

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 28 January 2014

PRESENT: Councillors Clive Skelton (Chair), Roger Davison and Adam Hurst

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1. APOLOGIES FOR ABSENCE

1.1 No apologies for absence were received. Councillor George Lindars-Hammond attended the meeting as a reserve Member, but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - COSTCUTTER SUPERMARKET, 2 BEVAN WAY, SHEFFIELD, S35 4RP

4.1 The Chief Licensing Officer submitted a report to consider an application for a Premises Licence made under Section 17 of the Licensing Act 2003, in respect of the premises known as Costcutter Supermarket, 2 Bevan Way, Sheffield, S35 4RP.

4.2 Present at the meeting were Gill Sherratt (Licensing Matters, for the Designated Premises Supervisor), Trevor and Sandra Simpson (Objectors), Matt Proctor (Senior Licensing Officer), Louise Slater (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

4.3 Louise Slater outlined the procedure which would be followed during the hearing.

4.4 Matt Proctor presented the report to the Sub-Committee and it was noted that representations had been received from Trevor and Sandra Simpson, and were attached at Appendix 'B' to the report.

4.5 Trevor Simpson stated that they had experienced a number of problems with regard to youths hanging around causing trouble outside the supermarket, with the problems being worse at weekends, when they could experience noise and disruption up to 14 hours a day. He referred to situations where people had been approached by the youths, who were clearly under 18 years of age, to purchase alcohol and cigarettes for them, indicating that he himself had been approached to do this on one occasion. Mr Simpson referred to traffic problems in the area, indicating that vans delivering goods to the supermarket did not always use the loading bay and would often park on the pavement at the front of the store, and

also that people visiting the GP Surgery would often park in the vicinity of the supermarket, creating problems in terms of traffic flow. Mrs Simpson added that when people agreed to purchase alcohol and cigarettes for the youths, they would hand it to them at the side or rear of the premises, which was not covered by CCTV. She added that she had been kept up late at night due to the noise and disruption and was upset at the fact that neither the staff at the supermarket or the Police appeared to be taking any action.

4.6 In response to questions from Members of the Sub-Committee, Mr and Mrs Simpson confirmed that their main objection centred round the opening hours of the supermarket. They stated that some years ago, the store would close at 19:00 hours and, as a result of this, there were not as many problems with regard to youths congregating around the store. However, since the extension of the opening hours to 23:00 hours, it had resulted in the youths hanging around up until this time, and sometimes later. They had contacted the Police on a number of occasions to complain about the noise nuisance, foul language and the damage which the youths had caused to the trees and seating at the GP Surgery. They wanted Costcutter to work with the Police in an attempt to resolve the problems. Mrs Simpson indicated that she would appreciate it if the Designated Premises Supervisor (DPS) would come and talk to residents living within the immediate vicinity of the supermarket to discuss their concerns and see what could be done to resolve the problems.

4.7 Gill Sherratt stated that the Supermarket was not a franchise, and was owned and managed by Costcutter, under the name of EBOR Foodmarkets Ltd. There had been a Costcutter Supermarket on the site since 1991, which had originally operated as a franchise, but Costcutter had terminated the franchise agreement in 2002 and since then, the store had been run by managers on their behalf. The plans, as part of the application, involved the demolition of the existing premises and the erection of a new, larger superstore, the opening hours of which would remain at 06:00 to 23:00 hours. The present DPS, who was responsible for up to 16 members of staff at the supermarket, had been in the position at the store since June 2009, so was familiar with the area. He had not experienced any problems or received any complaints in terms of the operation of the supermarket, or in connection with local youths hanging around outside. The Company was very serious in its responsibilities in terms of the sale of alcohol, and arranged refresher training for staff every three months. Ms Sherratt stated that, as part of the application, a number of the existing conditions had been improved, one including the installation of a new, digital, CCTV system both inside and outside the premises, with images being maintained for a minimum of 31 days, and downloads being available to the Police and authorised officers of the Council on request. In terms of the concerns raised by Mr and Mrs Simpson, Ms Sherratt stated that whilst the disturbances caused by the youths outside the supermarket were not the fault of Costcutter, she appreciated the inconvenience being caused to residents living within the immediate vicinity of the premises, and promised to refer their concerns to the DPS. She stated that EBOR Foodmarkets Ltd was a good company, and was confident that it would do all it could, within its powers, to ensure there was minimal disruption to local residents. Reference was made to the fact that, as part of the new build, the building would be extended and would cover the area where the youths were currently congregating, which would

hopefully stop them being able to do this in the future. She also indicated that she would ensure that the CCTV would cover all areas around the supermarket.

- 4.8 In response to questions from Members of the Sub-Committee and the objectors, Ms Sherratt stated that she would be willing to talk to Julie Hague, Sheffield Safeguarding Children Board, in connection with the Challenge 25 scheme, and confirmed that till prompts would be installed on all tills in the supermarket. It was appreciated that staff may have seen evidence of youths hanging around outside the supermarket, through the CCTV system, but they were limited in terms of what action they could take. In future, if staff were forced to call the Police to report any incidents, they would be requested to ensure that all such calls were logged. At present, there were no details of staff having contacted the Police. Ms Sherratt concluded by stating that she would ask the DPS to visit Mr and Mrs Simpson to discuss their concerns.
- 4.9 RESOLVED: That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.10 Louise Slater reported orally, giving legal advice on various aspects of the application.
- 4.11 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.12 RESOLVED: That the Sub-Committee:-
- (a) agrees to grant a Premises Licence in respect of Costcutter Supermarket, 2 Bevan Way, Sheffield, S35 4RP, in the terms requested and subject to the amendment of the Condition relating to the installation of a CCTV system as follows:-
- The premises will have comprehensive CCTV, both inside and outside the premises, when the premises are open to the public. The CCTV cameras will be positioned in consultation with South Yorkshire Police. The system records and data will be kept for a minimum of 31 days. Downloads will be made available to the Police and authorised officers of the Council upon reasonable request; and
- (b) requests that the Designated Premises Supervisor contacts the objectors to discuss their concerns.

(The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)