is able to play there should respect that fact and recognise that they are having to share the Park with very many others. The cricket club should be accepting the Park for what it is, an important and much used public open space which has benefited over recent years from a huge local commitment to improving the environment and the Park facilities. They should not be seeking to undermine what has been achieved.

I would urge that this application be rejected.





Planning Application for Millhouses Works Cricket Club in Millhouses Park

We are writing to object to this application:

We fundamentally object to the sale of alcohol in Millhouses Park. This is a public area and at present the park affords a safe environment for people of all ages, backgrounds and cultures. This development could potentially jeopardise this. For the same reasons we were opposed to the Waggon and Horses application to extend their beer garden into the park.

- The hours applied for cover every day of the week until 11 o'clock at night and we are worried that this could lead to noise and disturbance to neighbours of the park.
- The pavilion may be private but the path and the grass around the pavilion are all part of a public park and are open for use by park users at all times including cricket matches. We are certain that alcohol will be consumed outside the pavilion and the application mentions licensable activities 'on or FROM the premises'. We consider this would be inappropriate in a public park particularly with children present.
- Although the intention might be to sell alcohol only occasionally this application gives carte blanche to activities and the sale of alcohol every day of the week from mid morning until late at night.
- We feel that this would set a regrettable precedent that other establishments in parks might follow.

We urge you to reject this application.



/

From: Ruston Andy (CEX) on behalf of licensingservice

 Sent:
 15 May 2015 10:19

 To:
 Ruston Andy (CEX)

Subject: FW: Millhouses Cricket Club - Licence Application /

Sent: 14 May 2015 18:58
To: licensingservice

Subject: Millhouses Cricket Club - Licence Application

I am writing as a local resident to object to the application for licensing of the cricket pavilion in Millhouses Park.

I am very concerned about this application. The Park provides for healthy family activity, and serves a very diverse population and I do not think it is appropriate for alcohol to be served there. It is a matter of safety for families, especially those with small children, that they can have quiet enjoyment of this public place. This is not a private cricket ground. This club that plays in a *public park* which makes a very material difference to how this application should be judged.

There are no proposed restrictions on where pavilion users can drink the alcohol - so there could be drinkers around the perimeter of the pitch or even further away in the Park.

People watching cricket sit outside the pavilion and on benches alongside the path which is a main thoroughfare through the park. It is likely that their language and behaviour while supporting their team will become more exuberant, boisterous and could be potentially threatening during the hours of the match. Nor can the club guarantee to be able to control the behaviour of visiting teams.

The hours applied for go well outside the times when cricket is usually being played: currently Saturday afternoons and some evenings. Whilst the club say that the application is for infrequent use, the hours covered by it are from midday to 11 o'clock every day of the week so, if, for example, the club wanted to have a birthday party or stag night the license would allow for that and with people's homes just across the road this could constitute a public nuisance.

People who live nearby are also worried about noise going on late into the night, and possible disturbance by people leaving after 11pm. There is already a considerable amount of late-night vandalism in the park. Having the pavilion open late, with music and potentially alcohol-fuelled revelry could contribute to that.

A short while ago, the Wagon and Horses wanted to rent a small patch in the park to use as a beer garden. There was huge public outcry and the idea was quashed. If the cricket club licence were to go ahead it could be the thin end of the wedge and it would be very difficult to stand in the way of future applications. And to grant this application would be inconsistent with the refusal of the Wagon & Horses application.

This application would not benefit the Council, the park, most of its its users, and the wider community. It would, however, introduce new risks - such as broken glass - which could potentially increase costs of the running of the park. Please reject it.



Appendix C

Hearing Notices / Regulations / Procedures

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

Sheffield City Council

Millhouses Works Cricket Club
C/O The Secretary
lain Mallet



Copy also sent to John Summerhill -

The Sheffield City Council being the licensing authority, on the 24th April 2015 received your application in respect of the premises known as;

Millhouses Cricket Pavilion - Millhouses Park, Abbeydale Road Sth, S7 2QL

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

11 Objectors

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 22nd June 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: 29th May 2015

Signed:

Clive Stephenson

The officer appointed for this purpose

Licensing Officer

Cent via Post 5/6/15.



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



The Sheffield City Council being the licensing authority, on the 24.4.15 received an application ir respect of the premises known as;

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Dated: 29th May 2015

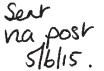
Signed:

Clive Stephenson

The officer appointed for this purpose

Licensing Officer

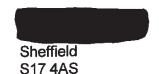
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Dated: 29th May 2015

Signed:

Clive Stephenson

The officer appointed for this purpose

Licensing Office

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





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Dated: 29th May 2015

Signed:

Clive Stephenson

The officer appointed for this purpose

Licensing Officer



Notice of hearing of representations in respect of the following application: <u>Application to Grant a Premises Licence</u>

Chairman of Friends of Millhouses Park

The Sheffield City Council being the licensing authority, on the 24.4.15 received an application in respect of the premises known as;

Millhouses Cricket Pavilion - Milhouses Park, Sheffield S7 2QL

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

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Dated: 29th May 2015

Signed:

Clive Stephenson

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



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Millhouses Cricket Pavilion - Milhouses Park. Sheffield S7 2QL

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Dated: 29th May 2015

Signed:

Clive Stephenson

The officer appointed for this purpose

Licensing Officer

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

Seut via Post SIblis



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Dated: 29th May 2015

Signed:

Clive Stephenson

The officer appointed for this purpose

Licensing Officer

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

LICENSING ACT 2003

Servia post 5/6/15



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

Secretary Millhouses Park Bowling Club

SECTION OF THE PARTY OF THE PAR

Sheffield S7 2GP

The Sheffield City Council being the licensing authority, on the 24.4.15 received an application is respect of the premises known as;

Millhouses Cricket Pavilion - Milhouses Park. Sheffield S7 2QL

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Dated: 29th May 2015

Signed:

Clive Stephenson

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

Chairman
Carterknowle & Millhouses Community Group

The Sheffield City Council being the licensing authority, on the 24.4.15 received an application in respect of the premises known as;

Millhouses Cricket Pavilion - Milhouses Park, Sheffield S7 2QL

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

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Dated: 29th May 2015

Signed:

Clive Stephenson

The officer appointed for this purpose

Licensing Officer

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



Notice of hearing of representations in respect of the following application: <u>Application to Grant a Premises Licence</u>



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Dated: 29th May 2015

Signed:

Clive Stephenson

The officer appointed for this purpose

Licensing Officer

Sent via post 5/6/15



Notice of hearing of representations in respect of the following application: <u>Application to Grant a Premises Licence</u>



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Dated: 29th May 2015

Signed:

Clive Stephenson

The officer appointed for this purpose

Licensing Officer

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



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



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Millhouses Cricket Pavilion - Milhouses Park. Sheffield S7 2QL

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Dated: 29th May 2015

Signed:

Clive Stephenson

The officer appointed for this purpose

Licensing Officer

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



APPENDIX D

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



Millhouses Works Cricket Club
C/O The Secretary
lain Mallet



Copy also sent to John Summerhill -

The Sheffield City Council being the licensing authority, on the 24th April 2015 received your application in respect of the premises known as;

Millhouses Cricket Pavilion - Millhouses Park, Abbeydale Road Sth, S7 2QL

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

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Dated: 29th May 2015

Signed:

Clive Stephenson

The officer appointed for this purpose

Licensing Officer



Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

LICENSING ACT 2003

Premises: Millhouses Cricket Pavilion. Sheffield, S7 2QL Type of App: LA03_Premises Licence Application Hearing Date: 22nd June 2015

Form LAR 1 Regulation 8

Notice of actions following receipt of notice of hearing

То	Licensing Service, Sheffield City Council Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD
I	lain Mallet
of	Millhouses Works Cricket Club
	y confirm that I have received the Notice of Hearing dated 29 th May 2015 and notify you ows (please complete):
[]	I intend to attend the hearing at 10am on Monday 22 nd June 2015
[]	I do not intend to attend the hearing
[]	I intend to be represented at the hearing by:
[]	I consider the hearing to be unnecessary because:
[]	I request that
Dated	: Signed

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

licensingservice@sheffield.gov.uk

Please see Regulation 8 overleaf

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.

<u>Licensing Act 2003 – Hearing Procedure – Regulation 7 (1)</u>



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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