

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee (Statutory)

### Meeting held 16 September 2024

**PRESENT:** Councillors David Barker (Chair), Brian Holmshaw and Barbara Masters

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

1.1 An apology for absence was received from Councillor Qais Al-Ahdal.

#### **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 6 on the agenda (item 5 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. MINUTES OF PREVIOUS MEETINGS**

4.1 **RESOLVED:** That the minutes of the meetings of the Licensing Sub-Committee (Statutory) held on 11 March, 23 April, 20 May, 17 June and 23 July 2024 were approved as accurate records.

#### **5. LICENSING ACT 2003: D'AHNI'S BAR AND GRILL, 123 LONDON ROAD, SHEFFIELD, S2 4LE**

5.1 The Chief Licensing Officer submitted a report to consider an application, made by South Yorkshire Police under Section 53a of the Licencing Act 2003, for a review of a premises licence in respect of D'Ahni's Bar and Grill, 123 London Road, Sheffield, S2 4LE (Ref No. 118/24).

5.2 Present at the meeting were Leila Talib (Counsel) and Catherine Jarvis (Licensing Enforcement Officer), both of South Yorkshire Police (Applicant), Leigh Schelvis (Legal Representative for the Premises), Jayne Gough (Licensing Strategy and Policy Officer), Samantha Bond (Legal Advisor to the Sub-Committee) and Philippa Burdett (Democratic Services Officer). Carel Ukal Brown-Edwards (Premises Licence Holder) joined the meeting remotely.

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

- 5.4 Jayne Gough presented the report that outlined the summary review application made by South Yorkshire Police, as attached at Appendix "C" to the report.
- 5.5 Leila Talib reported on the grounds as to why the application had been made by South Yorkshire Police.
- 5.6 Leila Talib and Catherine Jarvis responded to questions raised by Members of, and the legal adviser to, the Sub-Committee, and the representative for the premises.
- 5.7 Leigh Schelvis put forward the case on behalf of the premises, and both he and Mr Brown-Edwards responded to questions raised by Members of, and the legal adviser to, the Sub-Committee, and Jayne Gough.
- 5.8 All parties summarised their cases.
- 5.9 **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 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.
- 5.10 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 5.11 At this stage in the proceedings, the meeting was re-opened to attendees.
- 5.12 **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, that:-
- a) the premises licence in respect of the premises known as D'Ahni's Bar and Grill, 123 London Road, Sheffield, S2 4LE (Ref No. 118/24) be revoked on the grounds that the premises licence holder has consistently undermined the licensing objectives, particularly the prevention of crime and disorder; and
  - b) in accordance with Section 53D of the Licensing Act 2003, the interim steps imposed at the Interim Steps Hearing of 23 August 2024 shall continue to apply until either the end of the period given for appealing against the revocation or, if that decision is appealed against, until such time as the appeal is disposed of.

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