

SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: Monday 20th June 2022 – 10am

Subject: Licensing Act 2003

Author of Report: Jayne Gough

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

7 Seas Restaurant, 285 Ecclesall Road, Sheffield, S11 8NX

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: 102/22

7 Seas Restaurant, 285 Ecclesall Road, Sheffield, S11 8NX

1.0 PURPOSE OF REPORT

- 1.1 To consider an application for the variation of a premises licence made under Section 34 of the Licensing Act 2003.

2.0 THE APPLICATION

- 2.1 The applicant is Mr Ata Azadi.
- 2.2 The application was received by the Licensing Service on the 25th April 2022, and is attached to Appendix 'A' of this report.
- 2.3 A copy of the current Premises Licence is attached at Appendix 'B'.
- 2.4 The applicant has agreed to licence conditions from the Environmental Protection Service as well as maintaining a condition on the licence pertaining to the prohibition of speakers being used outside the premises. These are detailed in Appendix 'C'.

3.0 REASONS FOR REFERRAL

- 3.1 An outstanding representation concerning the application has been received from the following interested party and is attached at Appendix 'D'.

1 x Health Protection Service

- 3.2 The applicant and objector who made written representation 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 HEARING 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 vary the premises licence in the terms requested.

9.2 To vary the premises licence with conditions.

9.3 To reject the whole or part of the application.



Stephen Lonnia
Chief Licensing Officer & Head of Licensing

20th June 2022

Appendix 'A'

The Application

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We Ata Izadi

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number SY002914PR

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 285 Ecclesall Road 1			
Post town	Sheffield	Postcode	S11 8NX

Telephone number at premises (if any)	0114 275 1234
Non-domestic rateable value of premises	£9275.02

Part 2 – Applicant details

Daytime contact telephone number	0114 275 1234		
E-mail address (optional)	7seas.sheff@gmail.com		
Current postal address if different from premises address	285 Ecclesall Road		
Post town	Sheffield	Postcode	S8 7NS

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐
No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☐ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Under 'ANNEX 3' of our granted licence it states 'The premises must operate as a takeaway only, and no consumption at the premises.' We would like to change this to be a seated restaurant with up to 24 guests. Our Fire Risk Assessment states that based upon our seating arrangement and distance to fire exits, we are permitted to have up to 30 guests with 7 members of staff inside the restaurant. So we feel we can safely serve 24 guests, which should meet all H&S regulations.

Under 'ANNEXES continued...' (.2, Page 7), it states 'All windows and doors will be kept closed at all times to prevent noise nuisance'. We would like this changed to allow us to open our front door and bi-fold doors, so that especially in the summer months we can do so to extend our service to the tables on our front area. Please see the next point for an explanation of our plans to reduce any noise nuisance.

Under 'ANNEXES continued...' (.3, Page 8), it states that 'No loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time.' We would also like to change this to allow us to play recorded sounds through our speakers both internally and externally. Because of the bi-fold doors we have at the front of the building, even without an external speaker, the sound may travel on the street immediately outside. So we have installed a system that allows us to control each speaker individually, meaning the external speaker can independently switched off. We are intending to play relaxing styles of music such as lounge Jazz to create an ambience for our guests, at a background level. We can also stipulate that the bi-fold doors shall be closed, with the outdoor speaker switched off by 10pm, so we do not cause any late night nuisance on Ecclesall Road.

We are planning on functioning as a peaceful, fine dining restaurant with seated guests only. (we will not be using our bar area for standing guests). We have created a purely non-alcoholic drinks menu, boasting a large range of non-alcoholic cocktails, wines and beers, that will offer something unique to Sheffield. However, even though we will not be serving alcoholic drinks, we can confirm that we will still adhere to the four main licensing objectives, which we will continue on during section 'M'. We are also working with Shield Safety to ensure all of our guests, staff and contractors are safe – For any more questions about our policies, please feel free to ask.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

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

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

☒

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

☐

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed				<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)	
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music: Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed					
Thur					
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

F

Recorded music: Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5) Music is to be amplified through speakers internally and externally. As stated in variation section. We can control all speakers individually and will close bi-fold doors and switch off outside speaker by 10pm to avoid any nuisance on Ecclesall Road. Music is to be played at a low background level purely for an ambience for our guests. Please see timing variations to left as (I) for inside, (O) for outside.		
Mon	11:00	00:00 (I)			
	11:00	22:00 (O)			
Tue	11:00	00:00 (I)			
	11:00	22:00 (O)	State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed	11:00	00:00 (I)			
	11:00	22:00 (O)			
Thur	11:00	00:00 (I)			
	11:00	22:00 (O)	N/A - If we plan on extending our opening hours for events such as Ramadan or Eid, we will apply for a separate TENs licence.		
Fri	11:00	01:00 (I)			
	11:00	22:00 (O)			
Sat	11:00	01:00 (I)			
	11:00	22:00 (O)	N/A - If we plan on extending our opening hours for events such as Ramadan or Eid, we will apply for a separate TENs licence.		
Sun	11:00	00:00 (I)			
	11:00	22:00 (O)			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)			
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing			
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)			
Wed						
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)			
Fri						
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)			
Sun						

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Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	11:00	00:00	Please give further details here (please read guidance note 5) The granted licence already includes the provision for late night refreshment for the times to the left. We will have one or two small tables available for food and beverage, on our small seated area at the front of the building. However, as stated in the 'Recorded Music' section, the bi-fold doors will be closed, and outdoor music switched off by 10pm, to prevent nuisance on Ecclesall Road.		
Tue	11:00	00:00			
Wed	11:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur	11:00	00:00			
Fri	11:00	01:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sat	11:00	01:00			
Sun	11:00	00:00	N/A - If we plan on extending our opening hours for events such as Ramadan or Eid, we will apply for a separate TENs licence.		

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Tue					
Wed					
Thur			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

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K

Please **highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 10).

Safeguarding children will be a priority for us here. We will not be selling alcohol or engaging in any activities that may be a concern in respect of children. All guests under the age of 18 will have to be accompanied and supervised by a responsible adult, at all times.

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	N/A
Mon	11:00	00:00	
Tue	11:00	00:00	
Wed	11:00	00:00	
Thur	11:00	00:00	
Fri	11:00	01:00	
			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7) N/A
Sat	11:00	01:00	
Sun	11:00	00:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Under 'ANNEX 3' (page 8), of our granted licence it states 'The premises must operate as a takeaway only, and no consumption at the premises. We would like to change this to be a seated restaurant with up to 24 guests.

Under 'ANNEXES continued...' (.2, Page 7), it states 'All windows and doors will be kept closed at all times to prevent noise nuisance'. We would like this changed to allow us to open our front door and bi-fold doors, (to be closed by 10pm).

Under 'ANNEXES continued...' (.3, Page 8), it states that 'No loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time.' We would also like to change this to allow us to play recorded sounds through our speakers both internally and externally.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

☐
☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Our general manager Rob Collins, has a personal licence, and has worked in and ran hospitality venues for a number of years. He will be overseeing the business and ensuring we are fully compliant and safe for all members of the public, staff and contractors.

b) The prevention of crime and disorder

As we have created a non-alcoholic drinks menu, many of the issues associated with the prevention crime and disorder section should be manageable. However, we will take a strong stance against drunkenness, drugs and anti-social behaviour, as well as implying a Challenge-21 ID policy to prevent any underage drinking for our products containing non-alcoholic beverages.

We have a CCTV system in place that will store images for up to 30 days. Staff will be trained on conflict management. We will install/provide a litter bin, as well as maintain tidiness of our premises. We will contact the local Pub-Watch scheme to ensure we are up to date with any issues surrounding the Ecclesall Road area.

c) Public safety

As stated previously, our Fire Risk assessment states that we can hold up to 30 guests with 7 members of staff, which we shall never exceed. The venue has been laid out in a manner that allows free flowing traffic towards fire exits, and we will ensure good housekeeping is maintained to reduce the risk and any accidents. All guests shall leave the premises by the times stated in section 'L'.

We are working with Shield Safety for compliance, with the addition of CPL to train our staff on everything from manual handling to food safety and allergens. Using this system we have created a plethora of risk assessments, as well as obtaining all relevant testing and certification of the appliances and installed systems on site. This system prompts us when any repeated certification, or procedures are required (e.g. Gas Safety Certificate every 12 months etc).

d) The prevention of public nuisance

As stated, the recorded music we intend on play will be kept a low level intended for background ambience. Sound will not be projected from the building at all after 10pm, and our doors will be closed. Our operational times will be adhered to and notices will be put up on exits to ask the guests to leave in an orderly and quiet manner for local residents.

We would like to think the probability of violence or issues will be extremely low due to the nature of the business – calm seated restaurant with a non-alcoholic menu. An emergency lighting system is installed should there be any issues with power to building.

There is an adequate public transport system with many buses operation on Ecclesall Road, otherwise a taxi company will be recommended to our guests.

Staff will be trained on how to prevent public nuisance.

e) The protection of children from harm

Children will not be able to purchase or consume alcohol at the venue, and should not be exposed to drugs, gambling or adult activities or anything regarding a sexual nature.

A sufficient level of staff will be maintained to ensure the protection of children.

Appropriate training will be provided to staff to determine the age of our guests, and only the approved forms of ID such as 'Proof of Age' cards, Driving licences or Passports will be accepted.

As previously mentioned, we will imply a 'Challenge-21' policy for any of our beverages that include non-alcoholic products. Whilst these products, such a 0% beers, are deemed non-alcoholic, some still possess very small traces of alcohol and the branded bottles/cans might be associated with the alcoholic products. Variations of the non-alcoholic cocktails will be available for minors which will not contain such products, as well as soft drinks.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☐
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's **solicitor** or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	25.04.22
Capacity	

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's **solicitor** or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Rob Collins – General Manager
285 Ecclesall Road

Post town	Sheffield	Post code	S11 8NX
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Telephone number (if any)	
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
7seas.sheff@gmail.com

Privacy Notice – Licensing Act 2003

How we will use your information

The information provided to us will be used to help us process your application.

Your personal data is processed under a contract to which you are party to through your application for a licence (as per Article 6(1)(b) of the General Data Protection Regulation). In terms of special category data including criminal records, your information is processed as it is necessary for the performance of a task carried out in the public interest (as per Article 9(2)(g) of the General Data Protection Regulation).

Your application will be processed in line with the following pieces of legislation:

- Licensing Act 2003

Who we will share your information with

We may share your information with the following third parties in order to inform decision making:

- Responsible Authorities
 - South Yorkshire Police
 - South Yorkshire Fire and Rescue
 - Public Health
 - Safeguarding Children
 - Environmental Protection
 - Health Protection
 - British Waterways Board / Navigation Authority
 - Home Office
 - Trading Standards
- Other Licensing Authorities relevant to your application
- Other Council Services
- Bodies Responsible for auditing or administering public funds

How long we will keep your information

The information you provide will be kept for the duration of your licence, plus six years, after which time it will be deleted.

The information will be stored either in paper form and/or electronically on a secure council database.

What are your rights

You have rights under Data Protection law. For further details about your rights, the contact details of our Data Protection Officer and your rights to make a complaint please see our Data Protection web page:

<https://www.sheffield.gov.uk/privacy>

If you do not have access to the internet, please contact us and we will be able to provide paper versions of the information you require.

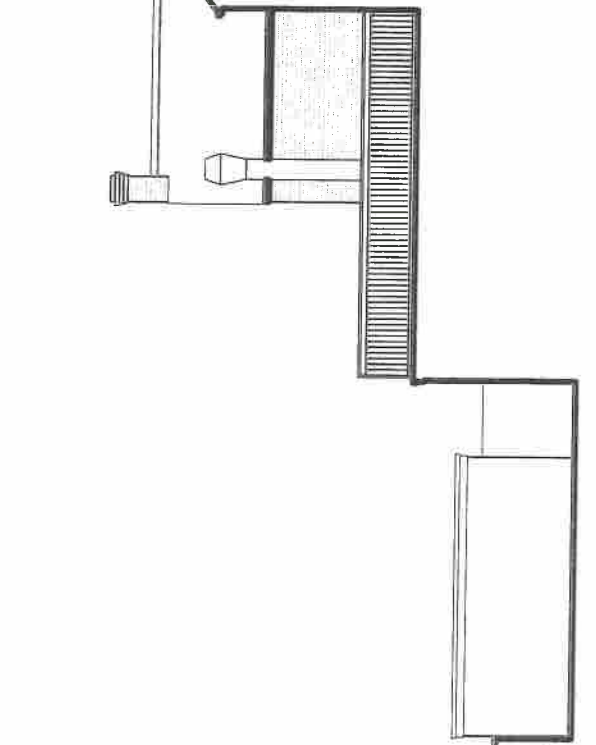
I have read and understood the information provided in this form and understand my personal information will be used in the processing of my application and/or request.

Name: ATA Izadi

Signature: 

Date: 25.04.22

ISSUED FOR PLANNING



East Facing Elevation As Proposed



REQUEST DATE	EWAN	CHECKED	DESCRIPTION	LOCAL	UNIT
06/07/20	MS JUAN BUTIMAR			1100-B-A-3	FEB 2020
PURCHASED	289 ECCLESALL ROAD, SHEFFIELD			DRAWN	M/L
LAWYER'S TITLE				JOB NUMBER	DRAWING NO.
					203

ELEVATIONS AS PROPOSED
SHEET 1 OF 2

TIMEARCHITECTS

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Appendix 'B'

Current Premises Licence

Licensing Act 2003 Premises Licence

Issue No: 1

SY002914 PR

LOCAL AUTHORITY



Licensing Service

Place Portfolio

Block C Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD

Tel: 0114 2734264

Taxi Enquiries: taxilicensing@sheffield.gov.uk

General Licensing: licensing@sheffield.gov.uk

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 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

7 Seas Restaurant

285 Ecclesall Road, Sheffield, S11 8NX.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To
I. Late night refreshment (Outdoors)			
	Sunday	11:00pm	Midnight
	Monday	11:00pm	Midnight
	Tuesday	11:00pm	Midnight
	Wednesday	11:00pm	Midnight
	Thursday	11:00pm	Midnight
	Friday	11:00pm	1:00am
	Saturday	11:00pm	1:00am

Licensing Act 2003 Premises Licence

Issue No: 1

SY002914PR

THE OPENING HOURS OF THE PREMISES

Day	Time From	Time To
Sunday	Noon	Midnight
Monday	Noon	Midnight
Tuesday	Noon	Midnight
Wednesday	Noon	Midnight
Thursday	Noon	Midnight
Friday	Noon	1:00am
Saturday	Noon	1:00am

PLEASE NOTE:

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Ata Izadi

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Restricted

LICENCE DATES

Licence first effective date: 17 December, 2019
This Premises Licence shall be in force from: 17 December, 2019
Issue date of this licence: 26 March, 2022



Steve Lonnia
Head of Licensing Services
On behalf of Sheffield City Council (Issuing Licensing Authority)

Licensing Act 2003 Premises Licence

Issue No: 1

SY002914PR



ANNEXES**Annex 1A - Mandatory Conditions****Mandatory Condition 1 (Section 19 ss 2)**

Where a licence authorises the sale of alcohol then no supply of alcohol may be made under the premises licence -

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Mandatory Condition 2 (Section 19 ss 3)

Where a licence authorises the sale of alcohol then every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Condition 3 (Section 20)

1. Where a premises licence authorises the exhibition of films, the licence 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).

Mandatory Condition 4 (Section 21)

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

Annex 1B - Mandatory Condition effective from 28th May 2014:

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a **Annex 1A - Mandatory Conditions**

Mandatory Condition 1 (Section 19 ss 2)

ANNEXES continued ...

Where a licence authorises the sale of alcohol then no supply of alcohol may be made under the premises licence -

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Mandatory Condition 2 (Section 19 ss 3)

Where a licence authorises the sale of alcohol then every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Condition 3 (Section 20)

1. Where a premises licence authorises the exhibition of films, the licence 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).

Mandatory Condition 4 (Section 21)

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

Annex 1B - Mandatory Condition effective from 28th May 2014:

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

ANNEXES continued ...

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 1C - Mandatory Conditions effective from 1st October 2014:

- 1.-(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 3.- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that-
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. Any persons displaying disorderly conduct shall be removed from the premises.

ANNEXES continued ...

2. All windows and doors will be kept closed at all times to prevent noise nuisance.
3. All delivery drivers will ensure that the music is turned off in their vehicles and do not use their horns after 23:00 hours.
4. Litter picking within the vicinity of the premises will be conducted throughout the day and evening.

Agreed Conditions by South Yorkshire Police Licensing 12th November 2019

1. A CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open (in line with specification July 2019). The CCTV images will be stored for 30 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder. Members of the management team will be trained in the use of the system.
2. Persons under the age of 18 years must be accompanied and supervised by a responsible adult at all times.
3. Clear and legible notices shall be displayed at all exits requesting that the public respect the needs of local residents and to leave the premises and area quietly.
4. The premises will maintain a register of incidents. Such records will be kept and made available for inspection of the authorities.
5. No admittance or re admittance of members of the public after 04.00 hours.

Agreed conditions by Environmental Protection Services 6th December 2019

1. Before the premises open a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall be:

- a) 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(s) 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 commercial use(s) 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 Environmental Protection Service (EPS).

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

2. Before the use of the premises is commenced, Validation Testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the EPS. Such Validation Testing shall:
 - a) Be carried out in accordance with an approved method statement.
 - b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development

Licensing Act 2003 Premises Licence

Issue No: 1

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ANNEXES continued ...

is commenced. Such further scheme of works shall be installed as approved in writing by the EPS before the use is commenced and shall thereafter be retained.

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

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

1. The premises must operate as a takeaway only and no consumption at the premises.

ANNEX 4 - Plans

285 Ecclesall Road
Sheffield
S11 8NX
07/01/2020

Licensing Act 2003

Issue No: 1

Premises Licence Summary SY002914PR

LOCAL AUTHORITY



Licensing Service

Place Portfolio

Block C Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD

Tel: 0114 2734264

Taxi Enquiries: taxilicensing@sheffield.gov.uk

General Licensing: licensing@sheffield.gov.uk

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:

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

7 Seas Restaurant

285 Ecclesall Road, Sheffield, S11 8NX.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To
I. Late night refreshment (Outdoors)			
	Sunday	11:00pm	Midnight
	Monday	11:00pm	Midnight
	Tuesday	11:00pm	Midnight
	Wednesday	11:00pm	Midnight
	Thursday	11:00pm	Midnight
	Friday	11:00pm	1:00am
	Saturday	11:00pm	1:00am

Licensing Act 2003

Premises Licence Summary SY002914PR

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THE OPENING HOURS OF THE PREMISES

Day	Time From	Time To
Sunday	Noon	Midnight
Monday	Noon	Midnight
Tuesday	Noon	Midnight
Wednesday	Noon	Midnight
Thursday	Noon	Midnight
Friday	Noon	1:00am
Saturday	Noon	1:00am

PLEASE NOTE:

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Ata Izadi

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Restricted

LICENCE DATES

Licence first effective date: 17 December, 2019

This premises licence shall be in force from 17 December, 2019

Issued date of this licence: 26 March, 2022


Steve Lonnia
Head of Licensing Services
On behalf of Sheffield City Council (Issuing licensing authority)

Appendix 'C'

Agreed Conditions:
Environmental Protection Service,
Sheffield City Council

EPS - Agreed Conditions +

Michael Crawshaw (CEX)

From: Georgina Hollis (CEX) on behalf of licensingservice
Sent: 23 May 2022 21:57
To: Michael Crawshaw (CEX)
Subject: FW: Application to Variation the Premises Licence at - 7 Seas Restaurant, 285 Ecclesall Road

maintaining old one.

Importance: High

Mick - can you update licence file AND Lalpac please

If archive this email

From: Jonathan Round <Jonathan.Round@sheffield.gov.uk>
Sent: 20 May 2022 15:40
To: '7 seas Restaurant' <7seas.sheff@gmail.com>
Cc: licensingservice <licensingservice@sheffield.gov.uk>
Subject: RE: Application to Variation the Premises Licence at - 7 Seas Restaurant, 285 Ecclesall Road

Rob,

Thanks for your agreement.

Licensing Officer,

As you can see the applicant is happy to accept my proposed 3 conditions below and **retain the condition prohibiting speakers outside the premises.**

Could you confirm the emails below make sense and that the agreed conditions will appear on the premises licence when granted. On this basis please withdrawn my previous representation.

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

From: 7 seas Restaurant <7seas.sheff@gmail.com>
Sent: 20 May 2022 15:34

To: Jonathan Round <Jonathan.Round@sheffield.gov.uk>

Cc: licensingservice <licensingsservice@sheffield.gov.uk>

Subject: Re: Application to Variation the Premises Licence at - 7 Seas Restaurant, 285 Ecclesall Road

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 Jonathan,

We agree to the amended terms above and these conditions to be put on our licence.

Any issue, please call 

Thanks Rob
General Manager

On Thu, 19 May 2022 at 16:55, Jonathan Round <Jonathan.Round@sheffield.gov.uk> wrote:

F.A.O. Rob,

Further to our conversation. I understand the initial noise report has been completed by NoiseAssess and a further validation report will be produced in the coming weeks and forwarded for comment before the premises open.

With respect to my previous representation. I have no objection to the removal of the condition restricting the use of the premises as a takeaway:

- The premises must operate as a takeaway only, and no consumption at the premises

I am happy for the removal of the below condition about the windows and doors if my proposed conditions (with the amended noise limiter condition) are imposed on the new licence when granted.

- All windows and doors will be kept closed at all times to prevent noise nuisance'

The conditions to be accepted that I had previously proposed with an amended the noise limiter condition:

1. No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiter, the design and settings of which shall have received the prior written approval of the Environmental Protection Service.

2. The bi-fold doors to the front shall be closed from 21:00hrs on any day of the week, and at any time when amplified sound is present in the building.

3. The outside area to the front of the premises shall only be used between 11:00-21:00hrs on any day of the week.

To remain in the Premises Licence:

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

If you are happy for the above 3 conditions to appear on your premises licence when granted then reply back with your agreement and reply to all.

Licensing officer,

I trust the above makes sense, but if need any further clarification 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

From: Jonathan Round

Sent: 17 May 2022 13:20

To: '7seas.sheff@gmail.com' <7seas.sheff@gmail.com>

Cc: licensingservice <licensingservice@sheffield.gov.uk>; Sheffield. Liquor-Licensing <sheffield.liquor-licensing@southyorks.pnn.police.uk>

Subject: Application to Variation the Premises Licence at - 7 Seas Restaurant, 285 Ecclesall 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 to vary the 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 note the premises has of a change of use planning application (20/00868/FUL | Use of retail unit (Use Class A1) as a restaurant and take-away (Use Classes A3 and A5) with alterations to front elevation - including erection of single-storey extension to shopfront, ramp and outdoor seating space- and flue to rear (Amended Description). The consent for this change of use replicates some of the conditions which are seeking to be removed under this licence variation. The planning consent also includes conditions relating to the need for a noise survey to be produced and a validation of the works recommended in the noise survey to protect nearby residents from potential noise issues once the change of use takes place. It is unclear if this permission has been implemented, but I cannot see any submission of the required noise surveys.

I will have to object to the removal of some of the conditions proposed in the application:

The first condition **proposed** to be removed - **requiring the premises to operate** as a takeaway. I will accept this condition being removed if appropriate safeguards are put in place to protect nearby residents from noise. I note that there is already a requirement for a noise **survey** and validation report on the current **premises** licence, but neither of these reports have been submitted for approval.

The second condition seeking to be removed from the licence relating to the opening of windows and doors I would comment that having amplified sound within the building and opening doors or windows will allow the sound to escape I would therefore be reluctant to remove this condition without alternative safeguards being put in place. I would therefore propose that the below conditions are added if the existing is to be **removed**:

- No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiting facility capable of limiting the sound level output of the system to a pre-set level which may then be secured in a tamper-resistant manner, the design and settings of which shall have received the prior written approval of the EPS.
- The bi-fold doors to the front shall be closed from 21:00hrs on any day of the week, and at any time when amplified sound is present in the building.
- The outside area to the front of the premises shall only be used between 11:00-21:00hrs on any day of the week.

The third condition seeking the removal of the condition to prevent speakers outside the premises is not something I would consider and the condition should remain in place.

If the applicant would like to consider the replacement of the conditions currently on the licence with those proposed above or have alternative suggestions which would achieve the same I'm happy to discuss the matter further. If you need further clarification, or you are happy to accept the proposed conditions or any alternatives then 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

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Appendix 'D'

Outstanding Representation:

Health Protection Service,
Sheffield City Council



From: Elaine Cresswell
Sent: 23 May 2022 10:23
To: 7 seas Restaurant; licensingservice; Michael Crawshaw (CEX)
Cc: Sean Gibbons (DEL)
Subject: RE: FW: SRU 704934: Variation of Premises Licence: 285 Ecclesall Road, Sheffield, S11 8NX

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

20/5/22

FAO Robert Collins (manager) & Mr Ata Izadi (licence applicant)

Dear Mr Collins and Mr Izadi

SRU 704934: Variation of Premises Licence: 285 Ecclesall Road, Sheffield, S11 8NX

Thank you for sending the asbestos management plan and electrical certificate.

I refer to my meeting on 20 May 2022 at 12:30hrs with Mr Collins and owners Jwan Butimar and Hadi Butimar regarding the application concerning the above premises. I regret to inform you that as the responsible authority in respect of Public Safety at the present time I have no alternative than to make a formal representation due to the proposed layout and arrangements shown on the plan which are unsatisfactory.

As we discussed I am concerned that the premises design is not in accordance with the plan submitted.

These are the matters of concern:

1. Access Ramp

The access ramp to the premises has not been built in accordance with the submitted plan and does not meet current building regulation standards agreed as part of your planning permission.

- *There is no landing between the top of the ramp and the entrance door.*
- *The ramp is 1100mm wide compared to the minimum surface width of 1500mm needed to meet current standards*
- *The gradient appears to be significantly in excess of a 1:12 gradient. (approx. 1:50)*

The design of the ramp was brought to the attention of your architect Mike Leigh, Time Architects (letter/email ref: 13th July 2020 20/00868/FUL by Mathew Ridge, Principle Planning Officer and amended drawings were submitted by your architect incorporating 'a corrected entrance ramp of 1500mm wide with compliant handrails, and 1:12 rake' (letter/email ref: 14th July 2020 20/00868/FUL.). The ramp is shown on the plan parallel to the front of the building with a level access landing in front of the door.

The ramp is dangerous in its current form and is not acceptable.

Please provide me with the contact details of your building control officer, James Bosworth. As discussed I will be raising this issue with planning.

2. Sanitary provision

The internal ambulant accessible toilet does not meet the requirement of BS8300-2 as submitted to planning by your architect. It is 900mm wide instead of 1200mm and the distance between the door swing and the toilet seat is 600 mm instead of 750mm. The width of the access space is narrowed further to 530mm by a large fitted mirror and deep sink.

- For small premises with less than 25 seats the sanitary appliance standard is one unisex wheelchair accessible toilet (as was brought to the attention of Ata Izadi at his previous application dated 3/11/2019) – I note that a compromise of an ambulant accessible toilet to BS8300-2 was submitted to planning so it is **disappointing** that you have chosen to compromised this **standard** further. The Councils Licensing **Policy** 2021 - 2025 on Venue Safety requires reasonable provision to be made under the Equality Act 2010 for people to access and use the building and its facilities. BS8300-2 and Building Regulations Approved Document **M** are particularly mentioned as **relevant** in that policy. I recommend that you consult your architect to discuss what improvement can be made.
- The internal fitments of the toilet will require grab rails as per the BS8300-2 and a call for assistance device.

(I note that you have an external toilet in the rear yard shared with an office building. I understand you expect your staff to use this external toilet – I refer to my previous comments regarding cleaning, maintenance and legal agreement with the landowner). The shared yard also includes a fire escape staircase from residential flats above the premises and would **not** be suitable for access by the public.

3. Restaurant and bar flooring

I understand the tiled floor fitted in the restaurant and bar has a slip resistance of R9 which is the most slippery of the R scale. I understand you have fitted the most slip resistant, R11 tiles in the kitchen of the premises.

- For licensed restaurants, cafes and any other similar premises, slip resistant flooring must be incorporated into the design for public areas and thoroughfares.

I understand you have treated the restaurant and bar tiles with a product to reduce its slipperiness. Slips trips and falls are the most significant causal factor in accidents in the catering and hospitality industries. I recommend you seek further advice to ensure this floor meets the equivalent of the pendulum wet test 36+ as determined by BS7976 for public areas and thoroughfares.

Further information on flooring is available at www.hse.gov.uk/slips/architects.htm

4. Kitchen fire exit

You have marked a fire escape route from the restaurant through the bar and kitchen which terminates at a fire door opening outwards directly over a step into the exit corridor from the yard. Whilst this exit may be suitable for staff I am of the opinion that this route is not suitable for members of the public and I will seek further advice from the fire officer.

5. Premises basement

I note that this area is being boarded out for use as a food storage area and contains a walk-in chiller. There is also a room for staff storage lockers and changing facility. This area is low ceilinged and accessed by a steep staircase. As such it is not suitable as a work area and I will seek further advice from the fire officer and building control. I understand a handrail to the staircase is to be refitted.

6. License conditions

I propose conditions to be attached to Annex 2 of the Licence with respect to public safety these would include:

- A Building Regulation Completion Certificate shall be submitted to the responsible authority for public safety prior to opening for business.
- A satisfactory Electrical Installation Certificate shall be submitted to the responsible authority for public safety prior to opening for business. (If an electrical condition report is provided it should cover 100% of the premises).

Please confirm you agree to these conditions.

Please advise me how you propose to address these issues so that we can hopefully resolve these matters.

Yours sincerely,

Elaine Cresswell

Environmental Health Technician/Health & Safety Inspector, Environmental Regulation, Sheffield City Council, 5th Floor North, Howden House, 1 Union Street, Sheffield, S1 2SH

Tel: 0114 474 1449 (currently working out of office – please use email)

Email: elaine.cresswell@sheffield.gov.uk

Fax: 0114 273 6464

www.sheffield.gov.uk

<http://www.sheffield.gov.uk/content/sheffield/home/business/health-and-safety-enforcement.html>

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From: 7 seas Restaurant <7seas.sheff@gmail.com>

Sent: 13 May 2022 17:28

To: Elaine Cresswell <Elaine.Cresswell@sheffield.gov.uk>

Subject: Re: FW: SRU 704934: Variation of Premises Licence: 285 Ecclesall Road, Sheffield, S11 8NX

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 Elaine,

- 1) We have located the asbestos survey completed DEC 2019, (Please find attached) - Which says we have no asbestos - Any issues, please let me know!
- 2) The ramp is 1800mm long, but is 1100mm wide, not 1500mm. As stated, James Bosworth has signed this off, and was in contact with our builder regarding the ramp at the time. Once we have the Building Regulation Completion Certificate, will this be ok?
- 3) In regards ambulant toilet inside, The toilet built does not meet the required measurements that you sent. Moving the wall over would have a detrimental affect of the workflow and layout of the restaurant, meaning there would not be enough space between tables for our staff and customers to safely walk through, should there ever be an emergency.
Inside Toilet Measurements - 100CM (W) - Distance of toilet to open door is 60CM
Therefore, we are going to use our outside toilet as the Accessible & Staff Toilet.
- 5) Please see attached a copy of the amended plan, stating the basement has 'No Access To Public).
- 6) The plan attached also has the amended 'Concrete Yard' showing where the staff/disabled toilet is situated.

Please let me know if there is any more issues. Feel free to call me on [REDACTED] any time :)

Thanks Rob

On Fri, 13 May 2022 at 16:43, Elaine Cresswell <Elaine.Cresswell@sheffield.gov.uk> wrote:

Hello Rob,

Thank you for your quick response and sorry this is a hasty reply.

Hopefully they will find a copy of the asbestos survey.

2) see attachment from the planning website – sorry I forgot to mention to put the address in the search bar to bring up the planning history.

<https://www.sheffield.gov.uk/home/planning-development/search-view-comment>

documents 20/00868/FUL | Use of retail unit (Use Class A1) as a restaurant and take-away (Use Classes A3 and A5) with alterations to front elevation - including erection of single-storey extension to shopfront, ramp and outdoor seating space- and flue to rear (Amended Description) | The Sheffield Cats Shelter 285 Ecclesall Road Sheffield S11 8NX

- The screen shot document is the pre commencement agreement – I have screen shot the info on the ramp so should be this specification.

Great to hear Building regs are happy with it and nearly there for certificate.

3) re the ambulant accessible toilet – what dimensions do you have? Please send a photo of what you have in put in place. You could also ask the architect who specified this – see screen shot.

5) Basement – write clearly on your plan in black and send me a photo as you have done - I will forward to planning with agreed conditions.

6) If the staff outside bathroom is in your yard please mark it on the plan – you can hand draw its location and annotate as above.

I hope to hear about the asbestos management plan early next week then I can arrange to visit.

Kind regards

Elaine Cresswell

Environmental Health Technician/Health & Safety Inspector, Environmental Regulation, Sheffield City Council, 5th Floor North, Howden House, 1 Union Street, Sheffield, S1 2SH

Tel: 0114 474 1449 (currently working out of office – please use email)

Email: elaine.cresswell@sheffield.gov.uk

Fax: 0114 273 6464

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From: 7 seas Restaurant <7seas.sheff@gmail.com>

Sent: 12 May 2022 17:09

To: Elaine Cresswell <Elaine.Cresswell@sheffield.gov.uk>

Subject: Re: FW: SRU 704934: Variation of Premises Licence: 285 Ecclesall Road, Sheffield, S11 8NX

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 Elaine,

1) We are waiting on a Solicitors to call us back regarding the Asbestos Survey. I've been assured one was completed Jan 2020. However the company Keebles that did it has been taken over by Knights, so this may take a bit of time for them to locate the file. We have also contacted the landlord, who is also looking for a copy of the Asbestos for the property.

2) It's taken me some time to work how what file I was supposed to be looking at for the ramp & handrail on the plan. Please see Image0 attached to confirm we are looking at the same thing? On this, I can see the handrail needs to be at a height of 900mm, which has been added parallel which the ramp. In terms of the ramp, I can't see any information on the details of it. Can you please clarify what you have seen, and what is required. James Bosworth from Building Regulations has accepted the ramp, he just needs the ventilation certificate from us before signing off the Building Regulation Completion Certificate.

3) Thank you for all the information you have provided regarding the ambulant accessible toilet, we are exploring our options with this, on what is the best solution moving forward.

4) I can confirm that our bins, the shop next door's bins, and the bins belonging to the occupants of the flat above the restaurant, will all be stored away from the rear fire exit in the 'Concrete Area', out back.

5) For the basement on the plan, Please see Image0 (1) attached. Are you asking for this section to show as 'no access for customers'? And if so, how would we go about adding a new plan to our application? The link you have sent me is dated 2020, I cannot see the variation application online that we submitted? To confirm, the door to our basement is located within a staff area, so should never be accessible for our guests - and we can put a notice on the door saying 'staff only' if required?

6) Good news in regards to the staff using the outside bathroom, On the plan submitted on the link you provided, the outside 'Concrete Yard' is shown as part of this property, so we would not need permission from the shop next door to use it. (Please see image0 (2) attached. We will ensure it remains clean and tidy, and we already have an account with PHS, so adding any additional sanitary bins etc will not be a problem. In regards to the additional toilet for staff (over 5), If we manage to extend one of the existing bathrooms to become the accessible bathroom. Then we can provide an additional toilet downstairs in the staff area of the basement. However, if we have to build an additional accessible toilet in the concrete yard, then we would give us a total of three toilets.

7) Yes we have already uploaded our Gas Safe Certificate to the Shield Safety system, If you would like me to send you a copy, please ask. All relevant testing such as PAT testing on equipment will be carried out before we open.

8) As mentioned earlier, we just need the ventilation to receive the Building Regulation Completion Certificate. I've been assured the electrical certificate has been completed, but the company hasn't sent it. We have contacted the engineer today, who is on holiday. So will receive this soon.

I will be on site from 9am tomorrow. Please feel to give me another call on 0114 276 1111 if you feel this would be easier to converse over the phone.

Thanks Rob

General Manager

On Thu, 12 May 2022 at 08:57, Elaine Cresswell <Elaine.Cresswell@sheffield.gov.uk> wrote:

12/5/22

Dear Mr Collins

Further to my earlier email below, the access officer has said the ambulant standard will be acceptable.

The standard referred to by your employers architect is BS8300-2 **Design** of an accessible and inclusive built environment Part 2

These are the minimum dimensions:

- width of the WC cubicle - 1200mm
- length - there should be more than 750mm between the front of the WC pan and the door swing

For more information on the size/layout I suggest you contact your architect for advice.

Kind regards.

Elaine Cresswell

From: Elaine Cresswell

Sent: 11 May 2022 15:09

To: 7seas.sheff@gmail.com

Subject: FW: SRU 704934: Variation of Premises Licence: 285 Ecclesall Road, Sheffield, S11 8NX

11th May 2022

FAO Robert Collins & Mr Ata Izadi

Dear Mr Collins

SRU 704934: Variation of Premises Licence: 285 Ecclesall Road, Sheffield, S11 8NX

I refer to my telephone conversation with you on 11 May 2022 and thank you for your time.

To confirm:-

1. You are to locate and provide a copy of the asbestos management plan for the premise in place prior to refurbishment work.
2. The link to the planning permission Ref. No: 20/00868/FUL is here with details of the ramp and handrails
 - <https://www.sheffield.gov.uk/home/planning-development/search-view-comment>
3. I have sent a request to our access officer for advice on the ambulant disabled WC.
4. I understand there is no access to the first floor flat direct from the restaurant although a fire escape staircase exits in the rear yard. Bins must not obstruct the fire escape route or be stored beneath it.

5. The basement is not **accessible** to customers and is to be used for staff changing and food **storage** only - no food preparation work.

The **basement** must be shown as no public **access** on your plan.

6. The office in the yard is rented to a third party but does not have a WC. I understand the staff use an outside toilet in the adjacent premise and it is proposed that staff from the restaurant will also use the outside yard facilities in the adjacent premises. This is not ideal. If this arrangement is to continue then you will need to arrange a legal agreement with the adjoining premises to the effect that the yard toilet facilities are to remain open throughout the **opening** hours of your premises and that they shall be maintained in a clean, decorated and tidy condition with hot and cold running water connected to the main drainage system, toilet paper, hand washing and drying facilities and sanitary **disposal** provision if they are used by female staff. If more than 5 staff share this toilet you will need to provide an additional toilet. This may be something that we may need to consider as a condition on the licence. You may wish to consider providing a WC in the office suite.
7. I understand that cooking facilities are gas and you have gas safe certification and provision for maintenance of gas appliances and extract ventilation.
8. I propose conditions to be attached to Annex 2 of the Licence with respect to public safety these would include:
- A Building Regulation Completion Certificate shall be submitted to the responsible authority for public safety prior to opening for business.
 - A satisfactory Electrical Installation Certificate shall be submitted to the responsible authority for public safety prior to opening for business. (If an electrical condition report is provided it should cover 100% of the premises).

Once I have received your asbestos management plan, I would like to arrange a visit.

I look forward to hearing from you soon.

Yours sincerely,

Elaine Cresswell

Environmental Health Technician/Health & Safety Inspector, Environmental Regulation, Sheffield City Council, 5th Floor North, Howden House, 1 Union Street, Sheffield, S1 2SH

Tel: 0114 474 1449 (currently working out of office – please use email)

Email: elaine.cresswell@sheffield.gov.uk

Fax: 0114 273 6464

www.sheffield.gov.uk

<http://www.sheffield.gov.uk/content/sheffield/home/business/health-and-safety-enforcement.html>

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From: Elaine Cresswell

Sent: 10 May 2022 14:39

To: 7seas.sheff@gmail.com

Subject: SRU 704934: Variation of Premises Licence: 285 Ecclesall Road, Sheffield, S11 8NX

FAO Ata Izadi

Dear Mr Izadi

SRU 704934: Variation of Premises Licence: 285 Ecclesall Road, Sheffield, S11 8NX

I represent Sheffield City Council's Health and Safety Enforcement Team in the Health Protection Service as Responsible Authority for Public Safety for this application. I have reviewed your application and would appreciate further information from you. Please could you give me a call to discuss the following:-

General

- Do you have an asbestos management plan and identified if there is any asbestos in the building prior to carrying out alterations?
- Establishments with up to 25 seats should provide one wheelchair accessible unisex toilet, which may be used by both staff and customers. The toilet shown does not appear to be wheelchair accessible – what are the dimensions of the room?
- A ramp is shown to the front of the premise and the text refers to access steps. What are the dimensions of the steps forming the access to the premises and where are they situated?
- Your plan shows a staircase to the first floor and a basement floor from the servery. Who has access to these areas and what are the functions of the rooms above and below? What are the dimensions of the stairs?
- Who has access to the office in the yard?

Kitchen

- Do you have gas appliances?
- Where is the inlet for the fresh air? Is there an openable window or louvre in the front of the premises and kitchen for example?
- Have you had any electrical works done in the premises – for example a full rewire, or have you had the electrics checked throughout and have an electrical condition report covering 100% of the premises?

We will need to discuss possible conditions to be attached to Annex 2 of the Licence with respect to public safety these would include:

1. A Building Regulation Completion Certificate shall be submitted to the responsible authority for public safety prior to opening for business.
2. A satisfactory Electrical Installation Certificate shall be submitted to the responsible authority for public safety prior to opening for business. (If an electrical condition report is provided it should cover 100% of the premises).

I attach our guidelines for Health and Safety in Licensed Premises. I would like to draw your attention to flooring (pg. 2), disabled access, accessible W/C, capacity and structural matters.

My phone number is 0114 474 1449

Yours sincerely

Elaine Cresswell

Elaine Cresswell

Environmental Health Technician/Health & Safety Inspector, Environmental Regulation, Sheffield City Council, 5th Floor North, Howden House, 1 Union Street, Sheffield, S1 2SH

Tel: 0114 474 1449 (currently working out of office – please use email)

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Appendix ‘E’

Hearing Notices / Regulations / Procedures



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

Elaine Cresswell
Health Protection Service, Sheffield City Council

Sent via email: elaine.cresswell@sheffield.gov.uk

The Sheffield City Council being the licensing authority, on the 25th April 2022 received an application in respect of the premises known as;

7 Seas Restaurant, 285 Ecclesall Road, Sheffield, S11 8NX

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

Health Protection Service, Sheffield City Council

The Council now **GIVES YOU NOTICE** that the representation 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 **Monday 20th June 2022, 10am**; following which the Council will issue a notice of determination of the application.

The documents which accompany this notice are the relevant representation 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, or LicensingService@sheffield.gov.uk** within five (5) working days before the day or the first day on which the hearing is to be held.

Dated: 10th June 2022

Signed: Jayne Gough
The officer appointed for this purpose

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



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

Mr Ata Izadi (Applicant)
7 Seas Restaurant, 285 Ecclesall Road, Sheffield, S11 8NX

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 25th April 2022 received your application in respect of the premises known as;

7 Seas Restaurant, 285 Ecclesall Road, Sheffield, S11 8NX

During the consultation period, the Council received a representation from the following interested party:

Health 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 in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **Monday 20th June 2022 at 10am**; following which the Council will issue a notice of determination of the application.

The documents which accompany this notice are the relevant representation 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, or licensing@sheffield.gov.uk** within five (5) working days before the day or the first day on which the hearing is to be held.

Dated: 10th June 2022

Signed: Jayne Gough
The officer appointed for this purpose

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.

LICENSING ACT 2003

Form LAR 1
Regulation 8

Premises: 7 Seas Restaurant, 285 Ecclesall Road, Sheffield, S11 8NX
Type of App: LA03 Variation of a Premises Licence Application
Hearing Date: 20th June 2022 – 10am, Sheffield Town Hall

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 Mr Ata Izadi (Applicant)

of 285 Ecclesall Road, Sheffield, S11 8NX

hereby confirm that I have received the Notice of Hearing dated 10th June 2022 and notify you as follows (please complete):

☐ I intend to attend the hearing at 10am on Monday 20th June 2022 in Sheffield Town Hall.

☐ I do not intend to attend the hearing

☐ I intend to be represented at the hearing by:

☐ I consider the hearing to be unnecessary because:

.....

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

Dated: Signed:

Please see Regulation 8 overleaf

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

licensing@sheffield.gov.uk

Regulation 8

- (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.