

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 22 January 2024

PRESENT: Councillors David Barker (Chair), Talib Hussain and Henry Nottage

1. APOLOGIES FOR ABSENCE

- 1.1 An apology for absence was received from the Reserve Member (Councillor Nabeela Mowlana).

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 - NALLA'S CONVENIENCE STORE, 25 CHURCH STREET, SHEFFIELD, S1 2GJ

- 4.1 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 the premises known as Nalla's Convenience Store, 25 Church Street, Sheffield, S1 2GJ (Ref No. 05/24).
- 4.2 Present at the meeting were Mounika Sakhamuri (Applicant), Tim Shield (Legal Representative for the Applicant), Councillor Martin Phipps (on behalf of the Objectors), Samantha Bond (Legal Adviser to the Sub-Committee), Shimla Finch (Principal Licensing Policy and Strategy Officer) and Jay Bell (Democratic Services).
- 4.3 Samantha Bond outlined the procedure which would be followed during the hearing.
- 4.4 Shimla Finch presented the report to the Sub-Committee, and it was noted that representations had been received from City Ward Councillors and were attached at Appendix 'B' to the report. The applicant had agreed conditions with South Yorkshire Police which could be found at Appendix 'C' to the report.
- 4.5 Councillor Martin Phipps stated that the objection from City Ward Councillors related to the late hours in which the store would be open and permitted to

sell alcohol. He asked that the hours in which the premises would be permitted to sell alcohol, be restricted to between 8am to 11pm in line with other independent local stores. The reason for this related to concerns around alcohol being sold to vulnerable people and fuelling anti-social behaviour in the late hours of night and early hours of the morning. He added that later opening hours would jeopardise local agencies and also set a precedent for other premises to sell Off-licenced alcohol in the City Centre. Councillor Phipps stated that City Ward Councillors also opposed due to the location of the premises, given the existing levels of crime and disorder near the Cathedral and had concerns that, should the application be granted, crime and disorder could increase and impact on local residents and businesses.

- 4.6 In response to questions from Members of the Sub-Committee, Councillor Martin Phipps stated it was possible that City Ward Councillors were unaware of a similar premises permitted to sell alcohol, similar to the times requested by the applicant. He added that the premises mentioned was located at the opposite end of West Street to Nalla's Convenience Store and therefore would be viewed differently. He confirmed that City Ward Councillors did review a similar premises and made representations on that application which was restricted to permitting alcohol between 8am and 11pm. Councillor Phipps confirmed that he often received contact from local residents raising concerns once applications relating to Off-licenced alcohol sale had been submitted.
- 4.7 In response to a question from the Legal Adviser to the Sub-Committee, Councillor Martin Phipps confirmed that he had no personal knowledge of any concerns raised by local residents relating to this particular case although believed that not everyone may have seen the application.
- 4.8 In response to a question from the Legal Representative for the Applicant, Councillor Martin Phipps confirmed that the objection was not criticising the applicant or the premises, the objection related to the times in which the premises would be permitted to sell alcohol and the location of the premises.
- 4.9 Tim Shield informed members of the Sub-Committee that the current DPS (Designated Premises Supervisor) was experienced and had worked in Off-licences for many years. The DPS had previously worked out of Sheffield in a similar premises in Stoke-on-Trent. He explained that Nalla's Convenience Store was a relatively new business although it had already been operating 24hours a day since it had opened. He drew Members of the Sub-Committee's attention to the plan shown as part of the application, and stated that, as seen in the plan, this premises was a convenience store and not a specialised Off-licence although selling alcohol did play a role in the store's sales. He believed that the premises would be a welcome addition to the City and asked Members to review the images of the premises circulated to the Sub-Committee, in advance of the meeting. Mr Shield stated that the aim of the convenience store was to cater for the residents and businesses in the immediate vicinity. He confirmed there was prior discussions with South

Yorkshire Police in which conditions had been implemented and could be found at Appendix 'C' to the report. Tim Shield mentioned four other premises situated on West Street who all had a 24hour Off-licence, and he added that these were all within a five-minute walk from Nalla's Convenience Store. He concluded by believing this premises was a good proposal and would benefit the local area.

- 4.10 In response to questions from Members of the Sub-Committee, Tim Shield confirmed that Nalla's Convenience Store was not a specialist Off-licence. Alcohol would be a part of the sales, but they offered a variety of day-to-day items. He believed that at least two of the four other off-licences on West Street were operating until early hours of the morning. He stated that Nalla's Convenience Store was already operating 24hours and therefore did not believe that being permitted to sell alcohol would cause any further issues. He believed that if there had been existing issues relating to the premises, then South Yorkshire Police would have made a representation. Mr Shield stated that the applicant saw an opportunity for a store in the City Centre and would be offering something different to the other convenience stores in the local area. Mr Shield confirmed that employees at Nalla's Convenience Store had prior experience in working in Off-licences and believed they would be able to address issues relating to anti-social behaviour. He added that an option that would be considered would be restricting the sale of alcohol within the times applied for if they were experiencing high levels of concern.
- 4.11 Councillor Martin Phipps commented on the location, stating that the other off-licences mentioned were at the opposite side of West Street and believed they did not relate to this application.
- 4.12 Tim Shield summarised the case on behalf of the applicant.
- 4.13 Shimla Finch outlined the options available to the Sub-Committee.
- 4.14 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting, and the webcast be paused, 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.
- 4.15 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 4.16 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees, and the webcast re-commenced.
- 4.17 **RESOLVED:** That, in the light of the information contained in the report now submitted, the representations now made and the responses to the questions raised, the application for a premises licence in respect of the premises known as Nalla's Convenience Store, 25 Church Street, Sheffield, S1 2GJ (Ref No. 05/24) be granted in the terms requested.

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

5. LICENSING ACT 2003 - PORTER PIZZA, 394-396 SHARROW VALE ROAD, SHEFFIELD, S11 8ZP

- 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 the premises known as Porter Pizza, 394-396 Sharrow Vale Road Sheffield, S11 8ZP (Ref No. 06/24).
- 5.2 Present at the meeting were David Musgrove (Applicant), Samantha Bond (Legal Adviser to the Sub-Committee), Shimla Finch (Principal Licensing Policy and Strategy Officer) and Jay Bell (Democratic Services).
- 5.3 Samantha Bond outlined the procedure which would be followed during the hearing.
- 5.4 Shimla Finch presented the report to the Sub-Committee, and it was noted that representations had been received from a local resident which could be found at Appendix 'B' to the report. The local resident had been invited to attend the hearing, but confirmed they would not be attending. Ms. Finch added that, during the consultation period, the applicant had agreed three conditions with South Yorkshire Police which can be found at Appendix 'C' to the report.
- 5.5 A Member of the Sub-Committee referred to the report at Appendix A, stating there had been a typing error on the application in respect of the starting hour for the supply of alcohol on Sundays, which read '12:00' and ought to be '21:00' and asked that it be amended for the record.
- 5.6 David Musgrove informed Members of the Sub-Committee that Porter Pizza was a family-owned business and believed it to be rooted as part of the local community as well as them being keen to invest in the local community which they were a part of. He believed that they had ran the business responsibly for the eight years in which it had been operating. Mr Musgrove explained that they previously made the decision to stop serving alcohol at 9.30pm on weekdays and 10.00pm on weekends and that they intend to follow the same precedent at this premises. He confirmed that the majority of their customers consumed water whilst they were eating and that the remaining was split between soft and alcoholic beverages. Of those who were consuming alcohol, it was mainly a glass of wine or a pint of beer to accompany their meals. He stated that drunkenness or any alcohol-related issues was not

something they've had to deal with since operating with an alcohol licence. Mr Musgrove respected the local resident's representations relating to noise nuisance and how alcohol could impact this, although from his experience this would be extremely limited. The only other noise pollution that Mr Musgrove was aware of was when the glasses were being emptied into the glass bin at the end of a shift, although he was open to reserving this duty until the morning. Mr Musgrove concluded by listing local initiatives that Porter Pizza had and would continue to be part of.

- 5.7 In response to a question from a Member of the Sub-Committee, David Musgrove explained that the only time the Police had been called due to Crime and Disorder was when the premises was broken into many years ago. Mr Musgrove confirmed that the new premises was approximately six doors away from the previous premises.
- 5.8 David Musgrove summarised the case on behalf of the applicant.
- 5.9 Shimla Finch outlined the options available to the Sub-Committee.
- 5.10 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting, and the webcast be paused, 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.
- 5.11 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 5.12 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees, and the webcast re-commenced.
- 5.13 **RESOLVED:** That, in the light of the information contained in the report now submitted, the representations now made and the responses to the questions raised, the application for a premises licence in respect of the premises known as Porter Pizza, 394-396 Sharrow Vale Road, Sheffield, S11 8ZP (Ref No. 06/24), be granted in the terms requested.

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