



SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: **Monday 17th January 2022 – 10am**

Subject: Licensing Act 2003

Author of Report: Jayne Gough

Summary: To consider an application to grant a premises licence made under the Licensing Act 2003 for
The Boston Arms, 676 Chesterfield Road, S8 0SD

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
[Sheffield City Councils Statement of Licensing Policy](#)

Category of Report: OPEN

**REPORT OF THE CHIEF LICENSING OFFICER
(HEAD OF LICENSING) TO THE LICENSING SUB COMMITTEE
LICENSING ACT 2003**

Ref No 02/22

The Boston Arms, 676 Chesterfield Road, S8 0SD

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 applicants are Renwick Macdonald Bars Ltd.

2.2 The application was received by the Licensing Service on the 8th November 2021 and is attached at Appendix 'A' of this report.

2.3 During the consultation period, the applicant has agreed to condition the licence so that alcohol won't be sold during term time (Mon-Fri) until after 4pm.

3.0 REASONS FOR REFERRAL

3.1 Unresolved representations concerning the application have been received from the following and is attached at Appendix B:

- 3 x Local Residents
- Headteacher of Woodseats Primary School – adjacent to premises
- Environmental Protection Service – Sheffield City Council

3.2 The above stated agreement along with the offered conditions within the application have been relayed to all objectors but nobody has stated they are happy to withdraw.

3.3 The applicant and the objectors who made written representations 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 POLICIES TO CONSIDER

4.1 Sheffield City Council Statement of Licensing Policy.

5.0 FINANCIAL IMPLICATIONS

5.1 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.

6.0 THE LEGAL POSITION

6.1 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.

6.2 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.

7.0 HEARINGS REGULATIONS

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

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

7.3 Attached at Appendix 'C' 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.

8.0 APPEALS

8.1 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.

9.0 RECOMMENDATIONS

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

10.0 OPTIONS OPEN TO THE COMMITTEE

10.1 To grant the premises licence in the terms requested.

10.2 To grant the premises licence with conditions.

10.3 To reject the whole or part of the application.



Stephen Lonnia
Chief Licensing Officer
Head of Licensing

Date: 17th January 2022

Appendix 'A'

Application



* required information

Section 1 of 21

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

Not Currently In Use

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

Your reference

CG/BOO100/2

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

Robbie

* Family name

MacDonald

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

11590954

Business name

RENWICK MACDONALD BARS LTD

If the applicant's business is registered, use its registered name.

VAT number

- [REDACTED]

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

You must enter a telephone number

Telephone number

Non-domestic rateable value of premises (£)

CONSENT OF INDIVIDUAL TO BEING SPECIFIED AS PREMISES SUPERVISOR

I, **Robbie Ian Macdonald**, of **[REDACTED]** hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for a new premises licence by **Renwick Macdonald Bars Ltd** relating to **The Boston Arms, 676 Chesterfield Road, Sheffield, S8 0SD** and any premises licence to be granted or varied in respect of this application made by **Renwick Macdonald Bars Ltd** concerning the supply of alcohol at the **The Boston Arms, 676 Chesterfield Road, Sheffield, S8 0SD**.

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal Licence number: **LEW4484**.

Personal Licence issuing authority: **London Borough of Lewisham**.

Date of birth: **[REDACTED]**

Place of birth: **Chesterfield**.

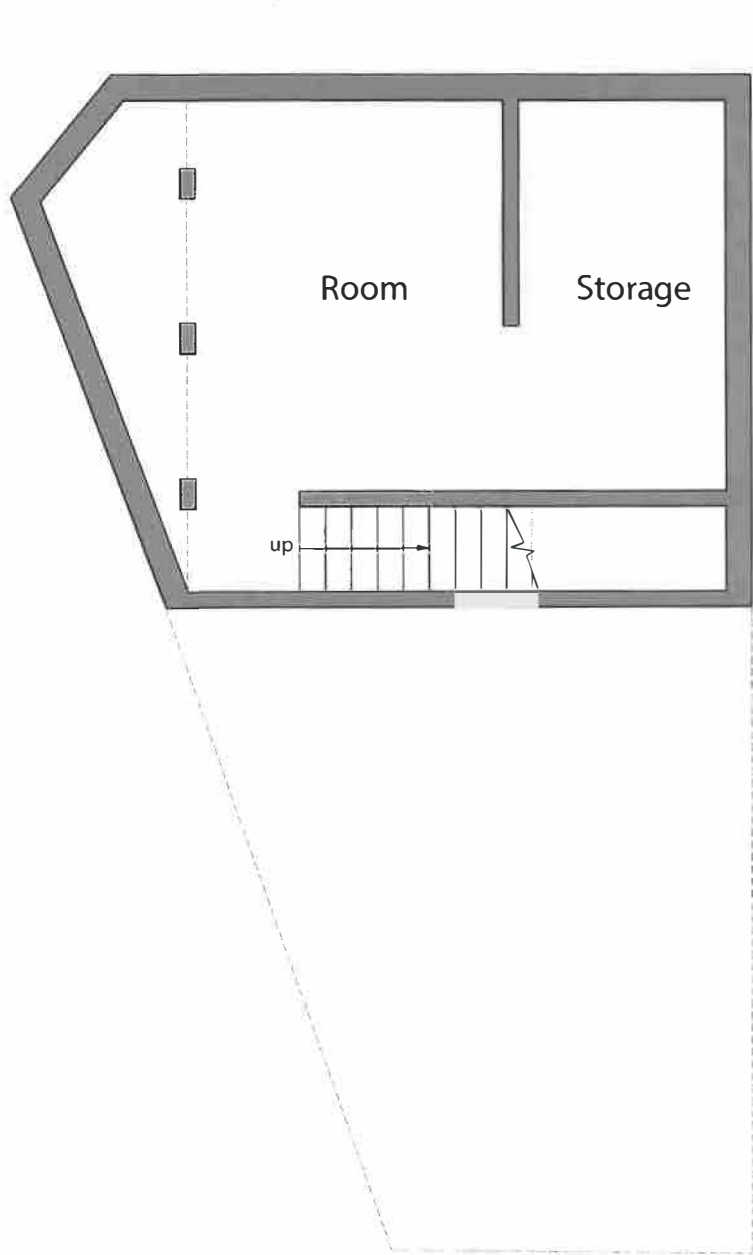
Nationality: **British**.

Contact telephone number: **[REDACTED]**

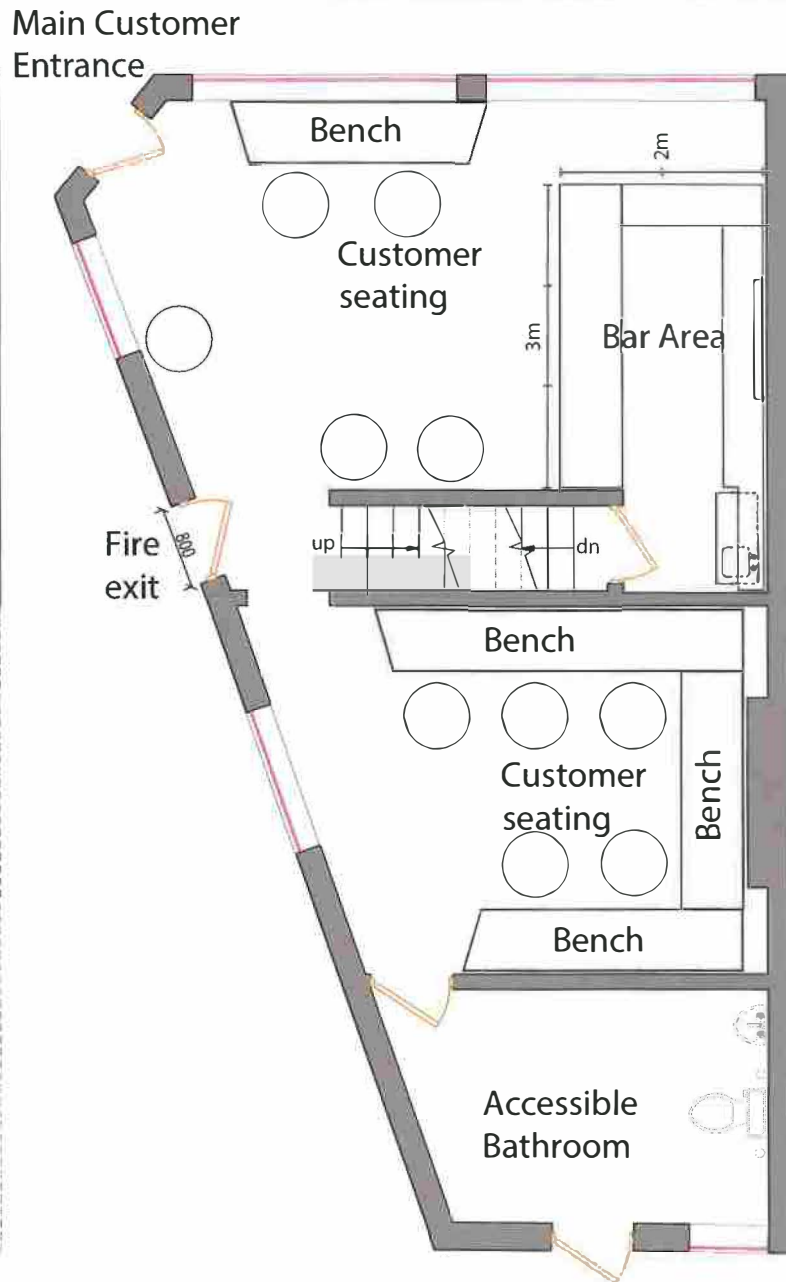
Signature: **[REDACTED]**

Name (please print): **Robbie Ian Macdonald**

Date: **26/10/21**



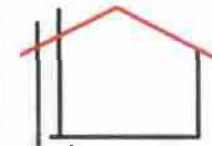
PROPOSED CELLAR PLAN
SCALE 1 : 100



Exit(not used)
PROPOSED GROUND FLOOR PLAN
SCALE 1 : 100

NOTES

1. ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE.



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project:

**676 Chesterfield Rd,
Woodseats, Sheffield ,
S8 0SD**

drg. title

**PROPOSED GROUND
AND CELLAR PLAN
LAYOUT**

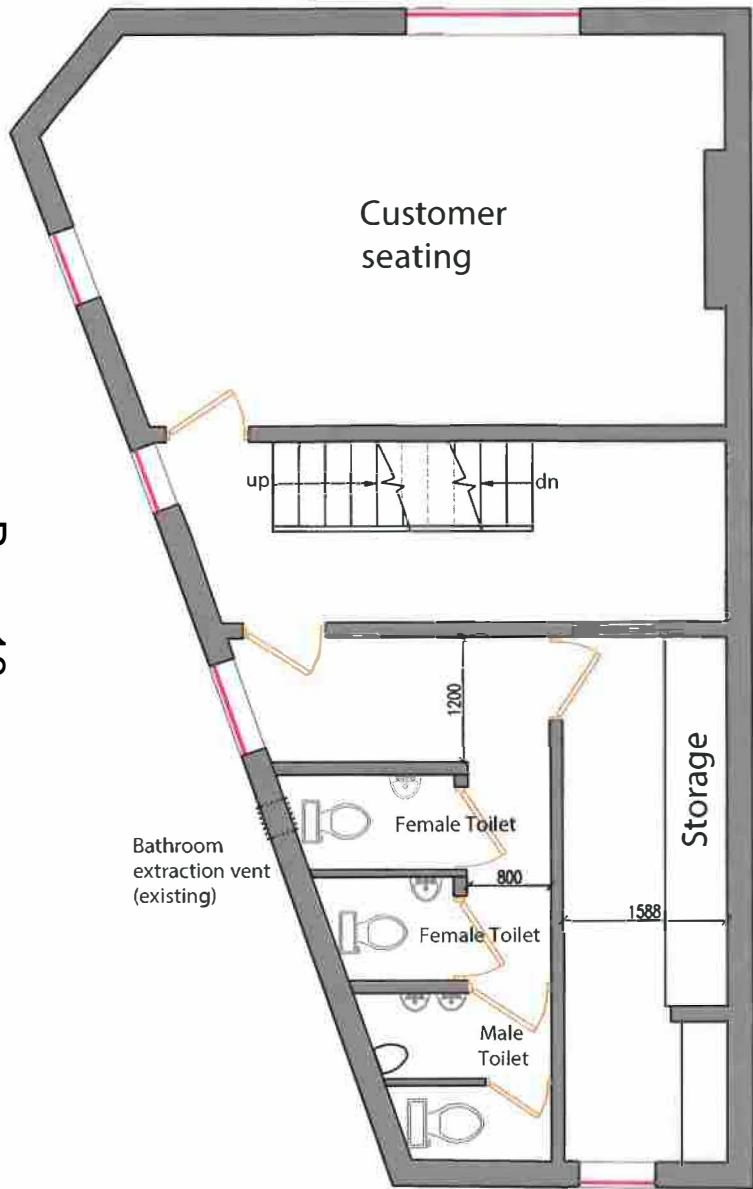
drg. status consultation issue measurement issue
 comment issue tender issue
 construction issue as-built issue

scale: Var. drawn by: approved by: -

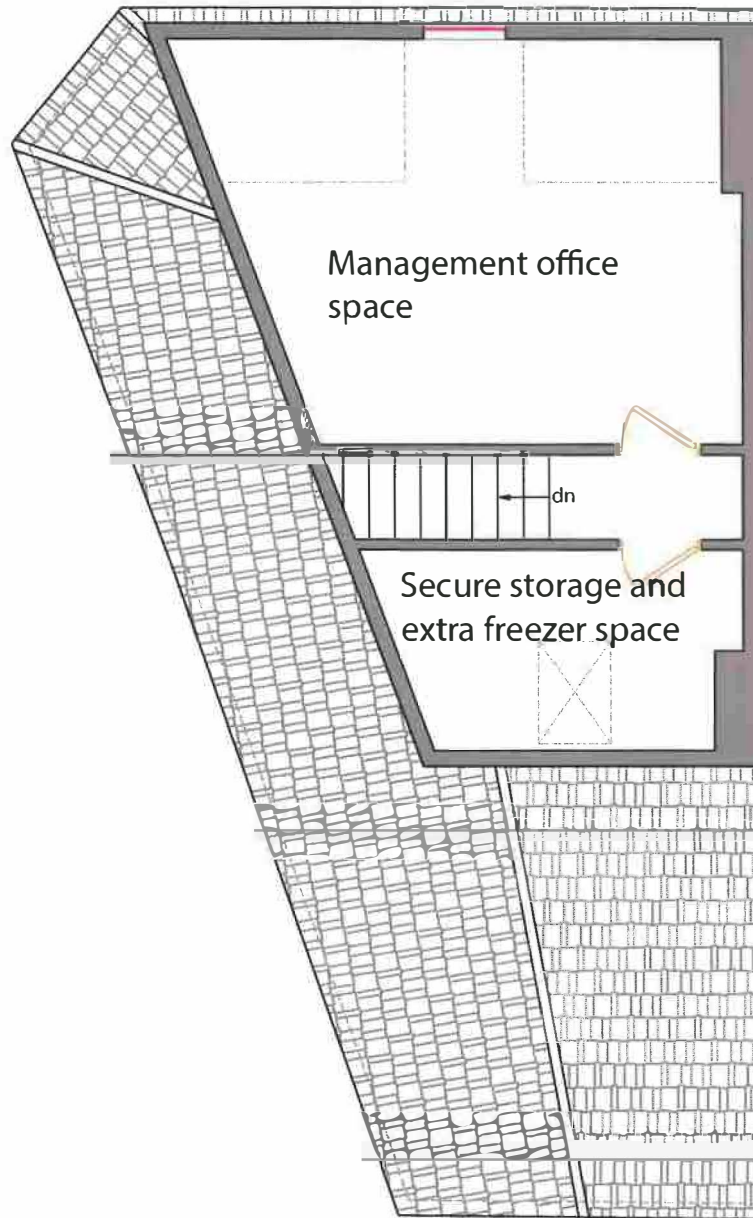
date: OCTOBER 2021 checked by: -

drg. no **003** rev *

original drawing size A3



PROPOSED FIRST FLOOR PLAN
SCALE 1 : 100



PROPOSED LOFT FLOOR PLAN
SCALE 1 : 100

NOTES

1. ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE.



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S8 0SD**

drg. title

**PROPOSED FIRST AND
LOFT FLOOR PLAN**

drg. status consultation issue measurement issue
 comment issue tender issue
 construction issue as-built issue

scale: drawn by: approved by:
Var. - - -

date: OCTOBER 2021 checked by: -

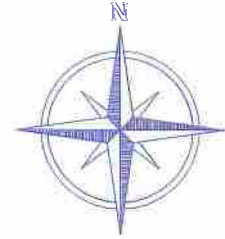
drg. no **004** rev *

original drawing size A3



NOTES

1. ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE.



CAD Planning Drawings
 Planning Management
 Structural Calculations

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project:
**676 Chesterfield Rd,
 Woodseats, Sheffield,
 S8 0SD**

orig. title:
OS MAPS

app. status: structural team structural issue
 comment issue tender issue
 construction issue as-built issue

scale: Var. drawn by: approved by: --

date: OCTOBER 2021 checked by: --

fig. no: **005** rev: *

original drawing size A2

Appendix 'B'

Objections:

3 x Local Residents

Headteacher of Woodseats Primary School

Environmental Protection Service, Sheffield City Council



SENT: 17 NOVEMBER 2022 12:11

To: licensingservice <licensing.service@sheffield.gov.uk>

Subject: Application for bar license for 676 Chesterfield Road

I would like to respond to the application for a license for a bar at 676 Chesterfield Road, Sheffield.
I'm concerned that this is a poor location for a bar and will be to the detriment of Woodseats as a whole.

Woodseats has three pubs already and I don't feel there is a need for another. I'm concerned that the venue is next to the primary school, and it seems likely this will lead to various problems -

- * Customers smoking outside standing on the pavement next to the school, smoke blowing into the playground, and the smokers clogging up the pavement when parents with pushchairs and small children need to get past, as well as people in mobility scooters and wheelchairs.
- * Intoxicated adults around the entrance to the school just doesn't seem like a very good idea
- * Undoubtedly a bar here would lead to customers leaving late at night and urinating in the alley, which the school children need to walk through to get to school
- * There would probably be an increase in litter, and most likely vomit in the alley, again where the children have to walk through. The smell from the urine would make the school playground for the 4 and 5 year olds smell which is horrible for them.

I would be grateful if you would take these concerns into consideration and I am hoping you will decline the application.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Gareth,

You asked me to provide further information as to why I feel the revised timings and offered conditions don't address my concerns. I hope the following is helpful. I don't know if these are planning concerns or licensing concerns so apologies if any are not applicable to licensing.

My main concern is that if we are to have another pub in Woodseats I don't think that next door to a junior school is an appropriate place for it to be.

Hours of opening – I feel that given the pub is next door to a school it would be better if it didn't open till after school hours. I don't think Woodseats needs another daytime drinking venue. I would prefer parents not to be encouraged to move from meeting other parents in the playground at pick up time for a chat, to meeting in the pub next door before/after pick up time. I have noted that the times offered don't seem to match the times on the planning application, which has the proposed opening hours as noon to 11pm, Sunday to Thursday and noon to midnight Friday and Saturday.

Pavement - the pavement outside the venue is narrow and if customers stand outside on the pavement the children, parents, pushchairs, wheelchairs and mobility scooters will not be able to get past and may need to go in the road to get past the doorway.

Bins - The planning application says there are no plans to incorporate an area to store and aid the collection of waste. Presumably the bins and waste storage will be in the back yard, accessed via the disabled toilet? When the bins are to be collected, where will they be put? Will they be blocking the pavement or the alleyway? Will they be collected from Chesterfield Road or from The Dale? Will they be stopping pedestrians, pushchairs, wheelchairs and mobility scooters getting past?

Loading - Will deliveries be from Chesterfield Road or from The Dale? Where will they park? Double parking would be extremely dangerous as there is a pedestrian crossing on Chesterfield Road and school zigzags on The Dale. Would they be timed to avoid drop off and pick up times from school?

Smoking - presumably the pub will have a smoking area outside - where will this be located. If there isn't an allocated smoking area presumably the default will be the end of the alleyway. There doesn't seem to be anywhere that would avoid smoke blowing into the playground for the 4 year olds, which is just over the wall.

Broken glass and rubbish - many of the children walk to and from school via the alleyway down the side. I'm worried that clients leaving the pub might leave broken glass. The children would then be walking through the alleyway the next morning at 8:30am. Would the manager guarantee the alleyway would be cleared before then?

Smell - vomit and urine - inevitably people going to the pub at closing time do sometimes come out and find they desperately need a wee, or consumption proves too much and they vomit. They will be likely to do this in the alleyway. The smell for the children's playground would be horrible. Would the manager guarantee sorting this out before 8:30am the following morning? How would they avoid the alleyway becoming a disgusting place to walk?

Summer - in the summer, and if covid rates rise, pubs often want to allow customers to sit outside. It's possible this pub would want to use the space to the rear. If they do so then it will quite likely be used for smoking groups which is a problem due to the distance from the children's playground. Worse, in my view, having adults sitting drinking next to the alleyway would make women feel unsafe using the alleyway after dark, and would be off-putting for

children too as it's quite a narrow alleyway and being watched by customers sat feet away could be scary for children. I'm finding this hard to explain in a way that doesn't sound paranoid - if the customers sat drinking out the back next to the alleyway I would avoid it especially after dark, and I would advise my 16 year old daughter not to walk down there after school every day. I would worry that predators might hang out there to watch the children and teenagers go by. If you are a man reading this you might think it's not sensible but women have to get used to being careful about things like this

Lastly, I'm concerned about privacy. If people are going to sit upstairs drinking during school hours I feel the windows overlooking the school playground should be privacy glass.

Regards

On Tue, Dec 14, 2021 at 4:10 PM Gareth Barrett <Gareth.Barrett@sheffield.gov.uk> wrote:

Good afternoon Alison,

Can you provide further information as to why you feel that the proposed re-vised timings and offered conditions do not address your concerns as this will be submitted as part of the document submitted as part of the hearing.

The licensing authority expects those making representations to an application make every effort to attend the licensing committee hearing in order to give evidence at the hearing in support of your objection. The Licensing Authority (committee) will consider all written comments in the absence of those making representations and apply appropriate weight; however, non-attendance at the licensing hearing will not allow clarification on points.

I have notified the applicants agent who has requested the hearing be adjourned until after the new year. I will be in contact shortly to confirm the hearing time and date .

The Licensing Act 2003 (Hearings) Regulations 2005 governing hearings may be found on the www.legislation.gov.uk website.

If you require any further information or wish to discuss this matter further, please do not hesitate to contact me.

Kind Regards,

Gareth Barrett

✉:Licensing Enforcement & Technical Officer

Licensing | Business Strategy and Regulation |

Place Portfolio | Operational Services|

Block C | Staniforth Road Depot |

Staniforth Road | Sheffield | S9 3HD

☎: 0114 2734264

☎: 0114 205 2250

☎: 07917 517319

✉: gareth.barrett@sheffield.gov.uk

www.sheffield.gov.uk/licensing



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

From: alison <REDACTED>

Sent: 13 December 2021 13:16

To: Gareth Barrett <Gareth.Barrett@sheffield.gov.uk>

Subject: Re: Formal objection to Boston Arms 676 Chesterfield Road

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Hi Gareth

I don't feel this addresses all of my concerns so I would like to attend the Licensing Sub-committee hearing please.

Many thanks



Sent: 26 November 2021 16:08

To: licensingservice <licensingservice@sheffield.gov.uk>

Subject: Formal objection to licensing application

To whom it may concern,

I am emailing to make a formal objection to a licensing application being made by Renwick MacDonald Bars Ltd for the premises at 676 Chesterfield Road S8 0SD. I am objecting both as a parent of children attending Woodseats Primary School and as a staff member of the school.

My concerns are as follows:

- the pavement is narrow- smokers will congregate on the pavement outside the premises and the children will have to walk through the smoke when entering/leaving the school
- alternatively, smokers will go into the alley that runs directly alongside the school meaning that their smoke will blow straight into the playground (in particular the reception yard which is used all day)
- we don't need any more intoxicated adults on Woodseats during school drop off and pick up times
- litter is likely to increase
- vomit from inebriated adults will likely be on the routes that children use to go to and from school
- the possibility of an increase of people urinating in the alley that runs alongside the school

I sincerely hope that these concerns are considered in depth while decisions are made regarding granting the license.

Woodseats

Kishan Rughani

From: Julianne McConaghy on behalf of licensingservice
Sent: 16 November 2021 11:36
To: Kishan Rughani
Subject: FW:

From:
Sent: 16 November 2021 11:36
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject:

I wish to register my objection to the granting of a license to sell alcohol for a proposed bar next door to Woodseats Primary School. There are two other licensed premises within 100 metres and smoking detritus and vomit regularly litter the pavements around and directly outside school. Parents and children will have to pick their way through yet more smokers and on occasions inebriated customers crowding the pavement at times when children arrive at school and leave.



Kishan Rughani
The Licensing Service

Fi
Sent: 15 November 2021 14:25
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject: Application relating to 676 Chesterfield Road

To whom it may concern

I am the headteacher of the school that is next door neighbours to the above address.
I have noticed a planning application is in place for the premises to become licenced and this concerns me greatly.

The property is next door to a school where the pavement width is narrow and access to the school is already very limited. I know that other licensed premises insist their smokers/vapers stand on the street (Chesterfield Road) and that this already causes hazards as prams and parents struggle to get past at drop off and collection times for school. The children either have to walk through the 'fog' or detour onto the road. I am concerned that this already crowded pavement will become even more dangerous and will lead to families stepping into the very busy A61 to avoid smokers outside.

There is a small Gennel that separates the property from our school and I am worried that this will also become somewhere smokers will go to - and this will blow smoke straight into the Nursery and Reception (age 3 to 5 years old) playground. We already have issues when people stand in there and smoke as it billows over the wall and onto our children. The Gennel is quite hidden from view and again we have issues with some members of the public who frequent the already numerous licensed premises on Chesterfield Road urinating along the walls. A lot of our families use the gennel to get to our entrance on Chesterfield Road.

I am also anxious that our children will encounter people who are inebriated on a daily basis when they are trying to get to school or leave school.

Please advise me if there is anything I need to do in addition to this letter stating why I am opposed to this planning request.

Kind regards

ats

0417 021 0008



From: Kishan Rughani
Sent: 02 December 2021 11:42
To: licensingservice
Subject: FW: Premises Grant - The Boston Arms 676 Chesterfield Road

OBJECTION

6/12/21

Please print and put with app

From: Jonathan Round <Jonathan.Round@sheffield.gov.uk>
Sent: 29 November 2021 11:25
To: licensingservice <licensingservice@sheffield.gov.uk>; cgrunert@john-gaunt.co.uk
Subject: RE: Premises Grant - The Boston Arms 676 Chesterfield Road

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

I have the following representation to make with regards to Public Nuisance for the application for a premises licence for the above premises.

The premises are located in close proximity to residential accommodation. I am therefore concerned that nearby residents could potentially be affected by excessive noise disturbance from the use of the premises, noise breaking out of the premises and noise from people outside the venue.

I have checked the planning history of the premises and there doesn't appear to be consent to operate as a bar. This means that there is unlikely to be adequate separation between the proposed commercial activity and any adjacent residential accommodation. To protect nearby residents, the building's ability to restrict the noise breaking out of the premises, and transferring through the building structure needs to be considered. The hours applied for are also much later than those approved under recent planning applications for similar venues in the vicinity, so it is unlikely that a future application to formalise the planning use of the premises will get permission for the hours applied for here.

I will have to object to the application as it currently stands. To protect nearby residents from being unacceptably affected by noise I would propose the below amendments to licensable activities and conditions are attached to the premises licence:

- The hours for the sale of alcohol should be reduced to 23:00hrs on all days, and I would also suggest that hours the premises are open to the public are reduced to 23:30hrs on all days.
- Before the premises licence comes into effect, a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall:
 - a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
 - b) Be capable of restricting noise breakout from the commercial use to the street to levels not exceeding the prevailing ambient noise level when measured:
 - (i) as a 15 minute LAeq, and;
 - (ii) at any one third octave band centre frequency as a 15 minute LZeq.

- c) Be capable of restricting noise breakout and transmission from the premises to all adjoining residential accommodation to levels complying with the following:
- (i) Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);
 - (ii) Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);
 - (iii) Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);
 - (iv) Bedrooms: LAFmax 45dB (2300 to 0700 hours).

Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

- No loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time.

If you are happy to accept the above conditions please reply back with your agreement and copy in all parties. Alternatively if you wish to discuss the matter further, or wish to recommend alternative wording to achieve the same please reply to this email.

Regards,

Jon.

Jonathan Round
Environmental Health Officer

Sheffield City Council
Environmental Protection Service
5th Floor (North)
Howden House
1 Union Street
Sheffield
S1 2SH

Tel: 07887 641 266

Visit us at: www.sheffield.gov.uk/environmentalhealth

Appendix 'C'

Hearing Notices and Regulations



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

Renwick Macdonald Bars Ltd
c/o Chris Grunert – John Gaunt and Partners

Sent via email: cgrunert@john-gaunt.co.uk

The Sheffield City Council being the licensing authority, on the 8th November 2021, received an application in respect of the premises known as;

The Boston Arms, 676 Chesterfield Road, Sheffield, S8 0SD

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

- **3 x Local Residents**
- **Headteacher of Woodseats Primary School**
- **Environmental Protection Service Sheffield City Council**

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 the representation will be considered at a hearing to be held **At Sheffield Town Hall on Monday 17th January 2022 at 10.00am**; 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 representation 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: 7th January 2022

Signed: Jayne Gough

The officer appointed for this purpose
Licensing Strategy and Policy 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

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.

Premises: The Boston Arms, 676 Chesterfield Road, Sheffield, S8 0SD
Hearing Date: 17th January 2022 – 10am
Application Type: Grant of Premises Licence

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**

We **Renwick Macdonald Bars Ltd, c/o Chris Grunert, John Gaunt & Partners**

hereby confirm that we have received the Notice of Hearing dated 7th January 2022 and notify you as follows **(please complete)**:

We intend to attend the hearing on Monday 17th January 2022 at 10.00am

We do not intend to attend the hearing.

We intend to be represented at the hearing by:

We consider the hearing to be unnecessary because:

.....

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

Dated: Signed.....

Please see Regulation 8 overleaf

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

licensing@sheffield.gov.uk

Regulation 8

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

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

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

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

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

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

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

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

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



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

Mrs E.M.Cross
[REDACTED]

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 8th November 2021, received an application in respect of the premises known as;

The Boston Arms, 676 Chesterfield Road, Sheffield, S8 0SD

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

- **3 x Local Residents**
- **Headteacher of Woodseats Primary School**
- **Environmental Protection Service Sheffield City Council**

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 the representation will be considered at a hearing to be held **At Sheffield Town Hall on Monday 17th January 2022 at 10.00am**; 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 representation 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: 7th January 2022

Signed: Jayne Gough

The officer appointed for this purpose
Licensing Strategy and Policy Officer

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



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

Louise Myers
[REDACTED]

Sent via email: [REDACTED]

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Dated: 7th January 2022

Signed: Jayne Gough

The officer appointed for this purpose
Licensing Strategy and Policy Officer

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

Alison Riocreux



Sent via email: [Redacted]

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Dated: 7th January 2022

Signed: Jayne Gough

The officer appointed for this purpose
Licensing Strategy and Policy Officer

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



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

Sinead Fox
[REDACTED]

Sent via email: [REDACTED]

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Dated: 7th January 2022

Signed: Jayne Gough

The officer appointed for this purpose
Licensing Strategy and Policy Officer

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

Jonathan Round
Environmental Protection Service

Sent via email: jonathan.round@sheffield.gov.uk

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The Boston Arms, 676 Chesterfield Road, Sheffield, S8 0SD

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Dated: 7th January 2022

Signed: Jayne Gough
The officer appointed for this purpose
Licensing Strategy and Policy 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

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