

MEETING OF THE LICENSING SUB-COMMITTEE

held 13th March 2012

PRESENT: Councillors Ian Saunders (Chair), Diane Leek
and Clive Skelton.

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1. WELCOME AND HOUSEKEEPING ARRANGEMENTS

1.1 The Chair welcomed attendees to the meeting and outlined basic housekeeping and fire safety arrangements.

2. APOLOGIES FOR ABSENCE

2.1 No apologies for absence were received. Councillor Philip Wood attended the meeting as a reserve Member, but was not required to stay.

3. LICENSING ACT 2003

3.1 Royal Domino, Everyone's Community Centre, Broadfield Road, Sheffield, S8 0XQ

3.1.1 The Chief Licensing Officer submitted a report to consider an application to vary a Premises Licence made under Section 34 of the Licensing Act 2003, in respect of the premises known as Royal Domino, Everyone's Community Centre, Broadfield Road, Sheffield, S8 0XQ.

3.1.2 Present at the meeting were William Simpson, Josylin Allen and Sydney Fagan (for the Applicants), Claire Bower (Licensing Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

3.1.3 The Solicitor to the Sub-Committee outlined the procedure which would be followed during the hearing.

3.1.4 Claire Bower presented the report to the Sub-Committee and it was noted that representations had been received from an interested party and were attached at Appendix 'D' to the report, although they were not present at the meeting. She added that the representations received from the Council's Environmental Protection Service and South Yorkshire Police had been withdrawn.

3.1.5 William Simpson stated that he had been associated with the premises for 31 years and had lived near the premises for over 50 years. He was well-known and well-respected in the local neighbourhood and had never been involved in any trouble. The main reason for the variation involved a music night at the premises on Fridays. Mr Simpson stated that following the closure of the Earl of Arundel public house, the landlord had asked him if

he could hold a music night at the premises on the last Friday of every month. The main use of the premises involved the playing of dominos and on Saturdays, members would play dominos against visiting teams and have some food afterwards. On occasions, the female members would have a dance. Domino practice on a Tuesday night would usually cease at midnight but sometimes, the female members would dance afterwards, whilst food was being served.

- 3.1.6 In response to questions from Members of the Sub-Committee, Mr Simpson confirmed how the premises would operate, indicating that they held a lunch club on Fridays, usually between 13:00 hours and 19:00 hours. Members would play dominos against visiting teams on Saturdays only, with all attendees having some food afterwards and some dancing, and on the last Friday in each month the premises were hired by another group and used as a dance night. On the last Friday in each month, door supervisors would be present at the premises if required. Mr Simpson confirmed that there would not be any live music in terms of bands playing. He confirmed that he had agreed to all the conditions requested by the Council's Environmental Protection Service, as set out on Page 33 of the report, and indicated that posters advertising any special events were usually fixed to one of the windows and the door of the premises. In terms of the advertisement regarding the application to vary the Premises Licence, as raised by the objection from the interested party, Mr Simpson stated that, as well as the advert placed in the local press, there was an advert fixed to the premises, although it was accepted that it may not be clearly visible due to its location.
- 3.1.7 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.
- 3.1.8 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.
- 3.1.9 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 3.1.10 RESOLVED: That the Sub-Committee agrees to grant a variation to the Premises Licence in respect of Royal Domino, Everyone's Community Centre, Broadfield Road, Sheffield, S8 0XQ, subject to the amended application, operating schedule, agreed conditions and to the modified conditions now made as follows:-
- (a) No entry to the premises after 23:00 hours on Tuesdays;
 - (b) No entry to the premises after 01:00 hours on Saturdays;

(c) A minimum of two door supervisors, approved by the Security Industry Authority, to be present at the premises with effect from 22:00 hours on Fridays; and

(d) The current arrangements on Saturdays are to remain.

3.2 Soyo, 117 Rockingham Street, Sheffield, S1 4EB

3.2.1 The Chief Licensing Officer submitted a report to consider an application to vary a Premises Licence made under Section 34 of the Licensing Act 2003, in respect of the premises known as Soyo, 117 Rockingham Street, Sheffield, S1 4EB.

3.2.2 Present at the meeting were Mark Welch (General Manager, Soyo), Matthew Jacques and Efeba Omu (Owners, Soyo), Christopher Grunert (John Gaunt and Partners, Solicitors, for the Applicants), Mushall Khan (Consultant, for the Applicants), Councillor Robert Murphy (Objector), Claire Bower (Licensing Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

3.2.3 The Solicitor to the Sub-Committee outlined the procedure which would be followed during the hearing.

3.2.4 Claire Bower presented the report to the Sub-Committee and it was noted that representations had been received from a local Councillor and a local resident, as interested parties, and were attached at Appendices 'C' and 'D', respectively, to the report, although the local resident was not present at the meeting.

3.2.5 Chris Grunert reported that the Designated Premises Supervisor (DPS) had been involved in the licensing trade for 17 years, therefore had vast experience in running such a business. He was a regular attendee at relevant licence trade meetings and the management committee were represented on all relevant licensing bodies/organisations. In terms of the objections raised to the application, specifically the allegations of anti-social behaviour (ASB) and noise breakout from the premises, Mr Grunert referred to Annexe 2 – Conditions consistent with the operating schedule, contained in the existing Premises Licence, and indicated that such conditions would deal with any potential problems of noise nuisance. He stated that a noise limiter had been in operation since the premises opened and following a complaint of noise nuisance by a member of the public a number of years ago, the system had been re-adjusted, and there had been no further complaints. He made reference to the recent planning application in respect of the premises, indicating that the additional conditions applied to the permission that was granted, would ensure there would be no problems in terms of the future operation of the premises. He stressed that there had been no objections to this application from the responsible authorities, both in terms of potential noise nuisance and crime and disorder. Any of the incidents of ASB referred to by the objector could not be linked specifically to the premises. He also confirmed that the

problems of food waste outside the premises definitely could not be linked to the venue as food was not sold there. He also made the point that the representations raised at the meeting when the planning application had been determined, had not been raised again at this meeting.

- 3.2.6 In response to questions from Members of the Sub-Committee, Mr Grunert stated that, in terms of the list of problems being faced by local residents, as detailed in the representations made by the local Councillor, none of these issues had been brought to the applicant's attention and they tended to refer to general issues regarding ASB and noise nuisance in the area. There was certainly no evidence to prove that any of the problems referred to had been caused by patrons of the premises. In terms of litter and food waste outside the premises, a member of staff would sweep the area directly outside the venue at the end of each night. During the week, there would be two Door Supervisors on duty, together with a further Supervisor in the smoking area, and additional Supervisors on Saturdays. In terms of people being able to complain about noise levels or other incidents linked to the premises, there was a dedicated 24 hour mobile phone number which had been distributed to the local residents for them to utilise if necessary.
- 3.2.7 Councillor Robert Murphy stated that the premises was situated in a predominantly residential area, and that there were no other commercial premises nearby. He made reference to the residential accommodation, stating that there was a mixture of student accommodation, social housing and private housing. He stated that there was evidence in the report submitted to the Planning and Highways Committee showing that noise nuisance and ASB were linked to the premises and that whilst he understood that the licensing and planning regulations were totally separate, he stated that planning officers had recommended earlier closing times in order to address the concerns of local residents. He indicated that he had been contacted by several local residents in connection with both the planning and licensing applications, expressing their concerns of noise nuisance and ASB within the vicinity of the premises and relating specifically to problems caused by customers queuing to enter the premises, customers using the smoking area outside the premises and customers leaving the premises. He concluded by stating that whilst he sympathised with the attempts made by the owners to deal with the problems in terms of noise nuisance and ASB, he considered that whilst it was largely a residential area, the premises should only be allowed to remain open up until 00:30 hours at the latest.
- 3.2.8 **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.
- 3.2.9 The Solicitor to the Sub-Committee reported orally, giving legal advice on

various aspects of the application.

- 3.2.10 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 3.2.11 RESOLVED: That the Sub-Committee agrees to vary the Premises Licence in respect of Soyo, 117 Rockingham Street, Sheffield, S1 4EB, in the terms now requested.

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