

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 5 April 2018

**PRESENT:** Councillors David Barker (Chair), Lisa Banes and Neale Gibson

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#### **1. APOLOGIES FOR ABSENCE**

1.1 An apology for absence was received from Councillor Dawn Dale.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 4 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraph 7 of Schedule 12A to the Local Government Act 1972, as amended.

#### **3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

#### **4. LICENSING ACT 2003 - APPLICATION TO REVIEW A PREMISES LICENCE**

4.1 The Chief Licensing Officer submitted a report to consider an application made by Sheffield City Council Trading Standards, under Section 51 of the Licensing Act 2003, for a review of a Premises Licence (Ref No. 43/18).

4.2 Present at the meeting were David Palmer and Neil Bates (Trading Standards, Applicants), the premises' Designated Premises Supervisor and her representative, Julie Hague (Sheffield Safeguarding Children Board), Clive Stephenson (Licensing Strategy and Policy Officer), Samantha Bond (Legal Adviser to the Sub-Committee) and John Turner (Democratic Services).

4.3 Samantha Bond outlined the procedure which would be followed during the hearing.

4.4 Clive Stephenson presented the report to the Sub-Committee, and it was noted that representations had been received from the Sheffield Children's Safeguarding Board and South Yorkshire Police, and were attached at Appendix 'B' to the report. No-one from South Yorkshire Police was able to attend the hearing.

4.5 The premises' representative requested that the meeting be adjourned for approximately one hour to enable him to read the case papers, as he stated that he had only been handed them on this day.

4.6 RESOLVED: That the 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.

- 4.7 Samantha Bond reported orally, giving legal advice in respect of the request now made.
- 4.8 At this stage in the proceedings, the meeting was re-opened to the attendees.
- 4.9 RESOLVED: That, further to the consideration of the request, the Sub-Committee decides that, as the papers had been served on the Designated Premises Supervisor (DPS) and Premises Licence Holder (PLH), within the correct timescales, and in accordance with the legislation, the hearing should proceed as scheduled.
- 4.10 David Palmer reported on the grounds as to why the application had been made by Trading Standards, referring to the receipt of information regarding the sale of illicit tobacco products at the premises. Mr Palmer also reported that, as part of their investigations, the DPS had provided false and misleading information to officers as to her identity.
- 4.11 David Palmer and Neil Bates responded to a number of questions raised by Members of the Sub-Committee, Clive Stephenson and the premises' representative.
- 4.12 Julie Hague made representations on behalf of the Sheffield Safeguarding Children Board.
- 4.13 Julie Hague responded to a number of questions raised by Members of the Sub-Committee.
- 4.14 The premises' representative put forward the case for the premises, and he and the DPS responded to a number of questions raised by Members of the Sub-Committee, Samantha Bond, Clive Stephenson, Julie Hague and David Palmer.
- 4.15 RESOLVED: That the 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 Samantha Bond 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 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 revoke the Premises Licence in respect of the premises now mentioned (Ref No. 43/18).

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