

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 12 October 2021

PRESENT: Councillors Ruth Milsom, Vickie Priestley and Ann Woolhouse

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1. APPOINTMENT OF CHAIR

- 1.1 RESOLVED: That, in the absence of the scheduled Co-Chair of the Sub-Committee (Councillor David Barker), Councillor Vickie Priestley be appointed Chair of the meeting.

2. APOLOGIES FOR ABSENCE

- 2.1 An apology for absence was received from the Co-Chair (Councillor David Barker). Councillor Josie Paszek attended the meeting as a reserve Member, but was not required to stay.

3. EXCLUSION OF PUBLIC AND PRESS

- 3.1 No items were identified where resolutions may be moved to exclude the public and press.

4. DECLARATIONS OF INTEREST

- 4.1 There were no declarations of interest.

5. 418 LOUNGE, 418 ECCLESALL ROAD, SHEFFIELD S11 8PJ

- 5.1 The Chief Licensing Officer submitted a report to consider an application, made under Section 17 of the Licensing Act 2003, for the grant of a premises licence in respect of premises known as 418 Lounge, 418 Ecclesall Road, Sheffield S11 8PJ (Ref No.71/21).
- 5.2 Present at the meeting were Chris Grunert (Solicitor for the Applicant) and Saeed Ebrahimi (Applicant), Vivienne Smith, Drummond Murdoch, Patricia Morgan and John Morgan (Objectors), Jayne Gough (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Legal Adviser to the Sub-Committee) and Jennie Skiba (Democratic Services).
- 5.3 Marie-Claire Frankie outlined the procedure that would be followed during the meeting.
- 5.4 Jayne Gough presented the report to the Sub-Committee and it was noted that 13

representations had been received from interested parties and were attached at Appendix "B" to the report. Jayne Gough stated that this hearing had originally been scheduled to be heard on 12th September, 2021, but due to the applicant not being able to attend the hearing due to ill-health, the decision was taken to defer consideration of the application. Jayne Gough said that since then, the applicant had offered conditions to promote the four licensing objectives and a number of the objectors had withdrawn their objections.

- 5.5 Vivienne Smith stated that she was Secretary to the Botanical Gate Society and her main concern was the potential for noise and disruption to the area caused by the outbreak of music through the bi-fold doors and the exit from the premises onto Thompson Road. She said there were a number of terraced houses along Thompson Road which acted as a funnel for noise. She said she had further concerns with regard to patrons leaving late at night, hailing taxis in the street and parking issues. Ms. Smith said that there were many professional people and families with young children living in the area and that another bar would cause further disruption to their lives.
- 5.6 Drummond Murdoch reiterated the concerns by Vivienne Smith and stated that he was a permanent, local resident with a young family and felt that there would be increased anti-social behaviour and noise levels should the application be granted. He said that he and his family were already disturbed by people returning from nights out, and that there would be increased parking pressures to the rear of the premises. Mr. Murdoch said that previously the premises had been a restaurant which had caused no major problems, but felt that should the premises operate as a bar, noise and parking nuisance would increase and that this would affect the reputation of the area and would not be a safe environment to raise a young family.
- 5.7 Patricia Morgan stated that she had lived in the area for more than 50 years and had seen many changes, but felt that another bar with a late-night licence in the area was a step too far and she had put her house up for sale. She said that the rear of the premises backed onto residential properties and feared that should this area be opened up, there would be added disruption to the lives of residents living close by. Ms. Morgan said that people who usually enjoyed a night out in the city centre were now moving towards the Ecclesall Road area and felt that rather than attract revellers to the Ecclesall Road area, nights out should remain in the city centre. She added that Ecclesall Road was a residential area with its own community and not a place for people to come and drink.
- 5.8 John Morgan endorsed the points already made and said that sound travelled late at night, particularly by people hailing taxis.
- 5.9 Chris Grunert stated that the proposal for the premises had been described as a late-night bar and, as such, the applicant had taken note of the objections received and it was never the applicant's intention to trade until 1.00 a.m., and stated that he had now agreed to close at 11.00 p.m. He said that there had been a suggestion that the premises would open as a vertical drinking bar and this was not the case. He said the premises were to operate as a lounge type bar, serving drinks, meze and tapas type food, with the aim of attracting families, couples and

individuals and would not tolerate those who were loud or intoxicated. He said that there would only be recorded music played inside the premises and that the bi-fold doors would be closed at 9.00 p.m., with customers being requested to move inside. Mr. Grunert said that the applicant had a business on Abbeydale Road and had never received any complaints. He stated that the applicant had agreed to conditions set out by the Environmental Protection Service without obtaining legal advice with regard to the installation of a sound attenuation system which he deemed to be unnecessary.

- 5.10 In response to questions from Members of the Sub-Committee, Chris Grunert and Saeed Ebrahimi stated that planning permission had been sought regarding the verandah at the front of the premises, for it to be used as a smoking area with a condition that the area be cleared by 9.00 p.m. If people using the area were considered to be loud and caused a nuisance whilst on the verandah, they would be asked to leave. Mr. Grunert stated that the premises were not very large and it was not expected that there would be large numbers, possibly between 30 to 40 patrons during the evening and dispersal from the premises would be controlled. Saeed Ebrahimi stated that healthy option breakfast would be served until 11.00 a.m. and that expensive juice presses and coffee machines had been purchased so that juices, coffees, charcoal grilled meze and tapas type foods would be served throughout the rest of the day. He said that although alcohol would also be served, the business would not be alcohol led. He said that the premises would be totally unique as there were no other lounge type bars in the vicinity offering the same.
- 5.11 In response to questions from the objectors, Chris Grunert stated that Mr. Ebrahimi was the personal licence holder and that there would be a management team in place at all times. He said that it had not been considered necessary to provide door security staff and that the conditions on the premises were unambiguous and would be adhered to. If ownership of the premises changed in the future, it should be noted that the conditions were attached to the premises not the applicant. Mr. Ebrahimi stated that he and his family were used to working long hours, seven days a week and didn't see any reason why that would change. He said that there had never been any complaints received regarding his current business on Abbeydale Road.
- 5.12 Chris Grunert summed up the application.
- 5.13 Jayne Gough outlined the options open to the Sub-Committee.
- 5.14 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 five of Schedule 12A to the Local Government Act 1972, as amended
- 5.15 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.

5.16 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.

5.17 RESOLVED: That in the light of the information contained in the report now submitted, together with the representations now made and the responses to the questions raised, a premises licence in respect of 418 Lounge, 418 Ecclesall Road, Sheffield S11 8PJ (Ref No.71/21), be granted, subject to :-

- (a) the removal of agreed Conditions 1 and 6; and
- (b) the retention of agreed Conditions 2, 3, 4 and 5.

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