

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 13 December 2012

PRESENT: Councillors Clive Skelton (Deputy Chair), David Barker and George Lindars-Hammond

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from the Chair (Councillor John Robson).

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 - BLUE BELL INN, 1 MAIN STREET, SHEFFIELD S12 4LA

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 Blue Bell Inn, 1 Main Street, Sheffield S12 4LA.

4.2 Present at the meeting were Hardial Mahal (Applicant), several members of the public both for and against the application, Marie-Claire Frankie (Solicitor to the Sub-Committee), Andy Ruston (Licensing Officer) and Jennie Skiba (Democratic Services).

4.3 The Solicitor to the Sub-Committee outlined the procedure which would be followed during the hearing.

4.4 Andy Ruston presented the report to the Sub-Committee and it was noted that representations had been received from local residents and were attached at Appendix B to the report.

4.5 Kathleen Bower spoke on behalf of the objectors and stated that she had lived to the rear of the premises for the past 21 years and had endured all types of nuisance from the premises which, in her opinion, had been as a result of excessive alcohol consumption and the inability of successive owners to contain their customers and noise within the premises. She felt that the sale of alcohol would encourage young people to congregate outside the premises and thereby cause noise, public disorder and vandalism to the surrounding area. She added that there was a very good off licence and convenience store nearby which provided an excellent service to the public and was separated from residential

properties.

- 4.6 Michael Rowbottom stated that he had the same concerns as Mrs. Bower and also felt problems would be created with regard to loading and unloading at the premises due to the fact that Main Street is only a narrow but very busy street, and envisaged there being problems with parking. He also asked if consideration could be given to a reduction in hours.
- 4.7 Timothy Robinson stated that he was the co-owner of the off-licence and convenience store on the Hackenthorpe shopping centre and that he had been there for the past 20 years. He stated that he and his staff were aware of the youths which congregated along the shops and had strived for a long time to stop underage drinking, and also that over time they had come to know the youths and were making inroads into reducing the amount of illegal drinking. He felt that another off-licence in the area would serve to exacerbate the problem.
- 4.8 Peter Nicholson spoke in favour of the application and felt that the parking of cars would be less of an issue than that already experienced at the nearby shopping parade.
- 4.9 In response to questions from Members, Hardial Mahal stated that, because of the nature of the previous business at the premises and the history surrounding it, he had met with the local Police and had agreed to all the licence conditions i.e. CCTV to the front and rear of the premises, the operation of the Challenge 25 scheme and the appointment of a Designated Premises Supervisor. Mr. Mahal also stated that deliveries to the shop will take place during the day, through the car park at the rear, not on the main road to the front. In response to further questions, he added that someone was going to be living in the premises, that the business would provide healthy competition to other businesses in the area which would be of benefit to the community and that the sale of alcohol was just part of the overall sales from the premises.
- 4.10 Mr. Mahal said he had operated a business for the past 20 years at the local shopping area and had always run everything in accordance with the law and intended to carry on in that vein. Also the new business would create five or six local jobs which would benefit the area.
- 4.11 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.
- 4.12 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.
- 4.13 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.14 RESOLVED: That the application for a Premises Licence in respect of the

premises known as Blue Bell Inn, 1 Main Street, Sheffield, S12 4LA, be granted as per the amended operating schedule, due to the fact that there was no evidence to show that the licensing objectives would be undermined.