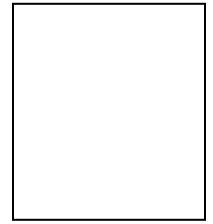




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: **Monday 16th October 2023 at 10am**

Subject: Licensing Act 2003

Author of Report: Shimla Finch

Summary: To consider an application to grant a premises licence made under the Licensing Act 2003 for **The Vibe Lounge, 645-647 Ecclesall Road, Sheffield, S11 8PT**

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

Background Papers: Attached documents
[Sheffield City Councils Statement of Licensing Policy](#)
[Revised Guidance issued under section 182 of the Licensing Act 2003](#)

Category of Report: OPEN

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

Ref No 127/23

The Vibe Lounge, 645-647 Ecclesall Road, Sheffield, S11 8PT

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a premises licence made under section 17 of the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is The Vibe Lounge Ltd.

2.2 The application was received by the Licensing Service on the 22nd August 2023 and a full copy including the proposed plans are attached at Appendix 'A' of this report.

2.3 During the consultation period the applicant has agreed conditions with the following Responsible Authorities which can be found at Appendix 'B' of the report:

- Health Protection Service
- Environmental Protection Service
- South Yorkshire Police

2.4 The premises previously held a premises licence by a different operator which has now lapsed. The applicant is now applying for a new licence and has offered to place all previous licence conditions, including those pertained under annex 3 which were previously agreed at the Licensing Sub-Committee onto the proposed licence to alleviate any concerns that may arise from Interested Parties. These conditions have been forwarded to all Interested Parties and two local residents have withdrawn their objections. A copy of these conditions are attached at Appendix 'B' of the report.

3.0 REASONS FOR REFERRAL

3.1 The application has been referred to the Licensing Sub-Committee due to unresolved representations from the following interested parties which are attached at Appendix 'C' of the report:

- **2 x Local Residents**

3.2 Licensing Officers have corresponded with the local residents in resolving their concerns and have also been informed of the proposed conditions submitted by the applicant (as detailed in paragraph 2.4 above). Invitations to meet face-to-face with the applicant to resolve any concerns have not taken place at the time of writing this report and remain unresolved.

3.3 The applicant and the local residents referred to in paragraph 3.1 above 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 POLICIES TO CONSIDER

- 4.1 [Sheffield City Council Statement of Licensing Policy.
Revised Guidance issued under section 182 of the Licensing Act 2003](#)

5.0 FINANCIAL IMPLICATIONS

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

6.0 THE LEGAL POSITION

- 6.1 The Licensing Act 2003 at section 4 (1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as:-
- a) the prevention of crime and disorder,
 - b) public safety,
 - c) the prevention of public nuisance,
 - d) the protection of children from harm.
- 6.2 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of Licensing Policy and any guidance issued by the Secretary of State under section 182.

7.0 HEARINGS REGULATIONS

- 7.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.
- 7.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'D'.
- 7.3 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.

8.0 APPEALS

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

9.0 RECOMMENDATIONS

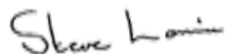
- 9.1 That Members carefully consider the representations made and take such steps as the Sub Committee consider appropriate for the promotion of the Licensing Objectives.

10.0 OPTIONS OPEN TO THE COMMITTEE

10.1 To grant the premises licence in the terms requested.

10.2 To grant the premises licence with conditions.

10.3 To reject the whole or part of the application.



Stephen Lonnie
Chief Licensing Officer
Head of Licensing

Date: 16th October 2023

Appendix 'A'

Application documents

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We NOORADDIN GHALAVAND
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description <u>645 - 647 ECCLESALL ROAD</u>			
Post town	<u>SHEFFIELD</u>	Postcode	<u>S11 8PT</u>
Telephone number at premises (if any)	[REDACTED]		
Non-domestic rateable value of premises	<u>£18,000</u>		

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | <input checked="" type="checkbox"/> | please complete section (B) |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales | <input type="checkbox"/> | please complete section (B) |
| a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |
| ga) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	THE VIBE LOUNGE LTD
Address	645 - 647 ECCLESALL ROAD SHEFFIELD S11 8PT
Registered number (where applicable)	14989866
Description of applicant (for example, partnership, company, unincorporated association etc.)	COMPANY
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
21	09	2023

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

THESE PREMISES WILL SERVE FOOD AND REFRESHMENTS INCLUDING ALCOHOL REFRESHMENTS. THE LAYOUT IS CONDUCIVE WITH A BAR/RESTAURANT FEEL. THESE PREMISES PREVIOUSLY HAD A PREMISES LICENCE UNTIL JUNE 2023. MAXIMUM CAPACITY 50

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

--

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- 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)

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur								
Fri						<u>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</u> (please read guidance note 6)		
Sat								
Sun								

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur								
Fri						<u>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</u> (please read guidance note 6)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<u>Please give further details here</u> (please read guidance note 4)	
Thur				
Fri			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)	
Sat			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sun				

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Wed					
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed					
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
			Both		
			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input checked="" type="checkbox"/>		
Mon	2200	2230	Please give further details here (please read guidance note 4)		
Tue	2200	2230			
Wed	2200	2230	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	2200	2230			
			N/A		
Fri	2200	0030	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 6)		
Sat	2200	0030			
Sun	2200	2230			
			N/A		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both <input checked="" type="checkbox"/>		
Mon	1130	2230	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	1130	2230			
Wed	1130	2230	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 6)		
Thur	1130	2230			
Fri	1130	0030			
Sat	1130	0030	N/A		
Sun	1130	2230			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	SHAHROOZ RAO
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	SY07354 PER
Issuing licensing authority (if known)	SHEFFIELD CITY COUNCIL

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 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	N/A
Mon	0900	2330	
Tue	0900	2330	
Wed	0900	2330	
Thur	0900	2330	
Fri	0900	0030	
Sat	0900	0030	
Sun	0900	2330	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)			N/A

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

THE BUSINESS IS PLANNED AS A FAMILY FRIENDLY FOOD LOUNGE AND BAR AND WILL FOCUS ON PROVIDING A SERVICE TO THE SURROUNDING DEMOGRAPHIC.

WE WILL WORK CLOSELY WITH LOCAL COMMUNITY, POLICE AND SAFEGUARDING. OUR PREMISES WILL BE SECURE AND FULLY COVERED WITH CCTV.

FOOD HYGIENE AND HEALTH AND SAFETY PROTOCOLS WILL BE FOLLOWED BY AND TRAINED TO ALL TEAM MEMBERS.

b) The prevention of crime and disorder

COLOR CCTV IS INSTALLED AND SERVICED. THE BUILDING WILL BE LOCKED AND ARMED WHEN NOT IN USE.

LOCAL POLICE PROTOCOLS WILL BE ADOPTED AND POLICE IMMEDIATELY INFORMED OF ANY SUSPICION OF ACTIVITY RELATING TO CRIME & DISORDER.

CCTV WILL BE RECORDED AND AVAILABLE FOR 28 DAYS. ALL OFF PREMISES SALES WILL BE UNOPEN.

c) Public safety

HEALTH AND SAFETY RISK ASSESSMENT WILL BE IN PLACE FOR ALL AREAS IN TERMS OF BUILDINGS, EVACUATION, CUSTOMER AND STAFF SAFETY. OUR SAFEGUARDING ASSESSMENTS WILL BE IN PLACE AND ALL STAFF MEMBERS WILL BE FULLY BRIEFED ON BOTH. FIRE SAFETY PLAN WILL BE IN PLACE AND VISIBLE TO ALL PATRONS. FIRST AID KIT ON SITE.

INCIDENT AND REFUSAL LOGS WILL BE KEPT UP TO DATE AND

MAINTAINED TO COVER ALL AREAS WITHIN THE LICENSING CONDITIONS.

d) The prevention of public nuisance

PATRONS WILL BE REMINDED BY NOTICES DISPLAYED AT ENTRANCE, EXITS AND ALL OUTDOOR AREAS, TO BE CONSIDERATE OF NOISE AND RESIDENTS IN THE AREA. THE OUTSIDE AREA WILL BE MONITORED FOR NOISE AFTER 10PM. OUTSIDE AREAS WILL BE CLEANED BEFORE AND AFTER CLOSING. DELIVERIES WILL TAKE PLACE DURING DAYTIME HOURS.

e) The protection of children from harm

THERE WILL BE NO ACTIVITY SUCH AS GAMING MACHINES OR ADULT ACTIVITY ON THE PREMISES.

CHALLENGE 21 POLICY WILL BE IN PLACE FOR ALCOHOL SALES AND ALL STAFF WILL BE TRAINED TO FOLLOW THIS POLICY.

Page 24

ALL PERSONS UNDER 18 MUST BE OFF PREMISES BY 22:00 HRS

UNLESS ATTENDING PRIVATE FUNCTION AND MONITORED BY AN ADULT.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	[Redacted]
Date	22/08/2023
Capacity	OWNER

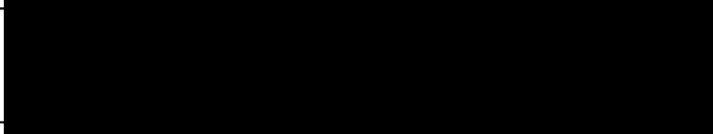
For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
645 - 647 ECCLESALL ROAD			
Post town	SHEFFIELD	Postcode	S11 8P
Telephone number (if any)	[Redacted]		

Consent of individual to being specified as premises supervisor

I: [full name of prospective premises supervisor] **SHAHROOZ RAD**

Of: [home address of prospective premises supervisor] 

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for: [type of application]
PREMISES LICENCE

made by: [name of applicant]
NOORADDIN GHALAVAND

relating to premises licence number: [number of existing licence, if any]

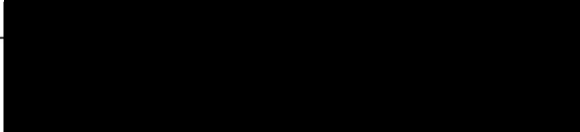
for: [name and address of premises to which application relates]
**THE VIBE LOUNGE LTD
645-647 ECCLESALL ROAD
SHEFFIELD, S11 8PT**

and any premises licence to be granted or varied in respect of this application made by: [name of applicant]
NOORADDIN GHALAVAND

concerning the supply of alcohol at: [name and address of premises to which application relates]
**THE VIBE LOUNGE LTD
645-647 ECCLESALL ROAD
SHEFFIELD, S11 8PT**

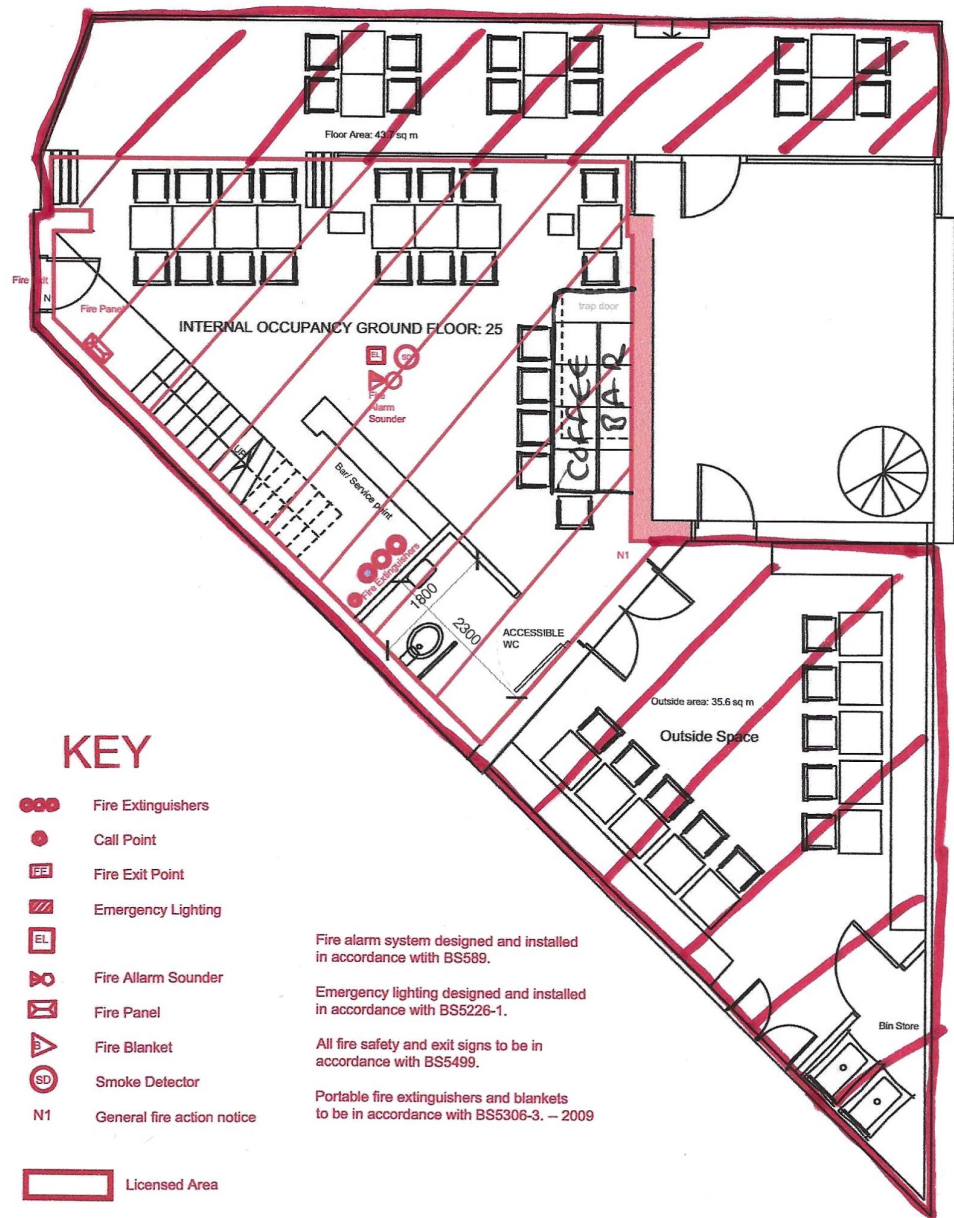
I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below:

Personal licence number: [insert personal licence number, if any] **SY07354 PER**
Personal licence issuing authority: [insert name and address and telephone number of personal licence issuing authority, if any] **SHEFFIELD CITY COUNCIL**

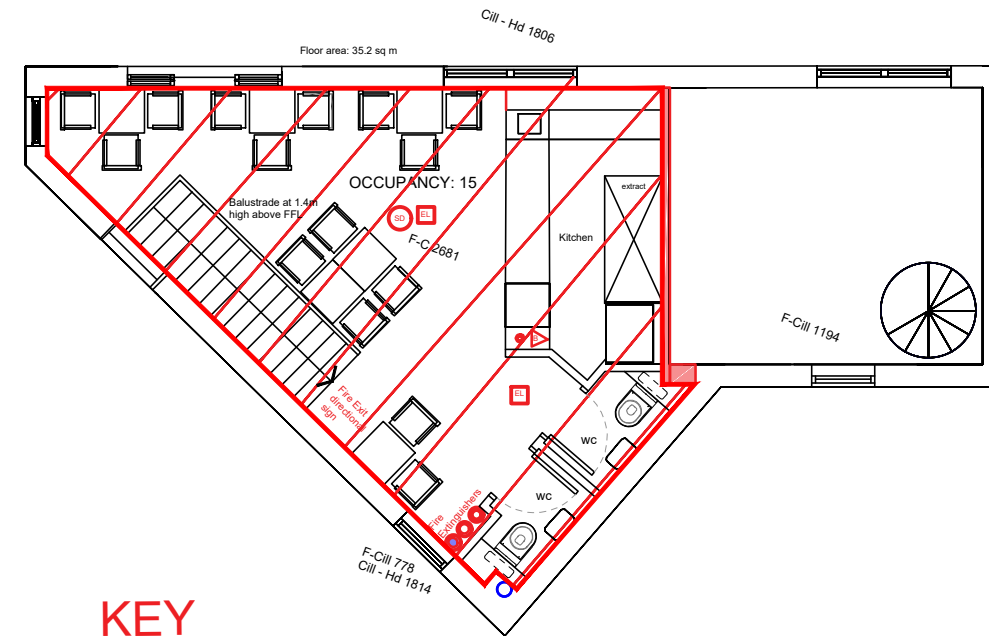
Signed 

Name (please print) **SHAHROOZ RAD**

Date **22/08/2023**



Proposed Ground Floor Fire Strategy Plan



KEY

- Fire Extinguishers
 - Call Point
 - Fire Exit Point
 - Emergency Lighting
 - Fire Alarm Sounder
 - Fire Panel
 - Fire Blanket
 - Smoke Detector
 - N1 General fire action notice
- Licensed Area
- Fire alarm system designed and installed in accordance with BS589.
 Emergency lighting designed and installed in accordance with BS5226-1.
 All fire safety and exit signs to be in accordance with BS5499.
 Portable fire extinguishers and blankets to be in accordance with BS5306-3. -- 2009

Proposed First Floor Fire Strategy Plan



Project Address : 647 Ecclesall Road S11 8PT

Scale 1:100 @ A3 REV A - 1F licensing boundary added and kitchen updated

Appendix 'B'

**Agreed Conditions - Health Protection Service
Environmental Protection Service
South Yorkshire Police**

Proposed Conditions from the Applicant

Agreed Conditions - Health Protection Service

From: nooredin_ghalavand <[REDACTED]>
Sent: Tuesday, September 19, 2023 3:37:16 pm
To: [REDACTED]
Subject: RE: The Vibe Lounge Ltd - 647 Ecclesall Rd S11

Dear [REDACTED]

Further to our discussion regarding the conditions, I agree to all 3 conditions mentioned in your email. I really appreciate all your support.

Many thanks
Nooraddin Ghalavand

----- Original message -----

From: [REDACTED]
Date: 18/09/2023 15:49 (GMT+00:00)
To: nooredin_ghalavand [REDACTED]
Subject: The Vibe Lounge Ltd - 647 Ecclesall Rd S11

Dear Nooraddin,

Further to our telephone conversation I would like to make you aware of conditions attached to the premises licence during a Licensing Hearing held on 19th July 2019 by the Licensing Sub-Committee, with respect to a previous application for a premises licence at the premises. These conditions were placed upon the premises licence due to the kitchen location on the 1st floor and the public staircase. Because the 1st floor is also covered within this licence application I suggest that these conditions be re-attached to the new premises licence for the promotion of public safety;

Conditions attached after a hearing by the licensing authority - 9th July 2019:

- 1. There shall be a minimum number of 30 covers for seated dining, with a maximum of 40 capacity (people) to ground and first floor internal areas.**
- 2. The first floor area is to be table service only and patrons are not to carry their own food and drinks up or down the staircase.**
- 3. Staff are to be trained in safe systems of work.**

As discussed, the 1st condition relates to the capacity indoors. And the 3rd condition relates to suitable and sensible measures in place as discussed such as non-slip trays, not passing on stairs, suitable footwear, handrail, etc etc.

Could you please confirm whether you agree to these conditions being attached to the premises licence?

You mentioned about possibly just licensing the ground floor. if you think that this would be your preferred option then we would need confirmation to take the 1st floor out of the application. I'd be happy to discuss this with you should you decide to go down this route. We would then re-consider the above conditions.

Kind Regards [REDACTED]

Agreed Conditions - Environmental Protection Service

From: [REDACTED]
Sent: Monday, September 11, 2023 12:51 PM
To: nooredin_ghalavand [REDACTED]
Cc: licensingservice <licensingservice@sheffield.gov.uk>
Subject: RE: Premises Licence Application, The Vibe Lounge, 647 Ecclesall Road,

Nooredin,

Thanks for the phone call and your agreement to the conditions being placed on the premises licence when granted.

Licensing Officer,

As you can see the applicant is happy to attach the 2 below conditions. Please confirm that the email make sense and that the conditions will appear on the premises licence when granted. On that basis, please withdraw my earlier representation.

Regards,

[REDACTED]
[REDACTED]
Environmental Health Officer

From: nooredin_ghalavand [REDACTED]
Sent: Monday, September 11, 2023 11:51 AM
To: [REDACTED]
Subject: RE: Premises Licence Application, The Vibe Lounge, 647 Ecclesall Road,

Dear [REDACTED]

That was great talking to you regarding the conditions of our business licensing.

As discussed, I can confirm that I am happy with the mentioned conditions in your email.

I appreciate all your support and cooperation.

Many thanks
Nooraddin Ghalavand

----- Original message -----

From: [REDACTED]
Date: 11/09/2023 10:37 (GMT+00:00)
To: [REDACTED]
Cc: licensingservice <licensingservice@sheffield.gov.uk>
Subject: Premises Licence Application, The Vibe Lounge, 647 Ecclesall Road,

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

Hello,

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

I have seen your agreement with my colleagues in the Police Licensing section and note the condition to restrict the hours of use of the outside area, which is welcomed.

The application includes recorded music but there are no offered conditions. To prevent recorded music noise causing a problem for nearby neighbours I would propose the below conditions are attached to the premises licence:

- **No loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time.**
- **No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiter, the design and settings of which shall have received the prior written approval of the EPS.**

If you are happy to attach the above conditions to the premises licence when granted then please reply with your agreement, alternatively if you wish to discuss the matter further, please reply to this email.

Regards,

■

■

Environmental Health Officer

Agreed Conditions – South Yorkshire Police

From: SHEFFIELD_Licensing >

Sent: Tuesday, August 29, 2023 4:07 PM

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

Cc: [REDACTED]

Subject: FW: Premise licence application-645-647 Ecclesall Road

Dear all,

Following receipt of the above application we have now received agreement of the following conditions:

- The use of door staff will be risk assessed on an ongoing basis by the licence holder or premise supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
- The use of glass alternative drinking vessels shall be utilised in accordance with the premises assessment of risk.
- There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the Police.
- No drinks shall be allowed to be consumed in the outside areas after 21:00hrs
- A CCTV system will be fitted, maintained and in use at all times whilst the premises are open. The CCTV images will be stored for 28 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder, in line with GDPR guidance. Members of the management team will be trained in the use of the system.
CCTV systems installed after 2021 should be full digital systems with wide dynamic range IP cameras (WDR)
 - The CCTV system will contain the correct time and date stamp information.
 - The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has access the system, the reason why and when.
- Staff will receive training concerning , but not limited to,
 - Vulnerability awareness
 - Crime scene preservation
 - Drugs policies
 - Underage sales/Challenge 21 scheme /Proxy Sales/Fake ID's
 - CCTV operation (authorised staff only)
 - Dispersal
- Suitable refresher training to be completed at least once per calendar year commencing the year after their date of employment. A written record to be retained for a minimum of 12 months and shall be made available to the Police and/or Licensing Authority upon request.

Please place on the licence should this be granted.

Thanks.

South Yorkshire Police

From: nooredin_ghalavand [REDACTED]
Sent: 24 August 2023 16:11
To: SHEFFIELD_Licensing < >
Subject: RE: Premise licence application-546-647 Ecclesall Road

Dear [REDACTED]

I would like to thank you for your response.

I can confirm that I understand and accept all the practices mentioned in your email.

I really appreciate your help and support.

Many thanks

Nooraddin Ghalavand

----- Original message -----

From: SHEFFIELD_Licensing [REDACTED]
Date: 24/08/2023 13:43 (GMT+00:00)
To: [REDACTED]
Subject: Premise licence application-546-647 Ecclesall Road

Good afternoon,

I am pleased to confirm receipt of your premise licence application for Vibe Lounge, 645-647 Ecclesall Road.

Having reviewed the proposals I have detailed below the conditions we would require adding to the licence to further promote the four licensing objectives, namely the prevention of crime and disorder and public nuisance.

I understand you have already volunteered to install a CCTV system, my enhanced condition seeks to formalise retention periods and to ensure it is available for inspection when necessary.

- The use of door staff will be risk assessed on an ongoing basis by the licence holder or premise supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
- The use of glass alternative drinking vessels shall be utilised in accordance with the premises assessment of risk.
- There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the Police.
- No drinks shall be allowed to be consumed in the outside areas after 21:00hrs
- A CCTV system will be fitted, maintained and in use at all times whilst the premises are open. The CCTV images will be stored for 28 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder, in line with GDPR guidance. Members of the management team will be

trained in the use of the system.

CCTV systems installed after 2021 should be full digital systems with wide dynamic range IP cameras (WDR)

- The CCTV system will contain the correct time and date stamp information.
- The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has access the system, the reason why and when.
- Staff will receive training concerning , but not limited to,
 - Vulnerability awareness
 - Crime scene preservation
 - Drugs policies
 - Underage sales/Challenge 21 scheme /Proxy Sales/Fake ID's
 - CCTV operation (authorised staff only)
 - Dispersal

Suitable refresher training to be completed at least once per calendar year commencing the year after their date of employment. A written record to be retained for a minimum of 12 months and shall be made available to the Police and/or Licensing Authority upon request.

I would be obliged if you could confirm acceptance of these practices. Upon receipt I will notify the Licensing Authority of our agreement.

I would also ask you to consider joining the local 'pubwatch' scheme in order to share and receive information from other local venues. If you would like more information, please contact [REDACTED] via email [REDACTED]

Many thanks.

[REDACTED]
[REDACTED]
South Yorkshire Police
Licensing Department
Mossway Police Station

Proposed Previous Conditions from the Applicant

From: nooredin_ghalavand [REDACTED]

Sent: Tuesday, September 19, 2023 5:27 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: Complying with all conditions in previous premises licence

Hi

Regarding the licence application process for "the vibe lounge limited" on 645-647 Ecclesall Road - S11 8PT , I would like to confirm that I will comply with all conditions stated in annex 2 and annex 3 of the previous licence which are as follows:

- **Annex 2 - Conditions consistent with the operating schedule**

1. 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.
2. To comply with the reasonable requirements of the fire officer, Building and Planning and Health and Safety from time to time.
3. The premises is clearly lit and adequately ventilated.
4. A first aid box is kept on the premises and is regularly checked and replenished as appropriate.
5. Waste is disposed of responsibly and does not cause a nuisance or attract vermin.
6. Any drink shall not be taken from the premises in open containers.
7. Staff shall be trained and will not supply alcohol to any persons who appear to be intoxicated, Staff will also receive training concerning underage sales, drugs policies and operating procedures. Records shall be kept and made available for inspection for authorities.
8. Patrons shall be reminded by notices when leaving the premises to be considerate to resident in relation to noise, the outside area shall also be monitored for noise after 10pm.
9. Notices shall be displayed by all exits in the outside area.
10. Challenge 21 policy shall be in place and all staff shall be trained to follow this policy.
11. Persons under the age of 18yrs are not permitted after 19:00hrs unless accompanied by a responsible adult and attending a family type function or dining, but all persons under 18 must be off the premises by 22:00hrs unless attending a private, pre-booked function with a responsible adult.
12. It is considered that for the nature of the operation door supervisors will not be required however, a risk assessment will be undertaken should any unusual event takes place and whether they consider it appropriate for door supervision to be employed.
13. It is considered that for the nature of the operation plastic/polycarbonate drinking vessels will not be required however, a risk assessment will be undertaken should unusual events takes place and management deem it necessary.
14. Zero tolerance policy in relation to drugs

15. Incident and refusal book maintained, such records to be retained for at least 12 months and available for inspection on request.

16. A 15 minutes "drinking up / wind down period" will be implemented to ensure all patrons have finished their beverages and vacate the premise at the correct terminal hour.

17. There will be no movement, sorting or removal of waste bottles, material or other articles nor movement of skips or bins outside the building between 22:00-08:30 hours Monday-Saturday and 22:00-09:00 on Sundays and Bank Holidays. No Deliveries to the building to be carried out during these hours.

18. There will be no collection of glasses/bottle bins/skips and refuse bins/skips by collection contractors between 22:00-08:30 on Monday-Saturday and 22:00-09:00 hours on Sundays and Bank Holidays.

19. No drinks shall be allowed to be consumed in the outside areas after 21:00hrs

20. No amplified sound or live music shall be played within the building at above background levels, nor shall loudspeakers be fixed externally nor directed to broadcast sound outside the building at any time. The specification, location and mountings of any loudspeakers affixed internally to the building shall be subject to written approval of the Environmental Protection Service.

21. Signs shall be erected in outside areas and adjacent to exits asking customers to respect the neighbours and keep noise levels down.

22. A building Regulation Completion Certificate shall be submitted to the responsible authority for public safety within a reasonable time period after the premises has opened for business.

23. Outside areas will be cleaned and cleared prior to opening and after closing.

• **Annex 3 - Conditions attached after a hearing by the licensing authority - 20th April 2010**

Prevention of Crime and Disorder

1. A colour CCTV system to the specification of South Yorkshire Police, will be fitted, maintained and in use at all times whilst the premises are open. The CCTV images will be stored for 31 days and Police and Authorised Officers of the Council will be given access to images for purposes of prevention and detection of crime and disorder. Members of the management team will be trained in the use of the system. A copy of the specification dated January 2010 will be available at all times for inspection by the Police and Authorised Officers.

2. The Violent Incident Protocol, as drafted by South Yorkshire Police, dated August 2009, shall be adopted as a management practice at site.

Public Safety

3. The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.

4. Staff will be trained on matters of safety, evacuation and use of emergency equipments required.

5. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff

The Prevention of Public Nuisance

6. Where appropriate, prominent clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.

7. Noise or vibration shall not emanate from the premises so as to cause nuisance to nearby private dwellings.

8. Prior to opening the premises for trading, and immediately following closure, the premises will cleanse the area to the front of the premises of any waste or rubbish. Regular cleaning will take place at appropriate junctures throughout the trading period.

9. The entrance to the premises to be self closing or fitted with a self closing mechanism.

Conditions attached after a hearing by the licensing authority - 9th July 2019

1. There shall be a minimum number of 30 covers for seated dining, with a maximum of 40 capacity (people) to ground and first floor internal areas.

2. The first floor area is to be table service only and patrons are not to carry their own food and drinks up or down the staircase.

3. Staff are to be trained in safe systems of work.

As the operation of the business is going to be the same, I am happy to accept any extra conditions which could cause the concerns raised by the Sheffield licensing authorities or local residents.

I hope you will take this into consideration while dealing with licensing application.

I really appreciate all your helps and support.

Please do not hesitate to contact me if further clarification required.

Many thanks

Nooraddin Ghalavand

Appendix 'C'

Representations 2 x Local Residents

Objector 1 - J Cornish & D Rusdale

From: Jan Cornish [REDACTED]
Sent: Friday, September 8, 2023 9:29 AM
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject: The Vibe Lounge, 645-647 Ecclesall Road, S11 8PT

Dear Licensing Service

Please accept our objection to the late licensing application at The Vibe Lounge, 645-647 Ecclesall Road. It seems that recently similar applications have been refused, with a 23.30 limit being imposed, including the very recent one at 605 Ecclesall Road. Very late bar opening has the potential for creating much rowdiness, general noise and litter. It would also certainly add to the already dire parking situation on the surrounding residential streets and in particular the lower part of Botanical Road and Neill Road.

Yours faithfully
Jan Cornish & Dave Rusdale

Objector 2 - P Hemmings & C Burke

From: Paul Hemmings [REDACTED]
Sent: Friday, September 8, 2023 7:22 PM
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject: OBJECTION - Vibe Lounge Licensing application comments

I wish to object to the application by the Vibe Lounge on Ecclesall Road for a late night alcohol licence.

There are a number of reasons for our objection as follows:

1. The premises are located in close proximity to a number of residential streets and properties, in particular Neill Road, Sharrow Vale Road and the George Woofindin Almshouses as well as residential properties on Ecclesall Road itself. With a licence application until 12:30 am on Friday and Saturday there is considerable potential for disturbance for local residents. This could include noise from the premises itself, any associated outdoor space, also possible anti social behaviour and littering from people leaving the premises at late hours. This has been a problem in the past in local streets from other premises with late licences.
2. Other licenced premises on Ecclesall Road have to close at earlier times, mostly 11 pm in the week. It should be queried why these premises should have a later licence. Not only will this provide unfair competition to existing businesses it could also lead to pressure for others to apply for later licences meaning this application becomes the thin end of a worrying wedge.
3. The premises has no parking and therefore will create additional pressure for parking on already pressurised surrounding residential streets. This is unfair on local residents and could lead to disputes between late night drinkers and local residents with the potential for conflict and disturbances.

Paul Hemmings
Caroline Burke

Appendix 'D'

Hearing Notices and Regulations



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

Jan Cornish & Dave Rusdale

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 22nd August 2023 received an application in respect of the premises known as;

The Vibe Lounge, 645-647 Ecclesall Road, Sheffield, S11 8PT

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

- **3 x Local Residents (unresolved)**
- **1 x Local Resident (withdrawn with agreed conditions)**
- **Health Protection Service (withdrawn with agreed conditions)**
- **Environmental Protection Service (withdrawn with agreed conditions)**
- **South Yorkshire Police (withdrawn with agreed conditions)**

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

The Council now **GIVES YOU NOTICE** that the representations will be considered at a hearing to be held **at Sheffield Town Hall on Monday 16th October 2023 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

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

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: 3rd October 2023

Signed: Shimla Finch

The officer appointed for this purpose
Licensing Strategy and Policy Officer

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



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

Paul Hemmings & Caroline Burke

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 22nd August 2023 received an application in respect of the premises known as;

The Vibe Lounge, 645-647 Ecclesall Road, Sheffield, S11 8PT

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

- **3 x Local Residents (unresolved)**
- **1 x Local Resident (withdrawn with agreed conditions)**
- **Health Protection Service (withdrawn with agreed conditions)**
- **Environmental Protection Service (withdrawn with agreed conditions)**
- **South Yorkshire Police (withdrawn with agreed conditions)**

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

The Council now **GIVES YOU NOTICE** that the representations will be considered at a hearing to be held **at Sheffield Town Hall on Monday 16th October 2023 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

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

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: 3rd October 2023

Signed: Shimla Finch

The officer appointed for this purpose
Licensing Strategy and Policy Officer

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



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

The Vibe Lounge Ltd

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 22nd August 2023 received an application in respect of the premises known as;

The Vibe Lounge, 645-647 Ecclesall Road, Sheffield, S11 8PT

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

- **3 x Local Residents (unresolved)**
- **1 x Local Resident (withdrawn with agreed conditions)**
- **Health Protection Service (withdrawn with agreed conditions)**
- **Environmental Protection Service (withdrawn with agreed conditions)**
- **South Yorkshire Police (withdrawn with agreed conditions)**

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

The Council now **GIVES YOU NOTICE** that the representations will be considered at a hearing to be held **At Sheffield Town Hall on Monday 16th October 2023 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 3rd October 2023

Signed: Shimla Finch

The officer appointed for this purpose
Licensing Strategy and Policy Officer

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

NOTES

Right of attendance, assistance and representation

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

Representations and supporting information

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

Failure of parties to attend the hearing

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

Procedure at hearing

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

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 **The Vibe Lounge Ltd**

hereby confirm that we have received the Notice of Hearing dated 3rd October 2023 and notify you as follows **(please complete)**:

I intend to attend the hearing on Monday 16th October 2023 at 10.00am at Sheffield Town Hall.

I do not intend to attend the hearing.

I intend to be represented at the hearing by:

I consider the hearing to be unnecessary because:

.....

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

Dated: Signed.....

Please see Regulation 8 overleaf

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

licensing@sheffield.gov.uk

Regulation 8

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

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

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

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

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

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

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

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