



SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 19th July 2016

Subject: Licensing Act 2003

Author of Report: Georgina Hollis

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

99 Cross Hill, Ecclesfield, Sheffield, S35 9WR

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

①

REPORT OF THE CHIEF LICENSING OFFICER **Ref No 48/16**
(HEAD OF LICENSING) TO THE LICENSING SUB COMMITTEE
LICENSING ACT 2003

99 Cross Hill, Ecclesfield, Sheffield, S35 9WR

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 Shaun Price.

2.2 The application, which was received on 24th May 2016, 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.

2.3 Conditions have been agreed with South Yorkshire Police Licensing. A copy of the correspondence is attached at Appendix 'B'

2.4 A representation was made by the Health Protection Service. Amendments have been made to the premises plan and as such the representation was withdrawn. A copy of the correspondence is also attached at Appendix 'B'

3.0 REASONS FOR REFERRAL

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

4 Objectors
1 Petition detailing 24 signatures – lead spokesperson Mr F Cooper

3.4 There are no outstanding representations from any Responsible Authority.

3.5 The applicant, objectors and petition leader have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'D'

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

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

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

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

6.0 HEARINGS REGULATIONS

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

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

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

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

7.0 APPEALS

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

8.0 RECOMMENDATIONS

8.1 That Members carefully consider the representations made and take such steps as the 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

19th July 2016

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Appendix A

The Application

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.

Rec: 59108.
card

£100
£12 - Served on
RA's.

I/We **SHAUN PRICE**
(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
99 CROSS HILL ECCLESFIELD			
Post town	SHEFFIELD	Postcode	S359WR



Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 2,100 (ESTIMATED) .

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | |
|---|--|
| <p>a) an individual or individuals *</p> <p>b) a person other than an individual *</p> <p style="padding-left: 20px;">i. as a limited company</p> <p style="padding-left: 20px;">ii. as a partnership</p> <p style="padding-left: 20px;">iii. as an unincorporated association or</p> <p style="padding-left: 20px;">iv. other (for example a statutory corporation)</p> <p>c) a recognised club</p> <p>d) a charity</p> <p>e) the proprietor of an educational establishment</p> <p>f) a health service body</p> | <p><input checked="" type="checkbox"/> please complete section (A)</p> <p><input type="checkbox"/> please complete section (B)</p> <p><input type="checkbox"/> please complete section (B)</p> <p><input type="checkbox"/> please complete section (B)</p> <p><input type="checkbox"/> please complete section (B)</p> <p><input type="checkbox"/> please complete section (B)</p> <p><input type="checkbox"/> please complete section (B)</p> <p><input type="checkbox"/> please complete section (B)</p> <p><input type="checkbox"/> please complete section (B)</p> |
|---|--|

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- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname PRICE			First names SHAWN		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		30 PICKING LANE ECCLESFIELD S18 1BL			
Post town SHEFFIELD.			Postcode S35 9WB		
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)		[REDACTED]			

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Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> 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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

8

When do you want the premises licence to start?

DD	MM	YYYY
15	07	2016

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

DD	MM	YYYY

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

IT IS A SINGLE STORY BUILDING, DETACHED.
 SET BACK FROM THE PAVEMENT & ROAD
 BY A SMALL DRIVEWAY.
 SMOKING AREA FOR 2 TABLES TO THE FRONT
 OF THE PREMISES. Micropubs

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

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			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					
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	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) N/A.		
Mon	16:00	21:00			
Tue	16:00	21:00			
Wed	16:00	21:00	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) N/A.		
Thur	16:00	21:00			
Fri	15:00	21:00			
Sat	11:00	20:00			
Sun	12:00	18:00			

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

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Name	SHAWN PRICE.
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	SY 0989 Per
Issuing licensing authority (if known)	SHEFFIELD CITY COUNCIL.

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

N/A.

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)
Day	Start	Finish	
Mon	16:00	21:00	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, please list (please read guidance note 5)
Tue	16:00	21:00	
Wed	16:00	21:00	
Thur	16:00	21:00	
Fri	15:00	21:00	
Sat	11:00	20:00	
Sun	12:00	18:00	

M

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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)

RESTRICTED HOURS OPENING
NO LATE NIGHT OPENING.
EXPERIENCED STAFF TO BE EMPLOYED

b) The prevention of crime and disorder

RESTRICTED HOURS OF OPENING & LIMITED NUMBERS.
NO LATE OPENING

c) Public safety

EXPERIENCED STAFF TO BE EMPLOYED.
D.P.S. TO RUN THE BUSINESS WITH
EXPERIENCED MATURE STAFF

d) The prevention of public nuisance

NO ENTERTAINMENT THEREFORE NO NOISE.
NO MUSIC OR TV ON PREMISES

e) The protection of children from harm

NO UNDER 18'S ALLOWED ON PREMISES.

Checklist:

Please tick to indicate agreement

(12)

- I have made or enclosed payment of the fee. £100.
- 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. £12-
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	S. Price
Date	24/05/16
Capacity	APPLICANT

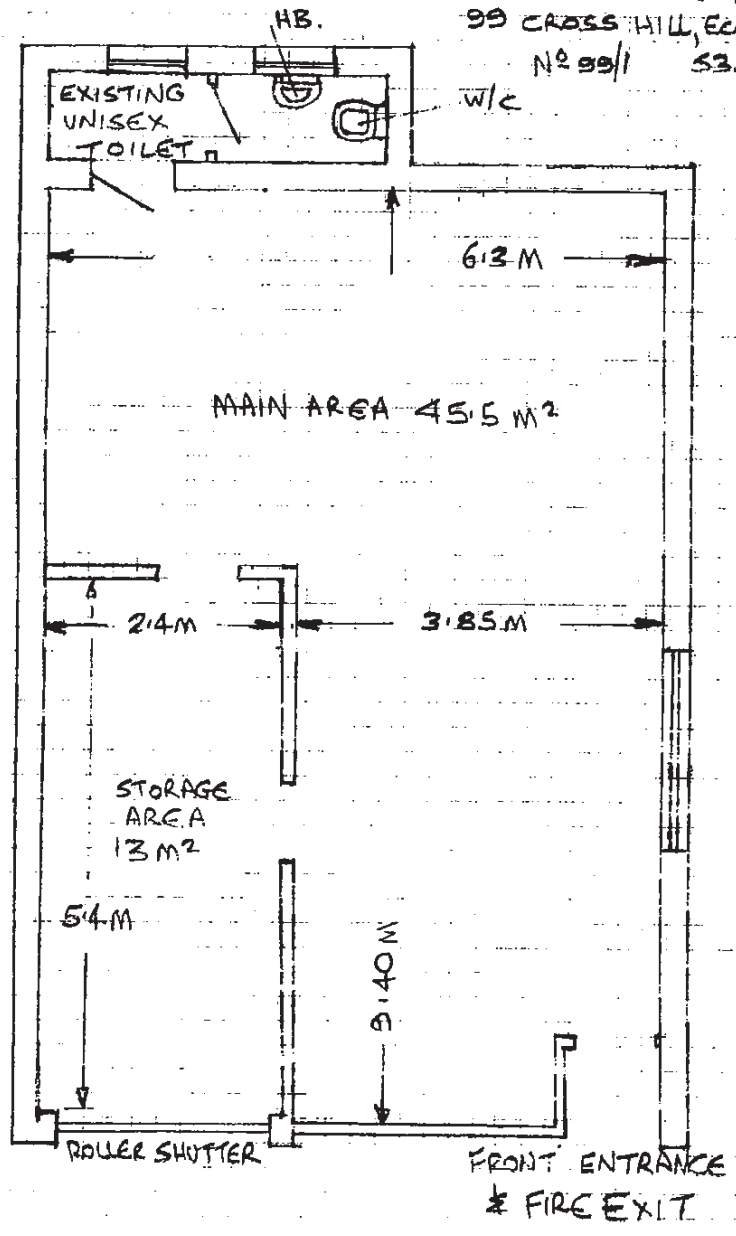
For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

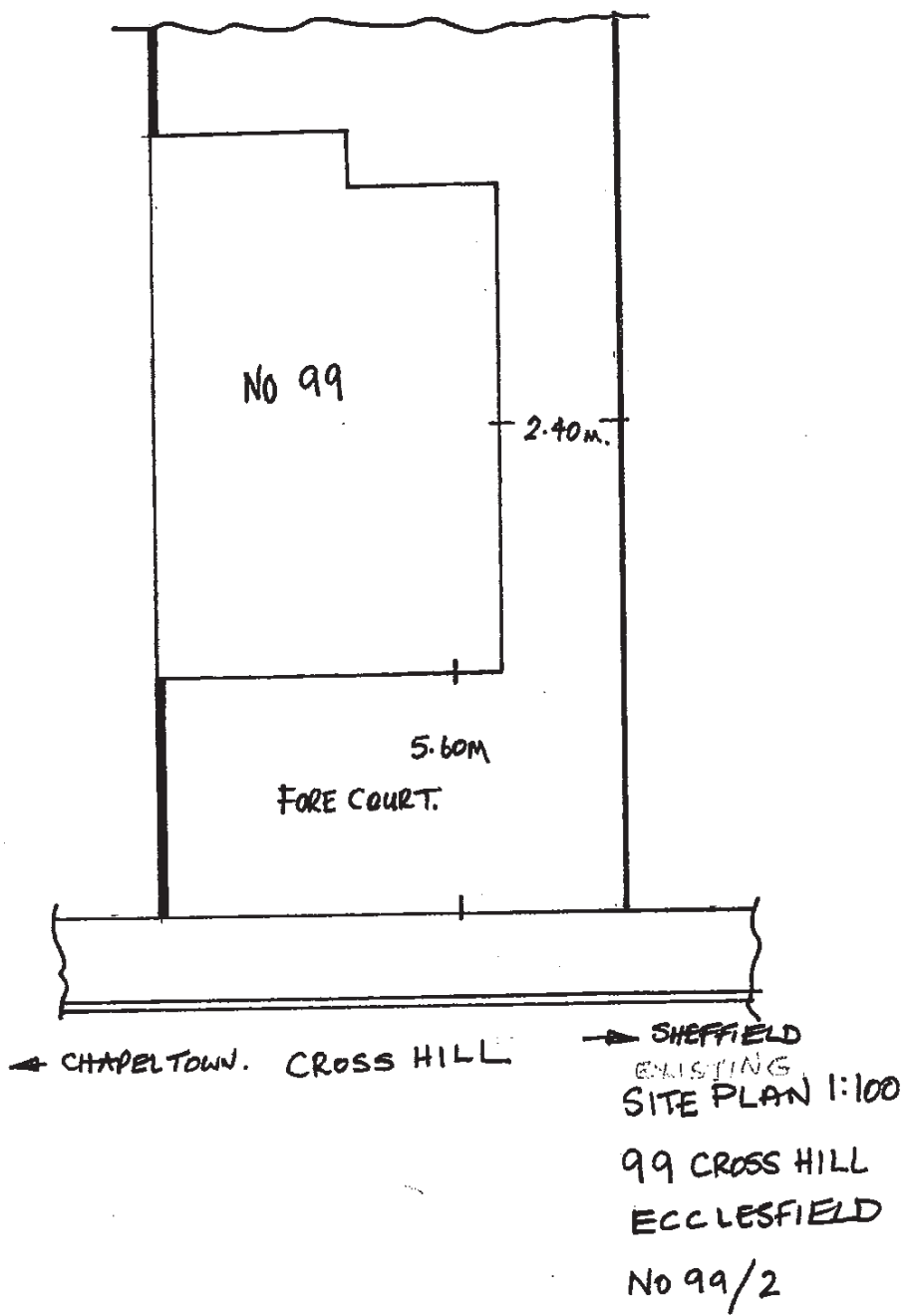
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

(B)

EXISTING FLOOR PLAN 1:50
99 CROSS HILL, ECCLESFIELD
Nº 99/1 S35 9WR





Appendix B

Agreed conditions / withdrawn representations
- South Yorkshire Police Licensing
- Health Protection Service

Agreed Conditions

(16)

Palmer Helena

From: Hellewell Lindsey on behalf of licensingservice
Sent: 02 June 2016 14:10
To: Palmer Helena
Cc: Hollis Georgina (CEX)
Subject: FW: Premise licence application-99 Cross Hill

Conditions

From: SHEFFIELD_Licensing [mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk]
Sent: 02 June 2016 12:53
To: licensingservice
Subject: FW: Premise licence application-99 Cross Hill

Hi All,

Following receipt of the new grant for 99 Cross Hill we have agreed the following conditions:

- Drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose
- The Challenge 25 scheme must operate including a refusals log, signage and the maintenance of staff training records.

Thanks

Lucy
Sheffield Licensing Section
South Yorkshire Police
Force Headquarters
Carbrook House
5 Carbrook Hall Road
Sheffield
S9 2EH
Licensing Team
Lucy Adams 0114 2523617 internal 718617
Tracey Klein 0114 2523948 internal 718948
Andrea Marsden 0114 2523618 internal 718618
Cheryl Topham 0114 2523163 internal 718163
Alicia Marsden 0114 2523111 internal 718 111
Linsey Fletcher 0114 2523556 internal 718556
Benita Mumby (Licensing Manager) 0114 2964308 internal 714308
Fax 0114 2523688 Internal 8688
<http://www.southyorkshire.police.uk/>



Please be advised email correspondence may be submitted as evidence to a licensing hearing should issues arising not be resolved. As such they will be passed onto the relevant parties involved in the hearing process. The local council may post them, as part of this process, on their website to which the public has access

To find out who your local Safer Neighbourhood Team officer is, how to contact them, and to find out what's happening in your area enter your postcode at <http://neighbourhood.southyorks.police.uk>

Palmer Helena

HPS - Withdrawn + New (17)

From: Pitts Steven
Sent: 14 June 2016 12:42
To: shaun price
Cc: licensingservice; Palmer Helena; Lobo Rose
Subject: RE: New Licence application 99 Cross Hill Ecclesfield serial no 574965

Plan

Hi Shaun

New Plan is OK but urinal needs to go outside wc compartment, as you have agreed to provide an electrical certificate on completion of the work I will not be requiring it as a condition on the licence. I can now withdraw my representation in respect of the new licence application. Helena I will forward the revised plan when the slight modification to the position of the urinal has been done

Regards,

Steve Pitts

From: shaun price [mailto: [REDACTED]]
Sent: 13 June 2016 12:10
To: Pitts Steven
Subject: Fwd: Planning docs 1 of 3

Sent from my iPhone

Begin forwarded message:

From: [REDACTED] <[REDACTED]@hotmail.com>
Date: 10 June 2016 at 15:37:16 BST
To: shaun price <[REDACTED]>
Subject: Re: Planning docs 1 of 3

Appendix C

4 Objectors

1 Petition detailing 24 signatures
(lead spokesperson Mr F Cooper)

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Hollis Georgina (CEX)

From: Mail [REDACTED]@[REDACTED]
Sent: 21 June 2016 10:30
To: licensingservice
Subject: objection to application for licence for 99 Cross Hill
Attachments: Petition re 99 Cross Hill Page 2.docx; Petition re 99 Cross Hill Page 1.docx
Categories: Nina Hollis

Dear Sir/Madam/Ms,

Please find attached the copy of a petition against the application for an on/off Licence to sell alcohol at 99 Cross Hill, Ecclesfield. The original petition was delivered to Staniforth Road yesterday.

F [REDACTED]

We the undersigned strongly object to the application by Shaun Price for a licence to sell alcohol by retail on/off the premises at 99 Cross Hill, Ecclesfield, on the following grounds :-

1. This is a well populated residential area where most of the residents park their cars on the road and parking is at a premium. As the application is for an on licence as well as an off licence the premises are expected to have customers who will be staying there to have a drink and they will probably have to park their cars on the road outside or nearby as there is no parking area for the clients. There is a forecourt where two or three cars could park but there will be a danger to the passing motorists as the cars drive on and off the forecourt. This road is the A6135, a main highway between Sheffield Lane Top and Chapeltown with a Police Station close by and on many occasions these vehicles go along this road to attend emergencies at excessive speeds. Coming from the station there is a bend in the road which obscures the premises plus a side road and extra parked traffic would add to the possibility of an accident. The premises are not large enough to hold many customers drinking there so it is a possibility that tables and chairs may be put on the forecourt for customers and this could encourage people to congregate on the pavement thereby causing an extra hazard when the public have to step in the roadway to get past.
2. On either side of the premises are driveways leading to the backs of the rows of houses. These driveways are only just wide enough for a car which means the houses on both sides of the driveways will be subject to the noise created by customers attending 99 Cross Hill to drink and purchase alcohol and also others standing around drinking especially as it is proposed to open during the evenings and at the weekends. This will also affect the occupants of the houses across the road. There is also a strong probability that these driveways will be subject to vomit, litter and customers using them as urinals.
3. Because the area is mainly residential there are small children living and playing immediately nearby who would be subject to the sound of undesirable language and smoking when passing the premises and disturbance when trying to sleep. A further hazard is the problem of broken glass from bottles and tumblers left outside the premises and on the driveways at the side. We firmly believe that the area and premises are not suitable for their proposed use.

NAME	ADDRESS	SIGNATURE
FRANK [REDACTED]	[REDACTED] CROSS HILL	[REDACTED]
SWAN [REDACTED]	[REDACTED] CROSS HILL	[REDACTED]
KATH [REDACTED]	[REDACTED] CROSS HILL	[REDACTED]
BARRY [REDACTED]	[REDACTED] CROSS HILL	[REDACTED]
MARGARET [REDACTED]	[REDACTED] CROSS HILL	[REDACTED]
KEITH [REDACTED]	[REDACTED] CROSS HILL	[REDACTED]
DIP [REDACTED]	[REDACTED] CROSS HILL	[REDACTED]
P. [REDACTED]	[REDACTED] CROSS HILL	[REDACTED]
P. [REDACTED]	[REDACTED] CROSS HILL	[REDACTED]

OBJECTION TO APPLICATION BY SHAUN PRICE FOR A LICENCE TO SELL ALCOHOL BY RETAIL ON/OFF THE PREMISES AT 99 CROSS HILL, ECCLESFIELD.

NAME	ADDRESS	SIGNATURE
LINDA	CROSSMILL	[Signature]
PETER	" "	[Signature]
PAT	CROSSHILL	[Signature]
Nicola	Crosshill	[Signature]
Matthew	Crosshill	[Signature]
Gladys	Cross Hill	[Signature]
J. B.	Ashtwood Rd. (Almost owner.)	[Signature]
Emley	Cross Hill	[Signature]
HERYL	CROSS HILL	[Signature]
Joseph	CROSS HILL	[Signature]
MILL	CROSS HILL	[Signature]
JACK	CROSS HILL	[Signature]
PETER	CROSS HILL	[Signature]
SCOTT	CROSS HILL	[Signature]
Roy	Townfield St	[Signature]
MURIE	MURIE AVE	[Signature]
Joseph	CROSS HILL	[Signature]
DAVIS	CROSS HILL	[Signature]
Yvonne	Cross Hill	[Signature]
JAMES	CROSS HILL	[Signature]
MRS MARION	Cross Hill	[Signature]
MISS ALISON	CROSS HILL	[Signature]

LICENSING
SM
15 JUN 2016
SERVICES

22
Cross Hill
Ecclesfield
Sheffield S35
14th June 2016

Dear Sir

Re: 99 Cross Hill, Ecclesfield, Sheffield S35 9WR

We are writing to lodge an objection to the application for a licence to sell alcohol from the above premises. We feel that granting such a licence would be at odds with the Council's licencing objectives which are aimed at enhancing and maintaining the quality and safety of public life particularly in a residential setting.



In all the years we have lived on Cross Hill (25 plus years) the previous tenants of these premises have only ever operated during normal business hours. The extent and lateness of the proposed opening hours in this application would undoubtedly constitute a public nuisance particularly during non-daylight hours when there would be a significant increase in footfall and noise levels (and the consequent anti-social behaviour arising from that) at a time when local residents have a right to expect peace and privacy.

Furthermore private and commercial vehicles are often parked on both sides of what is already a busy road and bus route particularly after 5pm when local residents come home from work. Crossing this part of Cross Hill is already proving to be hazardous and the nature of this business will only increase the risk to public safety and the distinct likelihood that young children and vulnerable senior citizens will at best be alarmed and frightened and at worst come to harm, particularly if some customers choose to consume their alcohol purchases outside or behind the premises.

On top of this, the driveway immediately adjacent to these premises which provides vehicle access to up to six houses with an entitlement to rear-of-property parking has often been blocked. On a number of occasions we have had to get out of our car to complain about this when we have been prevented from exiting the driveway by customers (and suppliers) of the shop. We are concerned that we may still have to do this at night when the shop is still open, or in an emergency.

In view of our comments, we trust that the Council will look favourably on this letter in coming to a decision on this matter, and consequently reject this application to sell alcohol from these premises.

Yours faithfully

D 

CA 

C 

Hollis Georgina (CEX)

Subject: FW: Objection to Application for Alcohol retail sale for premises at 99 Cross Hill, Ecclesfield, Sheffield

From: [redacted]@hotmail.com
To: general.licensing@sheffield.gov.uk
Subject: Objection to Application for Alcohol retail sale for premises at 99 Cross Hill, Ecclesfield, Sheffield
Date: Mon, 20 Jun 2016 18:36:35 +0000
To whom it may concern:

My name is Peter [redacted] and I am a resident at [redacted] Cross Hill, Ecclesfield, Sheffield, S35 [redacted]. My property is on the same side of the road as 99 Cross Hill and is very close (6 doors away) to the premises applying for an alcohol licence.

I understand my objection has to be with the Licencing Department by no later than 21st June 2016 (tomorrow).

I wish to object to the potential granting of a licence to allow the sale by retail of alcohol on/off the premises at 99 Cross Hill for the following reasons:

1. This is a residential area located on a busy main road. Car Parking is already at a premium with residents often unable to park outside of their own homes. Sometimes parking on St. Michael's Road is necessary when space is unavailable. The proposed opening hours are also at times when residents will most need to leave their cars next to their properties (when they arrive home from work for the evening and at weekends when they are more likely to be at home). Granting the licence would make parking even more difficult than it is at present.
2. If the premises is to be allowed to sell alcohol for consumption off the premises as well as on, a number of vehicles would be stopping for short periods outside of the premises whilst transactions take place and then would move off. Cross Hill is a very busy road and is often congested. The parking of vehicles for short periods will increase the likelihood of accidents on this very busy road.
3. There are two public houses (Greyhound on High Street and Travellers on the Common) in close proximity to the premises at 99 Cross Hill. Indeed a third public house (The Ball) has only recently closed down. These remaining two public houses and those further into the village are sufficient to meet current need.
4. For off premises alcohol sales there are two large Supermarkets (Morrisons and Aldi) nearby and a Co-Op with late night opening even closer.
5. I believe the premises has one small toilet - this is surely unsuitable for on site alcohol sales.
6. With the above inadequate facilities and the nature of the goods being sold (alcohol) this gives an increased likelihood that at times patrons may urinate and vomit around the vicinity of the premises. ie In a residential area

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7. The nature of the proposed use will also inevitably attract anti-social behaviour in a residential area. As it is a few streets away from the centre of the village - this will be a further area requiring police patrols (with already stretched resources).

It would be most appreciated if the above points could be considered when determining whether or not to grant a retail alcohol licence for this premises.

It would also be most appreciated if you would acknowledge by return email, receipt of my objection.

Yours sincerely,

Mr Peter [REDACTED]

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

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Hollis Georgina (CEX)

From: Joe [REDACTED] <josep[REDACTED]@[REDACTED]>
Sent: 20 June 2016 20:02
To: licensingservice
Subject: Licensing Objection
Attachments: licence objection.docx; IMG_20160618_125451.jpg; IMAG1939.jpg
Categories: Nina Hollis, Helena Palmer

Hello,
Please find attached my letter of objection, along with supporting photographs, to the licensing application for 99 Cross Hill S35 9WR.

Regards,
Joseph [REDACTED]

Joseph [redacted]
[redacted] Cross Hill
Sheffield
S35 [redacted]
[redacted]

I am writing to register my objection to the application for a premises licence for 99 Cross Hill, Ecclesfield, Sheffield S35 9WR. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, in particular public safety and the prevention of crime and disorder.

Cross Hill is one of the main routes into the city centre from the North of Sheffield and is busy throughout the day. There are often vehicles parked on both sides of the road which makes crossing hazardous. There are also no pedestrian crossings nearby; the extra traffic caused by customers visiting the premises will exacerbate this problem.

Additionally the driveway to the left of the property provides access to six houses. When the premises have been occupied previously, vehicles regularly blocked access to this driveway. Please see attached photographs taken recently of vehicles parked blocking access to the drive.

The application proposes that alcohol will be sold seven days a week, Ecclesfield already has several licensed premises in close proximity that all open daily. I am concerned that having another licensed premise will add to crime and disorder. There are many young children in the adjacent properties, two of which are mine, that play in the gardens behind these premises. There is nothing to prevent users of these premises from wandering down the driveway, and effectively into the back gardens of these residences. The prospect of this is already causing a great deal of stress to residents of these properties.

We are also concerned about the potential public health issue with increasing litter, including broken glass, public urination and unacceptable noise levels in gardens behind the premises that are public property. Because the driveway has to remain accessible to six properties there is no practical way to prevent people from straying into these private gardens.

Thank-you for considering the above

Yours faithfully

Mr J [redacted]

27



28



LICENSING
23 JUN 2016
SERVICES

30 [REDACTED]
[REDACTED]
[REDACTED]

29

road transport
before
last date
for reps

14.6.16

Dear Sir/Madam,

I am writing on behalf of my elderly mother who lives at [REDACTED] Cross Hill.

I am writing to register my objection to the application for a premises licence for 99 Cross Hill, Ecclesfield, Sheffield S25 9WR.

The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, in particular - public safety and the prevention of crime and disorders.

Cross Hill is one of the main routes into the city centre from the north of Sheffield and is constantly busy with traffic throughout the day. There are often vehicles parked on both sides of the road which makes crossing hazardous. There are no nearby pedestrian crossings and the extra traffic caused by customers visiting the premises of 99 Cross Hill will further exasperate the problem.

Also, the driveway to the left of the property at 99 Cross Hill is used by the four houses. When the premises at 99 have been occupied previously, vehicles regularly blocked access to this driveway.

The application proposes that alcohol will be sold seven days a week. Ecclesfield already has several licensed premises in close proximity that all open daily. I am concerned that having another licensed premises Page 134 add to crime &

disorder and that it is not needed.

(30)

Thank you for considering the above.

Yours faithfully

Linda [REDACTED]

on behalf of her mother, Mrs G. [REDACTED]
at [REDACTED] Cross Hill
Ecclesfield

Appendix D

Hearing invites



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

FAO: Shaun Price
30 Picking Lane
Ecclesfield
Sheffield
S35 9WB

The Sheffield City Council being the licensing authority, on the 24th May 2016 received your application in respect of the premises known as;

99 Cross Hill, Ecclesfield, Sheffield, S35 9WR

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

**4 Objectors
1 Petition detailing 24 signatures**

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 **Tuesday 19th July 2016 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: 30th June 2016

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

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

licensing@sheffield.gov.uk

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

TO: The Objector / Petition Spokesperson

Mr Frank [REDACTED]

[REDACTED] Cross Hill

Sheffield

S35

[REDACTED]@ [REDACTED]

The Sheffield City Council being the licensing authority, on the 24th May 2016 received an application in respect of the premises known as;

99 Cross Hill, Ecclesfield, Sheffield, S35 9WR

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

4 Objectors

1 Petition detailing 24 signatures

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 **Tuesday 19th July 2016 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 30th June 2016

Signed:

Georgina Hollis

The officer appointed for this purpose
Licensing Officer

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

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

FAO. D & C [REDACTED]
[REDACTED] Cross Hill
Ecclesfield
Sheffield
S35 [REDACTED]

The Sheffield City Council being the licensing authority, on the 24th May 2016 received an application in respect of the premises known as;

99 Cross Hill, Ecclesfield, Sheffield, S35 9WR

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

**4 Objectors
1 Petition detailing 24 signatures**

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

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Dated: 30th June 2016

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

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

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

FAO. Mr Joseph [REDACTED]
93 Cross Hill
Ecclesfield
Sheffield
S35 [REDACTED]
Joseph [REDACTED]@ [REDACTED]

The Sheffield City Council being the licensing authority, on the 24th May 2016 received an application in respect of the premises known as;

99 Cross Hill, Ecclesfield, Sheffield, S35 9WR

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

**4 Objectors
1 Petition detailing 24 signatures**

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 **Tuesday 19th July 2016 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 30th June 2016

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

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

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

FAO. Linda [REDACTED]
30 [REDACTED]
Ipswich
[REDACTED]

The Sheffield City Council being the licensing authority, on the 24th May 2016 received an application in respect of the premises known as;

99 Cross Hill, Ecclesfield, Sheffield, S35 9WR

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

**4 Objectors
1 Petition detailing 24 signatures**

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 **Tuesday 19th July 2016 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 30th June 2016

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

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

licensing@sheffield.gov.uk

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

TO: Mr Pete [REDACTED]
[REDACTED] Cross Hill
Sheffield
S35 [REDACTED]
[REDACTED]@[REDACTED]

The Sheffield City Council being the licensing authority, on the 24th May 2016 received an application in respect of the premises known as;

99 Cross Hill, Ecclesfield, Sheffield, S35 9WR

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

**4 Objectors
1 Petition detailing 24 signatures**

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 **Tuesday 19th July 2016 at 10am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 30th June 2016

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

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

Appendix E

Notice of hearing / regulations & procedure

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.

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Form LAR 1
Regulation 8

Notice of actions following receipt of notice of hearing

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

I / We Shaun Price

of 30 Picking Lane, Sheffield, S35 9WB

hereby confirm that I have received the Notice of Hearing dated 30th June 2016 and notify you as follows **(please complete)**:

- I intend to attend the hearing at 10am on Tuesday 19th July 2016
- 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 should 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

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- (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.

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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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