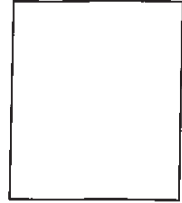




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 12th October 2015

Subject: Licensing Act 2003

Author of Report: Andy Ruston

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

Arch 9, 9-11 Wicker Arches, Walker Street, Sheffield, S3 8GZ.

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 76/15

Arch 9, 9-11 Wicker Arches, Walker Street, Sheffield, S3 8GZ.

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 Arch 9 Music Limited.

2.2 The application, which was received on 18th August 2015, is attached to this report labelled Appendix 'A'.

3.0 REASONS FOR REFERRAL

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

- Interested parties
- Environmental Protection Services
- Health Protection Service

3.2 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

Appendix A

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

We Arch 9 Music Limited apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description Arch 9, 9 - 11 Wicker Arches, Walker Street	
Post town Sheffield	Post code S3 8GZ

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- Please tick ✓
- a) An individual or individuals* please complete section (A)
- b) a person other than an individual*
- i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

I am 18 years old or over Please tick

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

I am 18 years old or over Please tick

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

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

Name Arch 9 Music Limited
Address 51 Clarke Grove Road Sheffield S10 2NH
Registered number (where applicable) 09640733
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day Month Year

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

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

Day Month Year

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

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

N/A

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

The Applicant is proposing to convert the pre-existing Arches locally known as the Wicker Arches number 9, 10 and 11 off Walker Street, Sheffield into a licensed premises which will operate during the course of the day as a coffee shop limited bar element on the first floor but in the evening into the late night as a night club operation for both floors. The entrance to the premises will face onto Walker Street.

It is intended that the applicant's premises will have an occupancy in the order of 800 persons. The name of the premises is to be Arch 9.

The premises will also be available for cultural events and private bookings. The layout is proposed in accordance with the plans deposited with the Licensing Authority with this application being:

- Ground Floor licensing plan numbered 0049/15/03
- First Floor licensing plan numbered 0049/15/04

All licensable activities are to take place internally in the area outlined in red. To the external area forming the balcony off the first floor it is proposed that the licensable activities be limited to retail sale of alcohol and late night refreshment. The balcony situated at the first floor to the rear of the premises will during the daytime operate as an extension to the café facility and have the benefit of tables and chairs. In the evening and late night the area will be predominantly used as a smoking area. Additionally to the ground floor circulation area which may be used for cultural events, community event, exhibitions. To the first floor the mezzanine deck area will be utilised as a cooling down area.

Appropriate noise attenuation measures are included within the structure of the building following its complete refurbishment. An assessment as to the location of residents has been undertaken and it has been considered that there are none in the immediate vicinity.

The following permitted licensing hours for the premises are applied for in respect of on and off sales of alcohol, recorded music, live music, indoor sporting events and films:-

Monday to Sunday 09:00 to 04:00 hours.

In respect of New Year's Eve application is made to allow the premises to operate from 09:00 on 31st December until 04:00 on the 2nd January thereby providing extended hours.

Application is made to permit the provision of refreshments after 23:00 hours.

The premises will seek to close 1 hour after the cessation of licensable activities i.e. 5 a.m. or earlier should licensable activities conclude prior to the final permitted time.

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

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

Please tick ✓ yes

Provision of regulated entertainment

- | | |
|---|-------------------------------------|
| a) Plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) Films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

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



In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y}(please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	09:00	04:00	Please give further details here (please read guidance note 3)	Both	
Tue	09:00	04:00			
Wed	09:00	04:00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	09:00	04:00			
Fri	09:00	04:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	09:00	04:00			
Sun	09:00	04:00		When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)	

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	09:00	04:00	State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue	09:00	04:00	
Wed	09:00	04:00	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) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)
Thur	09:00	04:00	
Fri	09:00	04:00	
Sat	09:00	04:00	
Sun	09:00	04:00	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick {Y}(please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	09:00	04:00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	09:00	04:00			
Wed	09:00	04:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	09:00	04:00			
Fri	09:00	04:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	09:00	04:00			
Sun	09:00	04:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	09:00	04:00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	09:00	04:00			
Wed	09:00	04:00	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	09:00	04:00			
Fri	09:00	04:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	09:00	04:00			
Sun	09:00	04:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	09:00	04:00		Please give further details here (please read guidance note 3)	
Tue	09:00	04:00			
Wed	09:00	04:00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	09:00	04:00			
Fri	09:00	04:00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	09:00	04:00			
Sun	09:00	04:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Mon				Please give further details here (please read guidance note 3)	
Tue					
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors				
				Outdoors				
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon	23:00	04:00						
Tue	23:00	04:00						
Wed	23:00	04:00				State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	04:00						
Fri	23:00	04:00				Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	04:00						
Sun	23:00	04:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises				
				Off the premises				
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	09:00	04:00						
Tue	09:00	04:00						
Wed	09:00	04:00				Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur	09:00	04:00						
Fri	09:00	04:00				To permit sale of alcohol and such regulated entertainment authorised hereunder on New Years Eve commencing at 09:00 until 00:00 hours on 2 nd January.		
Sat	09:00	04:00						
Sun	09:00	04:00						

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

Name: Mark McGrail
Address: 1 Glasshouse Green, Wentworth
Postcode: S62 7SD
Personal Licence number (if known): RM2087
Issuing licensing authority (if known): Rotherham MBC

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 save for the presence of gaming machines the use of which is not permitted by persons under the age of 18

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4) Please see box J above
Day	Start	Finish	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) The premises will close 1 hour after the end of the non-standard timings identified in box J above.
Mon	09:00	05:00	
Tue	09:00	05:00	
Wed	09:00	05:00	
Thur	09:00	05:00	
Fri	09:00	05:00	
Sat	09:00	05:00	
Sun	09:00	05:00	

M

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

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

This is an application for a new Premises Licence in respect of a premises which is to be totally refurbished and such works are to be undertaken to current Building Control standards. The premises is located away from residential accommodation. A risk assessment has been undertaken in relation to crime and disorder arising particularly relating to the late night operation.

The above is provided by way of explanation and not intended to be converted into conditions.

b) The prevention of crime and disorder

The applicant has undertaken a risk assessment in connection with the operation of this unit taking into consideration the area in which it is located, the recommendations of South Yorkshire Police.

With regard to the prevention of crime and disorder the applicant would offer the following steps in order to address this issue.

1. A Colour CCTV system shall be installed at the premises to the specification and satisfaction of the South Yorkshire Police to cover internal and external areas. This will be maintained and in use at all times that the premises are open to the public. The CCTV images will be stored for a minimum of 30 days and must be made available to an authorised officer of the Council or South Yorkshire Police on production of an appropriate written authorisation.
2. The Police will be given access to and take copies of images in connection with the prevention and detection of crime and disorder.
3. The Police shall be entitled to inspect and approve the CCTV system prior to commencement of licensable activities at these premises.
4. The premises shall have doorstaff a minimum of 4 member of doorstaff at any time that the premises are open to members of the public after 21.00 hrs. During busy periods, numbers of doorstaff will be set by reference to occupancy levels.
5. The Premises Licence Holder shall maintain at the premises a register containing the following details of all doorstaff engaged at the premises :-

- (a) Full name.
- (b) Address.
- (c) Date of birth.
- (d) SIA Licence No.

Such register shall be available for inspection to South Yorkshire Police and an authorised officer of the Council.

6. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises.
7. There shall be a zero tolerance drugs policy at the premises and there shall be suitably secure "drop box" for any illegal substances or items confiscated from customers. Seized items will be handed to South Yorkshire Police.
8. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any time the premises are open to the public. There shall be a system for removing those open vessels from customers entering or leaving the premises. Signs shall be displayed at all exits requiring the public respect the needs of local residents and leave the premises and area quietly.
9. Alcoholic drinks may not be removed from the premises in open containers save for consumption in external areas provided for that purpose.
10. No customers carrying open bottles of alcoholic drink upon entry shall be admitted to the premises at any time the premises are open to the public.
11. A refusal log and incident log will be maintained and audited by management.
12. All staff to receive induction training, refresher training to be undertaken on an annual basis. Such training to be recorded and made available to the Licensing Authority and South Yorkshire Police for a period of 12 months.
13. On occasions that the premises operates beyond 12 midnight Monday, Tuesday, Wednesday, Thursday the Designated Premises Supervisor or nominated team member shall provide South Yorkshire Police with seven days' notice in writing.
14. The use of plastic drinking vessels will be risk assessed on an event by event basis.

c) Public safety

1. The Premises Licensee will comply with the reasonable requirements of the Fire Officer from time to time under the prevention of public nuisance.
2. The occupancy of the premises shall be set by reference to the fire risk assessment.

d) The prevention of public nuisance

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

e) The protection of children from harm

1. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
2. The Designated Premises Supervisor, or other such responsible person, will be assigned to the role of safeguarding co-ordinator. This person should act in accordance with the training and guidance provided by the Sheffield Safeguarding Children Board.
3. All events or functions involving persons under the age of 18 must be planned with reference to the Sheffield Safeguarding Children Board good practice guidance for events and include a written risk assessment and evidence of staff briefings.
4. Persons under the age of 18 years are not permitted to remain at the premises after 21:00 hours unless they are accompanied by a responsible adult and attending a private pre-booked family style function in a private designated area to which access is controlled.
5. Persons under the age of 18 years are not permitted when the premises operates as an adult night club.
6. All customers, including those using concessionary passes/VIP or guest list access, must be subject to age checks and security checks including customers re-entering the premises.
7. The Designated Premises Supervisor or some such other person will be assigned to act as lead safeguard for children's issues at the premises.
8. The premises shall operate the Challenge 25 proof of age scheme and staff shall be instructed to seek identification from any person who appears to be under the age of 25 yrs. Appropriate signage and an identification checking system shall be in place. All persons seeking to enter the premises while operating as an adult night club shall be subject to the Challenge 25 policy including those using concessionary passes/VIP or guest list access.

Please tick ✓ Yes

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

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

Part 4 – Signatures (please read guidance note 10)

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

Signature: John Gaunt & Partners

Date: 14th August 2015

Capacity: Solicitor for the Applicant

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

Signature:

Date:

Capacity:

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

Notes for Guidance

1. Describe 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.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Schedule 11

Consent of individual to being specified as premises supervisor

I, Mark McGrail of 1 Glasshouse Green, Wentworth, Rotherham hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for variation of the premises licence by Arch 9 Music Limited relating to a premises licence for Arch 9, 9 - 11 Wicker Arches, Walker Street, Sheffield, S3 8GZ and any premises licence to be granted or varied in respect of this application made by Arch 9 Music Limited concerning the supply of alcohol at Arch 9, 9 - 11 Wicker Arches, Walker Street, Sheffield, S3 8GZ

I also confirm that I am applying for, intend to apply for, or currently hold, a personal licence.

Personal Licence number: RM2087

Personal Licence Issuing authority : Rotherham MBC.

{insert name and address and telephone number of personal licensing issuing authority, if any}

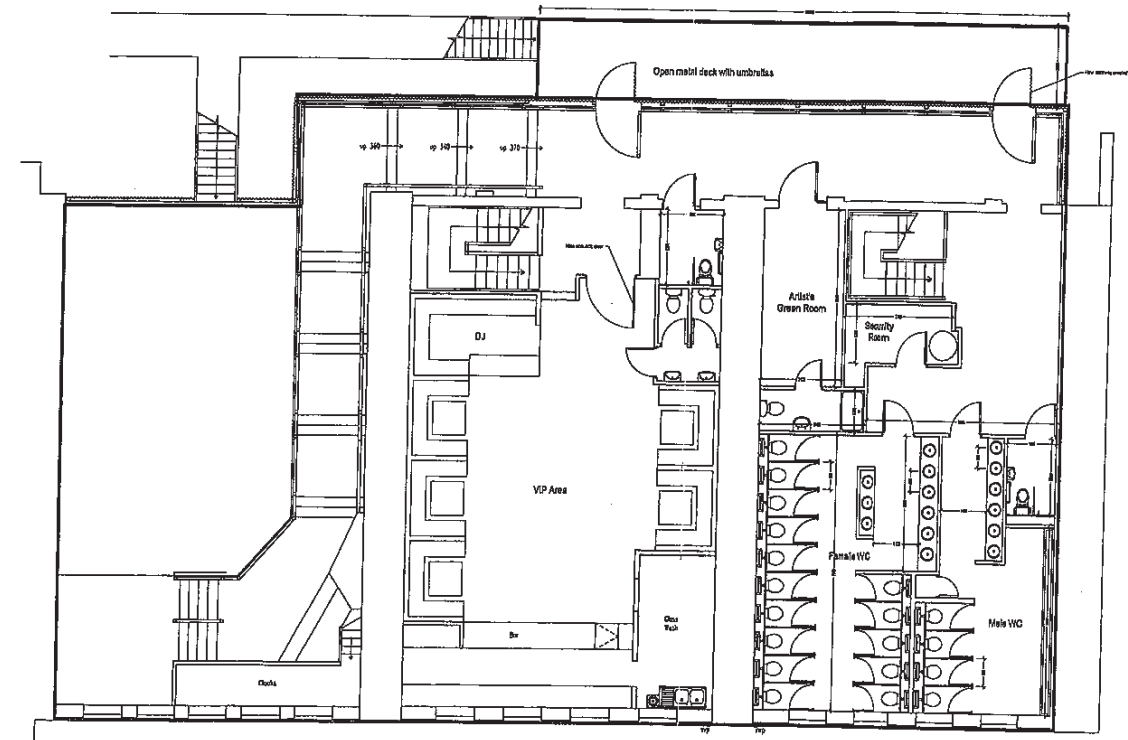
Signed: 

Name (please print): Mark Vincent McGrail.....

Dated: 2015-08-10

Notes
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Proposed occupancy: 600 people
 Total Seating
 Female: 31 WCs & 16 wash basins
 Male: 3 WCs & 2 wash basins
 Disabled: 3 No. accessible with automatic lift packs
 Artists Green Rooms: 1 WC & 1 wash basin



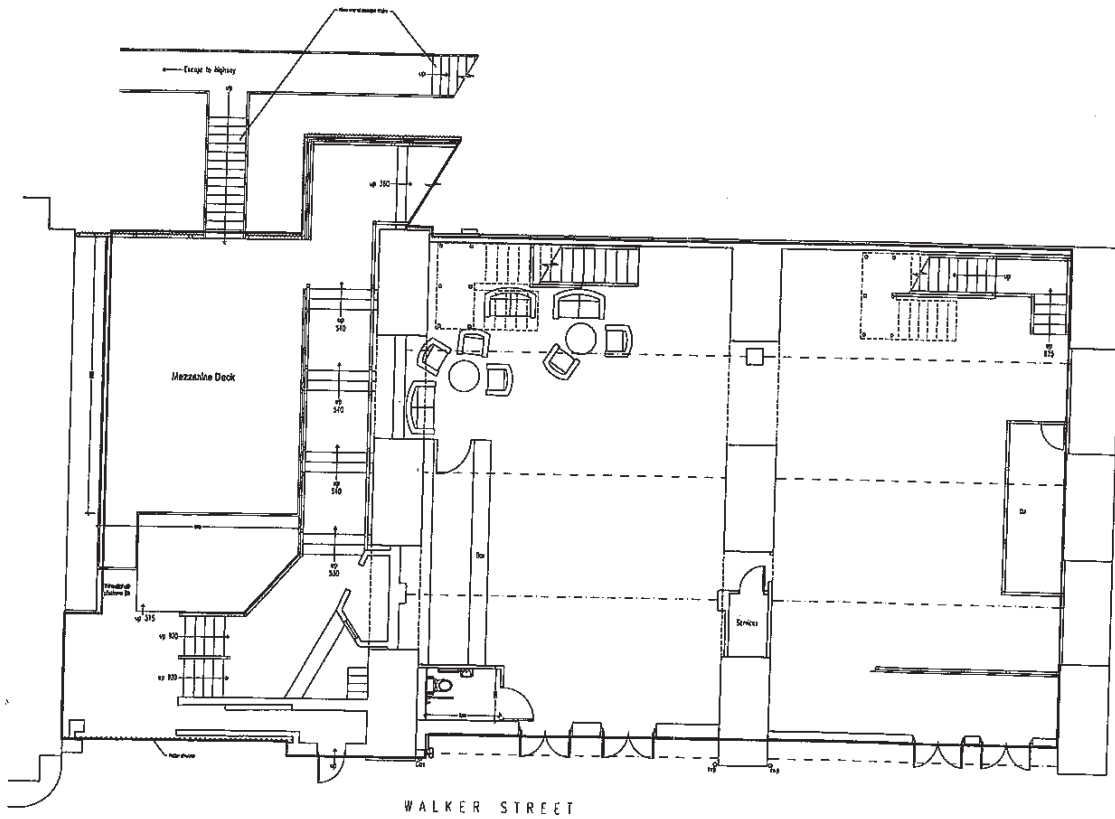
First Floor Plan - Proposed

Arch 9, Walker Street, Sheffield

DRAFT

BUILDINGS	White Design	
	SME Ltd	
	Arch 9, Walker Street, Sheffield	
	First Floor Plan - Proposed	
	150 @ A1	SJ July 2015
0049/15 - 04		

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Ground Floor Plan - As Proposed

Arch 9, Walker Street, Sheffield

DRAFT

WHITE DESIGN	White Design	
	SVE/id	Date:
	Arch 9, Walker Street, Sheffield	
	Ground Floor Plan - Proposed	
	150 @ AI	July 2015
0049/15 - 03		

(Amended Plans)
attached

Hellewell Lindsey

From: Bower Claire on behalf of licensingservice
Sent: 17 September 2015 10:19
To: Hellewell Lindsey
Subject: FW: Arch 9, The Wicker, Sheffield
Attachments: Arch-9, Walker Street

From: Sue McCourt [<mailto:smccourt@john-gaunt.co.uk>] **On Behalf Of** Michelle Hazlewood
Sent: 17 September 2015 09:00
To: licensingservice
Subject: Arch 9, The Wicker, Sheffield

Dear Sirs

We are aware from our discussions with you that the consultation period in connection with the application for new Premises Licence for Arch 9 expires today.

We are also aware, that objections have been received from Noise Pollution (Environmental Health) and two residents.

We are in receipt of the Noise Control representation which has been sent to us directly but would be grateful if you could forward to us as soon as possible, the residential objections.

Additionally, during the course of the consultation period various requests have been made by Building Control (Environmental Health) as to the layout of the premises along with those from Sound Control as a result of which changes to the internal layout have been undertaken and for your purposes we attach updated plan 0049/15/03D which reflects those changes.

The plan has not yet been circulated to all Responsible Authorities as, further minor tweaks were being discussed and potentially undertaken.

We appreciate that in view of the fact that the consultation period shall expire today you should be in receipt of the latest plan within the consultation period and therefore attach the same, slight amendments to the layout may flow from the continued discussions with the Responsible Authorities and if this arises we will advise you accordingly.

Should you require hard copy of the plan please let us know. Particularly, if you wish to forward the same to the residential objectors.

Yours faithfully

Michelle Hazlewood

Partner
Sent by Sue McCourt

Please note that exceptionally our offices will be closed from 12.00 noon on Friday 18 September for the afternoon; our 24/7 emergency helpline (0114 2663400) will be operational.

MHazlewood@john-gaunt.co.uk | www.john-gaunt.co.uk
T: 0114 266 8664 | M: 07801 924 301 | F: 0114 267 9613

Hellewell Lindsey

From: Steve James <steve@selfarchitects.co.uk>
Sent: 07 September 2015 15:24
To: mark@sme-ltd.co.uk
Cc: Michelle Hazlewood; Steve Taylor
Subject: Arch-9, Walker Street
Attachments: Issue Sheet 1-2.doc; 0049-15 - 03D - GF Proposed.pdf

Mark,

Please see the revised plan attached showing the store, staff / first aid and security rooms separated. I don't have any drawings showing where the legs of the mezzanine floor go, so there will inevitably be conflicts. I will revise our drawing again to suit the layout from Prodek when we get it.

Kind regards,

Steve James

☎ 0114 2588 125;
sjames@selfarchitects.co.uk
www.selfarchitects.co.uk

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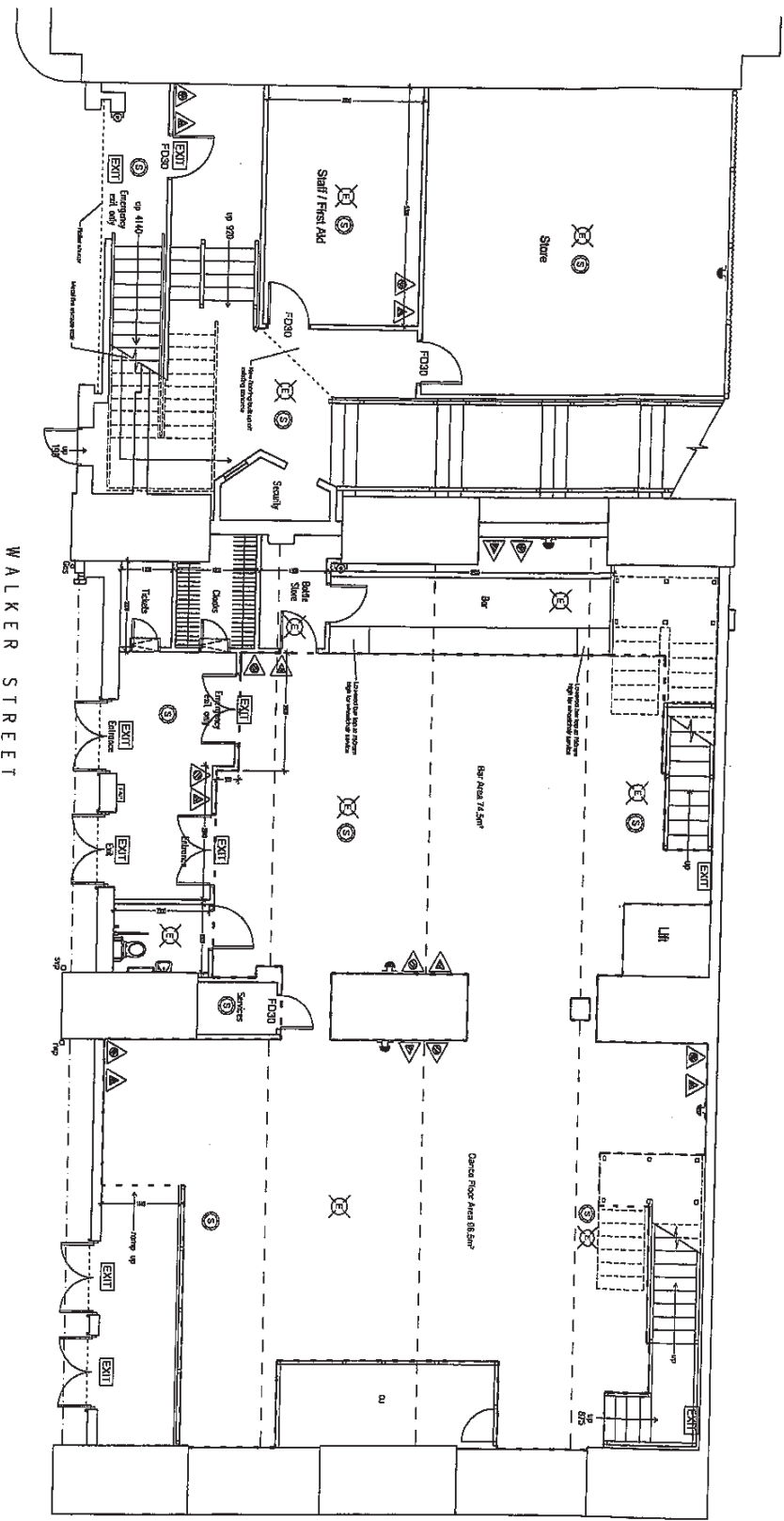
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Arch 9, Walker Street, Sheffield

Ground Floor Plan - As Proposed



NOTES
 1. Refer to the project brief for details of the proposed fit-out.
 2. All fire doors and frames to be 1/2 hour fire rated.
 3. All fire doors to be self-closing.
 4. All fire doors to be protected with intumescent strips and smoke seals.
 5. All fire doors to be protected with fire resistant glass.
 6. All fire doors to be protected with fire resistant panels.
 7. All fire doors to be protected with fire resistant intumescent strips and smoke seals.
 8. All fire doors to be protected with fire resistant intumescent strips and smoke seals.
 9. All fire doors to be protected with fire resistant intumescent strips and smoke seals.
 10. All fire doors to be protected with fire resistant intumescent strips and smoke seals.

KEY

- 3D outline fire rated door with intumescent strips and smoke seals
- Metric wheel optical smoke alarm
- Metric wheel heat detector
- Illustrated exit sign
- External emergency light fitting
- Internal emergency light fitting
- Break glass call point
- Door hold open
- Fire alarm panel
- 6 litre spray foam extinguisher
- 2kg CO2 extinguisher

DOORS
 All fire doors and frames to be 1/2 hour fire rated with intumescent strips and smoke seals.
Sound Systems
 Callout to all amplified music source systems on activation of the fire alarm.

--- Corridor bar and chairs
 floor areas = 171sqm

White Design
 SWE Ltd
 Arch 9, Walker Street,
 Sheffield
 Ground Floor Plan - Proposed

Project	0049/15 - 03
Client	SJ
Issue	July 2015
Drawn	D
Checked	

2nd Fl, Walker Street, Sheffield S11A
 E: info@whitedesign.co.uk
 T: 0114 276 1111

Drawing Register & Issue Sheet

Job No.
0049/15
Sheet No.
1-2



24a St Andrews Road, Sheffield, S11 9AL
Tel: 0114 226 0255 Fax: 0114 226 0256
Email: office@whitedg.co.uk

Client	SME Ltd			Date of Issue																		
Project Title	Arch 9, Walker Street, Sheffield			Day	04	07																
				Month	09	09																
				Year	15	15																
Drawing Description	Size	Scale	Drawing No.																			
Site Location Plan	A4	1:1250	00																			
Existing Ground Floor Plan	A1	1:50	01																			
Existing 1 st Floor Plan	A1	1:50	02																			
Proposed Ground Floor Plan	A1	1:50	03																			
Proposed 1 st Floor Plan	A1	1:50	04																			
Front Elevation	A2	1:100	05																			
Coloured Front Elevations	A1	1:50	06																			
1 st Floor – Proposed Finishes	A3	1:100	07																			
Ground Floor Finishes	A3	1:100	08																			
1 st Floor Plan	A2	1:100	09																			

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Licensing – John Gaunt – Michelle Hazlewood
Planning Department
Building Regulations - Assent
Environmental Services – Sean Gibbons
CDM – Alan Nock / Frazer Swann
Pro-Dek – Mark Hughes
Fire Officer – Mark Briggs
Environmental Protection Officer – Neal Pates

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REASONS FOR ISSUE

B = Building Regulations
I = Information
M = Marked
T = Tender
A = Approval
C = Construction
P = Planning

1	1																			
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Appendix B

Hellewell Lindsey

From: Bower Claire on behalf of licensingservice
Sent: 14 September 2015 14:40
To: Hellewell Lindsey
Subject: FW: Objection to Arch 9, Walker Street

Please file this objection.

Ta

From: [REDACTED]
Sent: 14 September 2015 13:48
To: licensingservice
Subject: Objection to Arch 9, Walker Street

Dear Licensing Department

Objection to Licence for Arch 9 Night Club Walker Street

We would like to register an anonymous objection to the above application. Our objections are as follows:

1. **Hours of licence & Noise**- The application is for a licence between roughly 08:00 to 05:00 7 days a week. Noise insulation and vibrations through the structure between the Arches is not adequate enough to stop sound transferring into our place of business. We regularly carry out noise sensitive office work during office hours and occasionally out of office hours. The sustained noise from the above application could disrupt our business. It is clear from reading the application that the premises do not intend to operate their requested hours regularly, therefore we would request that the licence only be granted outside usual office hours (6pm - 8am) on the days they intend to open, with additional licences being applied for as and when necessary, this would allow us to plan our noise sensitive work around these instances.
2. **Parking** - Many of the businesses on Walker Street rely on the paid on-street parking which is available for their own and their customers' use. We feel that the granting of this licence without any further thought to parking for existing businesses would seriously affect them. By the nature of late night drinking, cars will be left for later collection, blocking any use for existing businesses until such time that they are collected.
3. **Capacity** - The quoted capacity of 800 seems unachievable safely. In my opinion 200-250 would seem more in line. I encourage proper consultation on this prior to granting any licence.
4. **Off Premises Drinking** - The application is to include selling for consumption off the premises. We find it unlikely that this would be required in this location except for reasons which may aid antisocial behaviour.
5. **Outside area** - The addition of an outside area to the rear of the property is without planning permission, it is also not as per the plans submitted as part of the premises licence, the construction is also of wood, not metal as stated on the plans. The addition of this outside area in our opinion will encourage litter and cigarette disposal over the side.
6. **Planning Permission** - The premises form part of a grade 2 listed building and all works to the outside of the building require planning permission. No planning application has been submitted as at 09/09/2015 even though extensive works have started, some of which permanently change the listed aspect. Sheffield planning officers have visited and advised

work to stop but this has carried on regardless. This indicates a failure to obey regulations and we would like it noting that any future regulations / orders may well be ignored.

7. **Anti Social Behaviour** - We believe the aim of reopening the club is to recreate a similar music experience to a similar audience as it did in the 90's, it is well known and documented that this attracted underage admissions, drug abuse and anti social behaviour in the area and that the club management was not always legitimate, which we are keen not to replicate as it will affect public perception of the area and our business.
8. **Drug Misuse** - The area is currently suffering from drug dealing and misuse problems which have been steadily growing over the past 6 - 12 months. The police have been informed and attended a number of times but this is still a growing problem. Dealing is taking place just 10 metres from the proposed premises on a regular basis. Adding a club in this location is only going to fuel and encourage this growth.
9. **Litter** - There will obviously be litter created by people attending and leaving the premises. We would like a proper plan in place to deal with this so it doesn't affect local businesses.
10. **Food** - The application mentions food. The only provision for this I can see is a BBQ on the rear wooden decking. As this is a wooden structure I would suggest it is a safety hazard and, therefore, not guaranteed to receive planning permission.
11. **Street Safety**- We, along with other businesses, use the area for out of hours loading / unloading in connection with our businesses. The feel on the street in general is very safe and certainly, until the recent drug issue, I did not have an issue working alone throughout the night, moving equipment in the street. I feel that the addition of a night club in Arch 9 is not in keeping with the current use of the of the area and would increase the risk of anti social behaviour, theft and vandalism that would have a considerable effect on our business.

Please could you acknowledge receipt of this objection and provide further information on the timelines and process of the application going forward.

Again can I please request that these objections are kept anonymous.

Thanks

[Redacted]

[Redacted] Walker Street | Sheffield | S3 8GZ

[Redacted]

[Redacted]

Hellewell Lindsey

From: Bower Claire on behalf of licensingservice
Sent: 15 September 2015 13:23
To: Hellewell Lindsey
Subject: FW: Report - Arch 9, Wicker - Grant Application LAC2003 NEW

From: Spencer Fearn [mailto:spencer@learnaliving.co.uk]
Sent: 15 September 2015 12:17
To: Pates Neal
Cc: Michelle Hazlewood; mark@sme-ltd.co.uk; NICK HUSSEY; Steve James; Gibbons Sean (DEL); licensingservice; Round Jonathan
Subject: Re: Report - Arch 9, Wicker - Grant Application LAC2003 NEW

Hi Neal,

Thank you for the response. We will revert when we have discussed your detailed note.

Regards

Sent from my iPhone

On 15 Sep 2015, at 11:26, Pates Neal <Neal.Pates@sheffield.gov.uk> wrote:

RE: LAC2003 Premises Licence Variation Application – Arch 9, 9-11 Wicker Arches, Walker St, Sheffield S3 8GZ
EPS Ref: 554853/NEP
JG & P Ref: MH/GEN/ARC25

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

Good Morning Spencer,

Unfortunately the noise report forwarded is not helpful. It does not seek to address the key points I identified in the email I sent to you on 03/09/2015 (attached for reference). There is no detailed review of acoustic weak points in the building, no advice regarding sound insulation works or sound attenuation measures. The report does not seek to address the +3dB criteria I described, and instead predicts breakout impacts at distant receptor positions, ignoring or inappropriately discounting other more proximate residential receptors (including the hostel at The Station, Wicker and the residential conversion at 11-15 Brunswick Road, both of which I discussed with you during the meeting on site and identify in the attached email). The propagation calculations presented are simplistic and of no real value, making assumptions which are clearly inappropriate for the actual situation on the ground (i.e. no barrier or reflections in a highly built up area). The reference to The Code of Practice on Environmental Noise Control at Concerts is inappropriate, given that we are dealing with an indoor music venue.

The report conducts all noise monitoring during the daytime; a critical flaw given that the noise impacts of concern are associated with a late-opening nightclub. The reporting of L_{peak} levels in the context of an environmental noise survey, and the inclusion of monitoring of environmental noise levels inside the subject building are both unusual and of questionable merit in this context. The authors seem to focus on methods and concerns related to Health & Safety, and the reporting has a distinct bias towards advice in this area. However, this was not the concern I put to you, and the authors have not therefore addressed the relevant concerns.

I have checked online, as these consultants are not ones I am familiar with. Their website does indeed identify them as Health & Safety consultants. Since I am not privy to the information you provided when engaging Southall Associates, I cannot comment on the basis for the misunderstandings that have clearly resulted. I would note that the report is unreferenced, does not identify an author or their relevant qualifications, and does not suggest any process of having been checked by any other party prior to issue. I would also comment that, in my view, any meaningful Health & Safety compliance advice would typically be sought and provided after the building works and sound sources are installed and operational.

I must advise you that the report is of little use in the context of the concerns I have put to you, and does not advance the situation in respect of my public nuisance concerns over your current premises licence application. **In light of the above, and the imminent deadline for RA representations, I must now advise you of my formal objection to this premises licence application.** I remain optimistic that suitable control measures can be agreed, and a suitable set of conditions may be negotiated prior to this matter going before committee. However, given the delay resulting from the problems with the noise report, and the incomplete building and fit-out works, I feel I must object at this stage.

Please do not hesitate to contact me directly to discuss this advice.

Kind Regards,

Neal Pates

Neal Pates
Environmental Protection Officer
Environmental Protection Service
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB
Tel: +44 (0)114 205 3688
Fax: +44 (0)114 273 6464
web: <http://www.sheffield.gov.uk/environment/environmental-health>

From: Spencer Fearn [<mailto:spencer@learnaliving.co.uk>]
Sent: 15 September 2015 08:16
To: Pates Neal; Gibbons Sean (DEL)
Cc: mark@sme-ltd.co.uk; 'Michelle Hazlewood'; 'NICK HUSSEY'; 'Steve James'
Subject: Report

Good Morning Neal and Sean,

Please see attached.

Regards

Spencer Fearn
Managing Director



Enterprise House
Bridge Street
Rotherham
S60 1QJ
United Kingdom
07949 01 25 22 (Mobile)

spencer@learnaliving.co.uk
www.learnaliving.co.uk

<image002.png><image003.png><image004.png>



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<Env Noise Assessment Sept 2015 - Arch 9 @ 9 - 11 Wicker Arches, Walker Street, Sheffield, S3 8GZ v2.pdf>

<9-11 Wicker Arches>

Ruston Andy (CEX)

From: Pates Neal
Sent: 23 September 2015 12:35
To: 'Michelle Hazlewood'
Cc: 'mark@sme-ltd.co.uk'; 'Spencer Fearn'
Subject: RE: Report - Arch 9, Wicker - Grant Application LAC2003 NEW

RE: LAC2003 Premises Licence Variation Application – Arch 9, 9-11 Wicker Arches, Walker St, Sheffield S3 8GZ

EPS Ref: 554853/NEP
JG & P Ref: MH/GEN/ARC25

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

Good Afternoon Michelle,

Regarding the above premises licence grant application and the representation detailed below. As you are aware, there have been various problems regarding the application, ongoing works at the premises, and the Southall Associates noise report submitted in support of the application. I have not been able to establish any meaningful dialogue with the noise report author, and unfortunately this matter remains unresolved.

However, I have recently attended a second site meeting with Mark McGrail, and I was reassured to some extent by the progress of sound attenuation works, the scheduled further works, and the proposed changes to the layout plans initially discussed, particularly in the mezzanine area. I understand this area is now to be fully enclosed.

I am optimistic that Prevention of Public Nuisance concerns may now be addressed by agreement of some suitably conditions. The application form lists no.1. proposed condition for the Prevention of Public Nuisance; I am happy to agree this condition, and propose a further 5 conditions for your consideration.

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly. - *Agreed*
2. Save for access, egress, and in case of emergency all doors and windows shall remain closed whenever regulated entertainment is taking place on the premises. Doors intended to function as part of an acoustic lobby shall not be propped or fixed open at any time. - *Proposed*
3. All ventilation outlets serving or connected to licensed areas are to be acoustically baffled. - *Proposed*
4. No amplified sound shall be played in upstairs or downstairs areas except through an in-house amplified sound system fitted with its own sound limiting facility capable of limiting the sound level output of each system to a pre-set level which may then be secured in a tamperproof manner. The design and setting of each limiter shall have received the prior written approval of Sheffield City Council's Environmental Protection Service prior to any regulated entertainment taking place in the relevant section of the premises. - *Proposed*
5. A management plan shall be held on site detailing the importance of monitoring and controlling the behaviour of customers in the immediate vicinity of the premises (including smokers), and the dispersion of customers towards the close of trading. Staff shall be suitably trained to implement the management plan and a copy of the plan and any referenced policies shall be made available upon request by the Licensing Authority. - *Proposed*
6. Between the nighttime hours of 23:00 and 07:00 no seating shall be retained on the outdoor rear terrace and customer access to this area shall be limited and actively managed to be for smoking purposes only, and to a maximum occupancy of 20 persons at any time. No drinks shall be allowed on the terrace during these nighttime hours. - *Proposed*

Kind Regards,

Neal Pates

Neal Pates
Environmental Protection Officer
Environmental Protection Service
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB
Tel: +44 (0)114 205 3588
Fax: +44 (0)114 273 6464
web: <http://www.sheffield.gov.uk/environment/environmental-health>

From: Pates Neal
Sent: 15 September 2015 11:26
To: 'Spencer Fearn'; 'Michelle Hazlewood'
Cc: mark@sme-ltd.co.uk; 'NICK HUSSEY'; 'Steve James'; Gibbons Sean (DEL); licensingservice; Round Jonathan
Subject: FW: Report - Arch 9, Wicker - Grant Application LAC2003 NEW
Importance: High

RE: LAC2003 Premises Licence Variation Application – Arch 9, 9-11 Wicker Arches, Walker St, Sheffield S3 8GZ

EPS Ref: 554853/NEP
JG & P Ref: MH/GEN/ARC25

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Good Morning Spencer,

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I have checked online, as these consultants are not ones I am familiar with. Their website does indeed identify them as Health & Safety consultants. Since I am not privy to the information you provided when engaging Southall Associates, I cannot comment on the basis for the misunderstandings that have clearly resulted. I would note that the report is unreferenced, does not identify an author or their relevant qualifications, and does not suggest any process of having been checked by any other party prior to issue. I would also comment that, in my view, any meaningful Health & Safety compliance advice would typically be sought and provided after the building works and sound sources are installed and operational.

I must advise you that the report is of little use in the context of the concerns I have put to you, and does not advance the situation in respect of my public nuisance concerns over your current premises licence application. **In light of the above, and the imminent deadline for RA representations, I must now advise you of my formal objection to this premises licence application.** I remain optimistic that suitable control measures can be agreed, and a suitable set of conditions may be negotiated prior to this matter going before committee. However, given the delay resulting from the problems with the noise report, and the incomplete building and fit-out works, I feel I must object at this stage.

Please do not hesitate to contact me directly to discuss this advice.

Kind Regards,

Page 37

Neal Pates

Neal Pates
Environmental Protection Officer
Environmental Protection Service
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB
Tel: +44 (0)114 205 3588
Fax: +44 (0)114 273 6464
web: <http://www.sheffield.gov.uk/environment/environmental-health>

From: Spencer Fearn [<mailto:spencer@learnaliving.co.uk>]
Sent: 15 September 2015 08:16
To: Pates Neal; Gibbons Sean (DEL)
Cc: mark@sme-ltd.co.uk; 'Michelle Hazlewood'; 'NICK HUSSEY'; 'Steve James'
Subject: Report

Good Morning Neal and Sean,

Please see attached.

Regards

Spencer Fearn
Managing Director



Enterprise House
Bridge Street
Rotherham
S60 1QJ
United Kingdom
07949 01 25 22 (Mobile)

spencer@learnaliving.co.uk
www.learnaliving.co.uk



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Hellewell Lindsey

From: Bower Claire on behalf of licensingservice
Sent: 15 September 2015 13:22
To: Hellewell Lindsey
Subject: FW: Premises Licence - 9 - 11 Wicker Arches Sheffield
Attachments: MOS licencing objection 130915.pdf

There's few objections - I'll send them all following this....

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

From: Howard Mee [<mailto:howardm0506@aol.com>]
Sent: 15 September 2015 09:09
To: howardm0506@aol.com; licensingservice
Subject: Re: Premises Licence - 9 - 11 Wicker Arches Sheffield

Dear Sirs

I understand that you may have difficulty opening this attachment and I have therefore re-attached it in PDF format now.

MOS Management Committee

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

From: Howard Mee <howardm0506@aol.com>
To: licensingservice <licensingservice@sheffield.gov.uk>
Sent: Mon, 14 Sep 2015 21:07
Subject: Premises Licence - 9 - 11 Wicker Arches Sheffield

Dear Sirs

Please find attached our objection to the licence application at the above address which we hope is self-explanatory but if you require any further information or clarification please let us know We look forward to receiving confirmation of receipt of this objection by return if possible.

Thank you in

anticipation of your assistance in this matter.

Regards

MOS Management
Committee

Manor Operatic Society

29 Walker Street

Sheffield S3 8GZ

13th September 2015

Dear Sirs

Re:- Arch 9 at 9 – 11 Wicker Arches Licencing Application

We are making representations on behalf of the Management Committee and Members of Manor Operatic Society to object to the application for an alcohol licence at the premises at 9 to 11 Wicker Arches. Our premises are 27,29 and 31 Walker Street on the opposite side of Walker Street from the application.

Manor Operatic Society has occupied these premises since 1997 and have experienced quiet enjoyment of the property since then until very recently when several activities in the area have increased problems of drugs ,drunkenness and anti-social behaviour on and around Walker Street.

Manor Operatic Society is one of the oldest Societies in Sheffield established in the fifties on the Manor Estate. The Society is renowned for the Christmas Pantomime at the City Hall which performs to around 20000 people from Sheffield and South Yorkshire every year. Our rehearsal rooms at Walker Street provide us with a base from which 100s of members over the years have benefitted. We rehearse 3 to 4 evenings a week and use the premises to make props etc, have meetings and store equipment. We also produce a show at the City hall in May/June each year.

This means that our buildings are in use throughout the year and particularly in the evenings when members park on Walker Street and we often have members leaving late into the evening whose safety would be compromised should this licence be granted. We understand that the capacity of the premises will be in the hundreds and this will cause an unacceptable threat to the safety of our members. It will therefore be irresponsible of the Council to grant this licence.

For example over the Christmas and New Year period just gone when we are in and out of our premises due to the Pantomime an overnight event was held at 9 – 11 Wicker Arches which presumably was illegal as no licence existed – there were cars and camper vans all down Walker Street and clearly drugs were being dealt and drinking. We have found used syringes and broken bottles directly outside our doorway and the grant of this licence would significantly add to crime and disorder in the area as this is an isolated area away from entertainment areas in Sheffield and therefore will not be policed adequately to prevent public nuisance and disruption to the businesses and ourselves.

This area of the City is not zoned for this type of use and we also understand that the proposed use does not even have planning permission and therefore a licence should not be granted. Wicker Arches are also Listed Buildings and therefore Listed Building Consent is also required for the proposed use. Under these circumstances the Council should not grant a licence for an unlawful use.

We would ask that you check this proposed use with Sheffield Council Planning Department.

Our shows and pantomimes very often involve children (Annie and Peter Pan in recent years) when up to 24 children rehearse at our rehearsal rooms 3 or 4 times a week in the evenings. Parents drop

them off and park on Walker Street to collect them after rehearsals and we are extremely conscious of our safeguarding responsibilities. We therefore feel that the licence will significantly reduce the protection of children if allowed and the Council will be responsible for any difficulties this use will create.

The licence applied for runs from 9 am to 4 am seven days a week which is totally unacceptable as this will lead to public disorder and nuisance throughout the day and evening into the early hours of the morning. This will completely change the character of Walker Street which is already developing a drug problem centred around the rear of the Station Hotel on The Wicker where groups gather and where our members are intimidated.

In addition granting the licence will create parking problems, noise, disruption, and threats to public safety which we think should be the most important factor in the consideration of this application.

We would be pleased to meet with you to discuss the concerns which we have and explain the activities which it will disrupt in the Walker Street area.

We would be grateful if you would acknowledge receipt of this objection by return and keep us informed of the next part of the process.

Yours faithfully

Manor Operatic Society Management Committee

Hellewell Lindsey

From: Bower Claire on behalf of licensingservice
Sent: 16 September 2015 16:20
To: Hellewell Lindsey
Subject: FW: Arch 9, Walker Street, Sheffield

From: Gibbons Sean (DEL)
Sent: 16 September 2015 15:07
To: Michelle Hazlewood (MHazlewood@john-gaunt.co.uk)
Cc: licensingservice; Briggs Mark (mxbriggs@syfire.gov.uk)
Subject: FW: Arch 9, Walker Street, Sheffield

Dear Michelle,

As per our previous conversation, please note my objection for Arch 9, Walker Street, Sheffield (below).

Kind Regards
Sean

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

From: Gibbons Sean (DEL)
Sent: 14 September 2015 13:23
To: Michelle Hazlewood (MHazlewood@john-gaunt.co.uk)
Subject: Arch 9

Hi Michelle,

Further to our discussions, my meetings and site meetings at the above I propose the following conditions to be attached for the promotion of public safety;

- A Building Regulation Completion Certificate shall be submitted to the responsible authority for public safety.
- A permanent fixed residual current device (RCD) must protect the electrical power serving all amplified music equipment used for the purposes of live music or similar entertainment.
- Capacities
 - The capacity of the ground floor shall not exceed 350 people.
 - The capacity of the Chill out area shall not exceed 106 people
 - The capacity of the VIP area shall not exceed 68 people

Thanks
Sean

Sean Gibbons BSc (Hons)

Hellewell Lindsey

From: Bower Claire on behalf of licensingservice
Sent: 21 September 2015 12:31
To: Hellewell Lindsey
Subject: FW: Arch 9, Walker Street, Sheffield

From: Gibbons Sean (DEL)
Sent: 21 September 2015 12:24
To: 'Michelle Hazlewood (MHazlewood@john-gaunt.co.uk)'
Cc: licensingservice; 'Briggs Mark (mxbriggs@syfire.gov.uk)'
Subject: RE: Arch 9, Walker Street, Sheffield

Dear Michelle,

Further to my previous e-mail, and a site meeting just now with your clients I wish to raise a concern about the proposed capacity number for the ground floor.

Following site observations and measurements the maximum capacity for the ground floor should not exceed 300 people with respect to public safety. This figure for the ground floor has been agreed with your client (Mark McGrail, and SYFS).

I believe Mark Briggs is going to re-write to your clients to reflect this following site observations.

This is also to be the maximum number for the TEN's submitted for this week. Your client is going to confirm this to me in writing.

Therefore could we agree to amend the 350 to 300 for the ground floor.

I appreciate you will consult with your clients,

Kind Regards
Sean

From: Gibbons Sean (DEL)
Sent: 16 September 2015 15:07
To: Michelle Hazlewood (MHazlewood@john-gaunt.co.uk)
Cc: licensingservice; Briggs Mark (mxbriggs@syfire.gov.uk)
Subject: FW: Arch 9, Walker Street, Sheffield

Dear Michelle,

As per our previous conversation, please note my objection for Arch 9, Walker Street, Sheffield (below).

Kind Regards
Sean

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

From: Gibbons Sean (DEL)
Sent: 14 September 2015 13:23
To: Michelle Hazlewood (MHazlewood@john-gaunt.co.uk)
Subject: Arch 9

Hi Michelle,

Further to our discussions, my meetings and site meetings at the above I propose the following conditions to be attached for the promotion of public safety;

- A Building Regulation Completion Certificate shall be submitted to the responsible authority for public safety.
- A permanent fixed residual current device (RCD) must protect the electrical power serving all amplified music equipment used for the purposes of live music or similar entertainment.
- Capacities
 - The capacity of the ground floor shall not exceed 350 people.
 - The capacity of the Chill out area shall not exceed 106 people
 - The capacity of the VIP area shall not exceed 68 people

Thanks
Sean

*Sean Gibbons BSc (Hons)
Environmental Health Officer (Health & Safety)
Health Protection Service
Sheffield City Council
2-10 Car brook Hall Road, Sheffield S9 2DB
Tel: 0114 273 4616
Fax: 0114 273 6464
Email: sean.gibbons@sheffield.gov.uk*

Appendix C



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

Michelle Hazlewood
John Gaunt Solicitors

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

Arch 9, 9-11 Wicker Arches, Walker Street, Sheffield, S3 8GZ.

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

- **Interested parties**
- **Health Protection Service**
- **Environmental Protection Service**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **12th October 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: 28th October 2015

Signed: **Andy Ruston**
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@sheffield.gov.uk



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

To – Neal Pates.

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

Arch 9, 9-11 Wicker Arches, Walker Street, Sheffield, S3 8GZ.

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

- **Interested parties**
- **Health Protection Service**
- **Environmental Protection Service**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **12th October 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, upon which you may 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 representation.

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: 28th October 2015

Signed: **Andy Ruston**
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@sheffield.gov.uk



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

To – Sean Gibbons.

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

Arch 9, 9-11 Wicker Arches, Walker Street, Sheffield, S3 8GZ.

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

- **Interested parties**
- **Health Protection Service**
- **Environmental Protection Service**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **12th October 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, upon which you may 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 representation.

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: 28th October 2015

Signed: **Andy Ruston**
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@sheffield.gov.uk



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

To – The Objector.

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

Arch 9, 9-11 Wicker Arches, Walker Street, Sheffield, S3 8GZ.

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

- **Interested parties**
- **Health Protection Service**
- **Environmental Protection Service**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **12th October 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, upon which you may 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 representation.

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: 28th October 2015

Signed: **Andy Ruston**
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@sheffield.gov.uk

Appendix D



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

Michelle Hazlewood
John Gaunt Solicitors

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

Arch 9, 9-11 Wicker Arches, Walker Street, Sheffield, S3 8GZ.

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

- **Interested parties**
- **Health Protection Service**
- **Environmental Protection Service**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **12th October 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: 28th October 2015

Signed: **Andy Ruston**
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@sheffield.gov.uk

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.

Notice of actions following receipt of notice of hearing

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

I

hereby confirm that I have received the Notice of Hearing dated 28th October 2015 and notify you as follows (please complete):

I intend to attend the hearing at

I do not intend to attend the hearing

I intend to be represented at the hearing by:

I consider the hearing to be unnecessary because:
.....

I request thatshould appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

Dated: Signed.....

Please see Regulation 8 overleaf

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

licensing@sheffield.gov.uk

Regulation 8

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

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

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

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

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

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

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

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

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