

SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 12th October 2021 – 10am - (Deferred from 21st September 2021)

Subject: Licensing Act 2003

Author of Report: Matt Proctor (amended by Jayne Gough to facilitate deferral details)

Summary: To consider an application to grant a premises licence made under the Licensing Act 2003.

418 Lounge, 418 Ecclesall Road, Sheffield, S11 8PJ

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

Background Papers: Attached documents

Category of Report: OPEN

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

Ref No 71/21

418 Lounge, 418 Ecclesall Road, Sheffield, S11 8PJ

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 Ibrahimis Ltd

2.2 The application was received by the Licensing Service on 30th July 2021 and is attached to Appendix A of this report.

3.0 REASONS FOR REFERRAL

3.1 Representations concerning the application have been received from the following;

- 13 no. interested parties

and are attached at Appendix 'B'

3.2 The applicant has offered conditions to promote the four core licensing objectives. Those conditions are listed in section 'M' of the application form.

3.3 Additional conditions have been proposed by Sheffield City Council Environmental Protection Service (Noise) and South Yorkshire Police, which have been agreed to by the applicant. Details of these further agreed conditions are attached in Appendix C.

3.4 The interested parties have been contacted with a view to appraising them of the conditions offered by and agreed to by the applicant, and only a few of the objectors have withdrawn their objections.

3.5 The applicant and interested parties have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'D'.

3.6 The initial hearing for this application took place on the 12th September 2021, where the Licensing Sub-committee decided to defer the determination of the application due to the applicant advising that they could not attend the hearing due to ill health, shortly before the start time of the hearing. They wished to allow for a fair hearing of all parties.

4.0 POLICIES TO CONSIDER

4.1 Sheffield City Council Statement of Licensing Policy.

<https://www.sheffield.gov.uk/home/business/licences-permits-registrations/about-licences>

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'.

7.3.1 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.



Appendix A

The Application

Application for a premises licence to be granted

under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/W Ibrahimis LTD

e

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Lounge 418 418 Ecclesall Road			
Post town	Sheffield	Postcode	S11 8PJ
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

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

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

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name – Ibrahimis LTD
Address 62 Keats Road Sheffield S6 1BA
Registered number (where applicable) 13334859
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
A	S	A	P				

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

DD		MM		YYYY			

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

Lounge – Food & Drinks

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon	08:00	01:00						
Tue	08:00	01:00						
Wed	08:00	01:00				State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	08:00	01:00						
Fri	08:00	01:00				Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	08:00	01:00						
Sun	08:00	01:00						

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	X
				Outdoors	<input type="checkbox"/>
Mon	08:00	01:00	<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	08:00	01:00			
Wed	08:00	01:00			
Thur	08:00	01:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri	08:00	01:00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	08:00	01:00			
Sun	08:00	01:00			

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	23:00	01:00			
Tue	23:00	01:00			
Wed	23:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	01:00			
Fri	23:00	01:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat	23:00	01:00			
Sun	23:00	01:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	12:00	01:00			
Tue	12:00	01:00			
Wed	12:00	01:00			
Thur	12:00	01:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	12:00	01:00			
Sat	12:00	01:00			
Sun	12:00	01:00			

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

Name Saeed Ibrahimi	
Date of birth XX/XX/XXXX	
Address XXXXXXXXXX Sheffield	
Postcode	XXXXX
Personal licence number (if known) TBC	
Issuing licensing authority (if known) Sheffield	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	01:30	
Tue	08:00	01:30	
Wed	08:00	01:30	
Thur	08:00	01:30	
Fri	08:00	01:30	
Sat	08:00	01:30	
Sun	08:00	01:30	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)			

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

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

CCTV shall be in operation whilst the premises are open. Such recordings shall be retained for a period of 28 days and made available within a reasonable time upon request by the police.

The licence holder shall adopt the Challenge 25 rule and will adhere to this throughout the event. All staff will be fully briefed on how this rule operates and to ensure if they are in any doubt, to seek out the manager in charge.

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

b) The prevention of crime and disorder

The management of the premises will liaise with the Police on issues of local concern or disorder.

Staff shall monitor alcohol consumption and refuse to serve alcohol if they believe that customers have already consumed quantities of alcohol.

Relevant training on the current legislation, systems and procedures surrounding alcohol sales shall be provided to all staff on commencement of employment. Refresher training shall be provided at regular intervals and a record shall be kept for 2 years. Records shall be available for inspection upon request by the police or an authorised officer of a responsible authority.

c) Public safety

Fire Exits and means of escape shall be kept clear and in good operational condition.

The Premises Licence Holder shall operate a zero tolerance policy on drugs on site. All managers, staff and security staff throughout the event will closely monitor this.

d) The prevention of public nuisance

Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.

Patrons will be encouraged by staff to leave quietly and respect the interest of the occupiers of any nearby noise sensitive premises. Where appropriate the licensee or a suitable staff member will monitor patrons leaving at closing time.

e) The protection of children from harm

There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.

Children under the age of 16 shall not be permitted to enter or remain at the premises after 22:00 hours unless resident, dining with an adult or attending a pre booked function.

Checklist:**Please tick to indicate agreement**

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	Ibrahimis LTD
Date	28/07/2021
Capacity	

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

15. Right to work/immigration status:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensing activity. They do this in one of two ways:

1. by providing with this application copies or scanned copies of the documents which an applicant may provide to demonstrate their entitlement to work in the UK (which do not need to be certified) that are published on GOV.UK and in guidance issued under section 182 of the Licensing Act 2003.
2. By providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below)

Home Office online right to work checking service.

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided with this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copied of the documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Appendix B

Representations & Relevant Correspondence

From: J CARLISLE

Sent: 12 August 2021 14:38

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

Subject: Application for bar/lounge, the 418 Lounge, 418 Ecclesall Rd, Sheffield S11 8PJ

The 418 Lounge

I would like to protest most strongly at the above application for yet another bar in my area of Ecclesall Road.

- There are already 10 bars in the vicinity of Botanical and Marks & Spencer, with houses running all the way to and beyond Collegiate Crescent on northern side. That is enough.
- There are **local** pubs like the Porter Brook that are family-friendly and not solely for singles, i.e. Sheffielders from other areas, some of whom I, at nearly 80, find quite intimidating.
- The two real ale pubs are very popular and are run by locals. This is what the community needs and profits from.
- The closing times are absurd for a residential area. The current closing times are largely the reason there was not a stronger resistance to the last two applications.

Yours sincerely

Dr John Carlisle

XX Dover Road

Sheffield S11 8RH

0114 2XXXXXX

From: Patricia Morgan
Sent: 27 August 2021 11:26
To: licensingservice <licensingservice@sheffield.gov.uk>
Cc: john morgan <>; Karin Hessenberg <>; john rylance <>
Subject: 428 Ecclesall Road

I'm writing to object to the proposed late night music and alcohol license for Lounge 418 on Ecclesall Road.

I am a resident of the Groves, a cluster of residential roads that adjoin Ecclesall Road. We already experience significant late night noise from Ecclesall Road when people walk home late at night and this is already a cause of concern for people living on the lower parts of Southgrove and Broomgrove Road as well as for residents on Ecclesall Road itself.

The prevention of Public Nuisance

A late night drinks license would establish this part of Ecclesall Road as a place to go to after normal pubs close and would invariably attract people already worse for wear and unlikely to be capable of considerate behaviour. We already have to deal with noisy late night student parties and loud car revving at all hours. We need less late night noise not more. A late night licence will attract more noise and give our local student population the impression their late night noise behaviour is normal. Some of the homes in the Groves are adjacent to Lounge 418 and will directly be affected by late night noise.

Trisha Morgan

XX Southgrove Road

From: john rylance < >
Sent: 27 August 2021 11:11
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject: Objection to licence extension for 418 Eccelsall Road

I wish to object to the granting of a licence for alcohol and music until 1pm This premise is located in very close proximity to a large number of residential properties. A music and alcohol licence will draw many people into this area, local bars do not stay open beyond 11pm so people who want to drink late will travel in to this area This will cause major noise disruption as they enter and leave the premises on a regular basis. Previous late night opening in other areas of Eccelsall Road opening has demonstrated that there is considerable noise from cars people and taxis well after the 1pm limit on the sale of alcohol and music causing very significant disturbance to residents not only in the immediate vicinity but also in neighbouring streets as customers go back to cars/taxis or walk home This premise was originally opened as a day time cafe and prior to that had been a restaurant This application for late music is not appropriate for such an area due to the negative impact on people living nearby John Rylance Local resident

Sent from my iPhone

From: Dorte Stevenson < >
Sent: 27 August 2021 16:37
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject: Objection to license 418 Ecclesall Road

Dear Sir/Madam

I am writing to object to the licence application for [418 Lounge on Ecclesall Road](#).

I object to the late license on the grounds of the prevention of public nuisance; Ecclesall Road has become an extension of the week-end night life of the city centre.

The area is a residential area with many young families and older residents. Lounge 418 is surrounded by housing and it would not be acceptable to extend the license to a late night one.

Yours faithfully,

Dörte Stevenson

From: Roger Purkiss < >
Sent: 15 August 2021 09:57
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject: Application for bar/lounge, the 418 Lounge, 418 Ecclesall Rd, Sheffield S11 8PJ

I need to register my objection to the above application

There are already plenty of bars with licences to close at different late times - there is not an unsatisfied demand for more. The roads near to the above address are residential - incompatible with a bar closing at 1:30 and thus potentially making noise till as customers leave by foot, or hailing taxis. If this is granted there will be further applications and damage to a residential area.

There are plenty of late bars locally, we don't need more or to promote Ecclesall Road further as a party road

Roger Purkiss
XX Bristol Road
S11 8RL

From: Lien L Monkhouse < >
Sent: 13 August 2021 11:27
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject: Objection to application by 418 Lounge

Dear Sir/ Madam

I am writing regarding the application below:

Applicant:	Ibrahimis Ltd
Premises:	418 Lounge
Address:	418 Ecclesall Road Sheffield S11 8PJ
Type of Premises:	Bar/lounge
Ward:	Broomhill and Sharrow Vale
Legislation & Type of app:	Licensing Act 2003 Application for Premises Licence
Application Details:	Opening hours Mon-Sun 08:00-01:30. LRN (off) Mon-Sun 23:00-01:00. Ent Similar (indoors), Rec Music (indoors) Mon-Sun 08:00-01:00. Alcohol On Mon-Sun 12:00-01:00
Date Received	30 July 2021

I strongly object to the terms of the licence application for the above premises. This business is situated in a well established residential area and we are already under considerable pressure from the number of bars, pubs, restaurants and "lounges". Our community is content to cope with some of the less pleasant results of the concentration of premises selling alcohol because of the existing embargo on late opening of any of these premises - an embargo which has been upheld by government inspectors.

The application seeks late openings until 1.30 am and 3am. If these terms are granted, it will set a precedent which will create a loophole for any of the other bars along this stretch of Ecclesall Road.

As a community we wish to stand together to protect our right to live in a decent environment, where families with children can rest after long days of work.

Best wishes

Lien

Dr. Lien Le Monkhouse

I which to object to this license application.

I object on the grounds of public nuisance. This premises has residential homes behind it and across the road from it. Allowing it to have a licence until 1am, will cause a great deal of noise and disturbance around the area from the music and the off-sales. The people who are likely to be buying the off- sales are those coming from other venues where they have been drinking. We suffer from the noise of as people walk home, we do not need this added to. The usual time for closures in our area is 23.30pm.

There is a large terrace outside this establishment. What guarantees can be put in place to ensure that the noise etc is kept indoors? Most other establishments in the area are supposed to stop using the outside at 9.30pm. However this is rarely enforced and the nature of the buildings and streets around means noise travels easily in the evening and disturbs us. This is not acceptable later in the evening.

Therefore I urge the Licensing Authority to limit the Music licence to 23.00 with restrictions on how this should be kept indoors and the alcohol license remain at 23.00 every evening

Vivienne Smith
XX Thompson Road
S11 8RB

From: robert bennett < >
Sent: 12 August 2021 09:23
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject: Ibrahimis Ltd 418 Lounge

I wish to object to the terms of the licence application for the above premises. The “lounge” is situated in a residential area and one which is under considerable pressure from the number of bars, pubs, restaurants and “lounges”. Our community is content to cope with some of the less pleasant results of the concentration of premises selling alcohol because of the existing embargo on late opening of any of these premises - an embargo which has been upheld by government inspectors.

The application seeks late opening until 1.30 am and 3am. If these terms are granted, it will set a precedent which will create a loophole for any of the other bars along this stretch of Ecclesall Road.

R R Bennett

Sent: 26 August 2021 20:37

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

Subject: Ibramis Ltd application for 418 Lounge, 418 Eccleshall Road, S11 8PJ

Dear Sir or Madam,

i refer to the application by Ibrahimis Ltd in relation to 418 Eccleshall Road S11 8PJ. We wish to object to the application on the basis that the operating hours requested, namely a closing time of 1:30 a.m. throughout the week, with alcohol being served until 1:00 a.m. are anti-social and not compatible with the substantially residential nature of the surrounding area. We fear that were this application to be granted, customers who would have been drinking for several hours would be spilling out into the neighbourhood and creating various kinds of nuisance for local residents.

Moreover, there are already around 16 existing pubs, bars and lounges serving alcohol in the kilometer or so on Eccleshall Road from The Sheaf Island to Hunters Bar. Should this application be allowed, we fear also that many of these other businesses would seek to match the extended operating hours which are being sought for the 418 Lounge by Ibrahimis Ltd., making this area a destination for late drinking. It is our view that this kind of establishment is suited only to a city centre location which are largely non-residential.

We trust that you will take our views into account when considering this application.

Yours faithfully

Keith and Danielle Lythe
XX Botanical Road
Sheffield
S11 8RP

From: Paul Hemmings < >
Sent: 24 August 2021 23:03
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject: Application for premises licence - 418 Lounge

Dear sir or madam

We are writing to object to the application for a premises licence at 418 Lounge at 418 Ecclesall Road, Sheffield.

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

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

Paul Hemmings
Caroline Burke
XX Southgrove Road
Sheffield
S10 2NP

From: John Morgan < >
Sent: 24 August 2021 23:31
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject: Licence application for premises 418 Ecclesall Road.

Dear Licensing Committee

I understand that an application for a late night music and alcoholic licence has been applied for.

I wish to formally object to the the proposed change of premises use and hours of business.

The previous use of 418 was a cafe. next to another cafe across the street
The Ale Club operates an ordered house with licensing hours ending at 11pm
This area of Ecclesall Road is a residential inner city area that is home to young families older residents , young professionals and students.
This new venture for 418 is welcome but not for the licence hours applied for.

I believe this licence should not be granted on the grounds :
The local community will suffer if this licence is granted.

This comes under the
"The prevention of public nuisance."

This residential area is turning into a place to party . Noise and taxi traffic follows late night establishments .

Please in your deliberations consider reducing the extended late night licence applied for.
Thanks for your understanding and consideration.

Yours faithfully
John Morgan
XX Southgrove Road
S10 2NP.

Good afternoon,

I wish to strongly object to the licensing application for the property currently known as 418 Lounge at 418 Ecclesall Road S11 8PJ, also formerly known as Yankees (and also called Yankees in the Planning Application that has been made).

There is no need for a late-night drinking establishment on the boundary of my road in a residential area. It will cause untold and increased anti-social behaviour issues in the neighbouring streets, and noise disturbance to the properties nearby. I can see this property from the front of my house and the noise from the vicinity carries up the street.

Whilst some immediate neighbours may not complain (being HMO properties with changing tenants, as a permanent and local resident my young family and I do not wish to have our lives blighted unnecessarily into the early hours of the morning. Other drinking establishments in the area have limited licensed hours for this reason and if anything the restrictions for properties in this location should be reduced due to their closer proximity to residential properties.

We already suffer with noise and litter pollution as a result of people returning from nights out, locally and from the city centre and this will only attract more of the same.

I would like to suggest that if any licence were to be issued, that it would be done in line with existing licences, i.e no serving after 11pm and premises to be closed shortly after. In addition the playing of recorded music should be restricted and the property fully soundproofed with any windows etc also soundproofed and to remain closed.

For the outside area (pergola), there should be no drinking after 9pm and no recorded music played at all. I do not want a premises there at all, it worked fine as a restaurant but in my view a bar is a completely different proposition that will detract from the area.

There are no other drinking establishments on this side of Ecclesall Road for quite a distance and this should remain the case.

Later at night noise from Ecclesall Road carries throughout our neighbourhood, we can even hear the beeping of the Pedestrian Crossing that is the other side of Thompson Road. Voices will carry as well as the noise from the door to the premises opening and closing. I am acutely aware of my family being woken by the resulting noise and behaviour that would arise from this proposal.

Kind regards,
Drummond Murdoch
XX Thompson Road
S11 8RA

From: Rob Marston < >
Sent: 04 August 2021 16:34
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject: 418 Lounge

I wish to object to the licensing hours applied for by the above premises known as Lounge 418 by the owners Ibrahimis Ltd.

The specific points I object to are:

Opening hours Mon-Sun 08:00-01:30.

Ent Similar (indoors), Rec Music (indoors) Mon-Sun 08:00-01:00.

Alcohol On Mon-Sun 12:00-01:00

The property at 418 Ecclesall Rd is actually on the corner of Ecclesall Rd and Thompson Rd. This places the establishment approximately 10m from the nearest residential property in Thompson Rd, Khartoum Rd is 80m away and the properties on Walton Rd are 200m away.

Residents in these streets already experience the public nuisance of noise and litter as people return to their homes after nights out in the city centre and in the establishments along Ecclesall Rd. In general on Ecclesall Road pubs and bars are mainly restricted to 2330, to have another establishment in our area with alcohol serving hours until 0100 and closing at 0130 would bring unacceptable levels of street noise as customers leave the building.

I urge the Licensing Authority to reject this and any application to allow alcohol sales in the Ecclesall Road after 2330.

Rob Marston
XX Walton Rd
S11 8RE

Appendix C

Agreed Conditions

From: Jonathan Round < >
Sent: 24 August 2021 16:40
To: Saeed Ebrahimi < >; licensingservice <licensingservice@sheffield.gov.uk>; 'Masoud_Ibrahimi' < >
Cc: 'SHEFFIELD_Licensing' <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>
Subject: RE: Premise licence application-Lounge 418 Ecclesall Road

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

Hello Saeed,

I have the following representation to make with regards to Public Nuisance for the application for a Premises Licence for the above premises. The proposal is in close proximity to residential accommodation I therefore have concerns about the enhanced potential for licensed activity, amplified sound breaking out of the premises and transmitting through the structure and noise from people outside the premises to give rise to complaints relating to public nuisance.

I have seen your agreement with Lucy from the Police licensing team about the outside area. I will also be commenting on your planning application - 21/03618/FUL for a change of use to a bar. There is currently a restriction on the use of the front terrace under planning to 20:00hrs. I would also comment that while it would make sense to close the bifold doors to the front in the later evening the entrance door/ exit has no acoustic lobby. This will severely restrict the buildings ability to retain sound, and I would advise that the introduction of a lobby to the main entrance on the corner is considered to minimise the breakout of music from the venue.

To assist in the Prevention of Public Nuisance I would recommend the below condition or similar are attached to the premises licence:

- No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiter, the design and settings of which shall have received the prior written approval of the EPS.
- No loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time.
- Any outside seating area shall only be used by customers for food and drink between 09:00-21:00hrs on any day of the week.
- The external rear doors into the rear seating area shall remain closed while amplified sound is present in the building.
- The bi-fold doors to the front shall be closed from 21:00hrs on any day of the week.
- Before the premises licence comes into effect, a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall:
 - a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
 - b) Be capable of restricting noise breakout from the commercial use to the street to levels not exceeding the prevailing ambient noise level when measured at 1m from the façade of the nearest residential property when measured:
 - (i) as a 15 minute LAeq, and;

- (ii) at any one third octave band centre frequency as a 15 minute LZeq.
- c) Be capable of restricting noise breakout, including amplified sound, and transmission from the premises to all adjoining residential accommodation to levels complying with the following:
 - (i) Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);
 - (ii) Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);
 - (iii) Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);
 - (iv) Bedrooms: LAFmax 45dB (2300 to 0700 hours).

Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the Environmental Protection Service.

[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

If you are happy to accept the above conditions please reply back with your agreement and copy in all parties. Alternatively if you wish to discuss the matter further, or wish to recommend alternative wording to achieve the same please reply to this email.

Regards,

Jon.

Jonathan Round
Environmental Health Officer

Sheffield City Council
Environmental Protection Service
5th Floor (North)
Howden House
1 Union Street
Sheffield
S1 2SH

From: SHEFFIELD_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>
Sent: 24 August 2021 15:15
To: licensingservice <licensingservice@sheffield.gov.uk>
Subject: FW: Premise licence application-Lounge 418 Ecclesall Road

Dear all,

Following receipt of the above application I have now received agreement of the following condition:

Customers' use of external areas for seated dining or drinking purposes shall cease at 21:00 hours on all days.

Please place on the licence should it be granted.

Thanks.

Lucy Adams
Licensing Assistant
South Yorkshire Police
Licensing Department
Mossway Police Station
Mossway
Sheffield
S20 7XX

Appendix D

Hearing Notices, Regulations & Procedure



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

Ibrahimis Ltd
c/o Saeed Ebrahimi / Masoud Ibrahim

Sent via email:

The Sheffield City Council being the licensing authority, on the 30th July 2021 received an application in respect of the premises known as;

Lounge 418, 418 Ecclesall Road, Sheffield, S11 8PJ

During the consultation period, the Council received a representation from the following authority / interested party:

- **13 No. Interested Parties**

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 representation will be considered at a hearing to be held at **Sheffield Town Hall on Tuesday 12th October 2021 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

- Your response to the representation made, upon which you may ask and be asked questions by the parties to the hearing.
- 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** or by email to licensing@sheffield.gov.uk within five (5) working days before the day or the first day on which the hearing is to be held.

Dated: 4th October 2021

Signed: Jayne Gough

The officer appointed for this purpose
Licensing Strategy and Policy Officer

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



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

Vivienne Smith

Sent via email:

The Sheffield City Council being the licensing authority, on the 30th July 2021 received an application in respect of the premises known as;

Lounge 418, 418 Ecclesall Road, Sheffield, S11 8PJ

During the consultation period, the Council received a representation from the following authority / interested party:

- **13 No. Interested Parties**

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 representation will be considered at a hearing to be held **Town Hall, Sheffield, Tuesday 12th October at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

- The representation you have made with reference to these particular premises and the four core objectives.
- 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** or by email to licensing@sheffield.gov.uk within five (5) working days before the day or the first day on which the hearing is to be held.

Dated: 4th October 2021

Signed: Jayne Gough

The officer appointed for this purpose
Licensing Strategy and Policy Officer

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

licensing@sheffield.gov.uk



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

Drummond Murdoch

Sent via email:

The Sheffield City Council being the licensing authority, on the 30th July 2021 received an application in respect of the premises known as;

Lounge 418, 418 Ecclesall Road, Sheffield, S11 8PJ

During the consultation period, the Council received a representation from the following authority / interested party:

- **13 No. Interested Parties**

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

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Dated: 4th October 2021

Signed: Jayne Gough

The officer appointed for this purpose
Licensing Strategy and Policy Officer

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

licensing@sheffield.gov.uk



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

Rob Marston

Sent via email:

The Sheffield City Council being the licensing authority, on the 30th July 2021 received an application in respect of the premises known as;

Lounge 418, 418 Ecclesall Road, Sheffield, S11 8PJ

During the consultation period, the Council received a representation from the following authority / interested party:

- **13 No. Interested Parties**

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

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Dated: 4th October 2021

Signed: Jayne Gough

The officer appointed for this purpose
Licensing Strategy and Policy Officer

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

licensing@sheffield.gov.uk



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

Robert Bennett

Sent via email:

The Sheffield City Council being the licensing authority, on the 30th July 2021 received an application in respect of the premises known as;

Lounge 418, 418 Ecclesall Road, Sheffield, S11 8PJ

During the consultation period, the Council received a representation from the following authority / interested party:

- **13 No. Interested Parties**

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

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- 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** or by email to licensing@sheffield.gov.uk within five (5) working days before the day or the first day on which the hearing is to be held.

Dated: 4th October 2021

Signed: Jayne Gough

The officer appointed for this purpose
Licensing Strategy and Policy Officer

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

licensing@sheffield.gov.uk



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

Dr John Carlisle

Sent via email:

The Sheffield City Council being the licensing authority, on the 30th July 2021 received an application in respect of the premises known as;

Lounge 418, 418 Ecclesall Road, Sheffield, S11 8PJ

During the consultation period, the Council received a representation from the following authority / interested party:

- **13 No. Interested Parties**

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 representation will be considered at a hearing to be held **Town Hall, Sheffield, Tuesday 12th October 2021 at 10.00am**; following which the Council will issue a notice of determination of the application.

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

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

- The representation you have made with reference to these particular premises and the four core objectives.
- 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** or by email to licensing@sheffield.gov.uk within five (5) working days before the day or the first day on which the hearing is to be held.

Dated: 4th October 2021

Signed: Jayne Gough

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.

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

Dr Lien Le Monkhouse

Sent via email:

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Notice of hearing of representations
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Roger Purkiss

Sent via email:

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

Paul Hemmings & Caroline Burke

Sent via email:

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Notice of hearing of representations
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LA03 Premises Licence Application

John Morgan

Sent via email:

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Dated: 4th October 2021

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Licensing Strategy and Policy Officer

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Notice of hearing of representations
in respect of the following application:

LA03 Premises Licence Application

Keith & Danielle Lythe

Sent via email:

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Licensing Strategy and Policy Officer

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Notice of hearing of representations
in respect of the following application:

LA03 Premises Licence Application

John Rylance

Sent via email:

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Licensing Strategy and Policy Officer

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Notice of hearing of representations
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LA03 Premises Licence Application

Trisha Morgan

Sent via email:

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Dated: 4th October 2021

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Licensing Strategy and Policy Officer

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

Dorte Stevenson

Sent via email:

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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.

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.