

**Licensing Committee hearing: Tuesday 6<sup>th</sup> September 2022 @ 10:30am**

**License Variation: SRU:706929-30 Dodona Mediterranean Bar and Restaurant (fka Otto's Restaurant) 344 Sharrow Vale Road, Sheffield, S11 8ZP.**

**Supplementary information**

Sheffield City Council's Statement of Licensing Policy on Public Safety states Licence holders have a responsibility to ensure the safety of those using their premises and advises applicants to undertake risk assessments in relation to the safety of customers and staff on the premises. The Policy also encourages the provision of disabled access and facilities to licensed premises when a new application is being made or when substantial alterations are taking place, reasonable provision must be made under the Equality Act 2010 for people to access and use the building and its facilities.

The design standards for venue safety referred to in the Public Safety Policy are:

- Building Regulations Approved Document M: Access to and use of buildings - Volume 2: Buildings other than dwellings (This includes ramped access design).
- BS 8300-1 2018: Design of an accessible and inclusive built environment - Part 1: External environment - Code of practice
- BS 8300-2 2018: Design of an accessible and inclusive built environment - Part 2: Buildings - Code of practice (this includes wheelchair and ambulant accessible toilet design)

**Timeline**

17/06/2022: Request was made to Applicant Solicitor Michelle Hazelwood for confirmation that the premises was built prior to 2000 and a risk assessment for Asbestos had been carried out prior to refurbishment.

08/07/2022: A meeting with Solicitor Michelle Hazelwood was arranged at the building site. Access to the building was not possible as there was no confirmation that a risk assessment for Asbestos had been carried out. There was discussion about the plans and what was intended in the building.

It was confirmed that:

1. The planned capacity was 79 persons
2. There was no wheelchair accessible provision to the building or wheelchair accessible sanitary provision. The provision of wheelchair access and sanitary provision in accordance with Part M was requested.
3. There were numerous changes of level in the building shown on the plan for which new staircases were to be constructed. Advice was given on the dimensions required for licenced premises.
4. There were at least two rooms for guests on the first floor without windows and no information on ventilation. Advice on requirement for ventilation was provided.
5. There was an unmarked area on the first floor of the plan with fire exit which did not seem to lead anywhere. The building owner's representative stated this area was to be an external seating area on the roof of the single-story portion of the building with a fire escape stair to be built. Advice was provided that this would need to be checked by a structural engineer to confirm it was suitable and would need to be marked on the plan.

6. There did not seem to be any understanding that there would need to be building control approval for the structural changes to the premises and this would be required as a condition on the licence.

It became clear that the plan as submitted was inadequate and did not reflect what was being built. A request was made for suitable scale plans 1:100 at A4 to be produced representing what was actually being built and incorporating wheelchair access and sanitary provision in accordance with the licencing policy.

The lack of risk assessment in relation to asbestos was reported to the HSE as the building site fell to their enforcement. I understand and inspector was to visit.

26/7/22 to 24/08/22 - Various correspondence with Michelle Hazelwood summarised below:

1. Confirmation has been received that an architect has been engaged, plans are to be submitted to building control, ventilation arrangements will be made for the internal guest rooms, and space has been found for a wheelchair accessible toilet.
2. No new plans have yet been submitted to the responsible authority for public safety, so it has not been possible to assess if other risks to public safety need to be considered.
3. Staircase dimensions, ramp access gradient and structural engineers report for the terrace have not been received.
4. No confirmation has been received that either asbestos was not present, or the premises is subject to a clearance certificate to allow for a visit to the premises.

25/08/22 - Additional information and plans received from Michelle Hazelwood.

#### Revised Plans – these are still unsatisfactory

*It is noted that 'the drawings, plans, sketches etc. are provided to our clients based upon information provided by the client and drawn in accordance with common building practices and local codes. None of the employees are registered architects, engineers or land surveyors...'*

1. The stepped entrance to the premises is not shown.
2. The drawings do not show the changes in level to the fire exit to Steel Road. The temporary ramp seen at time of visit did not comply with Part M of the building regulations, and a compliant ramp or steps will need to be shown.
3. There is no indication where the goods lift terminates in the kitchen as it is not marked on the ground floor plan.
4. The bar or bars are not shown.
5. The external terrace and other rooms are not adequately identified.
6. No information on internal stair dimensions including or external stair from the terrace have been provided as requested.

I understand from the correspondence the number of internal covers is to be 60.

An asbestos survey has been submitted following action taken by the Health and Safety Executive and found to be satisfactory.

#### Application

There is no mention of an additional outside first floor terrace on the licence application form and it is not identified in the original drawings or identified as such on the updated plan.

**Should the licensing committee be minded to grant the licence the following conditions are proposed for consideration.**

1. *A Building Regulation Completion Certificate shall be submitted to the responsible authority for public safety prior to opening for business.*
2. *A satisfactory Electrical Installation Certificate shall be submitted to the responsible authority for public safety prior to opening for business. (If an electrical condition report is provided it should cover 100% of the premises).*
3. *A permanent fixed residual current device (RCD) must protect the electrical power serving all amplified music equipment used for the purposes of live music or similar entertainment.*
4. *A structural engineers report shall be submitted confirming that the single-story roof is suitable to be used as a outdoor seating area or terrace for a dynamic load commensurate for the purpose and numbers of people using it.*
5. *There shall be no transportation of hot food and drinks using the public staircase between the ground floor and the first floor (whilst open to members of the public).*

Report Date: 26/8/22

Author: Elaine Cresswell, Environmental Health Technician/Health & Safety Inspector,  
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