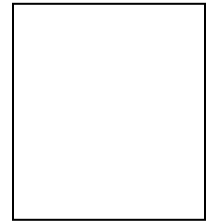




## SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



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**Report of:** Chief Licensing Officer, Head of Licensing

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**Date:** **Monday 22<sup>nd</sup> January 2024 at 11am**

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**Subject:** Licensing Act 2003

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**Author of Report:** Shimla Finch

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**Summary:** To consider an application to grant a premises licence made under the Licensing Act 2003 for **Porter Pizza, 394-396 Sharrow Vale Road, Sheffield, S11 8ZP**

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**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.

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

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**Category of Report:** OPEN

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

Ref No 06/24

**Porter Pizza, 394-396 Sharrow Vale Road, Sheffield, S11 8ZP**

**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 Porter Pizza Company Ltd.

2.2 The application was received by the Licensing Service on the 27<sup>th</sup> November 2023 and a full copy including the proposed plans and accompanying documents are attached at Appendix 'A' of this report.

2.3 The applicant currently has a premises licence at 410 Sharrow Vale Road and are now moving to a larger unit at 394-396 Sharrow Vale Road to continue to run as a pizza restaurant and takeaway that sell alcohol.

**3.0 REASONS FOR REFERRAL**

3.1 The application has been referred to the Licensing Sub-Committee due to an unresolved representation from the following interested party which is attached at Appendix 'B' of the report:

- **1 x Local Resident – I Ramsay**

3.2 During the consultation period the applicant has agreed conditions with South Yorkshire Police. The agreed conditions are attached at Appendix C of the report.

3.3 The applicant and the Interested Party 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.

Chief Licensing Officer, Head of Licensing  
Block C, Staniforth Road Depot  
Sheffield, S9 3HD.

22<sup>nd</sup> January 2024

# Appendix 'A'

**Application documents**



\* required information

**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

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

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes  No

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

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

Registration number

Business name  If your business is registered, use its registered name.

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

Legal status

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

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of His Majesty's prerogative

**Section 4 of 21**

**NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Co-owner of Porter Pizza (Private Ltd Company) and the Designated Premises Supervisor

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

\* Nationality  [Documents that demonstrate entitlement to work in the UK](#)

Add another applicant

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  01 /  02 /  2024  
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of 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.

We're an existing pizza restaurant and takeaway on Sharrow Vale Road. We've held a premises licence at our current premises at 410 Sharrow Vale Road since January 2021 but now we're moving (contingent on this licence) into a double unit at 394-396 Sharrow Vale Road so wish to gain a premises licence for there so we can continue to sell alcohol to restaurant and takeaway customers. We wish to continue as a pizza restaurant and takeaway. We expect to have around 40 covers. Our permitted trading hours are 12:00 to 22:00 Monday to Sunday though in practice we serve 17:00-21:00 Sun-Mon and



*Continued from previous page...*

12:00-21:30pm Fri-Sat. We have a proven record of selling alcohol responsibly and we do not tolerate drunkenness in the premises. Our customers typically have 0 or 1 and occasionally 2 alcoholic drinks with their meal.

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

### Section 6 of 21

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

### Section 7 of 21

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

### Section 8 of 21

#### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

### Section 9 of 21

#### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

### Section 10 of 21

#### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

### Section 11 of 21

#### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

### Section 12 of 21

#### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing performances of dance?

Yes  No

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth  /  /   
dd      mm      yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text" value="SY07633PER"/>
Issuing licensing authority (if known)	<input type="text" value="Sheffield"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="17:00"/>	End	<input type="text" value="21:30"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="17:00"/>	End	<input type="text" value="21:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="17:00"/>	End	<input type="text" value="21:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="17:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

These hours are the maximum expected hours. We will open for less & days hours during some holiday periods, not more

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

*Continued from previous page...*

List here steps you will take to promote all four licensing objectives together.

We are a responsible local family business and we take our social and community responsibilities very seriously. We live in the neighbourhood (Rossington Road) and have 3 children. We support the local schools (we contributed £1000 to the infant school green wall project) and other community initiatives (£500 to the Bingham Park Skatepark and £700 to Sharrow Vale Street Trees). While these things aren't directly related to the licensing objectives, I mention them to underline that we are wholeheartedly invested in making a positive contribution to our local community. The reason that we choose to stop serving at 9pm/9:30pm is that we don't want to attract a "after the pub" crowd.

b) The prevention of crime and disorder

The premises will be locked every night with 5-lever mortice locks at the front and back. Customers appearing drunk or disorderly will not be served alcohol and will be asked politely to leave the premises.

c) Public safety

No customers are allowed into the kitchen area of the shop so are well separated from the oven the kitchen knives. In making this move of premises we're changing from a wood fired oven to an electric oven which will significantly reduce the fire risk and eliminate our particulate pollution. We don't think that the business presents any other risk to public safety. Also in moving premises, our goal is to trade less as a takeaway and more as a restaurant. This will reduce traffic around the shop in the evenings.

d) The prevention of public nuisance

We wouldn't sell alcohol to persons appearing drunk or antisocial. For customers eating in the shop we anticipate serving them one or two drinks for consumption with their pizza. From experience in our current premises, our drinks sales are about 50:50 soft drinks to alcohol and most customers have 1 drink with their pizza. Takeaway customers rarely buy alcohol from us, presumably as it's cheaper elsewhere, and when they do it's usually just a single beer while they wait or a bottle of wine to take home. With limited seating, we won't be a place to come for drinking and customers will be (politely) directed to one of the excellent nearby pubs if they want to carry on drinking after their meal.

I regularly litter pick in the Sharrow Vale/Hunters Bar area and am a member of the Sheffield Litter Pickers group. I do this to ensure that we, as a business, have a net positive impact on litter in the area given that we're giving out cardboard takeaway boxes. We don't give out plastic packaging.

e) The protection of children from harm

We ask for age ID from any customers wanting to buy alcohol who appear under the age of 25.  
We don't serve alcohol until 5pm during the week as Hunters Bar Infant and Junior schools are close by.

We have also had groups of children from the Junior school coming in to learn about the business as part of their Year 4 local area topic, again showing how we aim to have a positive impact rather than just trying to minimise negative impacts. We provide a Work Experience placements from King Edward VII School and offer some age-appropriate part-time employment opportunities for 16-18 year olds.

## **Section 19 of 21**

### **NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

Continued from previous page...

[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, IF APPROPRIATE (PLEASE SEE NOTE 15).

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/sheffield/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

**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**



\* required information

**Section 1 of 3**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	Porter Pizza 394-396 SVR	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes       No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

* First name	David
* Family name	Musgrove
* E-mail	[REDACTED]
Main telephone number	[REDACTED]
Other telephone number	[REDACTED]

Include country code.

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

Are you:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

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

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

Registration number	09664985
Business name	Porter Pizza Company
VAT number	- 240782316
Legal status	Private Limited Company

If your business is registered, use its registered name.

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



*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 3**

**CONSENT**

**Name Of Proposed Premises Supervisor**

\* First name

\* Family name

**Address Of Proposed Premises Supervisor**

\* Building number or name

\* Street

District

\* City or town

County or administrative area

Postcode

\* Country

I hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the following application, and any premises licence to be granted or varied in respect of this application concerning the supply of alcohol at the premises

\* Type of application

For instance 'Application for a premises licence' or 'Variation of a premises licence'

Is the application or variation that this consent is being submitted in connection with being supplied electronically to the authority

- Yes       No       Don't know

Continued from previous page...

Reference number of  
electronic application (if  
known)

If the application or variation form is already  
submitted, ask its applicant for the form's  
'system reference' or 'your reference'.

**Premises Licence Holder**

\* Name

**Address Of Premises**

\* Building number or name

\* Street

District

\* City or town

County or administrative area

Postcode

**Premises**

Premise licence number

\* Name of premises

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

Personal licence issuing  
authority name

**Address Of Personal Licence Issuing Authority**

Building number or name

Street

District

City or town

County or administrative area

Postcode

**Contact Details Of Personal Licence Issuing Authority**

Telephone number

**Section 3 of 3**

**DECLARATION**

**Continued from previous page...**

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

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

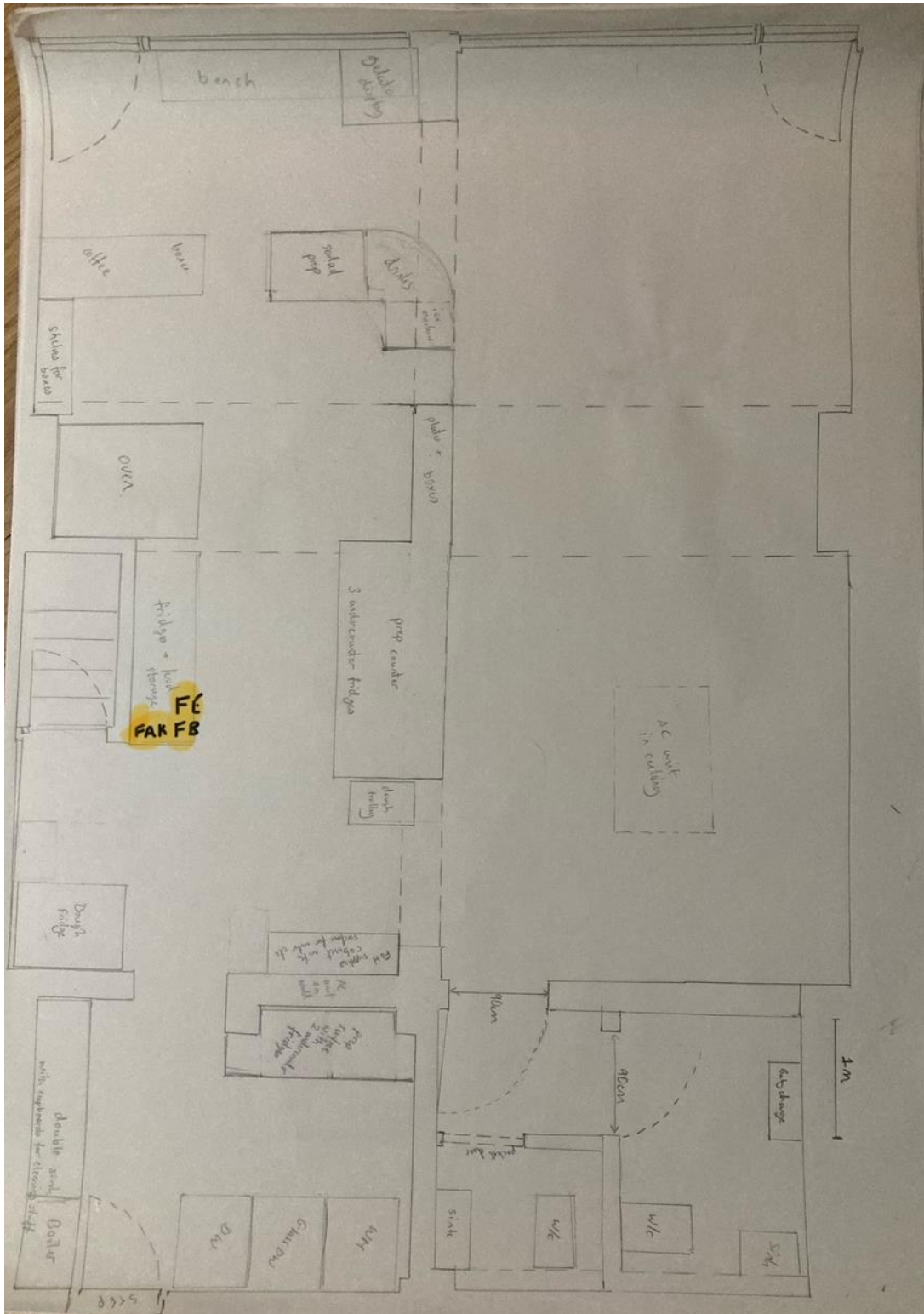
\* Capacity

Date (dd/mm/yyyy)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/sheffield/change-7> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.



# Appendix 'B'

**Representation and applicant response:**  
Local Resident – I Ramsay

**Initial Objection dated 20.12.23**

**From:** ■ Ramsay ■ >  
**Sent:** Wednesday, December 20, 2023 7:10 PM  
**To:** licensingservice <[licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)>  
**Subject:** License Application for Porter Pizza,394-396 Sharrow Vale Road, Sheffield, S11 8ZP

Dear Sirs, I write on behalf of myself and other residents in apartment accommodation on Sharrow Vale Road ■■■■■, or over the proposed premises.

Some of the residents are Support Services workers including Blue Light, some of whom work on shifts.

We completely oppose this drinks license due to the noise and disturbance this would cause, for people doing very taxing jobs.

There is a precedent that has been set due to the previous refusal to grant a drinks license for number 392 Sharrow Vale Road.

I hope that we can rely on your help over this matter.

Yours faithfully

■ Ramsay

---

**From:** ■■■■■  
**Sent:** Thursday, January 4, 2024 3:43 PM  
**To:** ■■■■■  
**Subject:** RE: License Application for Porter Pizza,394-396 Sharrow Vale Road, Sheffield, S11 8ZP

Good Afternoon Mr Ramsay,

I have forward your objection to the applicant and he has responded with:

**'I would say that the latest we'll be serving is 9:30 with all customers out by 10:00 (Friday and Saturdays) and last orders 9:00 midweek.**

**We're not going to be a drinking establishment, we'll only be serving alcohol to people who are eating and we're not planning to have outside seating.**

**We're getting the ceiling fully soundproofed so as not to disturb the residents in the flats upstairs.**

**Finally, since have a premises licence since 2020 in our current premises, we've never had a single complaint about noise.'**

Can you advise if the above measures ease your concerns? If this is the case please respond to this email requesting formal withdrawal of your objection. Alternatively, are there any measures / conditions that you wish for me to relay to the applicant in order to ease your concerns and withdraw your representations?

Kind Regards,

■■■■■  
**Licensing Enforcement & Technical Officer**

# Appendix 'C'

**Agreed Conditions with South Yorkshire Police**

1. Drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
2. Clear and legible notices shall be displayed at all exits requesting that the public respect the needs of local residents and to leave the premises and area quietly.
3. A Challenge 25 scheme must be implemented by all sales and delivery staff at the points of taking the order and delivery. The scheme must include the maintenance of refusals records, staff training records and the display of signage at the points of sale. Records of such training will be kept and made available for inspection of the authorities



# Appendix 'D'

## Hearing Notices and Regulations



---

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

Mr David Musgrove on behalf of Porter Pizza Company Ltd

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 27<sup>th</sup> November 2023 received an application in respect of the premises known as;

**Porter Pizza, 394-396 Sharrow Vale Road, Sheffield, S11 8ZP**

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

- **South Yorkshire Police (Responsible Authority) Resolved with agreed conditions**
- **Local Resident – I Ramsay**

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 22<sup>nd</sup> January 2024 at 11.00am**; 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: 8<sup>th</sup> January 2024

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](mailto: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 **Mr [redacted] Ramsay**

hereby confirm that I have received the Notice of Hearing dated 8<sup>th</sup> January 2024 and notify you as follows **(please complete)**:

I intend to attend the hearing on **Monday 22<sup>nd</sup> January 2024 at 11.00am 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 that .....should appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

Dated: ..... Signed.....

**Please see Regulation 8 overleaf**

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

[licensing@sheffield.gov.uk](mailto: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.

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