

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 11 May 2017

PRESENT: Councillors David Barker (Chair), Adam Hurst and Andy Bainbridge

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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 - ABBEYDALE PICTURE HOUSE, 385 ABBEYDALE ROAD, SHEFFIELD, S7 1FS

4.1 The Chief Licensing Officer submitted a report to consider an objection to an application for a Temporary Event Notice, under Section 104(2) of the Licensing Act 2003, in respect of an event at Abbeydale Picture House, 385 Abbeydale Road, Sheffield, S7 1FS (Ref. No. 59/17).

4.2 Present at the meeting were Sean Gibbons (Environmental Health Service, Objector), Clive Stephenson (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

4.3 Marie-Claire Frankie 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 a notice of objection to the Temporary Event Notice (TEN) had been submitted by the Environmental Health Service on 4th May 2017, and was attached at Appendix 'B' to the report. The applicant had been invited to attend the meeting, but was not present.

4.5 Sean Gibbons stated that the Environmental Health Service had objected to the application on the grounds of public safety, specifically with regard to the proposed capacity of 250, the access/egress with respect to the steps in and out of the premises and a lack of toilet facilities for female customers. Mr Gibbons stated that he had tried to contact the applicant, who had held a similar event at the venue using a TEN, as he wanted to discuss a number of concerns with him, regarding the event, but had received no response. The application for the TEN had been received on 28th April 2017, and Mr Gibbons visited the venue with the

aim of speaking to the applicant, but he had gone abroad, therefore he had to discuss his concerns with a third party, who was involved in the organisation of the event. Due to a lack of assurances received, the Environmental Health Service had been forced to submit an objection to the TEN. Mr Gibbons elaborated on his concerns, emphasising the potential problems with regard to the proposed capacity, highlighting the fact that there was only one access/egress, and which would involve people attending the event having to pass through a 'pinch point' and navigate a set of steep, temporary steps. He also referred to his concerns regarding the toilet facilities, indicating that the plans for both male and female customers to use the male toilets raised issues regarding privacy, security and safety in the light of the steep staircase.

- 4.6 In response to questions from Members of the Sub-Committee and Clive Stephenson, Mr Gibbons stated that the applicant had acknowledged his concerns, and had agreed to look at possible alternative options, mainly regarding an additional means of escape in the event of a fire. He confirmed that the applicant had held similar events at the venue, with a similar capacity, and at which there had been no complaints. Mr Gibbons stated that, for various reasons, the Service had not been in a position to object to previous, similar events at the venue, but had made it clear to the applicant that it had serious concerns with regard to public safety should similar events be held in the future.
- 4.7 RESOLVED: That the meeting be closed to the public and press and attendees involved in the hearing 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.
- 4.8 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the case.
- 4.9 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.10 RESOLVED: That, in the light of the objection now made to the Temporary Event Notice (Ref. No. 59/17), the event organiser be issued with a counter notice on the basis that the Sub-Committee considers it necessary for the promotion of the licensing objectives.