

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 18 October 2016

PRESENT: Councillors David Barker (Chair), Vickie Priestley and Bob Pullin

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence received. Councillor Josie Paszek attended 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 - MINT PARIS LOUNGE, 42-46 LONDON ROAD, SHEFFIELD S2 4LR

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 Mint Paris Lounge, 42-46 London Road, Sheffield, S2 4LR.

4.2 Present at the meeting were Zobia Rafique (representing Mint Paris Lounge), Lily McCall (Chair, Leverton Tenants' and Residents' Association (TARA)), Margaret Coupland, Julie Coupland and Jean Senior (local residents), Jean Cromar (supporting Leverton TARA), Councillors Mohammad Maroof and Alison Teal (local Ward Councillors), Emma Rhodes (Licensing and Technical Enforcement Officer), Samantha Bond (Legal Adviser to the Sub-Committee) and Jennie Skiba (Democratic Services).

4.3 Samantha Bond 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 representations had been received in the form of one objection on behalf of the Leverton TARA and three objections from members of the public, and were attached at Appendix "B" to the report.

4.5 Lily McCall stated that she had been involved with the Leverton TARA for the past 40 years and, as Chair, was speaking on behalf of a

number of tenants. The tenants were objecting to the application on the grounds that there would potentially be an increase in cars parking on the grassed area surrounding the flats, and blocking the access road, together with an increase in noise nuisance caused by cars revving and customers talking as they left the premises late at night. She circulated a photograph which showed seven cars parked on the grass, and stated that she considered that if the licence was to be granted, even more cars would be parked there. She added that some of the tenants had challenged the car owners about parking on the grass, but had been informed that the owners of the Mint Lounge had purchased the land.

- 4.6 Jean Cromar stated that she regularly passed the area on the bus and had seen as many as 12 cars parked on the grass at any one time, with some cars also parked in the bus lane. Ms Cromar further stated that a number of tenants who would be most affected by the application had expressed their concerns to her, indicating that they had not been aware of the application until recently. She produced a photograph of the window of the premises, which showed that it was impossible to read the notice, and that it was only lowered after she had reported it to the Licensing Service, and following a visit from officers of that Service. She added that building rubble had been left on the footpath, forcing people to walk on the road, and that the residents of Leverton Gardens had to buy permits to enable them to park in the area.
- 4.7 In response to questions from Members of the Sub-Committee, the residents stated that they considered that the problems had worsened in the area since the premises had opened in May, and had they known who to contact at the premises, they would have done so to engage in dialogue regarding these issues.
- 4.8 Zobia Rafique stated that whilst the premises were being renovated, and additional building works being carried out on on London Road, there might have been occasions when family members and the builders had parked on the grass, but since the business had opened, there had been four parking spaces for private use, so there was no need for her staff or family members to park on the grass. She added that a lot of money had been spent on refurbishing a derelict building which, now complete, had enhanced the area. Ms. Rafique also stated that she felt that a number of complaints from the local residents towards her customers were unfounded. She went on to add that the majority of customers, at least 95%, were local people, and who tended to walk to the premises. She stated that there was no proof that the car owners parking on the grass and blocking the drive were customers of Mint Paris Lounge. Ms. Rafique added that the notice of the application was published in the local press on 28th August, 2016, and a notice had subsequently been placed on the window. On a couple of occasions, she had found the notice either ripped up or removed from the window, so therefore had found it necessary to put

it higher up on the window.

- 4.9 Zobia Rafique considered that any noise nuisance or illegal parking should be reported to the appropriate authorities, and not just blamed on her customers, as there was no evidence that those responsible were from her premises. She added that she had 13 tenants living above the property and none of them had made any complaints of noise nuisance, such as people talking or car engines revving, when customers left the premises late at night. Ms. Rafique stated that she had not been aware that a music licence was required, and that music had been played in the property since its opening, albeit quiet, background music. She stated that the Mint Paris Lounge was a social gathering place for the Muslim community, therefore no alcohol was served.
- 4.10 In response to questions from Members of the Sub-Committee, Zobia Rafique stated that although CCTV cameras were situated all around the outside of the property, covering the immediate area, they did not extend to the grassed area at the rear of the premises. She stated that the windows were double glazed, and there was a thick door to help prevent noise breakout. Ms. Rafique further stated that had the residents come to her with their concerns, she would have been more than happy to have entered into dialogue with them to prevent any conflict. She added that she would do everything possible to live in harmony with the local residents.
- 4.11 Emma Rhodes outlined the options to the Sub-Committee.
- 4.12 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.
- 4.13 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 4.14 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.15 RESOLVED: That in the light of the information contained in the report now submitted, together with the representations now made, and the responses to the questions raised, the application for the grant of a Premises Licence in respect of Mint Paris Lounge, 42-46 London Road, Sheffield S2 4LR be granted subject to the following conditions:-
- (a) clear and legible notices (wording to be agreed with the local TARA) to be displayed at all exits requesting customers not to park on

the grassed areas of Leverton Drive;

(b) an open register be maintained with, as a minimum, a list of car registrations of visitors to the premises; and

(c) contact information to be provided so that a member of staff can be contacted at all times when the premises are open.

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