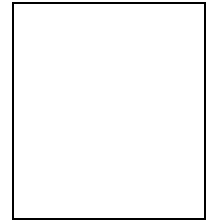




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 21st October 2024 at 10am

Subject: Licensing Act 2003 – Temporary Events Notice

Author of Report: Shimla Finch

Summary: To consider an objection in relation to a Temporary Event Notice.

The Beer Engine, 17 Cemetery Road, Sheffield, S11 8FJ

Recommendations: 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
[Licensing Act 2003 – Statement of Licensing Policy](#)
[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

Ref No 136/24

LICENSING ACT 2003

**Hearing to consider a notice of objection to a Temporary Event Notice
The Beer Engine, 17 Cemetery Road, Sheffield, S11 8FJ**

1.0 PURPOSE OF REPORT

- 1.1 To consider an objection submitted by South Yorkshire Police in relation to a Temporary Event Notice (TEN) for the premises the Beer Engine, 17 Cemetery Road, Sheffield, S11 8FJ.

2.0 THE TEMPORARY EVENT NOTICE

- 2.1 The Notice was submitted by Mr Thomas Harrington on behalf of the premises.
- 2.2 The Temporary Event Notice was received on the 1st October 2024 and is attached to this report at Appendix A.
- 2.3 The event is described as follows to take place on Sunday 10th November 2024:
- Early opening hours for football game
 - Location of the event: within licensed area of the pub
- 2.4 The details of the licensable activities on the notice are as follows:
- The sale by retail of alcohol from 08:00 to 12:00pm
 - The number of people at anyone time at the event: 150 people.
- 2.5 The Notice was served to the relevant persons on the 1st October 2024.

3.0 REASONS FOR REFERRAL

- 3.1 A representation was received from South Yorkshire Police on the 1st October 2024, a copy is attached at Appendix B.
- 3.2 The Notice giver and South Yorkshire Police 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 AND DOCUMENTS TO CONSIDER

- 4.1 [Sheffield City Council Licensing Policy](#)
[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 A Chief Police Officer or Environmental Health of the Local Authority may object to a Temporary Event Notice within 3 working days of receiving the Notice.

6.2 Where such an objection is received, the relevant licensing authority must –

(a) hold a hearing to consider the objection notice, unless the premises user, the relevant person who gave the objection notice and the authority agree that a hearing is unnecessary, and

(b) having regard to the objection notice, give the premises user a counter notice under this section if it considers it necessary for the promotion of the relevant licensing objective to do so.

6.3 Section 106A (2) and (3) of the Act details that the relevant licensing authority may impose one or more conditions:

(2) The relevant licensing authority may impose one or more conditions on the standard temporary event notice if—

(a) the authority considers it appropriate for the promotion of the licensing objectives to do so,

(b) the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and

(c) the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.

(3) Where the authority decides to impose one or more conditions under subsection (2)—

(a) the authority must give the premises user notice of the decision,

(b) the notice must be accompanied by a separate statement (the “statement of conditions”) which sets out the conditions that have been imposed on the temporary event notice, and

(c) a copy of the notice and statement of conditions must be given to each relevant party.

6.4 A copy of the current premises licence in respect of the premises referred to in this Temporary Events notice is attached at Appendix C.

7.0 HEARING 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 premises user and the chief officer of Police 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 Committee consider necessary for the promotion of the Licensing Objectives.

10.0 OPTIONS OPEN TO THE COMMITTEE

- 10.1 To acknowledge the Temporary Event Notice, allowing the event to go ahead on the proposed date as per the notice submitted.
- 10.2 To acknowledge the Temporary Event Notice, allowing the event to go ahead on the proposed date with conditions.
- 10.3 To give the premises user a counter notice if it considers it appropriate for the promotion of the Licensing Objectives.

Chief Licensing Officer
Head of Licensing
Sheffield City Council

21st October 2024

Appendix A

The Temporary Events Notice



* required information

Section 1 of 9

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?

- 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

* Family name

* E-mail

Main telephone number

Other telephone number

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

Business name

VAT number

Legal status

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 9

APPLICATION DETAILS ([See also guidance on completing the form, general notes and note 1](#))

Have you had any previous or maiden names?

- Yes No

* Your date of birth / /

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="[REDACTED]#"/>
Telephone number	<input type="text" value="[REDACTED]"/>
Other telephone number	<input type="text" value="[REDACTED]"/>

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

* Does the premises have an address?

- Yes No

Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name	<input type="text" value="17"/>
* Street	<input type="text" value="Cemetery Rd"/>
District	<input type="text"/>
* City or town	<input type="text" value="Sheffield"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="S11 8FJ"/>
* Country	<input type="text" value="United Kingdom"/>

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither Premises licence Club premises certificate

* Premises licence number	<input type="text" value="Unknown"/>
---------------------------	--------------------------------------

Location Details

* Provide further details about the location of the event

Event to take place within Licensed area of pub

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

Describe the nature of the premises below [\(see also guidance on completing the form, note 4\)](#)

Public House

Describe the nature of the event below [\(see also guidance on completing the form, note 5\)](#)

Early opening hours for football game

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

[\(see also guidance on completing the form, note 6\):](#)

- The sale by retail of alcohol

- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

- The provision of regulated entertainment

- The provision of late night refreshment

- The giving of a late temporary event notice

[\(See also guidance on completing the form, note 7\).](#)

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 8\).](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 9\)](#)

Event start date / /
 dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
 dd mm yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

[\(see also guidance on completing the form, note 10\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 11\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- On the premises only
- Off the premises only
- Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

Section 6 of 9

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence?

- Yes
- No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue / /
dd mm yyyy

Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes No

State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or Yes No

b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or Yes No

b) Begins 24 hours or less after the event period proposed in this notice?

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:
a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice? Yes No

Section 9 of 9

CONDITION [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.
This formality requires a fixed fee of £21

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

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" value="United Kingdom"/>

DECLARATION [\(See also guidance on completing the form, note 19\)](#)

* The information contained in this form is correct to the best of my knowledge and belief.

Continued from previous page...

* I understand that it is an offence:

- * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and
- * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six (6) months, or to both.

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/temporary-event-notice/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.

Appendix B

Representation from South Yorkshire Police

Representation from South Yorkshire Police

From: SHEFFIELD_Licensing [REDACTED]
Sent: Tuesday, October 1, 2024 11:32 AM

Subject: Objection to application for temporary event notice-Beer Engine, 17 Cemetery Road
Importance: High

Sent on behalf of Licensing, South Yorkshire Police

Licensing General
Block C
Staniforth Road Depot
609 Staniforth Road
Sheffield

1st October 24

Licensing Act 2003
Objection to application for temporary event notice
Sunday 10th November 24
Beer Engine, 17 Cemetery Road, Sheffield

On behalf of the Chief Constable of South Yorkshire, an objection is being made in relation to the above application.

My representation is based on the prevention of crime and disorder and public safety.

The premise has applied to extend their operating hours on Sunday 10th November 2024, ahead of their regular opening hours commencing 12 midday. This request falls on the same day as the local Sheffield derby football match between Sheffield United and Sheffield Wednesday football team.

The football teams have a long history of deep rooted rivalry and haven't played each other in several years, making this a much anticipated fixture. We have seen a long history of alcohol fuelled anti-social behaviour and disorder on previous Sheffield derby days. The match has been classified as one, if not the, highest risk fixture in the country by the UKFPU.

The time of the match has been rescheduled in order to minimise the opportunity for supporters to drink to excess prior to kick off and to therefore minimise the risk as much as possible. If the premise was permitted to offer alcohol from 8am this offers more opportunity for larger numbers of people to start drinking earlier potentially increasing the number of supporters in drink. Historically, on Sheffield

derby days, we have seen outbreaks of large scale disorder in the London Road area, in close proximity to where the premise is located.

We ask that the application is rejected on the basis of mitigating the risk of crime and disorder. The fewer premises offering alcohol ahead of the match reduces the opportunity for intoxication of fans therefore, reducing the potential for alcohol fuelled crime and disorder & antisocial behaviour.

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

Regards.

██████████
██████████
South Yorkshire Police Licensing Department
Mossway Police Station
Mossway
Sheffield
S20 7XX

Appendix C

Current premises licence for the TEN premises

Licensing Act 2003 Premises Licence

Issue No: 9

SY000162 PR

LOCAL AUTHORITY



Licensing Service

Block C Staniforth Road Depot

Staniforth Road

Sheffield

S9 3HD

Tel: 0114 2734264

Taxi Enquiries: taxilicensing@sheffield.gov.uk

General Licensing: licensing@sheffield.gov.uk

Website: www.sheffield.gov.uk/licensing

The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

Part 1 - Premises Details

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

Beer Engine (fka Delaneys Music Bar)

17 Cemetery Road, Sheffield, S11 8FJ.

Telephone 0114 2728218

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To
B. Exhibition of films (Indoors)			
	Sunday	Noon	Midnight
	Monday	Noon	Midnight
	Tuesday	Noon	Midnight
	Wednesday	Noon	Midnight
	Thursday	Noon	12:30am
	Friday	Noon	1:30am
	Saturday	Noon	1:30am
	New Years Eve (31/12)	Noon	Midnight
	New Years Day (01/01)		
		00:00 to 01:00 hours the following day (02.01)	
	Non Standard Timings:		
		Sunday & Monday on bank holiday weekends, Christmas Eve (24.12) and Boxing Day (26.12)	



THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity	Day	Time From	Time To
B. Exhibition of films (Indoors) continued ...			
		12:00 to 01:00 hours the following day.	
E. Performance of live music (Indoors & Outdoors)			
	Sunday	Noon	Midnight
	Monday	Noon	Midnight
	Tuesday	Noon	Midnight
	Wednesday	Noon	Midnight
	Thursday	Noon	12:30am
	Friday	Noon	1:30am
	Saturday	Noon	1:30am
	New Years Eve (31/12)	Noon	Midnight
	New Years Day (01/01)		
		00:00 to 01:00 hours the following day (02.01)	
Non Standard Timings:		Sunday & Monday on bank holiday weekends, Christmas Eve (24.12) and Boxing Day (26.12)	
		12:00 to 01:00 hours the following day.	
F. Playing of recorded music (Indoors & Outdoors)			
	Sunday	Noon	Midnight
	Monday	Noon	Midnight
	Tuesday	Noon	Midnight
	Wednesday	Noon	Midnight
	Thursday	Noon	12:30am
	Friday	Noon	1:30am
	Saturday	Noon	1:30am
	New Years Eve (31/12)	Noon	Midnight
	New Years Day (01/01)		
		00:00 to 01:00 hours the following day (02.01)	
Non Standard Timings:		Sunday & Monday on bank holiday weekends, Christmas Eve (24.12) and Boxing Day (26.12)	
		12:00 to 01:00 hours the following day.	
H. Entertainment of a similar description to that falling within E, F, or G (Indoors & Outdoors)			
	Sunday	Noon	Midnight
	Monday	Noon	Midnight
	Tuesday	Noon	Midnight
	Wednesday	Noon	Midnight
	Thursday	Noon	12:30am
	Friday	Noon	1:30am
	Saturday	Noon	1:30am
	New Years Eve (31/12)	Noon	Midnight
	New Years Day (01/01)		
		00:00 to 01:00 hours the following day (02.01)	
Non Standard Timings:		Sunday & Monday on bank holiday weekends, Christmas Eve (24.12) and Boxing Day (26.12)	
		12:00 to 01:00 hours the following day.	
I. Late night refreshment (Indoors)			
	Sunday	11:00pm	Midnight

Licensing Act 2003 Premises Licence

Issue No: 9

SY000162 PR

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity	Day	Time From	Time To
I. Late night refreshment (Indoors) continued ...			
	Monday	11:00pm	Midnight
	Tuesday	11:00pm	Midnight
	Wednesday	11:00pm	Midnight
	Thursday	11:00pm	12:30am
	Friday	11:00pm	1:30am
	Saturday	11:00pm	1:30am
	New Years Eve (31/12)	11:00pm	Midnight
	New Years Day (01/01)		
00:00 to 05:00 and 23:00 to 01:00 hours the following day (2.1)			
J. Supply of alcohol for consumption ON and OFF the premises			
	Sunday	Noon	Midnight
	Monday	Noon	Midnight
	Tuesday	Noon	Midnight
	Wednesday	Noon	Midnight
	Thursday	Noon	12:30am
	Friday	Noon	1:30am
	Saturday	Noon	1:30am
	New Years Eve (31/12)	Noon	Midnight
	New Years Day (01/01)		
00:00 to 01:00 hours the following day (02.01)			
Non Standard Timings:			
Sunday & Monday on bank holiday weekends, Christmas Eve (24.12) and Boxing Day (26.12)			
12:00 to 01:00 hours the following day.			

THE OPENING HOURS OF THE PREMISES

Day	Time From	Time To
Sunday	Noon	Midnight
Monday	Noon	Midnight
Tuesday	Noon	Midnight
Wednesday	Noon	Midnight
Thursday	Noon	12:30am
Friday	Noon	1:30am
Saturday	Noon	1:30am
New Years Eve (31/12)	Noon	Midnight
New Years Day (01/01)		
00:00 to 01:00 hours the following day (02.01)		
Non Standard Timings:		
Sunday & Monday on bank holiday weekends, Christmas Eve (24.12) and Boxing Day (26.12)		
12:00 to 01:00 hours the following day.		

PLEASE NOTE:

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

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

Licensing Act 2003 Premises Licence

Issue No: 9

SY000162 PR

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

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

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

Harrington Bar Group Ltd
41 Clarence Road, Chesterfield, S40 1LH.
[REDACTED]

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

Harrington Bar Group Ltd

14784082

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

Thomas HARRINGTON
[REDACTED]

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

Licence No: SY04393

Issued by: Sheffield

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

Restricted

LICENCE DATES

Licence first effective date: 24 November, 2005

This Premises Licence shall be in force from: 22 November, 2023

Issue date of this licence: 24 November, 2023

C Bower

Claire Bower
Head of Licensing Services
On behalf of Sheffield City Council (Issuing Licensing Authority)





ANNEXES

Annex 1A - Mandatory Conditions

Mandatory Condition 1 (Section 19 ss 2)

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

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

Mandatory Condition 2 (Section 19 ss 3)

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

Mandatory Condition 3 (Section 20)

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:
 - (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
 - (b) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.
2. In this section -
“children” means persons aged under 18; and
“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory Condition 4 (Section 21)

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

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

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

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

where-

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

ANNEXES continued ...

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

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

ANNEXES continued ...

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2 - Conditions consistent with the operating schedule

Any embedded permissions and restrictions attached to the justices on licence including those specified at Appendix 1.

1. Children under the age of 16 should be supervised by an accompanying adult.
2. A CCTV system to the specifications of the South Yorkshire Police will be fitted, maintained and in use at all times the premises are open. CCTV equipment to be maintained in accordance with South Yorkshire Police guidelines and retained for a period of 31 days. Images will be accessible to the police in connection with the prevention of crime and disorder.
3. No amplified sound shall be played on the premises except through an in-house amplified sound system fitted with a sound limiter, the settings of which shall be set to noise levels so as to be inaudible to the nearest residential properties.
4. A permanent fixed residual current device (RCD) must protect the electrical supply serving all amplified music equipment used for the purpose of live music.
5. Live music will end at 22:00 hours when outdoors.
6. Recorded music will end at 23:00 hours when outdoors.
7. A notice will be prominently placed at all exits asking customers to leave quietly.
8. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Annex 3 - Conditions attached after a hearing by the licensing authority**Annex 4 - Plans**

Scale: 1:100
Ref: MV128 - 28-4

Premises Licence Summary SY000162 PR

LOCAL AUTHORITY

	<p>Licensing Service Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD Tel: 0114 2734264 Taxi Enquiries: taxilicensing@sheffield.gov.uk General Licensing: licensing@sheffield.gov.uk Website: www.sheffield.gov.uk/licensing</p>
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The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

Premises Details

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

Beer Engine (fka Delaneys Music Bar)	
17 Cemetery Road, Sheffield, S11 8FJ.	Telephone 0114 2728218

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

<ul style="list-style-type: none"> - an exhibition of a film - a performance of live music - any playing of recorded music - entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance - provision of late night refreshment - the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From	Time To
B. Exhibition of films (Indoors)			
	Sunday	Noon	Midnight
	Monday	Noon	Midnight
	Tuesday	Noon	Midnight
	Wednesday	Noon	Midnight
	Thursday	Noon	12:30am
	Friday	Noon	1:30am
	Saturday	Noon	1:30am
	New Years Eve (31/12)	Noon	Midnight
	New Years Day (01/01)		
		00:00 to 01:00 hours the following day (02.01)	
	Non Standard Timings:		
		Sunday & Monday on bank holiday weekends, Christmas Eve (24.12) and Boxing Day (26.12)	



Premises Licence Summary SY000162 PR

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity	Day	Time From	Time To
B. Exhibition of films (Indoors) continued ...			
		12:00 to 01:00 hours the following day.	
E. Performance of live music (Indoors & Outdoors)			
	Sunday	Noon	Midnight
	Monday	Noon	Midnight
	Tuesday	Noon	Midnight
	Wednesday	Noon	Midnight
	Thursday	Noon	12:30am
	Friday	Noon	1:30am
	Saturday	Noon	1:30am
	New Years Eve (31/12)	Noon	Midnight
	New Years Day (01/01)		
		00:00 to 01:00 hours the following day (02.01)	
	Non Standard Timings:		
	Sunday & Monday on bank holiday weekends, Christmas Eve (24.12) and Boxing Day (26.12)		
		12:00 to 01:00 hours the following day.	
F. Playing of recorded music (Indoors & Outdoors)			
	Sunday	Noon	Midnight
	Monday	Noon	Midnight
	Tuesday	Noon	Midnight
	Wednesday	Noon	Midnight
	Thursday	Noon	12:30am
	Friday	Noon	1:30am
	Saturday	Noon	1:30am
	New Years Eve (31/12)	Noon	Midnight
	New Years Day (01/01)		
		00:00 to 01:00 hours the following day (02.01)	
	Non Standard Timings:		
	Sunday & Monday on bank holiday weekends, Christmas Eve (24.12) and Boxing Day (26.12)		
		12:00 to 01:00 hours the following day.	
H. Entertainment of a similar description to that falling within E, F, or G (Indoors & Outdoors)			
	Sunday	Noon	Midnight
	Monday	Noon	Midnight
	Tuesday	Noon	Midnight
	Wednesday	Noon	Midnight
	Thursday	Noon	12:30am
	Friday	Noon	1:30am
	Saturday	Noon	1:30am
	New Years Eve (31/12)	Noon	Midnight
	New Years Day (01/01)		
		00:00 to 01:00 hours the following day (02.01)	
	Non Standard Timings:		
	Sunday & Monday on bank holiday weekends, Christmas Eve (24.12) and Boxing Day (26.12)		
		12:00 to 01:00 hours the following day.	
I. Late night refreshment (Indoors)			
	Sunday	11:00pm	Midnight
	Monday	11:00pm	Midnight

Premises Licence Summary SY000162 PR

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity	Day	Time From	Time To
I. Late night refreshment (Indoors) continued ...			
	Tuesday	11:00pm	Midnight
	Wednesday	11:00pm	Midnight
	Thursday	11:00pm	12:30am
	Friday	11:00pm	1:30am
	Saturday	11:00pm	1:30am
	New Years Eve (31/12)	11:00pm	Midnight
	New Years Day (01/01)		

00:00 to 05:00 and 23:00 to 01:00 hours the following day (2.1)

J. Supply of alcohol for consumption ON and OFF the premises

Sunday	Noon	Midnight
Monday	Noon	Midnight
Tuesday	Noon	Midnight
Wednesday	Noon	Midnight
Thursday	Noon	12:30am
Friday	Noon	1:30am
Saturday	Noon	1:30am
New Years Eve (31/12)	Noon	Midnight
New Years Day (01/01)		

00:00 to 01:00 hours the following day (02.01)

Non Standard Timings:

Sunday & Monday on bank holiday weekends, Christmas Eve (24.12) and Boxing Day (26.12)

12:00 to 01:00 hours the following day.

THE OPENING HOURS OF THE PREMISES

Day	Time From	Time To
Sunday	Noon	Midnight
Monday	Noon	Midnight
Tuesday	Noon	Midnight
Wednesday	Noon	Midnight
Thursday	Noon	12:30am
Friday	Noon	1:30am
Saturday	Noon	1:30am
New Years Eve (31/12)	Noon	Midnight
New Years Day (01/01)		

00:00 to 01:00 hours the following day (02.01)

Non Standard Timings:

Sunday & Monday on bank holiday weekends, Christmas Eve (24.12) and Boxing Day (26.12)

12:00 to 01:00 hours the following day.

PLEASE NOTE:

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

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

Licensing Act 2003

Issue No: 9

Premises Licence Summary SY000162 PR

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

- J. Supply of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Harrington Bar Group Ltd
41 Clarence Road, Chesterfield, S40 1LH.

07941365518

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

Harrington Bar Group Ltd

14784082

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

Thomas HARRINGTON

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

Restricted

LICENCE DATES

Licence first effective date: 24 November, 2005

This premises licence shall be in force from: 22 November, 2023

Issued date of this licence: 24 November, 2023

C. Bower

Claire Bower
Head of Licensing Services
On behalf of Sheffield City Council (Issuing licensing authority)



Appendix D

Hearing Notices / Regulations and Procedures

**Notice of hearing of representations
in respect of the following application:
Temporary Event Notice**

FAO: Mr Thomas Harrington

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 1st October 2024 received your temporary event notice in respect of the premises known as:

The Beer Engine, 17 Cemetery Road, Sheffield, S11 8FJ

During the consultation period, the Council received an objection from the following Relevant Person on the likely effect of this application and on the promotion of the licensing objectives:

- **South Yorkshire Police**

The Council now GIVES YOU NOTICE that the Temporary Events Notice will be considered at a hearing to be held at **Sheffield Town Hall, on Monday 21st October 2024 at 10am;** following which the Council will issue a Notice of Determination of the Temporary Event Notice.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 105(2)(a) of the Act.

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

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

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: 9th October 2024

Signed: Shimla Finch

The officer appointed for this purpose
Licensing Officer

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

**Notice of hearing of representations
in respect of the following application:
Temporary Event Notice**

FAO: **South Yorkshire Police – Licensing Dept**

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 1st of October 2024 received a temporary event notice in respect of the premises known as:

The Beer Engine, 17 Cemetery Road, Sheffield, S11 8FJ

During the consultation period, the Council received an objection from the following Relevant Person on the likely effect of this application and on the promotion of the licensing objectives:

- **South Yorkshire Police**

The Council now GIVES YOU NOTICE that the Temporary Events Notice will be considered at a hearing to be held at **Sheffield Town Hall, on Monday 21st October 2024 at 10am;** following which the Council will issue a Notice of Determination of the Temporary Event Notice.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 105(2)(a) 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:

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

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

Dated: 9th October 2024

Signed: Shimla Finch

The officer appointed for this purpose
Licensing Officer

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

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.

Premises: **The Beer Engine, 17 Cemetery Road, Sheffield, S11 8FJ**
Type of App: **Temporary Event Notice**
Hearing Date: **21st October 2024 at 10am**

Form LAR 1
Regulation 8

Notice of actions following receipt of notice of hearing

To **Licensing Service,
Sheffield City Council
Block C Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD**

I **South Yorkshire Police**

hereby confirm that I have received the Notice of Hearing dated **9th October 2024** and notify you as follows **(please complete)**:

I intend to attend the hearing at 10am on Monday 21st October 2024

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.

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.

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