

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee (Statutory)

### Meeting held 26 February 2024

**PRESENT:** Councillors David Barker (Chair), Karen McGowan and Henry Nottage

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

1.1 An apology for absence was received from Councillor Garry Weatherall.

#### **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 - D'AHNI'S (FKA THE BARREL INN), 123 LONDON ROAD, SHEFFIELD, S2 4LE**

4.1 The Chief Licensing Officer submitted a report on 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 D'Ahni's, (fka The Barrel Inn), 123 London Road, Sheffield, S2 4LE (Ref. No. 22/24).

4.2 Present at the meeting were Peter Price and Isheena Whitely (Applicants), Samantha Bond (Legal Adviser to the Sub-Committee), Jayne Gough (Licensing Strategy and Policy Officer), Rosemary Henry (Objector) and Clare Cummins (Democratic Services).

4.3 Samantha Bond outlined the procedure to be followed during the hearing.

4.4 Jayne Gough presented the report to the Sub-Committee, and it was noted that a representation had been received from an interested party and was attached at Appendix 'B' of the report. The objector was in attendance at the meeting. Ms Gough confirmed that the application had been referred to the Licensing Sub-Committee due to an unresolved representation by a local resident following a consultation period. The applicants had agreed with the Environmental Protection Service and South Yorkshire Police to reduce the original proposed licensed operating hours. These were attached at Appendix 'C' of the report.

4.6 Councillor David Barker, Chair of the Sub-Committee, invited questions regarding the report.

4.7 Samantha Bond asked the applicant if they intended to serve hot food after 11pm.

4.8 Peter Price stated that they might consider this at a later point in time.

4.8 Rosemary Henry made the following representations:-

- She felt that the opening hours requested by the applicants were still too late and stated that other restaurants in the area (other than takeaways) closed at around 11pm.
- She felt it would operate more like a pub than a restaurant.
- She did not agree that food would be the main focus of the business, she felt it would be alcohol.
- She described anti-social behaviour she had witnessed on London Road in close proximity to her residence and the venue.
- She described that the area was predominantly residential, and that she lived on an estate next to London Road.
- She explained that two people had been stabbed on her estate during the previous weekend.
- She felt it was a 'rough' area, and having another establishment serving spirits that opened late could lead to further anti-social behaviour when customers were intoxicated.
- She added that persons using the area also contributed to the litter problem, often leaving broken bottles and rubbish. She had organised litter picks through her local Tenants and Residents Association.
- Noise pollution was also an issue for residents and families in the area when customers were leaving local venues that served alcohol.
- She referred to another public house in close proximity to her residence that had impacted negatively on the area in relation to noise pollution and anti-social behaviour, and she expressed fears that another public house opening until the early hours of the morning would add to problematic behaviour from customers in the locality.

4.9 In response to questions from Members of, and the Legal Adviser to, the Sub-Committee, Ms Henry confirmed the following:

- As this new venue would be open later than other public houses in the area, it would prolong the time for disturbances to residents.
- She had lived in her residence for twenty years.
- There were always problems within the area and the more establishments serving alcohol there were, the more problems in the area would continue to happen.
- During the summer it was a 'nightmare', and she had called the police previously due to violent incidents. She believed this was now regular and routine behaviour. She stated that the police did not take any positive action. She would prefer pubs to stop serving at 11pm and close for 11.30pm. She had not made other residents in her building aware of this licensing application. She and other residents experienced issues during

the summer months every weekend.

4.10 Peter Price and Isheena Whitely outlined their application and stated the following –

- The pub next door to their new premises did not close until 5am and other public houses nearby closed at 1am.
- They had been welcomed by other residents in the area and would welcome local residents to liaise with them and to see the refurbishment of the venue.
- The estate that the objector is referring to had other buildings between it and their venue.
- They have implemented measures to prevent noise pollution.
- They expect to have, and will try to attract, new clientele to the venue.

4.11 In response to questions from Members of, and the Legal Adviser to, the Sub-Committee, the applicants confirmed the following:

- They had implemented measures to prevent noise pollution.
- They hoped to attract new clientele to the venue.
- They intended to work with South Yorkshire Police, keep relevant and necessary logs, and allow access to the premises when needed.
- They would carry out staff training and employ new security staff.
- They would promote responsible drinking and would not have cheap drink promotions, such as ‘happy hour’.
- There would be noise limiters on music sound systems.
- They would work with, and listen to, the community and help it grow.
- They hoped to have a positive impact on the area and add vibrancy by increasing choice and providing diverse options for customers in the London Road area.
- They were aware that if they had problems at the venue they could be closed down. Reassurance had been offered to the objector by the applicants.
- There were similar businesses on Ecclesall Road, which also had residential accommodation in close proximity.
- They would be mostly serving food in the form of Caribbean and English style take-away. They envisaged customers who chose to sit in the venue would be customers consuming alcohol.
- They were happy with the amended hours of opening.
- They would encourage meetings with the community and community groups if any issues were raised.
- Once the business was established and had shown to be responsible, they would then discuss extended hours of opening with South Yorkshire Police.
- They were attracted to London Road because it was busy and vibrant, close to town, and had good public transport.
- They invited the objector to stay in touch, along with any other residents who held concerns to work together to resolve any issues that may arise. They welcomed members of the public with concerns to meet with them

at the venue. They had spoken to residents on the estate and some had been pleased to see the venue refurbished and reopened.

- The new management at the venue was experienced in running a successful establishment.
- 4.12 Samantha Bond clarified that the opening times agreed with South Yorkshire Police were 10am each day, and not 9am as had been stated in Appendix 'C' of the report.
- 4.13 The applicants summed up their application.
- 4.14 Jayne Gough outlined the options available to the Sub-Committee.
- 4.15 **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.
- 4.16 Samantha Bond orally gave legal advice to the Sub Committee on various aspects of the application.
- 4.17 The meeting was then re-opened to the public and press and attendees and the webcast recommenced.
- 4.18 **RESOLVED:** That the application to grant a premises license in respect of the premises known as D'Ahni's (fka The Barrell Inn), 123 London Road, Sheffield, S2 4LE (Ref. No. 22/24) be granted in the terms requested, subject to the conditions agreed with the Environmental Protection Service and South Yorkshire Police, as detailed in Appendix 'C', and the amended opening and operating hours as follows: -

Licensable activities:

Sunday to Thursday - 10.00 – 00.00 hrs  
Friday and Saturday - 10.00 – 01.00 hrs

Opening hours:

Sunday to Thursday - 10.00 – 00.30 hrs  
Friday and Saturday - 10.00 – 01.30 hrs

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