



SHEFFIELD CITY COUNCIL Committee Report

5

Report of: Chief Licensing Officer (Head of Licensing)

Date: 31st July 2012

Subject: Licensing Act 2003

Author of Report: Andy Ruston – 203 7751

Summary: To consider an objection to a temporary event notice under section 105 of the Licensing Act 2003.

Recommendations: That members note the content of the report and any further information supplied.

Background Papers:

Category of Report: OPEN

**REPORT OF THE CHIEF LICENSING OFFICER
HEAD OF LICENSING TO THE LICENSING COMMITTEE**

Ref No: 61/12

LICENSING ACT 2003

Hearing to consider a notice of objection to a Temporary Event Notice.

Vessel 'LB Hardfeet', Arch 16 Victoria Quays, Wharf Street, S2 5SY

1.0 PURPOSE OF REPORT

- 1.1 To consider a notice of objection submitted by South Yorkshire Police relating to a temporary event notice for the premises known as Vessel 'LB Hardfeet', Arch 16 Victoria Quays, Wharf Street, S2 5SY.

2.0 THE TEMPORARY EVENT NOTICE

- 2.1 The proposed premises user is Miss Dorothy Kim Grange.
- 2.2 The temporary event notice, which was received on 17 July 2012, is attached to this report labelled Appendix 'A'.
- 2.3 The event is from 4 August 2012 until 5 August 2012 for the following times 10:00 hours to 22:30 hours.
- 2.4 The nature of the event is described in the notice.
- 2.5 The licensable activities intended to be carried on at the premises are:
- The sale by retail of alcohol
 - The provision of regulated entertainment

3.0 REASONS FOR REFERRAL

- 3.1 A notice was submitted by South Yorkshire Police on 17th July 2012, objecting to the temporary event notice on the following grounds of public safety.
- 3.2 The notice of objection is attached at Appendix 'B'.
- 3.3 The applicant and the objecting officers from 3.1 have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'C'.

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

5.1 Section 104 (2) of the Licensing Act states:

"Where a relevant person who is given a temporary event notice is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective, the relevant person must give a notice stating the reasons for being so satisfied (an "objection notice") –

- (a) to the relevant licensing authority,
- (b) to the premises user, and
- (c) to every other relevant person."

5.2 Section 105 (2) states:

"The relevant licensing authority must –

- (a) hold a hearing to consider the objection notice, unless the premises user, the relevant person who gave the objection notice and the authority agree that a hearing is unnecessary, and
- (b) having regard to the objection notice, give the premises user and each other relevant person a counter notice under this section if it considers it necessary for the promotion of a licensing objective to do so."

5.3 Section 106A (2) states:

"The relevant licensing authority may impose one or more conditions on the standard temporary event notice if –

- (a) the authority considers it appropriate for the promotion of the licensing objectives to do so,
- (b) the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
- (c) the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.

6.0 HEARINGS REGULATIONS

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

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

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

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

7.0 APPEALS

7.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the premises user and every other relevant person 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 Committee consider necessary for the promotion of the licensing objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

9.1 To acknowledge the temporary event notice, allowing the event to go ahead on the proposed date in the terms requested.

9.2 To acknowledge the temporary event notice, allowing the event to go ahead on the proposed date in the terms requested with the addition of a statement of conditions.

9.3 To give the premises user a counter notice if it considers it necessary for the promotion of a licensing objective.

Stephen Lonnia
Chief Licensing Officer
Licensing Service,
Sheffield City Council
Block C, Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD

23rd July 2012

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APPENDIX A



Sheffield City Council
Application for a Temporary Event Notice
Licensing Act 2003

For help contact
general.licensing@sheffield.gov.uk
Telephone: 0114 2734264 / 0114 2734880

* required information

Section 1 of 8

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

System reference

122107

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

Your reference

hardfeet 4 aug

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

Are you an agent acting on behalf of the applicant?

Yes

No

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

Applicant Details

* First name

dorothy

* Family name

grange

* E-mail

dorrie@sheffieldboats.co.uk

Main telephone number

(44) 0114 2786314

Include country code.

Other telephone number

0114 2763031

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

Are you:

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

Applying as an individual

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

Applicant Business

* Is your business registered in the UK with Companies House?

Yes

No

* Registration number

4036246

* Business name

A & G Passenger Boats Ltd

If your business is registered, use its registered name.

* VAT number

-

797010911

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

* Legal status

Private Limited Company

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

The information given here will be saved and will be pre-filled in future forms.

Section 2 of 8

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

Yes No

Enter details of any previous names or maiden names

First name

Family name

Add another previous name

* Your date of birth / /
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Continued from previous page...

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes
- No

Building number or name	Arch 16
Street	Victoria Quays
District	Wharf Street
City or town	Sheffield
County or administrative area	South Yorkshire
Postcode	S2 5SY
Country	United Kingdom

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes
- No

E-mail	dorrie@sheffieldboats.co.uk
Telephone number	(44) 0114 2786314
Other telephone number	0114 2763031

Section 3 of 8

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

* Does the premises have an address?

- Yes
- No

Continued from previous page...

Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes
- No

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither
- Premises licence
- Club premises certificate

* Premises licence number

Location Details

* Provide further details about the location of the event

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

Describe the nature of the premises below (see also guidance on completing the form, note 4)

Describe the nature of the event below (see also guidance on completing the form, note 5)

Continued from previous page...

Section 4 of 8

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises
(see also guidance on completing the form, note 6):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

(see also guidance on completing the form, note 7)

State the dates on which you intend to use these premises for licensable activities
(see also guidance on completing the form, note 8)

4th an 5th August 2012

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 96 hours (four days).

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)
(see also guidance on completing the form, note 9)

10am to 10.30pm daily

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers
(see also guidance on completing the form, note 10)

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Note that the maximum number of people cannot exceed 499.

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both
(see also guidance on completing the form, note 11):

- On the premises only
- Off the premises only
- Both

Section 5 of 8

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 12)

Do you currently hold a valid personal licence?

- Yes
- No

Continued from previous page...

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue / /
dd mm yyyy

Date of expiry / /
dd mm yyyy

Any further relevant details

Section 6 of 8

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 13)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? Yes No

State the number of temporary event notices you have given for events in that same calendar year

Have you already given a temporary event notice for the same premises in which the event period:
a) Ends 24 hours or less before; or Yes No
b) Begins 24 hours or less after the event period proposed in this notice?

Section 7 of 8

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 14)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? Yes No

Continued from previous page...

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or
 - b) Begins 24 hours or less after the event period proposed in this notice?
- Yes No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or
 - b) Begins 24 hours or less after the event period proposed in this notice?
- Yes No

Section 8 of 8

CONDITION

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 4 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user. (See also guidance on completing the form, note 16)

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. This formality requires a fixed fee of £21

ATTACHMENTS

DECLARATION

- * The information contained in this form is correct to the best of my knowledge and belief.
- * I understand that it is an offence:
- * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and

Continued from previous page...

* (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

Add another signatory

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

Digital signature You can digitally sign the form if you wish, this will be verified and passed to the authority.

When you are satisfied that you have completed the form correctly, save it and continue with the application process. If the online application screen is no longer available in your browser, [click here](#) to resume.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="hardfeet 4 aug"/>
Fee paid	<input type="text" value="21.00"/>
Payment provider reference	<input type="text" value="2295401100"/>
ELMS Payment Reference	<input type="text" value="122107"/>
Payment status	<input type="text" value="Paid"/>
Payment authorisation code	<input type="text" value="cardbe.msg.authorised"/>
Payment authorisation date	<input type="text" value="Jul 17, 2012"/>
Date and time submitted	<input type="text" value="Jul 17, 2012 11:34:02 AM"/>
Approval deadline	<input type="text" value="Jul 19, 2012"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>



Application history

Application Type:	Application for a Temporary Event Notice
Authority:	Sheffield City Council
Authority Email:	general.licensing@sheffield.gov.uk
Authority Phone:	0114 2734264 / 0114 2734880
Submitted by:	dorothy grange,A & G Passenger Boats Ltd
Email:	dorrie@sheffieldboats.co.uk
Phone:	
Authority Ref:	
Applicant Ref:	hardfeet 4 aug
System Ref:	122107
Payment Ref:	2295401100

Status History

Application put on hold at 08:50AM on 18/07/2012. Authority user responsible: Gary Conway
 Application accepted for processing at 08:41AM on 18/07/2012. Authority user responsible: Gary Conway
 Application receipted at 14:13PM on 17/07/2012. Authority user responsible: Gary Conway
 Application submitted at 11:34AM on 17/07/2012
 Application started at 10:54AM on 17/07/2012

Message History

Date: 18/07/2012
 From: Sheffield City Council
 Subject: Your application has been put on hold
 Message: Sheffield City Council put your application on hold on 18/07/2012 08:50. If you agree conditions with the Police they may withdraw their objection, prior to a hearing.
 Attachment names(s)

Date: 18/07/2012
 From: Sheffield City Council
 Subject: Your application has been checked
 Message: Sheffield City Council has confirmed that you have supplied a complete set of details for your application on 18/07/2012 08:41. Your application has been checked and forwarded to the responsible authorities. The Police have objected. You will receive further information in due course regarding a Licensing Committee Hearing to consider your application. You may withdraw your application before this time.
 Attachment names(s)

Date: 17/07/2012
 From: Sheffield City Council
 Subject: Your application has been receipted
 Message: Sheffield City Council acknowledged receipt of your application on 17/07/2012 14:13
 Attachment names(s)

Conway Gary (CEX)

From: Conway Gary (CEX)
Sent: 18 July 2012 07:52
To: 'Sheffield.Liquor-Licensing@southyorks.pnn.police.uk'
Subject: FW: A & G Passenger Boats Ltd
Attachments: tens 4aug A & G Paas.pdf

Hello Lucy this came in after I had left yesterday, does this address your objection or shall we continue to a hearing?

Regards.

Gary Conway
Licensing Officer, Licensing Services,
Business Strategy & Regulation
Block C Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD

Telephone: 0114 2734264 Fax: 0114 2735410
Email: gary.conway@sheffield.gov.uk
www.sheffield.gov.uk

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

From: Licensing(General)
Sent: 17 July 2012 17:15
To: Conway Gary (CEX); Gough Jayne (CEX); Ruston Andy (CEX)
Cc: 'Sheffield.Liquor-Licensing@southyorks.pnn.police.uk'
Subject: FW: A & G Passenger Boats Ltd

From: paul [mailto:paul@sheffieldboats.co.uk]
Sent: 17 July 2012 17:01
To: Licensing(General)
Subject: A & G Passenger Boats Ltd

Hi Emma, Jane and Gary.

Thanks for your very prompt dealings of out tens notice submissions.

Sorry I have been out on boat trips this afternoon.

1. I can open the 2nd tens notice for the Bar The Quays 1819 so have saved it again with the correct date on

its file name, it is correct on the document. Hopefully you can read it this time.

2. I understand that the police are going to object to the Hardfeet Tens notice. I quite understand and expected that they would, as we are a tiny part of a large event of Sheftival that is going on that weekend in the Don Valley Stadium area.

While the boat is moving we are not doing anything that needs an extra licence it is well within our normal operation.

We may be covered while we are moored at the Don Valley Moorings by the general events notice as I know they will be a number of drink venues there.

As the organisers have not got back to us to confirm, to cover ourselves I applied for a tens licence so that it was within the 10 working day period as I stated above I expected the Police to want good control in the event, as there are a lot of people expected to attend.

It is expected that people leaving the boat after their trip will want to take there drinks off the boat, (in plastic glasses), this will make turn round on the trips easier for both passengers and staff. It is also anticipated that people on the quayside may want a drink, ice cream etc at times that the boat is moored. The third reason for wanting on off sell tens, is in the case the boat has an engine problem and we need to remain stationary at Don Valley moorings. Hopefully that makes sense, I will contact the organisers of Sheftival in the morning and check out the conditions that have been put on the event as a whole.

Please do not hesitate to contact me with any other questions.

Regards

Dorrie Grange

A & G Passenger Boats Ltd
Arch 16
Victoria Quays
Wharf Street
Sheffield
S2 5SY
Tel:0114 2786314
www.sheffieldboats.co.uk
e-mail: info@sheffieldboats.co.uk
Company number (registered in England & Wales) 4036246

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APPENDIX B

Rhodes Emma (CEX)

From: Lucy.Adams@southyorks.pnn.police.uk on behalf of Sheffield.Liquor-Licensing@southyorks.pnn.police.uk
Sent: 17 July 2012 15:55
To: Licensing(General)
Cc: Benita.Mumby@southyorks.pnn.police.uk; Elizabeth.Payne@southyorks.pnn.police.uk; Andrea.Marsden@southyorks.pnn.police.uk; shiva.prisard@sheffield.gov.uk
Subject: Objection-Arch 16/moored at quay side, Victoria Quays

Sent on behalf of Sheffield Licensing, South Yorkshire Police

Licensing General
 Block C
 Staniforth Road Depot
 609 Staniforth Road
 Sheffield
 S9 3GZ
 Date: 17.7.12

Licensing Act 2003

Objection to temporary event notice 4 & 5 August 2012

Vessel LB Hardfeet, Arch 16/moored at quay side, Victoria Quays

On behalf of the Chief Constable of South Yorkshire, an objection is being made in relation to the above application.

The grounds of objection are based on our concerns surrounding public safety. Our concerns relate to the selling of alcohol at various points throughout the barges journey and how this will be managed. Given the proximity to water and lack of planned areas to moor we feel there is a potential risk to those who are sold alcohol even extending to how they are served and the selling to underage children.

In order for the objection to be withdrawn, the matters outlined must be addresses to our satisfaction.

Yours faithfully,

For and on behalf of

Chief Constable, South Yorkshire Police

Cc

"This emailed representation is made in accordance with the agreement with the Licensing Authority on 1st November 2006 to accept representations by email".

Sheffield Licensing Section
1st Floor
Attercliffe Police Station
60 Attercliffe Common
Sheffield
S9 2AD
Licensing Team

Lucy Adams 0114 2523617 internal 718617
Tracey Klein 0114 2523948 internal 718948
Andrea Marsden 0114 2523618 internal 718618
Lizzie Payne 0114 2523163 internal 718163
Jodie Fulford 0114 2523556 internal 718 556
Alicia Marsden 0114 2523111 internal 718 111
Fax 0114 2523688 Internal 8688

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>

(19)

APPENDIX C



Notice of hearing in respect of a Police objection

Miss Dorothy Kim Grange
Arch 16
Victoria Quays
Wharf Street
Sheffield
S2 5SY.

The Sheffield City Council, being the licensing authority, on the 17 July 2012 received an objection notice from South Yorkshire Police in relation to the temporary event notice given by Miss Dorothy Kim Grange for an event to take place on 4 and 5 August 2012 from 10:00 hours to 22:30 hours at **Vessel 'LB Hardfeet, Arch 16/moored at quay side, Victoria Quays, Wharf Street, Sheffield, S2 5SY.**

The Police objection notice is attached.

The Council now GIVES YOU NOTICE that this matter 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 the **31 July 2012, at 10am**; following which the Council will make a decision.

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 objection notice submitted by South Yorkshire Police, 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 intended events.

You should complete form LAR1 and return it to: **Licensing Service, Sheffield City Council Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD, within one (1) working day before the day or the first day on which the hearing is to be held.**

Dated

Signed _____

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 in respect of a Police objection

Sheffield Licensing Section
1st Floor
Attercliffe Police Station
60 Attercliffe Common
Sheffield
S9 2AD

The Sheffield City Council, being the licensing authority, on the 17 July 2012 received an objection notice from South Yorkshire Police in relation to the temporary event notice given by Miss Dorothy Kim Grange for an event to take place on 4 August 2012 from 10:00 hours to 22:30 hours at **Vessel 'LB Hardfeet', Arch 16/moored at quay side, Victoria Quays, Wharf Street, Sheffield, S2 5SY.**

The Police objection notice is attached.

The Council now GIVES YOU NOTICE that this matter 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 the **31 July 2012, at 10am**; following which the Council will make a decision.

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

- 1) The objection notice you have made and the reasons why you are satisfied that allowing the premises to be used in accordance with the notice would undermine the crime prevention objective.
- 2) You may also be asked questions by the parties to the hearing, relating to your objection notice.

You should complete form LAR1 and return it to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road Sheffield, S9 3GZ, within one (1) working day before the day or the first day on which the hearing is to be held.

Dated

Signed _____

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 D



Notice of hearing in respect of a Police objection

Miss Dorothy Kim Grange
Arch 16
Victoria Quays
Wharf Street
Sheffield
S2 5SY.

The Sheffield City Council, being the licensing authority, on the 17 July 2012 received an objection notice from South Yorkshire Police in relation to the temporary event notice given by Miss Dorothy Kim Grange for an event to take place on 4 and 5 August 2012 from 10:00 hours to 22:30 hours at **Vessel 'LB Hardfeet, Arch 16/moored at quay side, Victoria Quays, Wharf Street, Sheffield, S2 5SY.**

The Police objection notice is attached.

The Council now GIVES YOU NOTICE that this matter 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 the **31 July 2012, at 10am**; following which the Council will make a decision.

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 objection notice submitted by South Yorkshire Police, 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 intended events.

You should complete form LAR1 and return it to: **Licensing Service, Sheffield City Council Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD, within one (1) working day before the day or the first day on which the hearing is to be held.**

Dated

Signed _____

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.

NOTES

Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

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

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

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

- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
 - 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

Form LAR 1
Regulation 8

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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 **Miss Dorothy Kim Grange**

Of **Arch 16
Victoria Quays
Wharf Street
Sheffield
S2 5SY.**

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

I intend to attend the hearing

I do not intend to attend the hearing

I intend to be represented at the hearing by:

I do not intend to be represented at the hearing by:

I consider the hearing to be unnecessary because:

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

Dated: Signed:

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

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.