

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 11 January 2018

PRESENT: Councillors David Barker (Chair), Adam Hurst and Cliff Woodcraft

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Andy Bainbridge.

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 4 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. LICENSING ACT 2003 - REVIEW OF A PREMISES LICENCE FOLLOWING A CLOSURE ORDER GRANTED BY THE MAGISTRATES' COURT

4.1 The Chief Licensing Officer submitted a report to consider an application made by South Yorkshire Police, under Section 167 of the Licensing Act 2003, for a review of the Premises Licence in respect of the premises now mentioned, following a Closure Order granted by the Magistrates' Court, under Section 80 of the Anti-social Behaviour, Crime and Policing Act 2014 (Ref No. 150/17).

4.2 Present at the meeting were Ian Armitage (South Yorkshire Police Licensing Officer, Applicant), Chris Grunert (John Gaunt and Partners, Solicitors, for the Premises), Premises Licence Holder, Clive Stephenson (Licensing Strategy and Policy Officer), Samantha Bond (Legal Adviser) and John Turner (Democratic Services).

4.3 Samantha Bond outlined the procedure which would be followed during the hearing.

4.4 Ian Armitage stated that since the re-opening of the premises, following the meeting of this Sub-Committee held on 24th November 2017, the police had monitored the premises very closely and, apart from one reported incident, which had not involved any staff of the premises, there had been no issues of concern. Mr Armitage, on behalf of the police, expressed his thanks to the Premises Licence Holder for the way he had conducted himself, and how he had managed his staff, following the re-opening of the premises. He referred to the proposed conditions which had been circulated by Mr Grunert, indicating that the police were happy with

them, and concluded by commending the effective co-operation between the premises management and the police and other responsible authorities in this case.

- 4.5 Mr Armitage responded to a question raised by a Member of the Sub-Committee.
- 4.6 Chris Grunert, on behalf of the premises, referred to the proposed conditions, which had been circulated prior to the meeting, indicating that it was proposed that Condition 1, relating to the premises' CCTV system, would replace the existing Condition 2 in Annexe 2 – Conditions consistent with the operating schedule, on the Premises Licence, and that he believed that the conditions would address the issues/concerns raised. Mr Grunert stated that the Premises Licence Holder (PLH) had not had any direct involvement in terms of the problems at the premises, and since being appointed as the PLH, had fully co-operated with the police and other responsible authorities. He stressed that all the staff involved in the serious incident on 10th November, 2017 were no longer employed at the premises. He stated that, whilst it was a very challenging environment for the premises staff, given its location and number of licensed premises in the surrounding area, the PLH had taken a very professional approach with regard to his role, which had included the successful completion of an e-learning course in conflict management, the certificate of which was circulated at the meeting, and which would assist him in dealing with problem customers.
- 4.7 Mr Grunert responded to a number of questions raised by a Member of the Sub-Committee.
- 4.8 Ian Armitage and Chris Grunert summarised their cases.
- 4.9 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 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 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 4.11 At this stage in the proceedings, the meeting was re-opened to the attendees.
- 4.12 RESOLVED: That, in the light of the information contained in the report now submitted, and the representations now made, together with the schedule of proposed conditions now circulated, the Sub-Committee agrees to modify the conditions on the Premises Licence in respect of the premises now mentioned (Ref No. 150/17), as follows:-
- (a) To replace existing Condition 2 in Annexe 2 (Conditions consistent with the operating schedule) with the following condition - The Premises Licence Holder shall ensure the premises' CCTV system cameras shall continually record whilst the premises are open to the public, and records shall be kept for a minimum of 28 days, with time and date stamping; data recordings

shall be made immediately available to an authorised officer of South Yorkshire Police or Sheffield City Council, together with facilities for viewing upon request, subject to the provisions of the Data Protection Act; recorded images shall be of such quality as to be able to identify the recorded person; at least one member of staff on the premises, at any time during operating hours, shall be trained to access and download material from the CCTV system;

- (b) A minimum of one SIA registered door supervisor shall be employed at the venue from 23:59 hours on Friday and Saturday evenings until close, and on Christmas Eve, Christmas Day, Boxing Day, New Year's Eve and New Year's Day, Bank Holidays and any day prior to a Bank Holiday if the premises are trading;
- (c) The premises shall subscribe and participate in accordance with the terms of the Sheffield CRAC radio network;
- (d) The individuals named in the schedule of proposed conditions shall not be employed or involved in the supervision of the premises; and
- (e) The management shall undertake training in the subject of conflict management; such training will be cascaded to all staff members and will be documented, and records retained for inspection for a period of three months after the date of termination of employment.

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

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