

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 13 May 2013

PRESENT: Councillors John Robson (Chair), Neale Gibson and Nikki Sharpe

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence received from Members of the Committee. Councillor Ian Saunders attended as 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 - BAR AMBASSADOR, 308 - 310 LONDON ROAD, SHEFFIELD S2 4NA

4.1 The Chief Licensing Officer submitted a report to consider an application to grant a premises licence, made under Section 17 of the Licensing Act 2003, in respect of premises known as Bar Ambassador, 308-310 London Road, Sheffield S2 4NA.

4.2 Present at the meeting were Justyna Maciezevska (the applicant), Patryk Zaborski (the applicant's son), Shiva Prasad (Principal Officer, Health and Safety), Sean Gibbons (Health Protection Service), Julie Hague (Licensing Project Manager, Safeguarding Children Board), Louise Slater (Solicitor to the Sub-Committee), Matt Proctor (Senior Licensing Officer) and Jennie Skiba (Democratic Services).

4.3 The Solicitor outlined the procedure which would be followed during the hearing.

4.4 Matt Proctor presented the report to the Sub-Committee and it was noted that representations had been received from Health Protection Services and Sheffield Safeguarding Children Board and were attached at Appendices "B" and "C" to the report.

4.5 Shiva Prasad stated that the objection to the application was based on the proposed layout shown on the plan submitted which was not satisfactory and did not reflect the nature of the intended use as a bar. He added that a new plan was submitted on the 10th May and that he

and Sean Gibbons had consulted with the applicants prior to the commencement of this meeting to verify the new plan. A copy of the plan was handed to the Sub-Committee and Shiva Prasad asked the applicant to confirm that this was the plan which would be implemented at the premises and he also asked Members if they would consider the new plan and to give a date and reference number to it. Shiva Prasad asked the applicant to confirm the proposed capacity of the premises and that this capacity be imposed as a condition on the licence.

- 4.6 Sean Gibbons added that he felt confident that Building Control would visit the premises and, although there were a couple of minor points, the new plan would deem to be satisfactory and requested that the applicant or her representative consult with the Health Protection Service in order to ensure that the relevant works are completed to the satisfaction of the Service.
- 4.7 In response to questions from Members of the Sub-Committee, the applicant stated that it was intended to open the premises as a meeting place for fellow countrymen and sell alcohol and fast food. A capacity of 60 persons was suggested to the applicant to which she agreed.
- 4.8 Shiva Prasad added that the planning permission applied for was for a bar/meeting place and not as an eating place. Shiva Prasad and Sean Gibbons stated that communication between their Services and the applicant had not been very good.
- 4.9 Julie Hague stated that the applicant had not included any safeguarding measures in the operating schedule to ensure that children and young people may only access the premises when the environment is family friendly. She added that the main trade at the premises is for the sale and consumption of alcohol and if additional safeguarding measures are not included, children would be vulnerable to irresponsible behaviour. She proposed that a Challenge 25 proof of age scheme must be implemented, to include a refusals record, signage and staff training records; a designated premises supervisor or such other responsible persons be assigned to the role of Children's Safeguarding Co-ordinator; children under the age of 16 years must be accompanied by a responsible adult at all times and that persons under the age of 18 must be off the premises by 2100 hours unless attending a private pre-booked function.
- 4.10 Julie Hague added that she had tried to contact the applicant to discuss the proposed licence conditions on numerous occasions by email and telephone and had left messages, but the applicant had failed to respond.
- 4.11 In response to questions from Members of the Sub-Committee, the applicant was agreeable to every suggestion made with regard to

capacity, safeguarding, door security staff etc., which gave Members the impression that a business plan had not been properly thought through by the applicant and the failure to communicate with the Health and Safety Service and the Safeguarding Children Board had resulted in this application being brought 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 The Solicitor to the Sub-Committee 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 the meeting be adjourned to a date to be agreed with all participants in order to give the applicant the opportunity to consult with the Health Protection Service in order to ensure that relevant works towards public safety, as necessary, are completed to the satisfaction of the Health Protection Service as the responsible authority, and for the applicant to take legal advice.