

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 5 September 2017

PRESENT: Councillors David Barker (Chair), George Lindars-Hammond and Andy Nash

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1. APOLOGIES FOR ABSENCE

1.1 No apologies for absence were received. Councillor Andy Bainbridge attended the meeting as a reserve Member, but was not required to stay.

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 - SADACCA, 48 WICKER, SHEFFIELD S3 8LB - REVIEW OF CLUB PREMISES LICENCE

4.1 The Chief Licensing Officer submitted a report to consider an application made by South Yorkshire Police under Section 87 of the Licensing Act 2003, for a review of a Club Premises Certificate in respect of SADACCA, 48 Wicker, Sheffield, S3 8LB (Ref No.107/17).

4.2 Present at the meeting were Robert Cotterell (Chair of SADACCA), Winston Hazel and Aaron Stewart (SADACCA), James Ketteringham (Solicitor, South Yorkshire Police), Cheryl Topham (Licensing Enforcement Officer, South Yorkshire Police), Clive Stephenson (Licensing Enforcement and Technical Officer, Sheffield City Council), Samantha Bond (Legal Adviser to the Sub-Committee) and Jennie Skiba (Democratic Services).

4.3 Samantha Bond 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 representations had been received from South Yorkshire Police and the Sheffield Safeguarding Children Board, and were attached at Appendix 'B' to the report. Clive Stephenson stated that Julie Hague, Sheffield Safeguarding Children Board was unable to attend the hearing but had submitted her apologies and requested that her representation be read out at the meeting.

4.5 James Ketteringham stated that South Yorkshire Police, following the incident that had occurred on 2nd July, 2017 in which a fight had broken out and a person had

been stabbed, were not asking for revocation of the premises licence but that a number of conditions be imposed on the licence. He further stated that a number of concerns were raised, these being, that evidence had been cleaned up, there had been difficulty in reading the CCTV images and there had been no calls to the Police from the club at the time of the incident. He added that the club were unaware that weapons had been brought onto the premises. Mr. Ketteringham stated that an application for a Temporary Event Notice (TEN), had since been received and was granted by the Licensing Sub-Committee on 13th July, 2017, and he referred to an action plan that had been drawn up and stated that SADACCA had agreed to the plan and had already implemented the majority of the proposed conditions.

- 4.6 In response to questions from Members of the Sub-Committee, James Ketteringham stated that all Committee Members of SADACCA were to be made aware that anyone who applied for a TEN, would do so in the name of the Committee and that the Committee had sole discretion whether to allow the application to be made. Cheryl Topham stated that South Yorkshire Police and the Committee had a very good relationship and that all the conditions were being adhered to. Regarding the concerns raised by Julie Hague in her statement, Cheryl Topham informed Members that SADACCA had sent a representative on the safeguarding course run by the Safeguarding Board.
- 4.7 Rob Cotterell accepted the seriousness of the incident that had occurred but stated that it was still unclear whether the stabbing had happened inside the club. He confirmed that a fight had broken out inside the club and everyone present had been asked to leave and staff had started to clean up the blood that was there because they knew someone had received a bloody nose and thought the blood was from that. He accepted what the Police were saying about cleaning up the evidence but said this had been done inadvertently. He said the staff were guilty of not reporting the incident to the Police but were unaware of the seriousness of the matter. Mr. Cotterell stated that the CCTV system in place at the premises was a very good system, the problem on the night had been the Police were unable to download images and take the evidence with them. The Police had suggested that another camera might be installed. Mr. Cotterell further stated that he had concerns with regard to Condition Nos. 2 and 4 of the Action Plan. Condition 2 suggested that the club should be closed at 23.30 hours Monday to Saturday and 22.30 on Sundays. He said that the incident in July had happened at around 3.00 a.m. as had the previously recorded incident in April, 2011 and suggested that the normal closing time of 2.00 a.m. was adequate and in line with similar other City Centre venues. Regarding Condition 4, Mr. Cotterell stated that he couldn't see how this fitted with the normal running of the club. He said that general practice was for promoters to contact the Committee outlining their proposed event and then the Committee considered the booking before a TEN was applied for. Mr. Cotterell added that a number of bookings had already been cancelled whilst waiting the review of the licence and this was proving to be very costly.
- 4.8 Winston Hazel stated that the future vision for SADACCA and the Wicker was at a crossroads as to how to go forward to maintain music events in the area. He added that he was hoping to host a Carnival stretching from the Wicker to Sharrow

next year and was hoping to maintain the close working relationship the Club has with South Yorkshire Police.

- 4.9 Aaron Stewart stated that he was a former Mayor of a City in the USA and as such understood the dynamics of a good working relationship with the Police and was happy to be involved and support SADACCA and hoped to hold events there once a month.
- 4.10 In response to questions from Members of the Sub-Committee, Rob Cotterell stated that he thought the action plan was a good plan and he and the Committee had learned from mistakes made, and in the event of an incident in the premises in the future, the Committee and staff members had a part to play in dealing with it different to the last incident. Mr. Cotterell stated that, on the whole, promoters were known to the Committee and in any event, background checks were always carried out. Winston Hazel added that new security measures were in place, a body scanner had been installed and he detailed how security at the front door would operate in the future. The way forward was to focus on prevention rather than reaction.
- 4.11 James Ketteringham and Cheryl Topham summed up on behalf of South Yorkshire Police.
- 4.12 Rob Cotterell was given the opportunity to sum-up the case on behalf of SADACCA.
- 4.13 Clive Stephenson reported on the options available to the Sub-Committee.
- 4.14 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.
- 4.15 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 4.16 At this stage in the proceedings, the meeting was re-opened to the attendees.
- 4.17 RESOLVED: That, in the light of the information contained in the report now submitted and the representations now made, the Sub-Committee agrees to modify the conditions of the Premises Licence in respect of the premises known as SADACCA, 48 Wicker, Sheffield S3 8LB, by the addition of the following conditions:-
- (a) applications for a Temporary Event Notice shall be submitted by a named member of the Committee;
 - (b) a colour CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open. The

CCTV images will be stored for 30 days and Police and Authorised Officers of the Council will be given access to the images for the purposes of and in connection with the prevention and detection of crime and disorder. CCTV footage shall be downloaded and provided to South Yorkshire Police on request. Members of the management team will be trained in the use of the system;

- (c) a copy of the South Yorkshire Police Violent Incident Protocol is to be displayed within the premises in clear sight of staff. This protocol should also form part of staff training and training records shall be maintained to reflect this;
- (d) any incidents at the premises will be recorded in the incident book and any criminal behaviour is to be reported to the Police;
- (e) a register will be maintained at the premises of each person whose duties include deciding who is admitted to the premises, and the direction and control of such persons. The register will contain the full name, address, date of birth, photograph (portrait style and minimum passport size) and a physical description. The register shall be made available for inspection by any Police Officer or Authorised Officer of the Council upon request and shall be kept on the premises for a period of not less than 12 months;
- (f) the use of door supervisors will be risk assessed on an event-by-event basis. A written record of the risk assessment shall be kept on the premises for 6 months and will be made available to the Police and/or Authorised Officers of the Council upon request;
- (g) a signing-in book will be maintained on the premises and completed by each member of security staff prior to the start of their duties each day; the entry will detail the name, start and finish time of the security staff. The signing-in book shall be made available for inspection by any Police Officer or Authorised Officer of the Council upon request. These records shall be kept on the premises for a period of not less than 12 months;
- (h) where door supervisors are utilised, customers entering the premises will be subjected to searches in accordance with the premises risk assessment;
- (i) security staff are to display their SIA badges at all times;
- (j) the Club Chair or other such qualified and responsible person will be designated to the role of Safeguarding Co-ordinator. This person must act with reference to the guidance and training provided by the Sheffield Safeguarding Children Board;
- (k) a written safeguarding risk assessment must be undertaken for all activities at the premises involving children and young people who are socialising, at work (paid or voluntary), performing, entertaining, or who are present for any other reason at the premises. This document must be retained and made available for inspection to the Responsible Authorities on request;

- (l) all persons under the age of 18 years to be signed in and out of the premises by a responsible adult using a membership scheme/register; and
- (m) for events, parties and functions:
 - (a) a booking form stipulating the conditions of booking and to record the details of the event/party organiser must be used and retained; and
 - (b) checks will be made by the management committee to ensure that the music policy and reputation of promoters/event organisers is suitable for events to which children and young people are admitted.

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

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