



SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 22nd November 2022 – 10am

Subject: Licensing Act 2003 Review of a Premises Licence:
Corner Shop, 253 Glossop Road, Sheffield, S10 2GZ

Author of Report: Jayne Gough

Summary: To consider an application for the **Review** of a premises licence under the Licensing Act 2003 submitted by the Licensing Authority in its capacity as a Responsible Authority

Recommendations: That Members consider all the relevant information available and any representations that may be made.

Background Papers: Attached
Licensing Act 2003 – Statement of Licensing Policy
<https://www.sheffield.gov.uk/home/business/licences-permits-registrations/about-licences>

Category of Report: **OPEN**

REPORT OF THE CHIEF LICENSING OFFICER, HEAD OF LICENSING, TO THE LICENSING SUB COMMITTEE

Ref No 157/22

Corner Shop, 253 Glossop Road, Sheffield, S10 2GZ

1.0 PURPOSE OF REPORT

- 1.1 To consider an application for the review of a premises licence made under Section 51 of the Licensing Act 2003 in relation to Corner Shop, 253 Glossop Road, Sheffield, S10 2GZ.

2.0 THE APPLICATION

- 2.1 The application was made by the Licensing Authority acting in its capacity as a Responsible Authority of Sheffield City Council on the 5th October 2022 due to repeated and continued breaches of the Licensing Act 2003 under Sections 57 (ss3), and section 136.
- 2.2 The grounds for the review are based on the following Licensing Act 2003 objectives: -
- **Prevention of Crime and Disorder**
 - **Public Safety**
 - **Protection of Children from Harm**
- 2.3 The Review application and supporting evidence is attached at Appendix 'A' which details the grounds of the review application.
- 2.4 A copy of the current premises licence SY003017 is attached at Appendix 'B'.

3.0 REASONS FOR REFERRAL

- 3.1 The Licensing Authority must, under the Act, refer any application for review to the Licensing Committee, unless it is withdrawn, or if representations are made by an interested party that the Licensing Authority are of the opinion that they are frivolous or vexatious.
- 3.2 The premises licence was initially granted at Licensing Sub-Committee in July this year following a number of outstanding objections being submitted by local residents concerning the proposed late opening hours, the impact of noise nuisance and the possibility of increased drug use in the immediate vicinity of their residential properties which back directly onto the premises. Shortly after the licence was granted, the licence was transferred to the current Premises Licence Holder.
- 3.3 As the licence itself had not yet been issued at the time the transfer was received, Licensing Enforcement Officers hand delivered the licence to the premises to ensure the new licence holder was fully aware of what was agreed at the Licensing Sub-Committee and all conditions were clearly outlined.
- 3.4 Sheffield City Council's Licensing Act Policy states:

"The Licensing Authority will continue to tackle those who fail to uphold the licensing objectives, breach their conditions, or operate outside their licence. The Council see licensing as a key means of controlling nuisance and anti-social behaviour from licensed premises.

The service plays an active part in the holistic approach to the management of the evening and night-time economy by assisting in reducing alcohol related harms and linking in with support initiatives and helping to promote positive and safe practice across the City.”

During the representation period, the Licensing Authority has also received representations from the following Responsible Authorities: -

- a) South Yorkshire Police Appendix 'C'
- b) Sheffield Children Safeguarding Partnership Appendix 'C'

- 3.5 The applicant (The Licensing Authority, as a Responsible Authority); the Premises Licence Holder and parties who have made representations have all been invited to attend the hearing. Copies of the front pages of the notices are attached to this report labelled Appendix 'D'.

4.0 FINANCIAL IMPLICATIONS

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

5.0 THE LEGAL POSITION

- 5.1 The Licensing Act 2003 at section 52(3) requires that the Licensing Authority must, having regard to the application and any relevant representations, take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

- 5.2 Section 52(4) states:

“The steps are –

- a) To modify the conditions of the licence;
- b) To exclude the licensable activity from the scope of the licence;
- c) To remove the designated premises supervisor;
- d) To suspend the licence for a period not exceeding three months;
- e) To revoke the licence;

and for this purpose, the conditions of the licence are modified if any of them is altered or omitted, or any new condition added.

- 5.3 If members decide to take the steps referred to in (a) or (b) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

- 5.4 The Licensing Act 2003 at section 52(11) states that:

“A determination under this section does not have effect –

- a) until the end of the period given for appealing against the decision, or
- b) if the decision is appealed against, until the appeal is disposed of.”

- 5.5 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.

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

6.0 HEARINGS REGULATIONS

- 6.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.
- 6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'D'.
- 6.3 Attached at Appendix 'D' is the following: -
- a) a copy of the Notice of Hearing;
 - b) the rights of a party provided in Regulations 15 and 16;
 - c) the consequences if a party does not attend or is not represented at the hearing
 - d) the procedure to be followed at the hearing.

7.0 APPEALS

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

8.0 RECOMMENDATIONS

- 8.1 That members carefully consider the application for review along with any other representations made and take such steps as detailed in paragraph 5.2 above that the Committee consider necessary for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1
- a) modify the conditions of the licence;
 - b) exclude a licensable activity from the scope of the licence;
 - c) remove the designated premises supervisor;
 - d) suspend the licence for a period not exceeding three months;
 - e) revoke the licence; or
 - f) reject the application for review.

Steve Lonnie

Steve Lonnie,
Chief Licensing Officer, Head of Licensing
Street Scene and Regulation
Place Portfolio
Block C, Staniforth Road Depot
Sheffield
S9 3HD.

22nd November 2022

Appendix 'A'

Review Application:
Licensing Authority (as a Responsible Authority)

Application for the review of a premises licence or club premises certificate 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 **██████████** **Licensing Enforcement & Technical Officer**

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Corner Shop 253 Glossop Road	
Post town Sheffield	Post code (if known) S10 2GZ

Name of premises licence holder or club holding club premises certificate (if known) Mr Ehsan NADERI
--

Number of premises licence or club premises certificate (if known) SY3017PR

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

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

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

██████████ Licensing Enforcement & Technical Officer
Sheffield City Council
Licensing Service
Block C, Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD

Telephone number (if any)

██████████

E-mail address (optional)

████████████████████

This application to review relates to the following licensing objective(s)

- | | |
|---|-------------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

Breached Legislation:

- Section 57(ss3) of the Licensing Act 2003 - **Duty to keep and produce licence**

The Licensing Service received a recent transfer of Premises Licence for the Corner Shop (Licence No SY3017PR), prior to the original Premises Licence being determined and subsequently granted at the Licensing Sub Committee. I hand delivered the licence to the premises to ensure that the new Licensee was aware and complying with the conditions pertained within the premises operating Schedule.

At approximately 22:30 hours I attended the premises with my colleague ██████████ on Saturday 3rd September 2022. Unfortunately, the Licensee Ehsan NADERI wasn't on the premises. After a brief discussion with a male shop worker, he handed me his mobile phone which was connected to who I believe to be Mr NADERI. I explained to Mr NADERI the purpose of my visit and attempted to go through the conditions under Annex 2 of the Premises Licence. It was apparent that Mr NADERI wasn't complying with of the licence conditions. Mr NADERI was given two weeks to review the licence conditions and to address all of which he is currently in breach. I advised that the licence must also be clearly displayed on the premises. As I inspected the premises, I noted a mattress with bedding located within the storeroom along with broke, missing floor tiles to the shop floor. A Channel has also been cut along the shop floor creating a trip hazard.

A follow-up visit ensued on Tuesday 20th September 2022 with ██████████ from Police Licensing. I inspected the premises and noted the same issues witnessed during my original visit on 3rd September 2022. The shop worker again handed me his mobile phone to speak to Mr NADERI. I went through the licence conditions and found them to be in breach of:

1. The premises shall install and maintain a digital CCTV system. The CCTV system shall have sufficient hard drive storage capacity to store a minimum of 31 days. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises at

each exit and entrance point. A CCTV log will be completed on a weekly basis to record all elements of the CCTV System is maintained in good working order and recordings date and time stamped. Unable to evidence CCTV in operation and no CCTV log available at the time of the inspection.

2. All staff shall be trained in the operation of the CCTV system to ensure rapid data retrieval & downloads of footage can be provided to the Police & the Local Authority Officer upon reasonable request. Staff unable to demonstrate that they are proficient in the use of the CCTV System.
3. CCTV shall be continually recording during licensable hours. In the event of a failure of the CCTV system for any reason, a record of the failure will be recorded in the premises log and immediate steps will be made to rectify the problem. Unable to evidence CCTV in operation, Licensee stated they are awaiting internet connection. Upon inspection of the NVR recorder, CCTV cameras are not IP and a HDMI output is available to display the footage via HDMI Cable. No log available at the time of inspection.
4. An incident log must be kept at the premises. Log records shall be retained for a period of 12 months from the date it occurred. It shall be made immediately available on request to an 'authorised person' (as defined by section 13 of the Licensing Act 2003), an authorised trading standards officer or the police, and must record the following; (a) All crimes reported to the premises (where relevant to the licensing objectives) (b) Any incidents of disorder. No incident log made available on the premises at the time of inspection.
8. Prominent, clear and legible signage shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quickly and quietly. Signage not on display at the time of inspection.
11. A written register of refusals shall be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months and shall be collected by the designated premises supervisor and produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer the local authority/council on demand. No refusals register made available at the time of inspection.
12. All staff engaged in the sale of alcohol shall be trained in Challenge 25. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer of the local authority/council on demand. No staff training records made available at the time of inspection.
13. Proxy signs shall be on display warning adults about the law surrounding buying alcohol for children. No proxy signs on display at the time of inspection.
15. The premises shall operate a Challenge 25 policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the police or an 'authorised person. Prominent, clear and legible Challenge 25 signage shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme operated. No written policy made available and no Challenge 25 Posters on display at the time of inspection.
17. Alcohol stock levels on display will not exceed 20% of overall shelf space at any time - with approximately 80% of the shelving being stocked with dry goods, household products, soft drinks. A guestimate of 45%+ of shelf space taken up by alcohol on display.

The Premises Licence summary wasn't at the premises in breach of Section 57 of Licensing Act 2003.

During the visit, checks were also made to the public areas, fire exits and public WC facilities

onsite. There were a few other issues which do not constitute a licence condition breach, but that required immediate attention and were raised by myself at the time of the visit. These include:

Staff Toilet

- There wasn't hot water available in the staff toilet facilities. I have previously consulted with my colleagues in the Health Protection Service who have clarified that a hot water supply must be provided in the hand washing facilities within toilets, requiring this to be fixed as soon as possible.

Shop Floor

- The tiled shop floor has a number of trip hazards including broken, missing tiles. A section of the floor appears to have a channel cut out of the floor and is several centimeters below that of the rest of the floors surface (See Appendix 1).

Store Room

- The storeroom houses a makeshift bed indicating persons sleeping at the premises. This is not permitted within a commercial business (See Appendix 2).

██████████ then spoke to Mr NADERI and agreed that the premises would voluntarily close until all the noted breaches & safety issues are resolved. It was made clear to Mr NADERI that before the premises could re-open, he must contact ██████████ to arrange a third inspection by Authorised Officers. The premises closed as we left.

Unfortunately, I received confirmation by ██████████ that the Premises re-opened on 21st September 2022 without adhering to the licence conditions nor contacting ██████████ to arrange a compliance inspection prior to re-opening.

The Sheffield City Council Statement of Licensing Policy within the prevention of crime and disorder Policy (page 15) states:

Applicants are required to consider the use of CCTV as part of their crime and disorder reduction measures and evidence of such consideration should be detailed in the application form. Applications must take into account the circumstances surrounding that application and whether a requirement to have a surveillance camera system is appropriate in that particular case.

South Yorkshire Police (SYP) Licensing Officers are able to visit your premises to discuss CCTV requirements, with a standard specification being that the system fitted has a minimum of 28 days recording facility, and the ability for nominated or authorised staff members to be able to operate the system at any time in the event of immediate access being required to images by South Yorkshire Police or Local Authority Officers in line with GDPR guidance.

Breaches in conditions 1,2 & 3 of the operating schedule highlights the disregard for the prevention of crime and disorder. objective

The Sheffield City Council Statement of Licensing Policy within the protection of Children from Harm Policy (Page 22) States:

Proof of Age / Age Verification Scheme It is a mandatory requirement for a proof of age scheme to operate to prevent underage sales of alcohol. In order to be recognised by the Sheffield Children's Safeguarding Partnership, the scheme must comply with the following criteria:

- **Proof of age must be requested if any staff suspects that the customer is under the age of 18 years. To assist staff, rules such as 'Challenge 21', 'Challenge 25' or similar should be applied. STATEMENT OF LICENSING POLICY - 2021 23**
- **A refusals register must be maintained and made available for inspection at reasonable request. Records should include the date and time of the refusal, the product the young person attempted to buy or the reason for refusal/ejection, a physical description of the customer and any other significant comments;**
- **Signage must be displayed throughout the premises to promote the chosen scheme;**
- **Staff training records must be maintained and made available for inspection at reasonable request.**

Breaches in conditions 11,12,13 7 15 of the operating schedule highlights the Licensees disregard for the protection of children from harm objective

The Sheffield City Council Statement of Licensing Policy within Public Safety Policy (Page 18) States:

The licensing authority considers that the safety of the public (including but not limited to customers, employees and visitors) within the venue is of paramount importance. To a lesser extent, applicants should also demonstrate that consideration has been given to the area immediately outside or adjacent to the venue with regard to public safety.

Sheffield City Councils Statement of Licensing Policy introduction also advises that:

The Licensing Authority will continue to tackle those who fail to uphold the licensing objectives, breach their conditions, or operate outside their licence. In addition to this the introduction also states that We seek to provide assistance to resolve issues, become compliant and encourage to actively uphold the licensing objectives. If licensees or operators persist in non-compliance and choose to not co-operate after this help and guidance has been provided, the Council will take firm steps which could result in the license revocation and possible further legal action where the situation would deem necessary.

The inadequate condition of the shop floor accessible by the public shows a disregard to the safety

I believe I have sufficiently highlighted the lack of engagement from Mr NADERI(Licensee) to uphold and promote the four core licensing objectives along with his blatant disregard for the Health & Safety of both his customers and Employees.

As a Responsible Authority, we have no confidence that the Licensee would adhere to any further conditions imposed at a hearing given his previous lack of engagement to address existing licence conditions. I therefore recommend nothing less than a full revocation of the premises licence would be appropriate.

Please

tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--	--	--

If you have made representations before relating to the premises please state what they were and when you made them

N/A

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

[Redacted Signature]

Date 05/10/2022

Capacity Licensing Enforcement & Technical Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town	Post Code
-----------	-----------

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Appendix 'B'

Current Premises

Licensing Act 2003 Premises Licence

Issue No: 2

SY003017 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, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Corner Shop

253 Glossop Road, Sheffield, S10 2GZ.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only			
	Sunday	8:00am	11:00pm
	Monday	8:00am	11:00pm
	Tuesday	8:00am	11:00pm
	Wednesday	8:00am	11:00pm
	Thursday	8:00am	11:00pm
	Friday	8:00am	11:00pm
	Saturday	8:00am	11:00pm



Licensing Act 2003 Premises Licence

Issue No: 2

SY003017 PR

THE OPENING HOURS OF THE PREMISES

Day	Time From	Time To
Sunday	8:00am	11:00pm
Monday	8:00am	11:00pm
Tuesday	8:00am	11:00pm
Wednesday	8:00am	11:00pm
Thursday	8:00am	11:00pm
Friday	8:00am	11:00pm
Saturday	8:00am	11:00pm

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

- M. The sale by retail of alcohol for consumption OFF the premises only

Part 2

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

Ehsan Naderi
[REDACTED]
[REDACTED]

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

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Ehsan NADERI
[REDACTED]



Licensing Act 2003 Premises Licence

Issue No: 2

SY003017 PR

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No: 221717

Issued by: **Bradford**

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

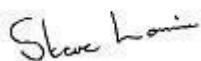
Restricted

LICENCE DATES

Licence first effective date: 20 July, 2022

This Premises Licence shall be in force from: 16 August, 2022

Issue date of this licence: 30 August, 2022



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



**Licensing Act 2003
Premises Licence**

Issue No: 2

SY003017 PR



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 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.

ANNEXES continued ...

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.
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.

ANNEXES continued ...

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. The premises shall install and maintain a digital CCTV system. The CCTV system shall have sufficient hard drive storage capacity to store a minimum of 31 days. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises at each exit and entrance point. A CCTV log will be completed on a weekly basis to record all elements of the CCTV System is maintained in good working order and recordings date and time stamped.
2. All staff shall be trained in the operation of the CCTV system to ensure rapid data retrieval & downloads of footage can be provided to the Police & the Local Authority Officer upon reasonable request in accordance with the Data Protection Act.
3. CCTV shall be continually recording during licensable hours. In the event of a failure of the CCTV system for any reason, a record of the failure will be recorded in the premises log and immediate steps will be made to rectify the problem.
4. An incident log must be kept at the premises. Log records shall be retained for a period of 12 months from the date it occurred. It shall be made immediately available on request to an 'authorised person' (as defined by section 13 of the Licensing Act 2003), an authorised trading standards officer or the police, and must record the following; (a) All crimes reported to the premises (where relevant to the licensing objectives) (b) Any incidents of disorder.
5. When the designated premises supervisor is not on duty, a contact telephone number shall be available at all times.
6. All spirits shall be stored and sold behind the counter.
7. Roller shutters shall be in operation at the front of the premises.
8. Prominent, clear and legible signage shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quickly and quietly.
9. All employees shall be vigilant and monitor the area immediately outside the shop and shall use their best endeavours to disperse groups of 3 or more persons that appear to be loitering outside the shop if they have been customers of the shop. In addition, all staff shall report any anti-social behaviour or acts of crime to the police immediately and provide the police with any CCTV footage on request.
10. Deliveries to the premises shall be conducted in a manner that will not cause a nuisance to the occupiers of any residential properties surrounding the delivery address and deliveries shall be made at a time that shall not lead to any public nuisance.
11. A written register of refusals shall be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months and shall be collected by the designated premises supervisor and produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer the local authority/council on demand.
12. All staff engaged in the sale of alcohol shall be trained in Challenge 25. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer of the local authority/council on demand.
13. Proxy signs shall be on display warning adults about the law surrounding buying alcohol for children.
14. Staff shall monitor the outside area to identify any potential proxy purchasing concerns.
15. The premises shall operate a Challenge 25 policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the police or an 'authorised person. Prominent, clear and legible Challenge 25 signage shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme operated.
17. Alcohol stock levels on display will not exceed 20% of overall shelf space at any time - with approximately 80% of

Licensing Act 2003 Premises Licence

Issue No: 2

SY003017 PR

ANNEXES continued ...

the shelving being stocked with dry goods, household products, soft drinks etc.

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

None

ANNEX 4 - Plans

253 Glossop Road
25.5.22



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

Corner Shop

253 Glossop Road, Sheffield, S10 2GZ.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only			
	Sunday	8:00am	11:00pm
	Monday	8:00am	11:00pm
	Tuesday	8:00am	11:00pm
	Wednesday	8:00am	11:00pm
	Thursday	8:00am	11:00pm
	Friday	8:00am	11:00pm
	Saturday	8:00am	11:00pm

Premises Licence Summary SY003017 PR

THE OPENING HOURS OF THE PREMISES

Day	Time From	Time To
Sunday	8:00am	11:00pm
Monday	8:00am	11:00pm
Tuesday	8:00am	11:00pm
Wednesday	8:00am	11:00pm
Thursday	8:00am	11:00pm
Friday	8:00am	11:00pm
Saturday	8:00am	11:00pm

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

- M. The sale by retail of alcohol for consumption OFF the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Ehsan Naderi

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

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

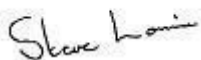
Ehsan NADERI

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

Restricted

LICENCE DATES

Licence first effective date: 20 July, 2022
This premises licence shall be in force from: 16 August, 2022
Issued date of this licence: 30 August, 2022



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



Appendix 'C'

Representations:

South Yorkshire Police
Sheffield Children Safeguarding Partnership

Sent on behalf of South Yorkshire Police
Alcohol Licensing Department
Moss way Police Station
Moss way
Sheffield
S20 7XX

25th October 2022

Dear Sirs

RE- APPLICATION TO REVIEW OF PREMISE LICENSE - Corner Shop, 253 Glossop Road, Sheffield, S10 2GZ

I am writing to make a representation on behalf of the Chief Constable for South Yorkshire Police, as a Responsible Authority under the Licensing Act 2003. The reason for the representation is to highlight the risk at the premises that is due to failed compliance with the licence conditions.

This premise is a convenience shop selling alcohol, situated towards the top end of West Street, which is a prime location within a student orientated area.

The premise was first issued a license on 27th May 2022 with a condition that no more than 20% of the shelf space should contain alcohol. This was after residents objected to the initial application, a licensing sub-committee hearing was held, and the committee determined the application could be granted on condition the above was added to the license.

The premise was then sold on 18th August 2022, to Mr Ehsan Naderi and he became the Premise License Holder and Designated Premise Supervisor.

I first came to deal with this premise at a visit on 20th September 2022.

I had attended with [REDACTED] from SCC Licensing. [REDACTED] had been to the premise approximately 3 weeks prior and noted several license breaches and Health and Safety Concerns. Mr Naderi had been given 2 weeks to be compliant with the license and address the safety issues. It was evident from our visit that Mr Naderi had not made any attempts to be compliant.

[REDACTED] noted all the same license breaches and safety issues from his previous visit.

Conditions 1, 2, 3, 4, 8, 11, 12, 13, 15, and 17 were in breach.

The premise license was not on display which is a breach of section 57 of the Licensing Act 2003.

I personally spoke with Mr Naderi over the phone as he was not present at the premise. I advised him again of the breaches and that due to him not making any attempts to be compliant since [REDACTED] visit, I would not be happy to allow him to remain open. I advised I was also concerned about the safety to members of the public in relation to the loose and damaged flooring at the premise entrance and the trip hazard from the gap in the floor, which is within the public area.

Mr Naderi agreed to close voluntarily and would contact either myself or [REDACTED] for a re-inspection prior to opening. As we left the staff member had been instructed to close.

I was dismayed to drive past the premise the following evening, 21st September at 1900hrs and the premise was clearly open with customers entering and leaving the open premise.

I entered at around 1930hrs and noted the same male working behind the counter from the day before. There were also two other males present. They told me that they were planning to fix the broken tiles and the gap in the flooring that night and showed me a bag of ready to mix concrete.

As I was solo working, I did not conduct a full check, but I did ask if they had a refusals log to which they said no, and I could not see any posters.

I did note that they had removed a significant amount of shelving from behind the counter and shortened the counter along with it. Unfortunately, this exposed a continuation of the gap in the floor, creating an even more hazardous tripping concern for customers.

I challenged them on why they were open after the owner had agreed to close. They were not able to provide any explanation.

I therefore left the premise advising I would return the following day with Sheffield Council.

I attended the following day, 22nd September at 1430hrs in company with SCC Licensing officer [REDACTED]. The same three males were present from the evening before, and the premise was closed to the public. The flooring had still not been fixed.

We explained our reason for attending and the staff called Mr Naderi to who I spoke with at great length. He wanted me to go over all the license breaches again. I advised I would not be doing this. SCC did this 3 weeks ago and I did this 2 days ago. I advised that SCC Licensing have sent him an email detailing all the breaches and we were delivering a hand-written copy of it during our visit that day. He needed to look through this and ensure he is compliant.

Mr Naderi again agreed to close the premise and to contact myself prior to re-opening.

I did note that the bed and the personal belongings were no longer in the storeroom.

At the time of writing this report, I have not received any communication from the premise advising they are ready for an inspection and I believe they are still closed.

South Yorkshire Police are fully supportive of the Review for this premise by the Sheffield City Council Licensing Officer. We also support the request for a revocation of the premise license rather than further conditions being added.

We have no confidence that Mr Naderi, who is unable to comply with the current license conditions, will comply with any further conditions.

Mr Naderi was given several opportunities to comply including support by the responsible authorities, to no effect.

I believe it has been sufficiently evidenced that there is a blatant disregard for the four core licensing objectives in compliance with the premises license, the licensing Act 2003 and the Health and Safety of both customers and staff.

I therefore recommend full revocation of the premises license as an appropriate course of action.

Yours faithfully,

[REDACTED]

[REDACTED] Licensing Enforcement Officer
For and on behalf of Chief Constable, South Yorkshire Police

Address correspondence to:

██████████
**Sheffield Children Safeguarding
Partnership**
Floor 3
Howden House
Union Street
Sheffield S1 2SH
Email: Julie.hague@sheffield.gov.uk

The Licensing Authority
Licensing Service
Business Strategy & Regulation
Block C, Staniforth Road Depot
Sheffield S9 3HD

Dear Licensing Sub Committee

APPLICATION TO REVIEW THE PREMISES LICENCE: CORNER SHOP, 253 GLOSSOP ROAD, SHEFFIELD S10 2GZ

I am writing to make a representation on behalf of the Sheffield Children Safeguarding Partnership (SCSP), as the Responsible Authority for the protection of children from harm under the Licensing Act 2003. The reason for the representation is to highlight the safeguarding risk at the premises that is due to failed compliance with the licence conditions.

The premises operates as a convenience store selling alcohol and it is located on an arterial road that is frequented by students, children and young people who visit or commute via the city centre.

The evidence provided by Licensing Officer ██████████ in his application to review the premises licence, is that a number of licence conditions, including those specifically designed to safeguard children and young people, are not being complied with, namely there is no evidence that the Challenge 25 age verification scheme or any other such recognised scheme, is being implemented. The Sheffield Children Safeguarding Partnership is concerned that during the inspections carried out ██████████

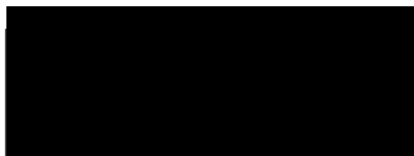
- A refusals register was not available on site.
- Staff training records were not evidenced.
- Signage to prevent proxy sales of alcohol was not on display.
- There was no written policy underpinning the Challenge 25 scheme nor were Challenge 25 posters on display.

The Sheffield Children Safeguarding Partnership is concerned that the necessary control measures for the protection of children from harm are not being implemented. The prevention of children and young people from accessing dangerous substances such as alcohol relies on the robust implementation of a recognised age verification scheme. In Sheffield, the Responsible Authorities (Police, Trading Standards and Safeguarding Partnership) have agreed criteria which constitutes a recognised age verification scheme, this includes the display of signage,

staff training records and refusals records and this is reflected in the Sheffield City Council's Statement of Licensing Policy. The effectiveness of an age verification scheme relies upon staff being trained to implement it. The implementation of the Challenge 25 scheme is not onerous and the majority of licensees manage to comply without issue.

The Sheffield Children Safeguarding Partnership is concerned that the Licensee at the above premises has failed to meet the standards of due diligence to uphold the core objective for the protection of children from harm and requests that the Licensing Sub Committee takes positive action through this review, to address the risk posed by inadequate operational standards at this premises.

Yours faithfully

A large black rectangular redaction box covering the signature of the Safeguarding Licensing Manager.


Safeguarding Licensing Manager
Sheffield Children Safeguarding Partnership

Appendix 'D'

Hearing Notices / Regulations / Procedures

Notice of hearing to consider an application for review of premises licence and any relevant representations

[REDACTED]
Licensing Enforcement & Technical Officer
Licensing Authority (acting as a Responsible Authority)
Sent via email: **[REDACTED]**

The Sheffield City Council being the licensing authority, on the 5th October 2022 received an application for a review of a Premises Licence in respect of premises known as:

Corner Shop, 253 Glossop Road, Sheffield, S10 2GZ

During the consultation period the Council has received representations from South Yorkshire Police and the Sheffield Children's Safeguarding Partnership.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held at Sheffield Town Hall on **Tuesday 22nd November 2022 at 10am**; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

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

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

**You should complete form LAR1 and return it to: licensing@sheffield.gov.uk
Or by post to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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: 9th November 2022

Signed: Jayne Gough
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield, S9 3HD.
Email – licensing@sheffield.gov.uk

Notice of hearing to consider an application for review of premises licence and any relevant representations

██████████
South Yorkshire Police Licensing Service
Sent via email: ██████████

The Sheffield City Council being the licensing authority, on the 5th October 2022 received an application for a review of a Premises Licence in respect of premises known as:

Corner Shop, 253 Glossop Road, Sheffield, S10 2GZ

During the consultation period the Council has received representations from South Yorkshire Police and the Sheffield Children's Safeguarding Partnership.

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The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

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

- 1) Your response to the representations made, upon which you may ask and be asked questions by the parties to the hearing.
- 2) You may also be asked questions by the parties to the hearing relating to your licence.

**You should complete form LAR1 and return it to: licensing@sheffield.gov.uk
Or by post to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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: 9th November 2022

Signed: Jayne Gough
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield, S9 3HD.
Email – licensing@sheffield.gov.uk

Notice of hearing to consider an application for review of premises licence and any relevant representations

Sheffield Children's Safeguarding Partnership
Sheffield City Council
Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 5th October 2022 received an application for a review of a Premises Licence in respect of premises known as:

Corner Shop, 253 Glossop Road, Sheffield, S10 2GZ

During the consultation period the Council has received representations from South Yorkshire Police and the Sheffield Children's Safeguarding Partnership.

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- 2) You may also be asked questions by the parties to the hearing relating to your licence.

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Or by post to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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: 9th November 2022

Signed: Jayne Gough
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield, S9 3HD.
Email – licensing@sheffield.gov.uk

Notice of hearing to consider an application for review of premises licence and any relevant representations

Ehsan Nedari
Premises Licence Holder

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 5th October 2022 received an application for a review of a Premises Licence in respect of premises known as:

Corner Shop, 253 Glossop Road, Sheffield, S10 2GZ

During the consultation period the Council has received representations from South Yorkshire Police and the Sheffield Children's Safeguarding Partnership.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held at Sheffield Town Hall on **Tuesday 22nd November 2022 at 10am**; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

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

- 1) Your response to the representations made, upon which you may ask and be asked questions by the parties to the hearing.
- 2) You may also be asked questions by the parties to the hearing relating to your licence.

**You should complete form LAR1 and return it to: licensing@sheffield.gov.uk
Or by post to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, 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: 9th November 2022

Signed: Jayne Gough
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield, S9 3HD.
Email – 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: **Corner Shop, 253 Glossop Road, Sheffield, S10 2GZ**
Type of App: **Review of a Premises Licence**
Hearing Date: **22nd November 2022 at 10am**

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 **Ehsan Nedari, Premises Licence Holder**

hereby confirm that I have received the Notice of Hearing dated 9th November 2022 and notify you as follows **(please complete)**:

I intend to attend the hearing at Sheffield Town Hall at 10am on Tuesday 22nd November 2022.

I do not intend to attend the hearing

I intend to be represented at the hearing by:

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

I consider the hearing to be unnecessary because:
.....

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

Dated: Signed.....

Please see Regulation 8 overleaf

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

Regulation 8

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

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

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

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

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

Licensing Act 2003 – Hearing Procedure (REVIEW) – 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 and other parties 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 by Members the applicant and other parties.
 - (c) The Licensing Officer will introduce the applicant for review (or his/her nominated representative) who will be asked to detail the application.
 - (d) Members may ask questions.
 - (e) The Licensing Officer will in turn introduce representatives for the other Responsible Authorities and Interested parties who will be asked to detail their relevant representations
 - (f) Members may ask questions
 - (g) With the leave of the Chair the licensee or his representative may cross examine the representatives of the applicant for review and the other Responsible Authorities and Interested Parties.
 - (h) The licensee (or his/her nominated representative) will then be asked to respond to the application and to any other representations made.
 - (i) The 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.
 - (j) The applicant will then be given the opportunity to sum up the application.
 - (k) The representatives of the Responsible Authorities will be given the opportunity to sum up
 - (l) The licensee will be given the opportunity to sum up
 - (m) The Licensing Officer will then detail the options.
 - (n) 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 Board Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

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