

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 30 October 2014

PRESENT: Councillors David Barker (Chair), Josie Paszek and Stuart Wattam

.....

1. APOLOGIES FOR ABSENCE

1.1 No apologies for absence were received.

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 - RIVERSIDE, MOWBRAY STREET, NEEPSSEND, SHEFFIELD S3 8EN

4.1 The Chief Licensing Officer submitted a report to consider an objection in relation to a Temporary Event Notice, under the Licensing Act 2003, in respect of the premises known as Riverside, Mowbray Street, Sheffield, S3 8EN.

4.2 Present at the meeting were Jonathan Round (Environmental Protection Service, Objector), Clive Stephenson (Licensing Strategy and Policy Officer), Caroline Milson (Solicitor to the Sub-Committee) and Jennie Skiba (Democratic Services). The applicant had been invited to, but did not attend, the meeting.

4.3 Caroline Milson outlined the procedure which would be followed during the hearing.

4.4 Clive Stephenson presented the report to the Sub-Committee and it was noted that an objection to the Temporary Event Notice (TEN) had been submitted by the Environmental Protection Service on 21st October, 2014, and was attached at Appendix "B" to the report.

4.5 Jonathan Round stated that over the last four years the Environmental Protection Service had received a number of complaints from residents residing in properties at Millsands apartments, Central Quay, Mowbray Street, Union Forge and Brewery Wharf. He felt that the spread of these locations indicated that noise from the premises had affected a wide area, and that the local built environment allows noise to spread over some distance. Mr. Round further stated that there are several single glazed doors leading onto a large riverside terrace which is used by smokers and access to the terrace has no lobby to prevent noise breakout from the bar area.

- 4.6 Jonathan Round added that the complaints received by the Night Time Noise Service (NTNS) related to both noise breakout from inside the building and to music in the outside areas. He further added that the nuisance had been witnessed by NTNS officers who had reported that noise was excessive and very intrusive inside local properties and that noise levels in the street were, on one occasion, so loud the vibrations could be felt through the floor of the street.
- 4.7 In response to questions from Members of the Sub-Committee, Jonathan Round stated that the multiple change of management at the premises have prevented any meaningful dialogue to discuss a way forward in dealing with the complaints and a possible solution to them. He added that complaints to the 101 Service were made between the hours of 7.00 p.m. and 1.30 a.m.
- 4.8 Clive Stephenson outlined the options open to the Sub-Committee, as set out in the report.
- 4.9 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 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.10 Caroline Milson reported orally, giving legal advice on various aspects of the objection to the Temporary Event Notice.
- 4.11 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.12 RESOLVED: That in the light of the information contained in the report now submitted, the additional information now circulated and the representations now made as regards the objection to a Temporary Event Notice at Riverside, Mowbray Street, Sheffield S3 8EN, the Sub-Committee issued a counter notice on the premises on the grounds of preventing public nuisance.

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