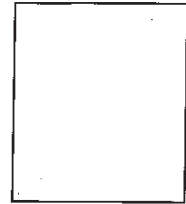




SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 3 January 2013

Subject: Licensing Act 2003

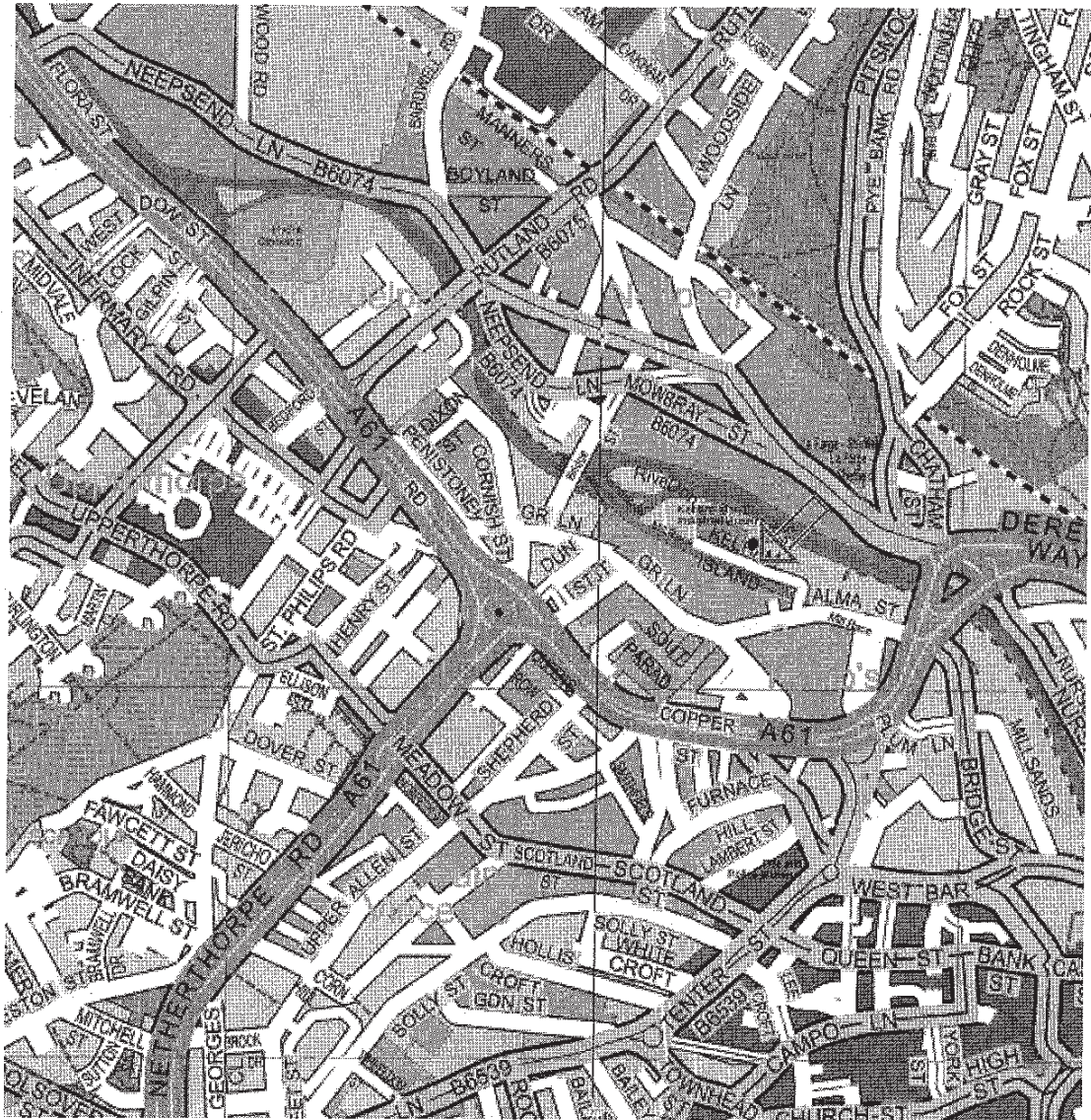
Author of Report: Andy Ruston

Summary: To consider an
Application to Vary a Premises Licence made under the Licensing Act
2003.

Recommendations: That members carefully consider the representations made and take such
steps, as the Committee consider necessary for the promotion of the
Licensing Objectives.

Background Papers: Attached documents

Category of Report: OPEN



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

Ref No: 99/12

LICENSING ACT 2003

Kelham Island Museum, Alma Street, Sheffield, S3 8RY.

1.0 PURPOSE OF REPORT

1.1 To consider an Application to Vary a Premises Licence made under the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is Sheffield Industrial Museums Trust.

2.2 The application, which was received on 6 November 2012 is attached to this report labelled Appendix 'A'.

2.3 Page 2 of the application form details briefly the proposed variation.

2.4 The current premises licence is attached at Appendix 'B'.

3.0 REASONS FOR REFERRAL

3.1 Representations concerning the application for variation have been received from the following :-

- Local Residents Attached at Appendix 'C'

3.2 As the representations have not been resolved, the matter is referred to the Licensing Committee.

3.3 The applicant and representatives from 3.1 have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix '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 4 (1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as: -

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

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

6.0 HEARINGS REGULATIONS

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

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

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

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

7.0 APPEALS

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

8.0 RECOMMENDATIONS

- 8.1 That members carefully consider the representations made and take such steps, as the Committee consider necessary 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 modified conditions.
- 9.3 To reject the whole or part of the application.

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

Appendix 'A'

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.

We, Sheffield Industrial Museums Trust, 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

SY 0196 PR

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Kelham Island Museum, Alma Street,	
Post town Sheffield	Post code S3 8RY

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 – Applicant Details

Daytime contact telephone number

Email address (optional)

Current postal address if different from premises address

Post Town Postcode

LICENSING GENERAL

- 6 NOV 2012

SECTION

Part 3 – Variation

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

Please tick yes

If not do you want the variation to take effect from

Day Month Year

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

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.

N/A

Please describe briefly the nature of the proposed variation (please read guidance note 1)

A review of the operation of the Premises Licence has been undertaken following the operation of Kelham Island Museum during the course of 2012 and the increased use of the museum for functions, corporate events and weddings, along with the success of the Victorian Christmas Market.

Variation is sought to make the following amendments:

1. Change approved layout in relation to inclusion of Upper Gallery area.
2. Amend hours of operation for licensable activities and opening times.
3. To permit a summer event of a similar nature to the Victorian Christmas Market.
4. Permit limited off sales from designated areas within the museum and cafe.
5. To remove and amend conditions.

It is however confirmed that the premises will continue to operate predominantly as an educational museum and will not change the main historical and educational nature of its use. All licensable activities will remain ancillary to this main purpose. Revenue generated from the ancillary activities will be used to support and develop the main purpose of the museum. It is intended to arrange an event similar to the Christmas Market in the summer. It is confirmed that this event will be restricted as the conditions, hours of operation and geographical area covered, as set out at Annex 2, Condition 1

Application is therefore made as follows:-

(i) Change to layout.

Currently the Upper Gallery area as identified on drawing by Windle Cook Architects numbered [07-469 C03] Revision C is not licensed. It is sought for this area to be included within the licence and for all licensable activities granted to apply to the area and to the times set out below.

This will be of a particular benefit for the provision of weddings in respect of which TENS have previously been applied.

(ii) Change of Hours

The amendment to the hours of operation for licensable activities is twofold.

(a) Internally

Application is made to extend all licensable activities until 02:00 hours so as to facilitate corporate functions, weddings and private bookings without the necessity of application for TENS.

(b) Externally

Application is sought to extend the hours for all licensable activities undertaken externally until 23:00 hours. It is considered that such cessation of licensable activities at this time will not cause public nuisance to arise as per the current terms of the licence.

(iii) Conditions

Application is made to amend Annex 2, in particular:-

(a) Condition 1

So as specifically include an event in this summer (July), based on an historical time or theme and will take place over the wider area identified on the plans is hatched red. It is proposed that the revised wording:

".... and for a similar historical/themed event over a 2/3 day period undertaken annually in July."

(b) Condition 2 and 3

So as to permit flexibility of use of the premises, remove the restriction on connection with those areas and the basis upon which alcohol can be sold, supplied and consumed. The areas are defined on the plan as those edged red.

(c) Condition 4

It is proposed the condition 4 remains as currently stipulated, as the proposed additional July event would be covered by the description of *"any similar event or function"*

(d) Condition 5

To be amended so as to read *"In respect of external sales at the Victorian Christmas market or summer event of a similar nature, the location shall be pre-nominated and recorded by the Designated Premises Supervisor"*.

(e) Condition 8

Currently there is a prohibition on all off sales however, permission is sought to enable off sales on a limited basis so as to facilitate the sale of locally brewed real ale from the site along with other local products tying in with the historical nature of the area and the historic ties between the brewers and the steel works. It is proposed that Condition 8 be amended to read:

"Off sales be permitted in relation to the museum shop area and café and as per condition 5 above"

An assessment as to the amendments has been undertaken with regard to the 4 licensing objectives. It is considered that the extension of the area for all licensable activities will have no adverse impact, the premises being closely supervised during events and alcohol remaining an ancillary aspect. With regard to the extension of regulated entertainment both internally and externally, application has been drafted so as to restrict the external usage period and it is believed that such restriction will avoid public nuisance arising.

The application to allow off sales is limited in scope and such sales are anticipated to be ancillary to the overall sales within the museum shop or café.

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.

Please tick ✓ yes

Provision of regulated entertainment

- a) Plays (if ticking yes, fill in box A)
- b) Films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

Sale by retail 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 6)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon	10:00	02:00	Please give further details here (please read guidance note 3) In respect of external use, licensable activities to be restricted to 23:00 hours.	Both	✓
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for performing plays (please read guidance note 4)		
Thur	10:00	02:00			
Fri	10:00	02:00	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 5)		
Sat	10:00	02:00			
Sun	10:00	02:00			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10:00	02:00	Please give further details here (please read guidance note 3)	Both	
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	10:00	02:00			
Fri	10:00	02:00	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 5)		
Sat	10:00	02:00			
Sun	10:00	02:00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	10:00	02:00	
Tue	10:00	02:00	
Wed	10:00	02:00	
Thur	10:00	02:00	
Fri	10:00	02:00	
Sat	10:00	02:00	
Sun	10:00	02:00	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon	10:00	00:30	<p>Please give further details here (please read guidance note 3)</p> <p>In respect of external use, licensable activities to be restricted to 23:00 hours.</p> <p>Performance of live music are likely to take place in the Upper Gallery or Steel area (main museum) for corporate and social hire and in a marquee near the Douglas Centre. For Victorian Market and the July events, live music will be outside but subject to Annex 2, Condition 1.</p> <p>State any seasonal variations for the performance of live music (please read guidance note 4)</p> <p>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 5)</p>	Both	✓
Tue	10:00	00:30			
Wed	10:00	00:30			
Thur	10:00	00:30			
Fri	10:00	00:30			
Sat	10:00	00:30			
Sun	10:00	00:30			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon	10:00	02:00	<p>Please give further details here (please read guidance note 3)</p> <p>In respect of external use, licensable activities to be restricted to 23:00 hours.</p> <p>Performance of recorded music are likely to take place in the Upper Gallery or Steel area (main museum) for corporate and social hire and in a marquee near the Douglas Centre. For Victorian Market and the July events, recorded music will be outside but subject to Annex 2, Condition 1.</p> <p>State any seasonal variations for playing recorded music (please read guidance note 4)</p> <p>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</p>	Both	✓
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	02:00			
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	02:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon	10:00	02:00	<p>Please give further details here (please read guidance note 3)</p> <p>In respect of external use, licensable activities to be restricted to 23:00 hours.</p> <p>Performance of dance likely to take place in the Upper Gallery or Steel area (main museum) for corporate and social hire and in a marquee near the Douglas Centre. For Victorian Market and the July events, dance will be outside.</p> <p>State any seasonal variations for the performance of dance (please read guidance note 4)</p> <p>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</p>	Both	✓
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	02:00			
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	02:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors
Mon				<p>Please give further details here (please read guidance note 3)</p> <p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</p> <p>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</p>
Tue			Both	
Wed				
Thur				
Fri				
Sat				
Sun				

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon	23:00	02:00	Please give further details here (please read guidance note 3) In respect of external use, licensable activities to be restricted to 23:00 hours.	Both	✓
Tue	23:00	02:00			
Wed	23:00	02:00			
Thur	23:00	02:00			
Fri	23:00	02:00			
Sat	23:00	02:00			
Sun	23:00	02:00			
			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
			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 5)		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon	10:00	02:00	State any seasonal variations for the supply of alcohol (please read guidance note 4) In respect of external use, licensable activities to be restricted to 23:00 hours.	Both	✓
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	02:00			
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	02:00			
			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 5)		

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 8)

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	02:30	
Tue	10:00	02:30	
Wed	10:00	02:30	
Thur	10:00	02:30	
Fri	10:00	02:30	
Sat	10:00	02:30	
Sun	10:00	02:30	
Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)			

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

It is proposed that Annex 2, Conditions 2 and 3 should be deleted from the licence so as to allow flexibility in connection with use of the areas and the type of functions etc undertaken. It is considered that the removal of Condition 2 and 3 will have no adverse impact.

Conditions 1, 5 and 8 are sought to be amended.

Please tick ✓ yes

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 failed to enclose 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,e) (please read guidance note 9)

The premises remains a museum and educational facility. The premises undertakes a number of functions throughout the year of a corporate or social nature and it is sought to reduce the administration on those events which have taken place without problems arising by extension of the operation of the Premises Licence and therefore avoid the necessity of TENs. It is also sought to build on the success of the Victorian Christmas Market by providing a similar event during the course of the summer which will be equally regulated.

The premises does not create any problems in connection with its current operation although the licence is amended, the impact is in fact limited.

The above is provided by way of explanation and is not intended to be converted to conditions.

Condition 1, Annex 2 is sought to be amended "...and for a similar historical/themed event over a 2/3 day period undertaken annually in July".

b) The prevention of crime and disorder

A risk assessment has been undertaken with regard to the proposed amendments and it is considered that no risks arise in respect of crime and disorder and no additional conditions are offered.

Condition 5 is proposed to be amended so as to read *"In respect of external sales at the Victorian Christmas market or summer event of a similar nature, the location shall be pre-nominated and recorded by the Designated Premises Supervisor"*.

Condition 8 is proposed to be amended to read:

"Off sales be permitted in relation to the museum shop area and café and as per condition 5 above"

c) Public safety

A risk assessment has been undertaken with regard to the proposed alterations and it is proposed that no new risks arise. No additional conditions are offered.

d) The prevention of public nuisance

A risk assessment has been undertaken with regard to the potential extension of hours of operation of the premises and in order to avoid public nuisance arising, external licensable activities are to remain at 23:00 hours and in respect of the Victorian Christmas Market and proposed similar event during the course of the summer, the hours currently endorsed upon the licence are to continue to apply. In respect of live music, a proposed restriction is tendered of 00:30 hours for internal use. It is considered with the conditions already imposed upon the licence, no additional conditions are required.

e) The protection of children from harm

A risk assessment has been undertaken with regard to the permission of off sales within the museum shop and café area. Challenge 21 is already endorsed upon the licence and it is considered that this extension should cause no potential risks to arise.

I have made or enclosed payment of the fee

- 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, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature: [Handwritten Signature]

Date: 05-11-12

Capacity: Premises Licence Holder / Marketing Manager.

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 12). **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 13)	
RICHARD SAWARD KELHAM ISLAND MUSEUM ALMA ST	
Post town Sheffield	Post code S3 8RT
Telephone number (if any)	
If you would prefer us to correspond with you by email your email address (optional)	

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

LICENSING ACT 2003

Application has been made by Sheffield Industrial Museums Trust Limited to the Licensing Authority of Sheffield City Council to vary the Premises Licence for the Kelham Island Museum at Alma Street, Sheffield, South Yorkshire, S3 8RY. The application includes the following terms:-

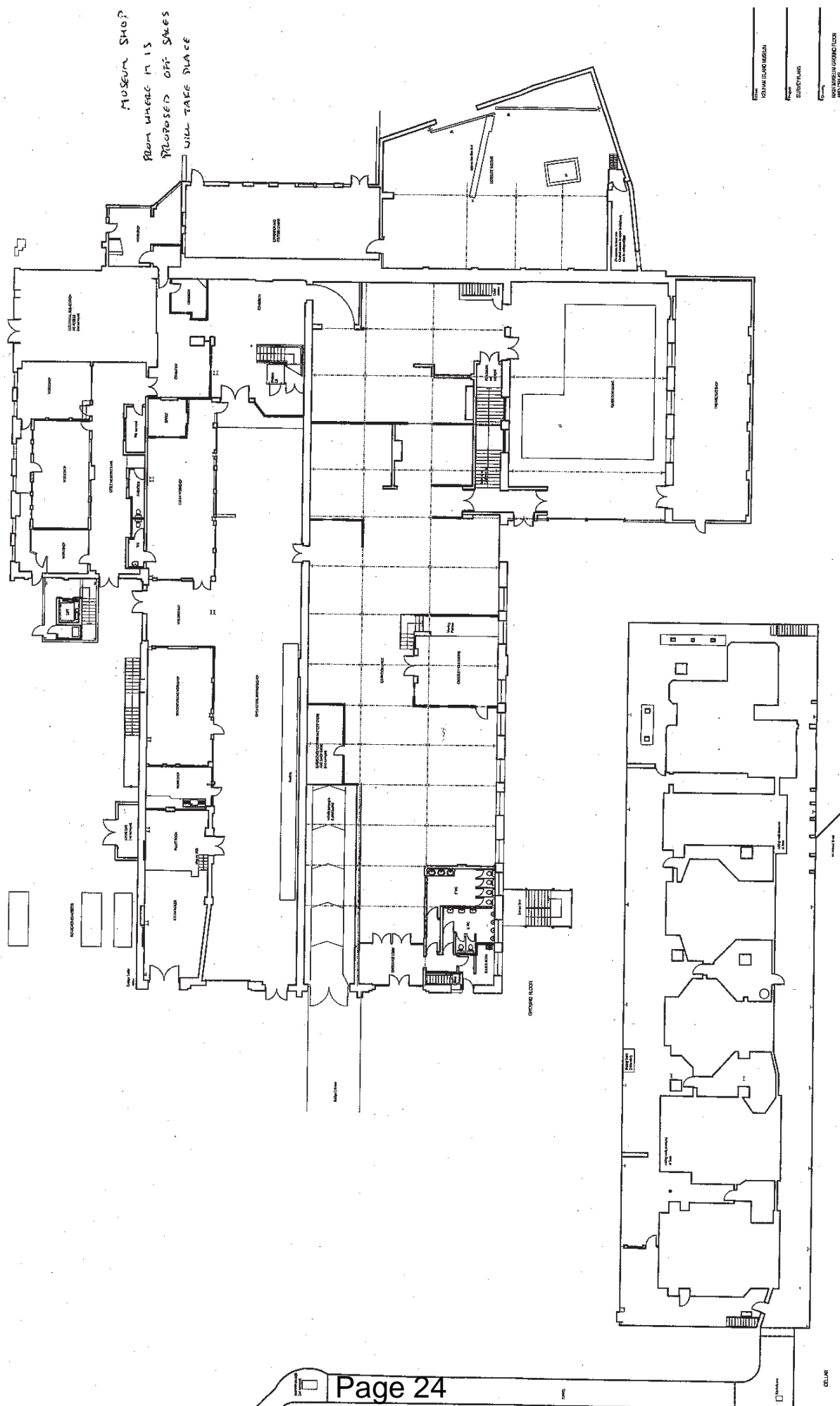
1. Variation to change internal and external layout of the premises as per the drawing deposited with the Licensing Authority.
2. To extend licensable activities, Monday to Sunday until 02:00 to following morning.
3. To enable the provision of late night refreshment.
4. To amend Annex 2, Conditions 1, 5 and 8.
5. To remove Annex 2, Conditions 2 and 3.

Full details of the Application can be viewed at the offices of the Licensing Authority at Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD

A responsible authority or any other person can make written representations to the Licensing Authority at any time up to 05.12.12 (www.sheffield.gov.uk)

It is an offence for anyone knowingly or recklessly to make a false statement in connection with a Licence Application. The maximum fine on summary conviction is £5000.00.

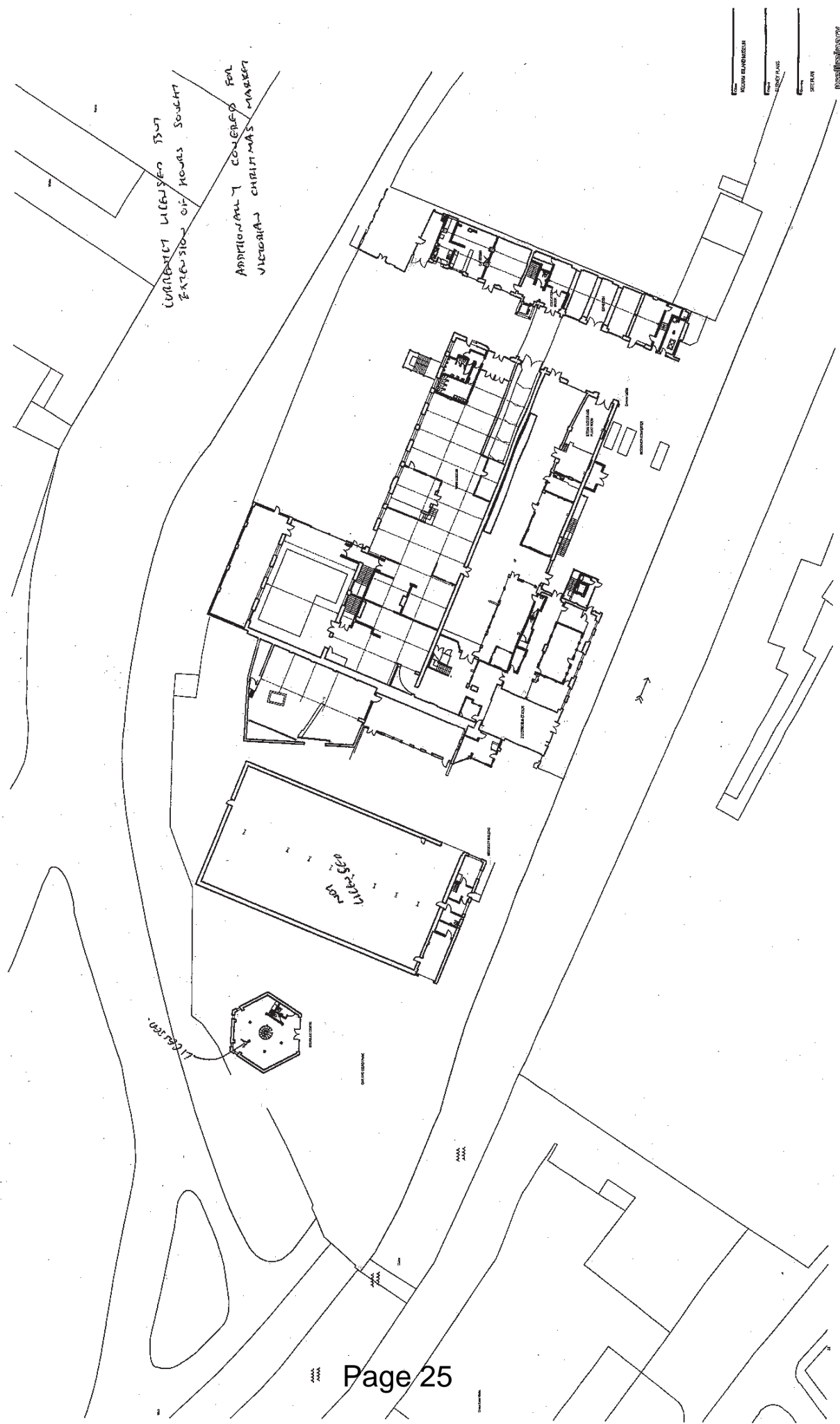
Dated this: 05.11.12



MUSEUM SHOP?
 ROOM WHERE M 13
 PROPOSED OFF SALES
 WILL TAKE PLACE

DATE	10/11/1968
PROJECT	FOURTH FLOOR
SCALE	1/4" = 1'-0"
DESIGNER	W. C. C. ARCHITECTS
CLIENT	THE UNIVERSITY OF MICHIGAN
NO. OF SHEETS	10
SHEET NO.	24

W. C. C. ARCHITECTS
 260 N. ZEEB ROAD
 ANN ARBOR, MICHIGAN 48106



CURRENT LINES FOR
 EXTENSION OF HOUSE SOUTH

 ADDITIONAL COVERED FOR
 VICTORIAN CHRISTMAS MARKET

SCALE 1/4" = 1'-0"
 DATE 11/15/07
 SHEET 107

preliminary

white oak architects
 1000 14th St NW
 NW, WASH DC 20004

DRAWING NO. 107
 DATE 11/15/07

Appendix 'B'

THE LICENSING ACT 2003

Premises Licence No: SY 0196 PR

ISSUE NO: 4

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

Kelham Island Museum
Alma Street
SHEFFIELD S3 8RY

Telephone Number: 0114 272 2106

Where the licence is time limited, the dates:

Not applicable.

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities:

1. Provision of regulated entertainment:

- | | |
|----------------------------|------------------|
| (a) Plays | Indoor & Outdoor |
| (b) Films | Indoor |
| (c) indoor sporting events | |
| (d) live music | Indoor & Outdoor |
| (e) recorded music | Indoor & Outdoor |
| (f) performances of dance | Indoor & Outdoor |

- | | |
|-----------|----------------------|
| Sunday | 10:00 to 23:00 hours |
| Monday | 10:00 to 23:00 hours |
| Tuesday | 10:00 to 23:00 hours |
| Wednesday | 10:00 to 23:00 hours |
| Thursday | 10:00 to 23:00 hours |
| Friday | 10:00 to 23:00 hours |
| Saturday | 10:00 to 23:00 hours |

On 10 occasions per annum to operate until 01:00 hours the following day on 7 days notice to the police of intention to trade.

2. Provision of entertainment facilities for: Indoor & Outdoor

- (g) making music
- (h) dancing

- | | |
|-----------|----------------------|
| Sunday | 10:00 to 23:00 hours |
| Monday | 10:00 to 23:00 hours |
| Tuesday | 10:00 to 23:00 hours |
| Wednesday | 10:00 to 23:00 hours |
| Thursday | 10:00 to 23:00 hours |
| Friday | 10:00 to 23:00 hours |
| Saturday | 10:00 to 23:00 hours |

On 10 occasions per annum to operate until 01:00 hours the following day on 7 days notice to the police of intention to trade.

3. Late Night Refreshment:

Indoor & Outdoor

Sunday	23:00 to 01:00 hours the following day
Monday	23:00 to 01:00 hours the following day
Tuesday	23:00 to 01:00 hours the following day
Wednesday	23:00 to 01:00 hours the following day
Thursday	23:00 to 01:00 hours the following day
Friday	23:00 to 01:00 hours the following day
Saturday	23:00 to 01:00 hours the following day

4. Sale by retail of alcohol:

- (a) for consumption on the premises
- (b) for consumption off the premises

Sunday	10:00 to 23:00 hours
Monday	10:00 to 23:00 hours
Tuesday	10:00 to 23:00 hours
Wednesday	10:00 to 23:00 hours
Thursday	10:00 to 23:00 hours
Friday	10:00 to 23:00 hours
Saturday	10:00 to 23:00 hours
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:00 hours

On 10 occasions per annum to operate until 01:00 hours the following day on 7 days notice to the police of intention to trade.

The opening hours of the premises are:

Sunday	10:00 to 23:30 hours
Monday	10:00 to 23:30 hours
Tuesday	10:00 to 23:30 hours
Wednesday	10:00 to 23:30 hours
Thursday	10:00 to 23:30 hours
Friday	10:00 to 23:30 hours
Saturday	10:00 to 23:30 hours
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:30 hours

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

Sale by retail of alcohol for consumption both on and off the premises.

PART 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

Sheffield Industrial Museums Trust
Kelham Island Museum
Alma Street
SHEFFIELD S3 8RY

Telephone Number: 0114 272 2106

Registered number of holder, for example company number, charity number (where applicable):

Company Limited by Guarantee

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Nicola Jane Connolly
62 Blackwell Place
Sheffield S2 5PX

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:

Personal Licence Number: SY 4175 Per
Issuing Authority: Sheffield City Council

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

Restricted.

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

Issued on: 1st August, 2005

.....
Acting Head of Licensing
On behalf of Sheffield City Council (issuing licensing authority)

Sheffield City Council – For Office use only		
Variation of Premises Licence	2	Granted 29 th May 2010
Variation of DPS	1	Granted 26 th May 2011
Transfer of Premises Licence		
Minor Variation		

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 Conditions effective from 6th April 2010:

These mandatory conditions apply where the licence authorises the supply of alcohol. The conditions in paragraph 1 to 3 do not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

1. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Annex 1C - Mandatory Conditions effective from 1st October 2010:

These mandatory conditions apply where the licence authorises the supply of alcohol. The condition 5 does not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) 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 a holographic mark.
5. The responsible person shall 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; and
 - (b) Customers are made aware of the availability of these measures.

Annex 2 – Conditions consistent with the operating schedule

1. The following licensable activities are permitted for the 'Victorian Christmas Market' (or any successor event set within a different historical time period or theme) which is staged over 2 or 3 days annually in November/December:

1. **Provision of regulated entertainment:** Indoor & Outdoor
 - (a) Plays
 - (b) live music
 - (c) recorded music
 - (d) performances of dance
 - (e) anything of a similar description to that falling within (b), (c) or (d)

Friday	10:00 to 19:00 hours
Saturday	10:00 to 19:00 hours
Sunday	10:00 to 19:00 hours

2. **Provision of entertainment facilities for:** Indoor & Outdoor
 - (f) making music
 - (g) dancing
 - (h) entertainment of a similar description falling within (f) or (g)

Friday	10:00 to 19:00 hours
Saturday	10:00 to 19:00 hours
Sunday	10:00 to 19:00 hours

3. **Sale by retail of alcohol:**
 - (a) for consumption on the premises

Friday	10:00 to 19:00 hours
Saturday	10:00 to 19:00 hours
Sunday	10:00 to 19:00 hours

The opening hours of the premises are:

Friday	10:00 to 19:00 hours
Saturday	10:00 to 19:00 hours
Sunday	10:00 to 19:00 hours

The above licensable activities will be restricted within the HATCHED RED lines as indicated on the plans for the event as described above only. The existing licensable activities permitted by this licence will be restricted within the SINGLE RED line as indicated on the plans.

2. Intoxicating liquor shall only be sold, supplied and consumed in areas outlined in red on the deposited plans, in particular as identified upon plan number A (illustrating overall site), drawing number 07-469-C03 Revision B (illustrating mezzanine transport gallery area), drawing 07-469-C01 Revision B (educational block), drawing 07-469-C04 Revision A (Douglas Centre and surrounding areas), drawing 07-469-C02 Revision A (Museum inclusive of Hawley Gallery and Crucible Workshops).
3. Intoxicating liquor may only be sold, supplied or consumed at pre-booked dinners, parties, receptions, conferences, seminars, film shows or similar functions.

4. No more than 250 persons shall be admitted at anyone time, except for the Victorian Christmas Market or any similar event or function.
5. In respect of external on sales, the location should be pre-nominated and in respect of the operation of the Victorian Christmas Market, this should be restricted to one location only for the provision of mulled wine.
6. No persons will be allowed to vacate the premises carrying open vessels.
7. No customers carrying open bottles upon entry shall be admitted to the premises at any time the premises are open to the public.
8. There shall be no off sales.
9. Regular fire risk assessments to be undertaken.
10. Where appropriate, prominent legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
11. The Designated Premises Supervisor is to undertake regular external checks as to the levels of noise emanating from the premises during the course of events and functions involving regulated entertainment.
12. A 'Challenge 21' policy shall be operated at site and staff shall be given suitable training concerning the implementation of the policy.
13. There shall be no 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.

Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

Plan Reference	Dated
07-469-C00 REV A	JANUARY 2008
07-469-C01 REV B	JANUARY 2008
07-469-C02 REV A	JANUARY 2008
07-469-C03 REV B	JANUARY 2008
07-469-C04 REV A	JANUARY 2008

Appendix 1

Appendix 'C'

Hollis Georgina (CEX)

From: Richard Smith [REDACTED]
Sent: 21 November 2012 18:36
To: Licensing(General)
Cc: eamonn.ward@btopenworld.com

4/12
Non Objection
To Support App

Subject: re: licensing application by Kelham Island Museum, Alma St, S3 8RY

To whomever it may concern,

As a resident of Kelham Island, I would like to email you to say that I am in full support of their application. If this helps the Kelham Island Museum continue to function successfully then it is a good idea. I believe any public nuisance, crime and disorder and public safety problems would be at a low rate and think it would help the area develop. There is little effect from having 2 pubs within 50m of the place for instance.

I hope this helps give a balanced picture of local residents' opinions on the matter.

Kind regards

Richard Smith
[REDACTED] Millau, Kelham Island

Hollis Georgina (CEX)

4/12

From: Andrew Griffiths [REDACTED]
Sent: 20 November 2012 13:19
To: Licensing(General)
Subject: Re: Kelham Island Museum Licensing Application

Apartment [REDACTED] Millau
Kelham Island
Sheffield
S3 8RD

Sent from my iPhone

On 20 Nov 2012, at 13:18, "Licensing(General)" <General.Licensing@sheffield.gov.uk> wrote:

> Andrew - thank you for your representation.
>
> Please advise me of your address so that the representation can be valid.
>
> Kind Regards
>
> Georgina

> Georgina Hollis
> Licensing Officer
> Licensing General Section
> Business Strategy & Regulation
> Block C, Staniforth Road Depot
> Staniforth Road, Sheffield, S9 3HD.
>
> Telephone: 0114 2734264 / 2734880
> Fax: 0114 2735410
> Email: General.Licensing@sheffield.gov.uk www.sheffield.gov.uk

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> Information Act 2000 and Para 10, Sch 7 of the Data Protection Act
> 1998 P

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

> -----Original Message-----

> From: Andrew Griffiths [REDACTED]
> Sent: 19 November 2012 12:40
> To: Licensing(General)
> Subject: Kelham Island Museum Licensing Application

> Kelham Island Museum, Alma St, S3 8RY

> Dear Sir/Madam,

> I received a letter this morning from the Green Party advising that Kelham Island have submitted an application to 2:30 am, with alcohol served until 2.

> I am greatly concerned by this, as I do not believe it fits within the licensing objective "Prevention of Public Nuisance". The only way out from the museum is past the Kelham Riverside development, in which I am a resident. It is not reasonable to expect crowds returning home late from an event where alcohol is served to be considerate when walking past this substantial residential area. Indeed the Chimney House hosts such events and the crowds leaving at 11 are nuisance enough. They congregate outside talking with raised voices, there's the endless stream of taxis,

for which the only room is on the pavement outside our main entrance, the noise of the resulting vehicles is increased by the nature of the surface of the drive to the museum (cobblestones), and that is a considerably smaller venue than the Museum, in which I have worked on events long before it found itself in a residential area.

>
> They are a Museum, and as such, it is not reasonable for us to expect to find ourselves next to such a large events venue. They have never advertised a desire to begin this sort of venture more regularly and so, we as homeowners must be allowed to prevent this happening. The Christmas Market every year is wonderful. It's lovely to have the hustle and bustle for that event, and indeed daily with the passing visitors and school parties, but after 11:00pm I want to sleep, and enjoy my property without interruption. I urge you to consider fully the effect this will have on the museum's neighbours.

>
> Yours faithfully,

> Andrew Griffiths

>
>
>
>
>
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>
>

Hollis Georgina (CEX)

From: Licensing(General)
Sent: 27 November 2012 16:02
To: Hollis Georgina (CEX)
Subject: FW: Licensing Application - Kelham Island Museum

*4/12
Objection*

From: JM R [mailto: [REDACTED]]
Sent: 27 November 2012 15:27
To: Licensing(General)
Subject: RE: Licensing Application - Kelham Island Museum

Hi Georgina
Its: [REDACTED] 1 Kelham Square, Sheffield S3 8SD

Thanks.

Regards
John Rannigan

From: General.Licensing@sheffield.gov.uk
To: [REDACTED]
Subject: RE: Licensing Application - Kelham Island Museum
Date: Tue, 27 Nov 2012 12:36:24 +0000

Dear Mr Rannigan,

In order for your representation to be valid, you are required to give details of your residential address.

Kind Regards

Georgina
Georgina Hollis
Licensing Officer
Licensing Service
Block C, Staniforth Road Depot
Staniforth Road
SHEFFIELD S9 3HD
Telephone Number: **0114 2734264**
Fax Number: **0114 2734073**
Email: **general.licensing@sheffield.gov.uk**

From: JM R [mailto: [REDACTED]]
Sent: 27 November 2012 12:19
To: Licensing(General)
Subject: Licensing Application - Kelham Island Museum

Dear Sir

I have been notified of the above application relating to Kelham Island Museum. I am a resident in the Raven Riverside Development at Kelham Island, which adjoins the Kelham Island Museum.

The application to extend licensing hours to 2am in the morning is completely unacceptable to me as a resident and owner here. There are a considerable number of residents in this development and many of the apartments face out into the access road to the Kelham Island Museum. We already have noise from the Fat Cat public house, although this is acceptable as it only licensed until 11pm. In addition, we have disruption and noise from the Unite student accommodation which adjoins our development. To add the possibility of

further disruption from a Kelham Island Museum until 2am is completely unacceptable in a residential area - not only customers leaving the premises at that time but also taxis and other vehicles with associated noise levels.

I raise strong objections on the grounds of public nuisance and the prevention of disorder.

Yours faithfully

John Rannigan

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H/2

Hollis Georgina (CEX)

From: Licensing(General)
Sent: 29 November 2012 14:47
To: Hollis Georgina (CEX)
Subject: FW: Kelham Island Museum Application

From: Sarah O'Sullivan [mailto: [REDACTED]]
Sent: 29 November 2012 14:47
To: Licensing(General)
Subject: Re: Kelham Island Museum Application

Apologies for missing my address information off my original email.

My address is Apartment [REDACTED] Millau, [REDACTED] Kelham Island, Sheffield, S3 8RN.

Sarah

On 29 November 2012 09:04, Licensing(General) <General.Licensing@sheffield.gov.uk> wrote:
Dear Sarah,

In order for your objection to be valid, I will require your residential address details.

Kind Regards

Georgina

Georgina Hollis
Licensing Officer
Licensing General Section
Business Strategy & Regulation
Block C, Staniforth Road Depot
Staniforth Road, Sheffield, S9 3HD.

Telephone: 0114 2734264 / 2734880
Fax: 0114 2735410
Email: General.Licensing@sheffield.gov.uk www.sheffield.gov.uk

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

From: Sarah O'Sullivan [mailto: [REDACTED]]
Sent: 28 November 2012 17:45

To: Licensing(General)

Subject: Kelham Island Museum Application

Regarding Kelham Island Museum, Alma Street, S3 8RY application to extend opening hours.

I have to express my opposition to the proposed license changes the museum is applying for.

The venue joins onto residential apartments which are considered to be in an exclusive development. Indeed one function area shares a wall with three flats. The continued noise to later hours is not acceptable for the approximately 25 flats that are directly next to the museum.

Equally, the present license terms have already resulted in unacceptable levels of noise from museum patrons at late hours, to extend the hours that this would cover is not supported by any resident within the building.

With regard to the Christmas market and proposed summer event and extended hours for external events, again I must oppose. These events cause near chaos all around Kelham Island, from Shalesmoor roundabout to the end of Alma Street, with horrific parking and traffic to negotiate, along with violations of parking regulations. It is not safe as a pedestrian either during these times. Residents cannot access their secure parking easily due to poorly controlled crowds blocking the access road (also the emergency vehicle access road). Security of the building has been compromised on past events due to patrons of these markets mistaking an entering or exiting resident as using a museum door and following them through. During previous events, the stewards representing the museum have refused access to myself and my partner on separate and multiple incidences because we weren't ticket holders for the event. Explaining that we lived in the residences wasn't sufficient to the extent that I was escorted to the front door of the building by one steward. When these events are held, the residents of Kelham Riverside have to endure three days of stressful living conditions. While we can put up with the occasional disruption, multiple events and events running later would only add to the stress.

The proposed changes to the license would not adhere to any of the four licensing objectives. Given that a temporary event notice is not a difficult application, it would be preferred of the museum could not extend it's opening hours, internal and external licensed activity hours or extend markets.

Sarah O'Sullivan

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Hollis Georgina (CEX)

From: Licensing(General)
Sent: 26 November 2012 10:08
To: Hollis Georgina (CEX)
Subject: FW: Kelham Island Museum, Alma Street, S3 8RY

4/12

From: Robert Woodhead [mailto:████████████████████]
Sent: 24 November 2012 13:00
To: Licensing(General)
Subject: Kelham Island Museum, Alma Street, S3 8RY

Dear Sir / Madam,

We would like to object to the application by Kelham Island Museum for extended opening hours and extended alcohol selling hours. We would like to object specifically under the prevention of public nuisance and the prevention of crime and disorder. There is only one access / egress to the building (Kelham Island) which is a small cobbled road which has residential apartments on one side and a waterway to the other. Any extended hours will result in public nuisance being caused to the residents of the immediate vicinity with noise and traffic on a quiet residential road. An extended alcohol license could also increase the risk of crime and disorder on Kelham Island residential area. We do not feel that this application by the Museum is appropriate to the area in which it is situated and will have a detrimental impact to local residents.

Kind Regards

Robert & Claire Woodhead.
Apartment █████, Millau
████████████████████ Kelham Island
Sheffield
S3 8RN

Hollis Georgina (CEX)

From: D.J. Buttle [REDACTED]
Sent: 03 December 2012 10:37
To: Licensing (General)
Subject: Kelham Island Museum, Alma Street, S3 8RY application to vary a premises licence

Dear Sir/Madam

The museum is planning a major extension to its current licensing arrangements.

These include extending the time allowed for plays and indoor sporting events, recorded music (indoors and outdoors), performance of dance, and most worryingly late night refreshment and sale of alcohol, all to 2am, with hours of opening extended until 2.30am, 7 days a week. I believe currently the licence permits staying open until 11.30pm except for 1am closing 10 days a year.

The museum lies within a largely residential area, and my apartment building is about 40 metres from the museum entrance, on the small cobbled road that leads to the museum. My apartment faces on to this road. I believe that the proposed extensive changes to the licence will lead to an unacceptable level of noise and disruption in the early hours, on a nightly basis. The events at the museum are expected to attract in excess of 100 people. This number of people leaving between 2am and 2.30am, whether by foot (after a few drinks), taxi or private car will create a great deal of noise and disturbance.

I have no objection to the museum trying to be financially healthy and I support the main aims of education for the people of Sheffield, but I do not understand why this needs to equate to a 2.30am closing time.

My residential address is 84 Millau, 2 Kelham Island, Sheffield S3 8RN

Yours sincerely

Dave Buttle (Dr)

David J. Buttle, Reader, University of Sheffield, Academic Unit of Rheumatology/Molecular Medicine, Royal Hallamshire Hospital, K-Floor, Beech Hill Road, Sheffield S10 2RX, UK Tel. (0)114 271 3164 Fax. (0)114 271 3892

Hollis Georgina (CEX)

From: Licensing(General)
Sent: 19 November 2012 10:43
To: Hollis Georgina (CEX)
Subject: FW: Application by Kelham Island Museum, Alma Street, S3 8RY

H/c

From: GLENN CARTLEDGE [mailto: [REDACTED]]
Sent: 19 November 2012 10:38
To: Licensing(General)
Cc: eamonn.ward@btopenwold.com
Subject: Application by Kelham Island Museum, Alma Street, S3 8RY

I wish to object to the application made by the Kelham Island Musuem in relation to both the Prevention of Crime and Disorder and in particular the Prevention of a Public Nuisance.

Although the address for the Musuem is classed as Alma Street, the building is in fact not on Alma Street but at the end of a dead end, narrow cobbled street which provides the only vehicular access to the private apartments next door.

I am extremely concerned that the area will suffer from:

- 1) Taxis and other vehicles sat waiting for revellers to leave parked along the very narrow cobbles street, blocking access to our private car park.
- 2) Noise from said vehicles, sat with their engines running whilst waiting - never mind the pollution they will create.
- 3) Noise from revellers in the early hours of the morning as they walk past the apartments - the only access available and the anti-sovcial aspects that this usually brings along - we are already "enjoying" the noise, rubbish, vomit and other socially unacceptable behaviour provided by the students who live in the block of flats on the other side of our apartments. Surely we shouldn't have to endure more from the other side.

I feel personally that the current licence which allows them 10 days until 1.00pm with the ability to apply for specific relaxtion is sufficient and allows some sort of protection to the people living in this increasingly inhabited area.

Best Regards

Glenn Cartledge
[REDACTED] Millau
● Kelham Island
Sheffield
S3 8RD

Appendix 'D'



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

Sheffield International Museums Trust
Kelham Island Museum
Alma Street
Sheffield
S3 8RY.

The Sheffield City Council being the licensing authority, on the **6 November 2012** received your application in respect of the premises known as **Kelham Island Museum, Alma Street, Sheffield, S3 8RY.**

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

- Local residents

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **3 January 2013 at 10am**; following which the Council will issue a notice of determination of the application.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.

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

- 1) 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 application for a licence.

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD** within five (5) working days before the day or the first day on which the hearing is to be held.

Dated:

Signed: _____

The officer appointed for this purpose
Licensing Officer

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



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

The Objector

The Sheffield City Council being the licensing authority, on the **6 November 2012** received an application in respect of the premises known as **Kelham Island Museum, Alma Street, Sheffield, S3 8RY.**

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

- Local residents

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **3 January 2013 at 10am**; following which the Council will issue a notice of determination of the application.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.

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

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

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within (5) working days before the day or the first day on which the hearing is to be held.**

Dated:

Signed: _____

The officer appointed for this purpose
Licensing Officer

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

Appendix 'E'



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

Sheffield International Museums Trust
Kelham Island Museum
Alma Street
Sheffield
S3 8RY.

The Sheffield City Council being the licensing authority, on the **6 November 2012** received your application in respect of the premises known as **Kelham Island Museum, Alma Street, Sheffield, S3 8RY.**

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

- Local residents

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **3 January 2013 at 10am**; following which the Council will issue a notice of determination of the application.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.

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

- 1) 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 application for a licence.

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD** within five (5) working days before the day or the first day on which the hearing is to be held.

Dated:

Signed: _____

The officer appointed for this purpose
Licensing Officer

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

Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

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

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

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

LICENSING ACT 2003

Premises: Kelham Island Museum
Type of App: LA03_Application to Vary a Premises Licence
Hearing Date: 3 January 2013

Form LAR 1
Regulation 8

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

Of Sheffield International Museums Trust
Kelham Island Museum
Alma Street
Sheffield
S3 8RY.

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

- I intend to attend the hearing
- I do not intend to attend the hearing

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

I consider the hearing to be unnecessary because:

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

Dated: Signed.....

Please 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.

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.