

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 1 June 2021

PRESENT: Councillors David Barker (Chair), Roger Davison and Joe Otten

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1. APOLOGIES FOR ABSENCE

1.1 No apologies for absence were received.

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 5 on the agenda (item 4 of these minutes) 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 paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted reports on two cases relating to hackney carriage and private hire licensing.

4.2 The applicant in Case No. 25/21 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.3 The applicant in Case No. 24/21 attended the hearing and addressed the Sub-Committee.

4.4 RESOLVED: That, after consideration of the information contained in the case papers and the information now reported, the cases now submitted be determined as follows:

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
25/21	Application to renew a Private Hire Vehicle Licence	Grant a licence for 12 months on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are unique and exceptional reasons to deviate from the current policy on the age limit of vehicles.

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| 24/21 | Application to renew a Hackney Carriage and Private Hire Driver's Licence | (a) Grant a licence on the grounds that the Sub-Committee considers the applicant to be a fit and proper person to hold a licence but, given the circumstances now reported, the licence be granted for the shorter term of one year and (b) the applicant be given a written warning as to his future conduct, to remain live for the term of the licence, and for the term of any subsequent licence up to three years. |
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(NOTE: Councillor Davison was not present at the meeting during consideration of Case No. 25/21)

5. LICENSING ACT 2003 - BEER DOG, 108 CHARLOTTE ROAD, SHEFFIELD, S1 4TL

- 5.1 The Chief Licensing Officer submitted a report on an application made under Section 17 of the Licensing Act 2003 for the grant of a premises licence in respect of the premises known as Beer Dog, 108 Charlotte Road, Sheffield, S1 4TL (Case No. 26/21).
- 5.2 Present at the meeting were Raimonds Dobelniaks (Applicant), Andy Chilton (Area Manager, Beer Dog Ltd), Craig Harper (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and John Turner (Democratic Services).
- 5.3 Marie-Claire Frankie outlined the procedure to be followed during the hearing.
- 5.4 Andy Chilton, on behalf of the applicant, stated that he and Mr Raimonds were both personal licence holders, having considerable experience in operating licenced premises, and were fully aware of their rights and responsibilities under the licencing rules. The application involved bringing a vacant premise, which was situated in a prominent location, at the intersection of four roads, back into active use, to support the expansion of their existing portfolio of businesses in the city. Mr Chilton stated that the plan was to sell craft beers, including local ales, with plans to sell artisan food at a later stage. Whilst the concerns of local residents regarding the opening hours were acknowledged, he stated that the licence would seek to maximise potential trading hours given the impact of the Covid-19 pandemic on current trading conditions. The applicant would then give consideration to more limited operating hours if this remained a concern in the future. Also, it was stated that it was not the intention to directly compete with local businesses. In terms of concerns raised regarding the prevention of crime, disorder or public nuisance, Mr Chilton stated that he and Mr Raimonds both lived near the premises, and understood the proximity of the premises to residential properties, and would manage the premises to encourage both staff and customers to be respectful of their neighbours when entering and leaving the premises. This would include staff training and ongoing training, and active management measures, such as dispersal procedures to prevent customers gathering outside. It was noted that existing businesses in the area operated on

a similar basis, and the applicants would be happy to work together with such businesses to ensure a positive neighbourhood impact. With regard to public safety, it was reported that the applicant would be installing CCTV and appropriate lighting to monitor the premises, which would also hopefully act as a deterrent to crime and disorder in the area. The applicants would also work closely with the Council to support any local crime prevention initiatives, as well as co-operating, as needed, with policing and environmental health regimes. The applicants have undertaken a risk assessment of the premises to ensure the safety of potential customers and staff, and would hold this on the premises for inspection should the licence be granted. In terms of the protection of children from harm, both Mr Chilton and Mr Raimonds had recently completed the Council's safeguarding course, and would continue to uphold the advice received from such training. They would also arrange training of all staff in respect of applying the Challenge 25 policy, with a refusal log being maintained at all times. Mr Chilton concluded by stating that the applicant viewed the application as an excellent opportunity to bring back a vacant premise back into use, thereby expanding their existing businesses to support the viability of the local community.

- 5.5 In response to questions raised by Members of, and the Solicitor to, the Sub-Committee, Mr Raimonds stated that the requested opening hours of 07:00 to 01:00 hours, Friday and Saturday, was only so that they could test the market, and that it was not likely that the premises would remain open at these times in the future. In terms of past experience, Mr Raimonds stated that he had worked in food manufacturing, and was currently involved in a number of businesses, which included a tattoo shop, other off licences and a pub. Mr Chilton confirmed that they intended to sell high-end drinks, therefore would not be competing with other off licences in the local area.
- 5.6 Craig Harper outlined the options available to the Sub-Committee.
- 5.7 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.
- 5.8 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.
- 5.9 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 5.10 RESOLVED: That, in the light of the information contained in the report now submitted, the information reported at the hearing and the responses to the questions raised, a premises licence in respect of the Beer Dog, 108 Charlotte Road, Sheffield, S1 4TL (Case No. 26/21) be granted in the terms requested.

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

