

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 13 July 2017

PRESENT: Councillors Josie Paszek (Chair), Andy Bainbridge and Kieran Harpham

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for 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. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - STREET TRADING - CUBBINS CATERING (GERMAN SAUSAGE)

4.1 An application for the grant of a Static Street Trading Consent at Fargate, had been received and, following discussion, Members decided that the item be deferred to give the applicant a further opportunity to attend the hearing (Ref. No.82/17).

5. LICENSING ACT 2003 - SADACCA, 48 WICKER, SHEFFIELD S3 8JB - OBJECTION TO A TEMPORARY EVENT NOTICE

5.1 The Chief Licensing Officer submitted a report to consider an objection to a Temporary Event Notice, under Section 104(2) of the Licensing Act 2003, for the premises known as SADACCA, 43 Wicker, Sheffield S3 8LB (Ref. No. 84/17).

5.2 Present at the meeting were Robert Cotterell (Chair of SADACCA), Winston Hazel and Aaron Stewart (SADACCA), James Ketteringham (Solicitor, South Yorkshire Police), Cheryl Topham (Licensing Enforcement Officer, South Yorkshire Police), Clive Stephenson (Licensing Enforcement and Technical Officer), Brendan Twomey (Solicitor to the Sub-Committee) and Jennie Skiba (Democratic Services).

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

5.4 Clive Stephenson presented the report to the Sub-Committee and it was noted that a notice of objection to the Temporary Event Notice had been submitted by South Yorkshire Police on 3rd July, 2017 and was attached at Appendix "B" to the report.

- 5.5 James Ketteringham stated that there had been an incident during the early hours of 2nd July while the premises was operating under a Temporary Event Notice (TEN). He said that CCTV footage had shown that there was a fight in the bar area of the premises and that a male had been stabbed, although it was not apparent to the staff that this was the case. It would appear that the male left the premises and was subsequently chased to another venue, where he was attacked once more and an ambulance had been called. James Ketteringham expressed concern that on entry to the club, thorough searches had not been carried out and weapons had been taken inside. He also stated that at the time of the incident, the staff had failed to contact the Police and had started to clear away some of the evidence of the altercation and when the Police did arrive, footage of the incident on CCTV could only be viewed in real-time and no-one was available at the premises to download it. James Ketteringham felt that in the light of the serious nature of the incident and the fact that the TEN was less than three weeks away, it would be inappropriate for the event to go ahead.
- 5.6 Cheryl Topham reiterated the case made by James Ketteringham and added that over the past few weeks, within a half mile radius of the premises, there had been a number of serious incidents including stabbings and firearms offences. She said that Police resources would be stretched over the Tramlines weekend and the application had failed to detail how further measures would be put in place to uphold the licensing objectives and protect the attendees during one of the busiest weekends of the year.
- 5.7 In response to questions from Members of the Sub-Committee, James Ketteringham stated that a TEN opened up a business to members of the public, and that the incident had happened during a private party where non-members of SADACCA were present. He referred to an action plan which was to be considered at a review meeting and said that the Committee had always been very helpful with the Police and other responsible authorities. On request from the Sub-Committee, James Ketteringham provided a copy of the action plan. Cheryl Topham stated that although the TEN had been for a private party, the Notice was issued for the premises, not the applicant, as was the case for all TEN applications. She added that it had been agreed that, until a review had taken place, at weekends the premises would close at 11.30 p.m. instead of 2.00 a.m. She felt that this was necessary due to the fact that quite a number of people had been involved in the incident and that it would be safer to close earlier. James Ketteringham stated that when CCTV footage had eventually been downloaded, it was clear that the incident had started inside SADACCA and continued in the second venue.
- 5.8 Robert Cotterell stated that SADACCA had issued a TEN last year but the event was refused and expressed his concern that this event might also be refused. He said that SADACCA had been in operation since 1986 and there had been very few incidents, the last serious one being in 2011 which was for noise nuisance. He suggested that the Police rationale could be used for any city centre venue holding an event during the Tramlines weekend and the incident could have happened anywhere regardless of security measures that were put in place. Mr. Cotterell referred to the action plan put forward by South Yorkshire Police and

stated that anything that could be put in place, had been and work was still ongoing. He said that, initially, the event was to have taken place outside the premises as a street party, which would have meant street closures and the Police had asked for a fool proof risk assessment of this which proved not possible at that time, so it was then decided that the event would be held indoors.

- 5.9 Winston Hazel stated that SADACCA is a catalyst to bring together communities and felt that more needs to be done to encourage pop-up events during the Tramlines weekend. He added that SADACCA wanted to give the international community in Sheffield a feeling of inclusion and felt the need to put on a good event and show that it could be done well. He further stated that those involved with SADACCA were always willing to work with the Police and were aware of the need for better security and once the proposed action plan was put in place, it could alleviate many problems in the area.
- 5.10 Aaron Stewart referred to the recent incident in Manchester and stated that although procedures were in place, the attack still happened.
- 5.11 In response to questions from Members of the Sub-Committee, Robert Cotterell stated that when the fight broke out, about 100 people then got involved, at which stage the party organiser tried to break it up and took the decision to empty the premises and this was done within five minutes of the disturbance starting. He said that in hindsight, the Police should have been contacted straight away. He added that some staff members had started to clean the premises but then realised it was a possible crime scene and coats, drinks, etc. were left in place. In addition, Mr. Cotterell confirmed that the event period stated on the TEN should be amended, so that the event period for the 22nd and 23rd July, 2017 should be between 12 noon and 8.00 p.m. He added that better practices would be in force, including a proper risk assessment, better briefed stewards and an incident reporting process. Also, a new security firm would be employed who would deploy metal scanners at the access to the building.
- 5.12 James Ketteringham summed up by saying that SADACCA operating as a club works extremely well, but there were serious security issues around the venue being open to the public and these needed to be addressed.
- 5.13 Clive Stephenson outlined the options open to the Sub-Committee in relation to the application.
- 5.14 RESOLVED: That the public and press and attendees involved in the hearing 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.
- 5.15 Brendan Twomey reported orally, giving legal advice on various aspects of the case.
- 5.16 RESOLVED: That the Sub-Committee agrees to acknowledge the Temporary Event Notice, allowing the event to go ahead on the 22nd and 23rd July, 2017,

subject to licensable activities being allowed between 12 noon and 8.00 p.m. and after 8.00 p.m., members only are allowed on the premises, in line with the Club Premises Certificate and action plan.