

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee (Statutory)

### Meeting held 16 October 2023

**PRESENT:** Councillors David Barker (Chair), Ian Horner and Sioned-Mair Richards.

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

- 1.1 There were no apologies for absence. Councillor Sioned-Mair Richards attended the meeting as a reserve Member.

#### **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 - THE VIBE LOUNGE, 645-647 ECCLESALL ROAD, SHEFFIELD, S11 8PT (REF 127/23)**

- 4.1 The Chief Licensing Officer submitted a report to consider 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 'The Vibe Lounge', 645-647 Ecclesall Road, Sheffield, S11 8PT. (Ref. No. 127/23)
- 4.2 Present at the meeting were Nooraddin Ghalavand (Applicant), Mark Platts (Landlord), Samantha Bond (Legal Adviser to the Sub-Committee), Shimla Finch (Principal Licensing Policy and Strategy Officer), Mitchell Wibberley (Legal Adviser to the Sub-Committee), and Joanne Cooper (Democratic Services).
- 4.3 Samantha Bond outlined the procedure which would be followed during the hearing.
- 4.4 Shimla Finch presented the report to the Sub-Committee, and it was noted that representations had been received from two interested parties and were attached at Appendix 'C' to the report. However, they had confirmed they would not be attending the meeting.

4.5 Ms. Finch reported that, during the consultation period, conditions had been agreed between the Applicant and three Responsible Authorities and were attached at Appendix 'B' to the report.

4.6 Councillor David Barker, Chair of the Sub-Committee, invited the Applicant to state his case.

Mark Platts stated that he had bought and renovated the property five years ago. The property had previously held a licence similar to the one being applied for but due to an administration error, the deadline for transferring the licence had lapsed. At one time the premises had been licenced to open until 2.00am. The previous tenant had operated the premises with no issues for 3 years but had then gone into liquidation. An article in the Sheffield Star newspaper had been misleading and suggested that the application would be a new application. He thought this was what had prompted the representations.

He added that the building had been renovated to a very high standard and that his office was next door.

4.7 In response to questions from the Members of the Sub Committee, Mark Platts and Nooraddin Ghalavand confirmed the following:

- Recorded music would be played as background music only, so would not cause any nuisance.
- The previous tenants had not received any complaints from residents in the 3 1/2 years that they had traded, which had included throughout the Covid pandemic when outside seating had been used.
- Mr Ghalavand had been operating under a temporary licence since July with no issues.
- If residents did wish to raise any issues they could do so with the tenants in the first instance and the landlord if a successful resolution was not achieved.
- The venue would be a food/ coffee bar.
- The premises supervisor would be Mr Ghalavand.
- That they were agreeable to the conditions being simplified.

4.8 Shimla Finch outlined the options available to the Sub-Committee.

4.9 RESOLVED: That the public and press and attendees involved in the application be excluded from the meeting, and the webcast be paused, 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 public and press and attendees, and the webcast was recommenced.
- 4.12 RESOLVED: That, in the light of the information contained in the report now submitted, together with the representations now made, and the responses to the questions raised, the Sub-Committee agrees to grant the premises licence, in respect of the premises known as The Vibe Lounge, 645-647 Ecclesall Road, Sheffield, S11 8PT (Ref 127/23), as applied for and including the conditions that had been agreed between the Applicant and three Responsible Authorities.

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

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