

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 17 May 2021

PRESENT: Councillors Karen McGowan (Chair), Dawn Dale and Roger Davison

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Douglas Johnson.

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 5 on the agenda (item 4 of these minutes) 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 - REVIEW OF A PREMISES LICENCE

4.1 The Chief Licensing Officer submitted a report to consider an application, made by Sheffield Trading Standards, under Section 51 of the Licensing Act 2003, for a review of a premises licence (Ref No. 20/21).

4.2 Present at the meeting were David Clutterbrook, Lisa Narsden and Neil Bates (Sheffield Trading Standards, Applicants), Victoria Cartmell (Forrest Solicitors, for the Premises Licence Holder), the Premises Licence Holder, Maureen Hanniffy (Sheffield Children Safeguarding Partnership), Jayne Gough (Licensing Authority), Claire Bower (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

4.3 Marie-Claire Frankie outlined the procedure which would be followed during the hearing.

4.4 Claire Bower presented the report to the Sub-Committee, and it was noted that representations had been received from the Licensing Authority, South Yorkshire Police and the Sheffield Children Safeguarding Partnership, and were attached at Appendix 'D' to the report. Ms Bower reported that, shortly before the meeting, an application for the transfer of the premises licence had been received by the Licensing Service, and that the new premises licence holder was present at the meeting.

- 4.5 David Clutterbrook reported on the grounds as to why the application had been made by Trading Standards.
- 4.6 David Clutterbrook and representatives of the other responsible authorities in attendance responded to questions from Members of the Sub-Committee.
- 4.7 Maureen Hanniffy made representations on behalf of the Sheffield Children Safeguarding Partnership, and responded to questions from Members of the Sub-Committee.
- 4.8 Jayne Gough made representations on behalf of the Licensing Authority, and responded to questions from Members of, and the Solicitor to, the Sub-Committee and representatives of the other responsible authorities.
- 4.9 Victoria Cartmell presented the case on behalf of the premises licence holder, and she and the PLH responded to questions from Members of, and the Solicitor to, the Sub-Committee, and representatives of the responsible authorities.
- 4.10 David Clutterbrook and the representatives of the other responsible authorities in attendance summarised their cases.
- 4.11 Claire Bower outlined the options open to the Sub-Committee.
- 4.12 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.
- 4.13 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.
- 4.14 RESOLVED: That, in the light of the information contained in the report now submitted, and the representations now made, the Sub-Committee, in respect of the premises now mentioned (Ref. No. 20/21):-
- (a) agrees that the premises licence be suspended for three months; and
 - (b) requests that the premises licence be modified by the addition of the following conditions:-
 - (i) All staff are to undertake the Sheffield Children Safeguarding Partnership training;
 - (ii) One personal licence holder must be on the premises at all times that alcohol is available for sale;
 - (iii) The Challenge 25 scheme will be operated at the premises;

- (iv) The refusals book (or equivalent) shall be kept at the premises to record all instances where sale of alcohol is refused, with such records to show:-
 - the basis for the refusal;
 - the person making the decision to refuse; and
 - the date and time of the refusal;

- (v) Such records shall be retained at the premises for at least 12 months, and shall be made available for inspection by the Police or any other authorised person on request. The refusal log will be checked and signed off regularly by management. This document may be in a digital form; and

- (vi) All alcohol and tobacco products will be purchased from a bona fide wholesaler. All such purchases will be accompanied with official invoices which will allow full traceability through the supply chain alongside any applicable AWRS Scheme Number for that supplier. Invoices will be retained on the premises for a minimum of 12 months and will be provided on request to a Police Officer or authorised officer of Sheffield City Council with a reasonable and valid reason for doing so. All items sold in the premises are to be entered into the till and receipts given.

(NOTE: The decision will be relayed to all interested parties following the meeting, and the full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)