



SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Steve Lonnia, Chief Licensing Officer, Head of Licensing

Date: 18th August 2016

Subject: Licensing Act 2003

Author of Report: Shelley Marshall

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

Nether Edge Bowling Club, 8 Nether Edge Road, Sheffield, S7 1RP

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 70/16

Nether Edge Bowling Club, 8 Nether Edge Road, Sheffield, S7 1RP

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 Nether Edge Bowling Club Committee.
- 2.2 The application, which was received on 27th June 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 Amendments have been made to the application with regards to the operating hours and the licensable area. Conditions have also been agreed with South Yorkshire Police Licensing, and Environmental Protection Service. A copy of the correspondence is attached at Appendix 'B'.
- 2.4 The premise currently holds a Club Premises Certificate. This application is for a premises licence to run alongside that Certificate which is attached at Appendix 'C'.

Members will note that the premises licence application does not seek any additional activities not already contained in the Club Premises Certificate. The application was made after Licensing Officers carried out a routine inspection at the premises and found that events were being advertised as open to the general public.

Copies of the layout plans for both the club Premises Certificate and this application will be available at the hearing.

3.0 REASONS FOR REFERRAL

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

2 Public Objections

- 3.2 There are no outstanding representations from any Responsible Authority.
- 3.3 The applicant and objectors have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'E'

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

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

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

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

6.0 HEARINGS REGULATIONS

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

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

- 6.3 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

18th August 2016.

Appendix A

The Application & amendments

Updated Plan + Opening Hours circulated ^{LH A1}
to RA'S - 29/06/16

Licensing Act 2003

PREMISES LICENCE APPLICATIONS

APPLICATION FOR THE GRANT OF A PREMISES LICENCE

Licensing Service
Development Services
Place Portfolio
Town Hall
Surrey Street
SHEFFIELD
S1 2HH

Telephone Number: 0114 273 4264 / 0114 273 4880
Fax Number: 0114 273 5410 / 0114 273 5003

Or visit our website: www.sheffield.gov.uk
Or email us at: general.licensing@sheffield.gov.uk

Opening Times
Monday to Thursday
09:00 to 17:00
Friday
09:00 to 16:45



Served 28/06/16

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

(1)

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

(2) *1/We NETHER EDGE BOWLING CLUB COMMITTEE*

apply for a premises licence under section 17
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 <i>8 NETHER EDGE ROAD</i>	
Post town <i>SHEFFIELD</i>	Post code <i>S7 1RP</i>

Telephone number at premises(if any) *07763 932778*

Non-domestic rateable value of premises *£ 9000*

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)

(1) Insert name and address of relevant licensing authority and its reference number (optional)
(2) Insert name(s) of applicant

- 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)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity within the meaning of that Part) in an independent hospital in England 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 ✓ yes

Current postal address if different from premises address

Post town Post code

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

A4

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

Surname First names

I am 18 years old or over Please tick ✓ yes

Current postal address if different from premises address

Post town Post code

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	NETHER EDGE BOWLING CLUB COMMITTEE
Address	8 NETHEREDGE ROAD
Registered number (where applicable)	
Description of applicant (for example partnership, company, unincorporated association etc.)	BOWLING CLUB
Telephone number (if any)	
E-mail address (optional)	nedgebc@yahoo.co.uk

A5

Part 3 - Operating Schedule

When do you want the premises licences to start?

Day	Month	Year
01	08	2011

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

Day	Month	Year

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

THE CLUB IS A 2 STOREY ESTABLISHMENT THAT PROVIDES BOWLING ISNOOKER AND SOCIAL EVENTS, WE ARE SITUATED IN NETHER EDGE WITH A LARGE BOWLING GREEN AND SMALL OUTDOOR DRINKING AREA. THE UPPER FLOOR CONSISTS OF 3 SNOOKER TABLES. THE CLUB HAS LIFT AND RAMP ACCESS ALLOWING ENTRY FOR PEOPLE WITH REDUCED MOBILITY.

THE GROUNDS OF THE CLUB ARE SITUATED BEHIND A HIGH WALL.

WHEN THE CLUB IS NOT OPERATING IT IS SECURELY LOCKED. THERE IS AN OCCUPIED FLAT ATTACHED TO THE BUILDING WHICH IS INDEPENDENT FROM THE BAR.

THE CLUB HAS A STAFFED BAR AND WE CURRENTLY HOLD A CLUB PREMISES LICENSE WE PLAN TO OPEN OUR BAR UP TO THE PUBLIC FOR ORGANISED SOCIAL EVENTS AND PRIVATE HIRE FUNCTIONS. ALL PRIVATE HIRE FUNCTIONS WILL BE VETTED BY THE PREMISES LICENSE HOLDER

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 Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick ✓ yes

- 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 entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

In all cases complete boxes N, O and P

E

Live music			Will the performance of live music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Mon	12-00	24-00	Please give further details here (please read guidance note 3) <i>LIVE MUSIC WILL BE PERFORMED EVERY WEDNESDAY, OTHER TIMES WILL BE VARIABLE AND NOT REGULAR. OUTDOOR LIVE MUSIC WILL BE VERY OCCASIONAL</i>
Tue	12-00	24-00	
Wed	12-00	24-00	State any seasonal variations for the performance of live music (please read guidance note 4)
Thur	12-00	24-00	
Fri	12-00	24-00	Non-standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat	12-00	24-00	
Sun	12-00	24-00	

F

Recorded music			Will the playing of recorded music of take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon	12-00	24-00	Please give further details here (please read guidance note 3)
Tue	12-00	24-00	
Wed	12-00	24-00	State any seasonal variations for the playing of recorded music (please read guidance note 4)
Thur	12-00	24-00	
Fri	12-00	24-00	Non-standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat	12-00	24-00	
Sun	12-00	24-00	

L

Late night refreshment			Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)
Wed			Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

M

Supply of alcohol			Will the sale of alcohol be for consumption - please tick box <input checked="" type="checkbox"/> (please read guidance note 7)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	On the premises <input checked="" type="checkbox"/> Off the premises <input type="checkbox"/> Both <input type="checkbox"/>
Mon	12-00	24-00	State any seasonal variations for the supply of alcohol (please read guidance note 4)
Tue	12-00	24-00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)
Wed	12-00	24-00	N.B. OUR NORMAL BAR HOURS ARE 19-30 - 23-00 MONDAY TO FRIDAY UNLESS THERE IS A FUNCTION OR OTHER ORGANISED SOCIAL EVENT. DURING THE BOWLING SEASON THE BAR IS OPEN ON SOME SATURDAY AFTERNOONS.
Thur	12-00	24-00	
Fri	12-00	24-00	
Sat	12-00	24-00	
Sun	12-00	24-00	

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

A9

Name MICHELLE PIEPRZAK

Address 50 RUPERT ROAD
SHEFFIELD

Post code S7 1RP

Personal Licence number (if known)
Issuing licensing authority (if known)

SY6044 PER

N

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)

NO ADULT ENTERTAINMENT

O

Hours premises are open to the public

Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon	12:00 9am	24:30
Tue	12:00 9am	24:30
Wed	12:00 9am	24:30
Thur	12:00 9am	24:30
Fri	12:00 9am	24:30
Sat	12:00 9am	24:30
Sun	12:00 9am	24:30

State any seasonal variations (please read guidance note 4)

~~THESE ARE POSSIBLE TIMES WHEN THEY MAY BE OPEN TO PUBLIC & THE ONLY TIMES THERE WILL BE LICENSED ACTIVITIES.~~

~~MEMBERS & VISITING BOWLING / SNOOKER TEAMS MAY HAVE ACCESS TO THE PREMISES FROM 09-00~~

BAR will not open to 12:00.

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)

P 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)

AS WE CURRENTLY HOLD A CLUB PREMISES LICENSE WE ALREADY HAVE ROBUST POLICIES AND PROCEDURES IN PLACE TO PROMOTE THE LICENSING OBJECTIVES

b) The prevention of crime and disorder

THE PREMISE IS AN ESTABLISHMENT THAT PROVIDES BOWLING, SNOOKER AND ORGANISED SOCIAL EVENTS. WHEN THE CLUB IS NOT OPERATING IT IS SECURELY LOCKED. WHEN THE BAR IS OPEN THERE ARE ALWAYS MEMBERS OF STAFF ON SITE. ALL FUNCTION BOOKINGS WILL BE VETTED BY THE PREMISE LICENSE HOLDER AND HIGH RISK EVENTS WILL NOT BE ACCEPTED.

c) Public safety

WE HAVE A HEALTH & SAFETY POLICY IN PLACE WHICH IS REGULARLY REVIEWED. WE HAVE OUTDOOR LIGHTING AND EMERGENCY LIGHTING. WE HAVE A FIRE ESCAPE FROM THE FIRST FLOOR SNOOKER ROOM & FIRE EXTINGUISHERS IN VARIOUS LOCATIONS WE HAVE DISABLED ACCESS

d) The prevention of public nuisance

THE GROUNDS ARE SITUATED BEHIND A HIGH WALL. THE MAJORITY OF TIME THE PREMISES WILL BE USED BY MEMBERS AND GUESTS ONLY. WE HAVE A SIGN DISPLAYED ASKING PEOPLE TO RESPECT LOCAL RESIDENTS & LEAVE QUIETLY

e) The protection of children from harm

CHILDREN ARE ONLY PERMITTED ON THE PREMISES WITH AN ADULT AND SHOULD BE SUPERVISED AT ALL TIMES. WE HAVE A NOMINATED CHILD PROTECTION OFFICER. WE OPERATE A CHALLENGE 21 POLICY. WE DO NOT PROVIDE ANY ADULT ENTERTAINMENT

Please tick yes

All

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent you 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

* insert amount

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

Part 5 - Signatures (please read guidance note 10)

Signature of applicant 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 

Date 20/6/16

Capacity SECRETARY OF BOWLING CLUB

For joint applications signature of 2nd applicant, 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	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Consent of individual to being specified as premises supervisor

I [full name of prospective premises supervisor]
MICHELLE PIEPRZAK

of [home address of prospective premises supervisor]
██████████
SHEFFIELD
██████████

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

[type of application] PREMISES LICENCE

by

[name of applicant] NETHER EDGE BOWLING CLUB COMMITTEE

relating to a premises licence

[number of existing licence, if any] . 57 0030 CP

for

[name and address of premises to which the application relates]
NETHER EDGE BOWLING CLUB
8 NETHER EDGE ROAD
S7 1RU

and any premises licence to be granted or varied in respect of this application made by

[name of applicant] NETHER EDGE BOWLING CLUB COMMITTEE

concerning the supply of alcohol at

[name and address of premises to which application relates]
NETHER EDGE BOWLING CLUB
8 NETHER EDGE ROAD
S7 1RU

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

Personal licence number SY 06044 PER
[insert personal licence number, if any]

Personal licence issuing authority
SHEFFIELD

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed  _____

Name (please print) MICHELLE PIEPRZAK .

Date

Appendix B

Agreed conditions

From: SHEFFIELD_Licensing [mailto:Sheffield.Liquor-Licensing@southyorks.pnn.police.uk]

BI

Sent: 15 July 2016 10:50

To: licensingservice; Round Jonathan

Subject: FW: Premise licence application-Nether Edge Bowling Club

Dear All,

Following receipt of the above application we have now received confirmation of the following amendments:

Conditions to be attached to the licence

- The use of glass alternative drinking vessels shall be utilised in accordance with the premises assessment of risk.
- It is considered that for the nature of the operation door supervisors will not be required however, a risk assessment will be undertaken should unusual events take place and if they consider it appropriate will employ the same.
- Provision of live music to cease at 19.00 hours in the external area.

Please can you amend accordingly.

Thanks

Lucy

Sheffield Licensing Section
South Yorkshire Police
Force Headquarters
Carbrook House
5 Carbrook Hall Road
Sheffield

Appendix C

Club Premises Certificate

CI



THE LICENSING ACT 2003

Club Premises Certificate No: SY 0030 CP

The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

PART 1 – Club details

Name and address of club in whose name this certificate is granted:

Nether Edge Bowling Club
8 Nether Edge Road
SHEFFIELD S7 1RU

Telephone Number: 0114 281 9803

If different from above, the postal address of club premises to which this certificate relates:

Not applicable.

Where the club premises certificate is time limited, the dates:

Not applicable.

Qualifying club activities authorised by the certificate:

1. Provision of regulated entertainment:

- (a) live music
- (b) recorded music

Sunday	12:00 to 24:00 hours
Monday	12:00 to 24:00 hours
Tuesday	12:00 to 24:00 hours
Wednesday	12:00 to 24:00 hours
Thursday	12:00 to 24:00 hours
Friday	12:00 to 24:00 hours
Saturday	12:00 to 24:00 hours

2. Supply of alcohol for members and guests:

- (a) for consumption on the premises

Sunday	12:00 to 24:00 hours
Monday	12:00 to 24:00 hours
Tuesday	12:00 to 24:00 hours
Wednesday	12:00 to 24:00 hours
Thursday	12:00 to 24:00 hours
Friday	12:00 to 24:00 hours
Saturday	12:00 to 24:00 hours



COUNCIL OF THE YEAR 2005



INVESTOR IN PEOPLE

Bank Holidays	12:00 to 01:00 hours the following day
Christmas Eve (24.12)	12:00 to 01:00 hours the following day
New Years Eve (31.12)	12:00 to 01:00 hours the following day

The opening hours of the club:

As times detailed above. The times detailed above are without prejudice to the right to open the premises at other times for any activity which is not a licensable activity authorised by and within the provisions of this club premises certificate and which is not otherwise a licensable activity by virtue of the Licensing Act 2003.

Where the certificate authorises supplies of alcohol whether these are on and/or off supplies:

The on supply to members and guests and if permitted by the rules of the club to associate members and the guests of associate members.

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

Restricted.

This Club Premises Certificate shall be in force from the Second Appointed Day.

Issued on: 30th August 2005



.....
Assistant Chief Executive Legal and Governance
On behalf of Sheffield City Council (issuing licensing authority)

Annex 1 – Mandatory Conditions

A club premises certificate may not authorise the supply of alcohol for consumption off the premises unless it also authorises the supply of alcohol to a member of the club for consumption on those premises.

A club premises certificate which authorises the supply of alcohol for consumption off the premises includes the following conditions:

1. The supply must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
2. Any alcohol supplied for consumption off the premises must be in a sealed container.
3. Any supply of alcohol for consumption off the premises must be made to a member of the club in person.

Exhibition of Films

1. Where a club premises certificate authorises the exhibition of films, the certificate includes the following conditions relating to the admission of children to the exhibition:
 - (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
 - (b) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.
2. In this section -

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Annex 2 - Conditions consistent with the club operating schedule

1. Children are only permitted on the premises if supervised by an accompanied adult.

Appendix D

Objections and associated correspondence
2 Members of the Public

Christina Rhys ARCM
Nether Edge Road
Sheffield S7 1RW



m 07 [REDACTED]
t 0114 [REDACTED]
e [REDACTED]
[REDACTED]



21 July 2016

To whom it may concern:

Application for Live/Recorded Music Licence Nether Edge Bowling Green

I'd never have seen the piece of A4 pinned to the door of a driveway entrance to the Bowling Green Club if a neighbour hadn't mentioned it. That's partly because when the gates are open (they are quite a lot of the time for deliveries/van parking) you can't see it at all.

Almost immediately opposite on the other side of the road are Birchcroft Road flats. A number of older people live there who won't have even seen the piece of paper either because there's little reason for them to cross the road at that point, just before the cross roads. If they do see it they may have a lot of difficulty reading incredibly faint handwriting.

What about people living in Violet Bank? Do they know there's an application for a music licence? Many of them probably never walk that way up Nether Edge Road.

Music 7/7 from midday to midnight is not appropriate for any residential area anywhere. That's the realm of a city centre.

I moved here in December. Like lots of others who chose Nether Edge Road I was looking for a quiet road. The possibility of live or recorded music 12 hours a day 7/7 amounts to noise pollution and would cause a lot of local people a lot of distress. Please do not allow this to happen.

Regards

Christina Rhys -

Christina Rhys

Gough Jayne (CEX)

From: Gough Jayne (CEX)
Sent: 28 July 2016 16:47
To: [REDACTED]
Subject: Nether Edge Bowling Club Grant application objection

Importance: High

Dear Christina,
Thanks you for your comments regarding the grant application for Nether Edge Bowling Club.

I will address each part of your letter separately to ensure you have as much detail as is required.

The advertisement of the application/blue notice just needs to be advertised outside the premises itself, and I am of the impression that the only entrance to the premises is on Nether Edge Road where the notice has been placed. We have already received other objections to this application, so we are satisfied at this moment in time that the application has been advertised correctly otherwise we feel no one would have made any comments to it as they will not have known about the application.

In regards to the concern about the 'music licence', the times and activities they are applying for is actually no different to what they already have, the only difference is that they currently operate under a Club Premises Certificate, and this is an application for a Premises Licence.

The reason why this is happening is that I personally came across this premises under a routine inspection and they were operating outside the authority of their certificate as the premises should only be accessed by 'members only' and their signed in guests under a Club Premises Certificate, but they told me that they allow members of the public to access the bar and existing music activities which required either a change of their operation or a change of the type of licence they hold.

There have been agreements made at this time already that only the Snug Room of the premises will be operating under the Premises Licence due to the limited toilet facilities in the premises, and they have confirmed that they don't plan to operate anything different to what they are already doing. This is simply a paper exercise which has been stimulated by our enforcement visit.

In addition to this, there have also been agreed conditions from South Yorkshire Police.

Given the supply of this information, I would appreciate it if you could confirm as soon as you can whether you wish to keep your objection in place, or whether you wish to retract it. I will need to write a Licensing Sub-Committee report and a formal Licensing Sub-Committee hearing be held in order for this application to be determined, if any objections are outstanding. The last date for comments has now passed and the hearing must be heard no later than 22nd August, so your response to this email would be greatly welcomed at your earliest convenience.

I hope this information is of some help to you.
Kindest regards
Jayne

Jayne Gough

Licensing Enforcement and Technical Officer
Page 32
1

Nether Edge Road

Sheffield

S7 1RW

22.07.2016

To whom it may concern:

I am writing to place an objection to the application made by The Nether Edge Bowling Club on Nether Edge Road for a license for live and recorded music from 12.00 - 24.00 Monday to Sunday. I am objecting to this application mainly on the grounds of inevitable noise pollution and general disturbance to the other residents of Nether Edge Road and beyond. I have lived at my current address for thirty years and have never had to make any objection or complaint regarding any entertainment from our local pubs and clubs (viz: The Byron House, The Nether Edge Bowling Club and in the past, The Brincliffe Oaks pub). I entirely understand why The Bowling Club wants to put on music events and would not be one to make any objection to the occasional live music gig or indoor sociable hour music sessions. However, I have memories of live and recorded music events run by The Brincliffe Oaks which is a similar distance away from my house. The noise was impossible to ignore and spoilt an afternoon and evening for any nearby residents. I didn't ever complain as these occasions were few and far between and those attending were having a great time - I took it as just one of those things which I could put up with for a day.

If The Bowling Club was applying for an occasional license for one off, infrequent events, I'm sure I would not be placing an objection, but an every day, 12 hour license seems to be completely out of order to me and inconsiderate of local residents, many of whom are elderly and reside in the Birchcroft flats just opposite.

It is entirely possible that The Bowling Club would only have quieter live folk music sessions, but it is equally possible, with such a license, to engage far louder bands and presumably to be able to play either outside or with doors open. Again, on a one off event basis I would have no objection - I have enjoyed the live events held recently in The Botanical Gardens – which incidentally, I believe, had to finish at 22.00.

The attendant increase in vehicle volume on an already well used road (both as a rat run and for residents' and pub parking) will surely increase the risk of accidents to pedestrians thereby creating a public nuisance.

Finally, I have been shocked at the very low key advertising of this application. No doubt The Bowling Club has been within the law, but subjectively, I would say that information to residents has been minimal. I discovered the application as I walked down the road and just about managed to read the A4 notice on the door with very faded print and now missing. The other notice on the double door can't be seen when the doors are open and pulled back. I doubt that many of the Birchwood residents have been able to read the notices.

I would be grateful if you could consider this objection and keep me informed of any future developments.

Yours faithfully,

V.A. McDougall (Mrs)

Gough Jayne (CEX)

From: Gough Jayne (CEX)
Sent: 28 July 2016 16:54
To: [REDACTED]
Subject: Nether Edge Bowling Club Grant application objection

Importance: High

Dear Mrs McDougall,

Thanks you for your comments regarding the grant application for Nether Edge Bowling Club.

I am aware that my colleague has already advised you about the process of going to a sub-committee to have this application determined and that there have been some conditions agreed already through the process, but I felt it necessary to address the concerns you have raised as there is further information about the application which you may benefit from knowing.

The advertisement of the application/blue notice just needs to be advertised outside the premises itself, and I am of the impression that the only entrance to the premises is on Nether Edge Road where the notice has been placed. We have already received other objections to this application, so we are satisfied at this moment in time that the application has been advertised correctly otherwise we feel no one would have made any comments to it as they will not have known about the application. There is no further requirement under the Licensing Act to advise neighbouring properties any further than what has already been carried out.

In regards to the concern about the 'music licence', the times and activities they are applying for is actually no different to what they already have, the only difference is that they currently operate under a Club Premises Certificate, and this is an application for a Premises Licence.

The reason why this is happening is that I personally came across this premises under a routine inspection and they were operating outside the authority of their certificate as the premises should only be accessed by 'members only' and their signed in guests under a Club Premises Certificate, but they told me that they allow members of the public to access the bar and existing music activities which required either a change of their operation or a change of the type of licence they hold.

There have been agreements made at this time already that only the Snug Room of the premises will be operating under the Premises Licence due to the limited toilet facilities in the premises, and they have confirmed that they don't plan to operate anything different to what they are already doing. This is simply a paper exercise which has been stimulated by our enforcement visit.

In addition to this, there have also been agreed conditions from South Yorkshire Police which you are already aware of.

Given the supply of this information, I would appreciate it if you could confirm as soon as you can whether you wish to keep your objection in place, or whether you wish to retract it. I will need to write a Licensing Sub-Committee report and a formal Licensing Sub-Committee hearing be held in order for this application to be determined, if any objections are outstanding. The last date for comments has now passed and the hearing must be heard no later than 22nd August, so your response to this email would be greatly welcomed at your earliest convenience.

I hope this information is of some help to you.

Kindest regards

Appendix E

Notice of hearing/regulations & procedure

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

Nether Edge Bowling Club Committee
8 Nether Edge Road
Sheffield
S7 1RP

The Sheffield City Council being the licensing authority, on 27th June 2016 received an application in respect of the premises known as;

Nether Edge Bowling Club, 8 Nether Edge Road, Sheffield

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

- **2 No. Members of the Public**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Thursday 18th August 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 (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 10th August 2016

Signed: _____ Shelley Marshall _____
The officer appointed for this purpose
Licensing Officer

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

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

Ms Christina Rhys
■ Nether Edge Road
Sheffield
S7 1RW

The Sheffield City Council being the licensing authority, on 27th June 2016 received an application in respect of the premises known as;

Nether Edge Bowling Club, 8 Nether Edge Road, Sheffield

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

- **2 No. Members of the Public**

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

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Dated: 10th August 2016

Signed: _____ Shelley Marshall _____
The officer appointed for this purpose
Licensing Officer

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

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

Mrs V A McDougall
■ Nether Edge Road
Sheffield
S7 1RW

The Sheffield City Council being the licensing authority, on 27th June 2016 received an application in respect of the premises known as;

Nether Edge Bowling Club, 8 Nether Edge Road, Sheffield

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

- **2 No. Members of the Public**

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

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Dated: 10th August 2016

Signed: _____ Shelley Marshall
The officer appointed for this purpose
Licensing Officer

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

Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

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.

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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