

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 28 July 2016

PRESENT: Councillors Alan Law (Chair), Andy Bainbridge and George Lindars-Hammond

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Vickie Priestley. Councillor Andy Bainbridge attended the meeting in her absence.

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 - SOUTH SEA, 3 SPOONER ROAD, SHEFFIELD S10 5BL

4.1 The Chief Licensing Officer submitted a report to consider an application made under Section 51 of the Licensing Act 2003 for the review of premises licence in respect of the premises known as South Sea, 3 Spooner Road, Sheffield, S10 5BL.

4.2 Present at the meeting were Julie Hague (Licensing Manager, Sheffield Safeguarding Children Board (SSCB), Applicant), Andrea Marsden (South Yorkshire Police Licensing Officer), David Hancock (Licence Holder, South Sea), Iain West (Designated Premises Supervisor, South Sea), Emma Rhodes (Licensing Enforcement and Technical Officer), Brendan Twomey (Solicitor to the Sub-Committee) and Jennie Skiba (Democratic Services).

4.3 Brendan Twomey outlined the procedure which would be followed during the hearing.

4.4 Emma Rhodes presented the report to the Sub-Committee and it was noted that the application for the review of the licence had been received from Sheffield Safeguarding Children Board and was attached at Appendix A and representations had been received from South Yorkshire Police Licensing and these were attached at Appendix B to the report.

4.5 Julie Hague stated that her core objective in this matter was the protection of children from harm. She added that she had, over the past three years, held a number of meetings with the Licence Holder and the Designated Premises

Supervisor (DPS) regarding risk management in relation to persons under the age of 18. Julie Hague stated that the premises management had always been very co-operative and receptive to any advice that had been given. Ms. Hague further stated that she had advised against the holding of live music events produced by performing arts students from schools within the City and the holding of 18th birthday parties at the premises, as these types of occasions had a tendency to attract young people under the age of 18 who were either already drunk and/or intended to purchase alcohol and illegal highs.

- 4.6 Julie Hague referred to the chronology of events at Annex 1, Appendix A to the report. As can be seen, no issues at the premises arose between October 2013 and February 2015. Julie Hague then referred to an incident at the premises on the 17th February, 2015 in which a 16 year old female was drunk and had been taken to hospital. The premises management had said that the event was booked as an 18th birthday party but was in fact an “end of term” party and had been “gatecrashed” by a number of Somalian young men who had caused trouble and been subsequently barred from entering the premises in the future. She stated that there had been no booking form for the party or a responsible adult in attendance. The management of the premises agreed not to hold 18th birthday parties. Ms. Hague added that a multi-agency action plan had been implemented which included additional staff training on control measures for the premises.
- 4.7 Julie Hague then referred to an incident that occurred on 11th March, 2016 when the Police had been called to an incident outside the premises. There were a number of young people on the premises with false I.D. or without any I.D. at all. A 17 year old girl told the Police she was accompanying the D.J. that was working there that evening and that she had not purchased any alcohol from the bar. Julie Hague referred to another incident that occurred on 31st March, 2016, involving a vulnerable 16 year old female who had been admitted to hospital with a stomach complaint and who had stated she had attended the South Sea, had been given drink by a man and had snorted a white powder. The 16 year old also mentioned that she had been informed that another young female, aged 17, had kissed a member of the club door staff and that when the 17 year old had been missing, the police had searched the club DJ’s address. Julie Hague stated that on the 7th April, 2016, she informed the Manager that if there was no improvement at the premises, she would have no alternative but to review the licence.
- 4.8 At this stage in the proceedings, Brendan Twomey referred to Annex 1(f) which contained confidential/sensitive information and asked if all parties had had sight of the document and they confirmed that they had.
- 4.9 Julie Hague stated that she had been informed that a “rapping” event involving under 18s had been arranged for the 17th May and she subsequently arranged a meeting with the management of the premises to discuss ongoing activities. The management were advised, if effective methods of control proposals were not made, an application for review of the licence would be made. I.D. scanners and membership schemes were options discussed. No proposals were received and she was subsequently informed that David Hancock had handed in his notice.
- 4.10 Andrea Marsden reiterated many of the points raised by Julie Hague as she too

had been involved as Licensing Officer for the premises and attended meetings with the management of the public house since 2012. She also referred to an additional incident, that occurred on 23rd June, 2016, where the police had been called, whereby a 17 year old female, who indicated she had taken something, required hospitalisation and a 16 year old male was arrested for being drunk and disorderly.

- 4.11 David Hancock stated that he had moved to Sheffield in September 2011 and was aware of the poor reputation the premises had gained over the previous 12 years. He further stated that, to his knowledge, several High Court Orders had been issued to remove previous managers and it had been obvious the premises had been totally abused. Mr. Hancock added that he was experienced in running music events and after investing in the property it was his intention to rid the premises of its bad reputation.
- 4.12 David Hancock referred to the incident regarding the group of men from the Somalian community who had entered the premises through the fire door and had started a fight. He stated that the door staff had taken the names of the men and removed them from the premises, telling them that they were barred. He added that this was the only time in five years that the Police had been called to an incident inside the premises. Following this incident, David Hancock stated that he had attended a multi-agency meeting and an action plan for improvement had been agreed and he and members of his staff had attended a training workshop. He said that he felt confident that the action plan put in place had been adhered to, that the door staff were very strict in checking I.D. and the bar staff were thorough about serving alcohol to over 18s only. David Hancock further stated that some customers have already consumed alcohol before entering the premises as there are other licensed premises and three supermarkets selling alcohol within the area. When he and his staff were cleaning up at the end of the night, he often found empty drinks cans that were not sold at the premises. Mr. Hancock added that he felt victimised by the over-zealous scrutiny of the premises due to its previous history. He referred to the fact that no under 18s had been prosecuted, nor did there appear to be vigorous supervision in the selling of alcohol from the local supermarkets.
- 4.13 In response to questions from Members of the Sub-Committee and officers, David Hancock stated that he had been appreciative of the action plan and was always willing to put any suggestions for improvement made in place. He added that he was a community based man and his objectives were to inspire and nurture young talent but felt victimised by the local authority in trying to achieve this and the main purpose for attending the meeting was to defend his reputation as he had been involved in the promotion of live music for the past 20 years. David Hancock said that he had left the premises and was no longer involved in any way.
- 4.14 In summing up, Julie Hague stated that there had been four incidents resulting in young people being hospitalised and there had been a failure to uphold the four licensing objectives. She did suggest some final options to the management of the premises, but they had decided to leave.
- 4.15 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.

- 4.16 Brendan Twomey reported orally, giving legal advice on various aspects of the application.
- 4.17 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.18 RESOLVED: That, in the light of the information contained in the report now submitted and the representations now made, the Sub-Committee agrees to modify the conditions of the Premises Licence, in respect of the premises known as South Sea, 3 Spooner Road, Sheffield S10 5BL as follows:-
- (a) no under 18's to be on the premises at any time;
 - (b) all staff to undertake the SSCB training at the earliest opportunity;
 - (c) at all times that the premises is open to the public, a person who has undertaken the SSCB training is to be on the premises and responsible for controlling access to the premises;
 - (d) regular staff refresher training is to be undertaken (minimum six monthly), and records are to be kept and made available to officers, such records to be kept for a minimum of two years;
 - (e) a single refusal log is to be used at the premises and made available for inspection by officers, such logs to be kept for a minimum of two years; and
 - (f) the Challenge 25 scheme is to be operated.

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