

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 23 November 2020

(NOTE: This meeting was held as a remote meeting in accordance with the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.)

**PRESENT:** Councillors Karen McGowan (Chair), Douglas Johnson and Vickie Priestley

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#### **1. APOLOGIES FOR ABSENCE**

1.1 There were no apologies for absence. Councillor Bob Pullin attended as 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 Councillor Douglas Johnson declared a personal interest as the premises are located within his Ward.

#### **4. LICENSING ACT 2003 - SAW GRINDERS UNION, G19 AND G20, GLOBE WORKS, PENISTONE ROAD, SHEFFIELD, S6 3AE**

4.1 The Chief Licensing Officer submitted a report to consider an application to vary a premises licence made under Section 37 of the Licensing Act 2003 in respect of the premises known as Saw Grinders Union, G19-G20 Globe Works, Penistone Road, Sheffield S6 3AE (Ref No.88/20).

4.2 Present for this item were Neal Pates (Objector, Environmental Protection Officer), Elaine Cresswell (Objector, Environmental Health Technician, Health and Safety Officer), Chris Grunert (Solicitor, John Gaunt and Partners, for the Applicant) Heather Anson (Digital Law, on behalf of the Applicant), James Rodgers (Applicant), Clive Stephenson (Licensing), Marie-Claire Frankie (Solicitor to the Sub-Committee) and Jennie Skiba (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 two objections had been received and were attached at Appendix 'C' to the report.

- 4.5 Neal Pates stated that the Environmental Protection Service had agreed certain conditions with the applicant, but they were seeking agreement for a 10.00 p.m. terminal hour for music. He said there were complaints about the premises when it first opened in 2019, mostly around dispersal of customers, and with the enhanced external area it was felt that 10.00 p.m. was more suitable considering the residential properties that surround it. Neal Pates stated that the courtyard area opened directly onto the street and the nearby residential area. He referred to the lack of consistency between planning and licensing conditions and said that as a local authority there was a need to give advice and information on this. He said that the planning conditions described the premises as a “café” rather than a “bar”. Mr. Pates felt that the later into the night that a premise closes, the risk to noise outbreak to neighbouring premises.
- 4.6 Elaine Cresswell stated that she had no objection to the external area but with increased numbers there needed to be an increase in toilet provision. The solution offered to this was by using the toilets in Globe Works. She added that she has concerns about the old Victorian staircase with short and narrow steps especially when people might have been consuming alcohol. Ms. Cresswell said that following a site visit, the applicant had agreed that there was a need to mark the rise and drop of the steps and use them on a risk assessed basis. She said that the Globe Works was an office block and staff use the toilets during office hours but didn’t consider them to be at risk. She felt that there should be the provision of additional toilets.
- 4.7 Chris Grunert stated that, since the country was placed into lockdown in March due to the pandemic, the business, like many more, had been struggling, however in June 2020, use of the existing outside space had been granted and the premises had operated through the summer with no complaints and the use of the toilets had been well managed. He said that the business was a food led establishment offering gourmet burgers, which had been voted second best in Sheffield and that during August 1,600 per week burgers had been served. He said that the premises were well managed and that the enhanced external area was serviced by the toilet provision already in place and Covid restrictions had not posed any problems to customers wishing to use the toilet. He added that the Globe works toilets were available to them if needed but the preference was not use them. Chris Grunert said that the complaints received had been on the opening weekend of the premises in July 2019 and actions were put in place so that there would not be a repeat of this. To date, no further complaints have been made. He further stated that a courtyard policy was in place which would be reviewed post-Covid and it was proposed that gradual dispersal from the premises would be encouraged, with the use of door staff on Friday and Saturday nights if necessary. 11:30 p.m. was the requested terminal hour for the external area to allow staggered dispersal with the internal area.
- 4.8 In response to questions from Members of, and the legal advisor to, the Sub-Committee, Chris Grunert said that the nearby pub was exactly that, not a café, and it was not unprecedented for businesses within an area to have differing closing times. He added that so far, customers of the premises had not had to use the toilets within Globe Works.

- 4.9 Chris Grunert summarised the case on behalf of the applicant.
- 4.10 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.
- 4.11 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.
- 4.12 RESOLVED: That, in the light of the contents of the report now submitted, together with the representations now made, including the responses provided to the questions raised, agrees to vary the licence in respect of the premises known as Saw Grinders Union, G19-G20 Globe Works, Penistone Road, Sheffield S6 3AE (Ref No.88/20).

(NOTE: The decision will be relayed to all interested parties following the meeting and the full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)

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