

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 2 January 2014

**PRESENT:** Councillors Clive Skelton (Chair), Adam Hurst and Cliff Woodcraft

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

1.1 No apologies for absence were received.

#### **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 paragraphs 1 and 2 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.

4.2 Present at the meeting were David Palmer (Trading Standards, Applicant), Gill Sherratt (Licensing Matters, representing the Premises Licence Holder), the Premises Licence Holder, Julie Hague (Sheffield Safeguarding Children Board), Matt Proctor (Senior Licensing Officer), Louise Slater (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

4.3 Louise Slater 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 the Sheffield Safeguarding Children Board, and were attached at Appendix 'C' to the report. He also referred to additional papers circulated prior to the meeting, which included information from South Yorkshire Police relating to test purchase operations, and a list of proposed conditions received from Gill Sherratt.

4.5 David Palmer reported on the grounds as to why the application had

been made by Sheffield City Council Trading Standards, referring to the receipt of information regarding the sale of counterfeit and illicit alcohol at the premises.

- 4.6 Julie Hague made representations on behalf of the Sheffield Safeguarding Children Board.
- 4.7 Gill Sherratt addressed the Sub-Committee, on behalf of the Premises Licence Holder, and she and the Premises Licence Holder responded to a number of questions raised by Members of, and the Solicitor to, the Sub-Committee, and David Palmer.
- 4.8 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.
- 4.9 Louise Slater reported orally, giving legal advice on various aspects of the application.
- 4.10 At this stage in the proceedings, the meeting was re-opened to the attendees.
- 4.11 RESOLVED: That, in the light of the information contained in the report now submitted, the additional information now circulated and the representations now made, the Sub-Committee agrees to modify the conditions of the premises licence in respect of the premises now reported, as follows:-
- (a) by the addition of the following new conditions:-
- (i) all alcohol will be purchased by (from?) a bona fide wholesaler;
  - (ii) invoices for all alcohol stock purchases will be kept on the premises for a minimum of 12 months. The invoices will detail the products purchased, the date/time and full wholesaler address, and will be made available to the Police and authorised officers of the Council upon request;
  - (iii) a notice will be displayed in the shop window, warning cold callers that alcohol will not be purchased by the store;
  - (iv) all members of management authorised to purchase alcohol will read and sign the internal training document 'The Awareness of Illicit Alcohol'. The training documents will be produced to the Police and authorised

- officers of the Council upon request;
- (v) Challenge 21 posters will be displayed in prominent locations around the premises, including the front window or door, where alcohol is displayed, and at the point of sale;
  - (vi) a poster will be on display advising customers of the offence of proxy purchasing and that it is an offence for someone under the age of 18 to purchase or attempt to purchase alcohol;
  - (vii) all staff will be trained in their responsibilities under the Licensing Act 2003 before making sales of alcohol. This will include, as a minimum, the prevention of underage sales, proxy purchasing, sales to drunks and the Challenge 21 policy. All training will be documented and refreshed every three months and records will be made available to the Police and authorised officers of the Council upon request; and
  - (viii) an application will be made by the Premises Licence Holder to become a member of the Sheffield Trading Standards Responsible Retailer Award Scheme; and
- (b) the removal of Condition 3 of Annex 2 – Conditions consistent with the operating schedule – ‘A Mosquito Device will be fitted and operational’.

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