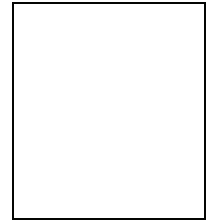




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 2nd July 2013

Subject: Licensing Act 2003

Author of Report: Matt Proctor

Summary: To consider an application to review a premises licence made under the Licensing Act 2003.

The Terminus Tavern, 150a Main Road, Darnall, Sheffield, S9 5HQ

Recommendations: That members carefully consider the representations made and take such steps, as the Sub Committee consider necessary for the promotion of the Licensing Objectives.

Background Papers: Attached documents

Category of Report: OPEN

**REPORT OF THE CHIEF LICENSING OFFICER,
HEAD OF LICENSING, TO THE LICENSING SUB COMMITTEE**

Ref No 39 / 13

LICENSING ACT 2003

**Review of Premises Licence
The Terminus Tavern, Main Road, Darnall**

1.0 PURPOSE OF REPORT

- 1.1 To consider an application for the review of a premises licence made under Section 51 of the Licensing Act 2003 in relation to The Terminus Tavern, Main Road, Darnall

2.0 THE APPLICATION

- 2.1 The application is made by South Yorkshire Police and was received by the Licensing Service on 8th May 2013.
- 2.2 The grounds for the review are based on the following aspects of the 2003 Licensing Act objectives:-

Prevention of Crime and Disorder
Public Safety

- 2.3 The application form is attached at Appendix 'A' and details further the grounds for the review application. A copy of the current premises licence is included in this section at pages A46 – A51.

3.0 REASONS FOR REFERRAL

- 3.1 The Licensing Authority must under the Act refer any application for review to the Licensing Committee, unless it is withdrawn, or if representations are made by an interested party that the Licensing Authority are of the opinion that they are frivolous or vexatious.

- 3.2 The Licensing Authority has, during the representation period received representations from the following:-

a) Sheffield Safeguarding Children Board Appendix 'B'

- 3.3 The applicant, the Premises Licence Holder and any other person that has made representations have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'C'.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no specific financial implications arising from this application. However additional costs may be incurred should the matter go to appeal. In such an eventuality it may not be possible to recover all these costs. The impact of these additional costs (if any) will be kept under review and may be subject of a further report during the year.

5.0 THE LEGAL POSITION

5.1 The Licensing Act 2003 at section 52(3) requires that the Licensing Authority must, having regard to the application and any relevant representations, take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

5.2 Section 52(4) states:

“The steps are –

- a) To modify the conditions of the licence;
- b) To exclude the licensable activity from the scope of the licence;
- c) To remove the designated premises supervisor;
- d) To suspend the licence for a period not exceeding three months;
- e) To revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted, or any new condition added.”

5.3 If members decide to take the steps referred to in (a) or (b) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

5.4 The Licensing Act 2003 at section 52(11) states that:

“A determination under this section does not have effect –

- a) until the end of the period given for appealing against the decision, or
- b) if the decision is appealed against, until the appeal is disposed of.”

5.5 The Licensing Act 2003 at section 4(1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as: -

- a) the prevention of crime and disorder,
- b) public safety,
- c) the prevention of public nuisance,
- d) the protection of children from harm.

5.6 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published Statement of Licensing Policy and any guidance issued by the Secretary of State under Section 182.

6.0 HEARINGS REGULATIONS

- 6.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.
- 6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'C'.
- 6.3 Attached at Appendix 'C' is the following: -
- a) a copy of the Notice of Hearing;
 - b) the rights of a party provided in Regulations 15 and 16;
 - c) the consequences if a party does not attend or is not represented at the hearing
 - d) the procedure to be followed at the hearing.

7.0 APPEALS

- 7.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant; the holder of the premises licence and those making representations against decisions of the Licensing Authority to the Magistrates Court.

8.0 RECOMMENDATIONS

- 8.1 That members carefully consider the application for review along with any other representations made and take such steps as detailed in paragraph 5.2 above that the Committee consider necessary for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1
- a) modify the conditions of the licence;
 - b) exclude a licensable activity from the scope of the licence;
 - c) remove the designated premises supervisor;
 - d) suspend the licence for a period not exceeding three months;
 - e) revoke the licence; or
 - f) reject the application for review.

Steve Lonnia

Steve Lonnia,
Chief Licensing Officer
(Head of Licensing)

2nd July 2013

Appendix A

Application for Review – South Yorkshire Police

A1

LICENSING BOARD

07 MAY 2013

SECTION

Re: Terminus Tavern, Darnall, Sheffield

INDEX TO DOCUMENTS

Compiled 29th April 2013

	<u>DOCUMENT</u>	
1.	Application for review of premises	A2 - A9
2.	Premises chronology	A10 - A11
3.	PLH/DPS chronology	A12
4.	Statement of PC Gillian Parker	A13 - A18
5.	Statement of Benita Mumby	A19 - A24
6.	Action plan 13.05.10	A25 - A29
7.	Action plan review 28.6.10	A30 - A34
8.	Action plan 19.2.13	A35 - A41
9.	Action plan 13.3.13	A42 - A43
10.	Action plan review 21.3.13	A44 - A45
11.	Premise Licence	A46 - A51

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Benita Mumby (for and on behalf of the Chief Constable, South Yorkshire Police) (Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 - Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description
The Terminus Tavern
Main Road
Darnall
Post town Sheffield Post code (if known) S9 5HQ

Name of premises licence holder or club holding club premises certificate (if known)
Mr David Greenall

Number of premises licence or club premises certificate (if known)
0089 PR

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
a) a person living in the vicinity of the premises
b) a body representing persons living in the vicinity of the premises
c) a person involved in business in the vicinity of the premises
d) a body representing persons involved in business in the vicinity of the premises
2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

AL4

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address South Yorkshire Police Liquor Licensing Dept Attercliffe Police Station 60 Attercliffe Common Sheffield S9 2AD
Telephone number (if any) 0114 2523308
E-mail address (optional) sheffield.liquor-licensing@southyorks.pnn.police.u

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

The grounds for this review are based on the following aspects of the 2003 Licensing Act objectives: -

Prevention of Crime & Disorder
Public safety

Terminus Tavern, Darnall, Sheffield was issued with a Premises Licence No 0089 PR on 24th November 2005. The Premises Licence Holder is Mr David Nelson Greenall and the current Designated Premise Supervisor is Tansy Bagshaw

On 13th May 2010, an action plan was agreed and put in place between South Yorkshire Police, Safeguarding Children, Mr Chris Dean, PLH and Mr Paul Frith, DPS. Including in this action plan was an action to instal, and maintain, a colour CCTV system, to SYP specification. A copy of said specification was supplied at the time of the plan.

On 28th June 2010, a revised action plan was drawn up and agreed, including the same action regarding CCTV. The previous deadline for this had not been complied with and a target date was agreed with PLH on 28th June 2010 for it to be installed within 2 months (to be completed 27th August 2010). A further copy of SYP CCTV specification was attached to the revised action plan.

This plan was never signed off, however there were insufficient corroborating incidents to support a review of the premises licence at this time.

On 23rd October 2010, a report of burglary at the premises were made to the police by PLH Chris Dean. No CCTV available

On 13th January 2011, correspondence was sent from Safeguarding Officer Julie Hague to SYP PC Parker, following a request for an update, advising that the CCTV was waiting to be fixed pending a dispute between Mr Chris Dean, and the building owner. The dispute was over who was financially responsible for the cost incurred in the installation of a suitable system.

Between 4th November 2011 and 16th March 2013, there have been 12 incidents reported to the police, of a crime and disorder nature, which can also have an impact on public safety.

Following 3 incidents of assaults and police concerns over the apparent lack of CCTV, a meeting was held on 30th November 2011 to discuss this. Attendees were from South Yorkshire Police and the DPS at the time Mr Dean.

On 18th January 2012, the PLH informed PC Parker the premises were temporarily closed for refurbishments.

On 23rd February 2012 the premises failed a first alcohol test purchase. Following the failed test purchase a meeting was held, on 8th March 2012, between South Yorkshire Police (SYP) Licensing Officer, Safeguarding Children Officer, the PLH and the manager at the time Mr Andy Roberts. Discussion took place around the failure and what steps and support could be taken.

Following a report of 30 people fighting in the premises, on 27th January 2013, a meeting was held on 29th January 2013 to discuss management of the premises. Attendees were from SYP, Safeguarding children officer, Sheffield Council Licensing Officer and DPS at that time, Mr Paul Frith. Concerns expressed by all that Mr Frith appeared unable to provide effective management at both the Terminus Tavern and his own premises, the Sportsman, also in the Darnall area

On 30th January 2013 a report was made to the police reporting premises subject of a burglary. There was no CCTV covering the bar area where a gaming machine at that location was alleged to have been broken into.

A meeting was held later on 30th January 2013 between PC Parker, the PLH and the bar manager Andy Roberts to discuss the management of the premises.

On 13th February 2013 a multi agency meeting was held between SYP Licensing Officers, Safeguarding children Officer, Trading standards Officer, PLH and manager. An action plan was discussed and agreed. Copies of the violent incident protocol and SYP CCTV specification were again attached to the action plan.

On 16th February 2013, a report was made to the police reporting a male having been seriously assaulted and robbed outside the front of the premises. There was no CCTV covering the area to assist with the investigation.

On 20th February 2013, a call was made by SYP Crime Reduction Officer (CRO) stating he had been unable to make contact with David Wild, the DPS at the time, with regards to the CCTV specification and installation. He had managed to contact the PLH who despite being offered support and advice appeared to display a negative attitude towards him.

On 14th March 2013, a multi agency meeting was held to review the action plan. In attendance were SYP Licensing Officers, Safeguarding Officer, PLH and new DPS Tansy Bagshaw. Whilst some actions were extended as Tansy was new in role, the

matter of the CCTV was again discussed as this had not been fully addressed as per the action plan. Agreement made to extend this for a further week and the CRO to revisit to advise re placement of CCTV and specification.

On 16th March 2013, a report was made to the police reporting a robbery at the premises. The result of police investigations into this report is that there is insufficient evidence to proceed.

On 21st March 2013, the current action plan was reviewed. CCTV still not working correctly or to recommended specification.

On 27th March 2013, a call was made by manager Andy Roberts to PC Parker to say the PLH had thrown him out of the premises and the locks had been changed. He was advised re this being a civil matter.

On 28th March 2013, a visit was made to the premises by SYP Licensing Manager, PC Parker and SYP CRO to discuss the status of the CCTV at the premises with the PLH, which was clearly insufficient to meet the minimum required specification. A copy of the CRO report to be sent to PLH so work can be completed.

On 18th April 2013, a visit was made, by PC Parker, to speak to DPS Tansy Bagshaw. There was no change in the issue of the CCTV, recommended improvements not completed and Tansy unable to access the system and therefore it is unable to be confirmed whether the current system is recording.

Further information is provided in the statements of Licensing Manager B Mumby and PC Parker re incidents and meetings between South Yorkshire Police representatives and also representatives relating to the premises.

Please provide as much information as possible to support the application
(please read guidance note 2)

Please see attached documents.

AS

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day

Month

Year

If you have made representations before relating to this premises please state what they were and when you made them

No representations have been made in the past.

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature *A. Mumby*

Date 29-4-13

Capacity Licensing Manager - South Yorkshire Police

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) Benita Mumby SYP Licensing Team Attercliffe Police Station 60 Attercliffe Common	
Post town Sheffield	Post Code S9 2AD
Telephone number (if any) 0114 2523308	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

PREMISES CHRONOLOGY

Name of premises: Terminus Tavern

Address: 150a Main Road, Darnall, Sheffield S9 5HQ

Date of intel input	Time of incident	Comment
Thurs 13 May 2010		Multi agency meeting and action plan put in place
Mon 17 May 2010		Safeguarding officer attended premises to speak to staff. Also request made for SYP Crime reduction officer (CRO) to offer support.
Mon 28 June 2010		Multi agency meeting and further action plan agreed..
Wed 14 July 2010		Letter sent by Safeguarding to new DPS Mark Castleton re current action plan and invite to review of plan.
Sat 17 July 2010		Request for SYP CRO to check premises and offer support and advice.
Sat 23 Oct 2010		Report of burglary at premises.
Fri 13 Jan 2011		Email sent from Safeguarding to SYP re CCTV.
Fri 4 Nov 2011	16.45	Report of assault at premises.
Sun 6 Nov 2011	21.50	Report of assault at premises..
Tue 30 Nov 2011		Meeting to discuss CCTV at premises.
Mon 9 Jan 2012		Report of a burglary at premises.
Wed 18 Jan 2012		PC Parker made aware premises closed for refurbishments.

Mon 6 Feb 2012		Check by Safer Neighbourhood team at premises. Currently closed.
Thur 23 Feb 2012		Test Purchase OP at premises.
Thur 8 Mar 2012		Multi agency meeting to discuss recent test purchase failure.
Tue 24 April 2012	14.27	Report of male refusing to leave premises. A male in the pub threatened to kill the
Wed 16 May 2012	18.30	Ambulance call to premises, male fallen.
Thur 20 Dec 2012	17.45	Report of male refusing to leave premises.
Fri 11 Jan 2013	18.49	Report of male refusing to leave premises.
Sun 27 Jan 2013	21.48	Report of fighting at premises.
Tue 29 Jan 2013		Multi agency meeting re management of premises.
Wed 30 Jan 2013	02.10	Report of burglary at premises.
Wed 30 Jan 2013		Meeting held at the premises to discuss matter of DPS.
30 Jan 2013	15.43	Report of male refusing to leave premises.
Wed 13 Feb 2013		Multi agency meeting to discuss proposed action plan details.
16 Feb 2013	07.46	Report of assault outside premises.
Wed 20 Feb 2013		SYP CRO informed Licensing re difficulties in liaising with PLH re CCTV.
Thur 14 Mar 2013		Multi agency meeting to review the current action plan.
Sat 16 Mar 2013	00.32	Report of robbery at premises.
Thur 21 Mar 2013		Visit to review action plan.
Wed 27 Mar 2013		Telephone call from Andy Roberts re being removed from premises.
Thur 28 Mar 2013		Visit to premises to discuss CCTV.
Thur 18 April 2013		Visit to premises re any improvements re CCTV.

PLH/DPS Chronology

<u>DATE</u>	<u>PLH</u>	<u>DPS</u>
From 30/03/10	Chris Dean	Paul Frith
From 13/07/10	Chris Dean	Mark Castleton
From 14/09/11	David Greenall	Mark Castleton
From 30/01/13	David Greenall	David Wild
From 12/03/13 to current day	David Greenall	Tansy Bagshaw

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

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Statement of GILLIAN PARKER.....

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: Police Constable 683

This statement (consisting of 6 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature *C. 1683* (witness) Date: 2 May 2013

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable with the South Yorkshire Police currently posted to the East Safer Neighbourhood Team at Attercliffe Police station, Sheffield. I am also qualified as a Licensing Practitioner and hold a National Certificate for Licensing Practitioners and am a member of the British Institute of Innkeepers.

I have been in my current role as East Safer Neighbourhood Officer for 3 years. Part of my role is the responsibility for the policing of licensed premises within the Darnall and Attercliffe areas.

I have made enquiries of police records available to me in connection with these premises. The following matters have come to the attention of South Yorkshire Police:

1. On 13th May 2010, a meeting was held between myself, Safeguarding Officer Julie Hague, Paul Frith, DPS at the time and Chris Dean, Premises Licence Holder at the time and an action plan was put in place. This was to address concerns that the licensing objectives were not being fully met.
2. On 17th May 2010 Safeguarding Officer, Julie Hague, attended a staff meeting at the Terminus where staff expressed concerns over some of the action plan points. An email was sent by Julie to myself outlining the discussions and attaching a copy of a letter sent to PLH Mr Dean
3. On 28th June 2010 a meeting was held between myself, Safeguarding Officer, Julie Hague, PLH, Mr Chris Dean and DPS, Mr Paul Frith. An further action plan was drawn up and agreed by all parties
4. On 14th July 2010, a letter was sent by Safeguarding Officer Julie Hague to the new DPS, Mr Mark Castleton outlining the fact that the premises are on an action plan and inviting Mr Castleton to a meeting to review said plan on 29th July 2010. A copy of this letter was also sent to PLH.

Signature: *C. 1683* Signature Witnessed by:

Continuation of Statement of: Gillian Parker

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5. On 17th July 2010 email sent by myself to Julie re pre arranged meeting with Mark Castleton
6. On 17th July 2010, an email was sent by myself to SYP Crime Reduction Officer, Phil Bullivant asking him to contact PLH Mr Dean with a view to checking the premises to offer support and advice
7. On 23rd October 2010, a report of burglary was made to the police by PLH Chris Dean. Officers attended, entry via side window and gaming machine attacked however no CCTV available to assist with investigation Crime report submitted.
8. On 25th November 2010, a report of burglary was made to the police by PLH Chris Dean. Officers attended, entry via side window, items stolen and no CCTV available. Crime report submitted.
9. On 13th January 2011, an email was sent by Safeguarding Officer Julie Hague to myself stating that whilst most of the current action plan points had been addressed it was believed the issue of the CCTV was still outstanding. This was apparently due to a dispute between Chris Dean and the building owner.
10. On 4th November 2011 a report of assault was made and when attending officers asked staff if CCTV was working, they replied that "it was currently inoperable".
11. On 6th November 2011 a report of assault was made and the bar staff informed attending officers that the CCTV was not working and was missing an adaptor. .
12. On 30th November 2011, a meeting was held with SYP staff, PLH and DPS to discuss the matter of CCTV at the premises.
13. On 9th January 2012 Chris Dean reported a burglary at the premises. He was disturbed by noise from the bar area at around 0315 hours. No CCTV was working at the premises to assist in the investigation.
14. On 18th January 2012, I was advised the premises had been closed by PLH Mr David Greenall in order for refurbishment to take place. Mr Greenall also stated that he had removed Mr Chris Dean from the premises

Signature:  Signature Witnessed by:

Continuation of Statement of: Gillian Parker

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15. On 23rd February 2012, a test purchase operation conducted which resulted in a failure at the premises. Alcoholic drinks were served to volunteers aged under 18 years and an £80 fixed penalty noticed issued to relevant bar staff.
16. On 8th March 2012 a meeting was held with SYP Licensing officers, safeguarding officer, PLH and manager Andy Roberts to discuss the recent test purchase failure.
17. On 24th April 2012, police received a telephone call from the Bar Manager Andy Roberts, reporting a barred male refusing to leave. Although a further call was made to cancel officers as the male had left, police attended and spoke to Andy. No further police action was required.
18. On 16th May 2012, at approximately 1830 hours, police received a call from the ambulance service stating a 70 year old male had fallen in the pub and banged his head. No further police action was required.
19. On 20th December 2012, at approximately 1745 hours, Andy Roberts contacted the police reporting a barred male refusing to leave. Officers attended and the male left. This was the same male as the incident on 24th April 2012.
20. On 11th January 2013, at approx 1849 hours, police received a further call from the Bar Manager Andy Roberts, reporting he had ejected a barred male earlier that day, however the male had returned and was refusing to leave once again. Mr Roberts felt there may be trouble if he tried to eject him again as the male appeared to be on drugs. Police attended and the male left the premises. This was the same male as previous incidents.
21. On 27th January 2013, at approx 2148hrs, police received a call from a member of staff to report 30 people fighting inside premises. Officers attended, on arrival no fighting was seen to be taking place and ambulance requested for male with head injury. There was evidence that a disturbance had taken place, with glasses smashed and chairs overturned. The premises were cleared. No complaints were forthcoming from any injured party or other customers.

Signature:  Signature Witnessed by:

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Continuation of Statement of: Gillian Parker

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22. On 29th January 2013 at meeting was held between myself, South Yorkshire Police Licensing officer, Sheffield Council Officers and the then current DPS, Mr Paul Frith, re management of the premises. The meeting was held at the Sportsman Inn, Darnall where Mr Frith is also the DPS. It was clarified that when the incident occurred the DPS was working in the Sportsman so did not know at the time what was happening. DPS advised that it appeared he did not have full control over either premise. On checking with the council, it was clarified that Paul Frith had been DPS at the Terminus since 24/02/12. This was done as a favour to the PLH David Greenall who had asked him to be DPS while he put Andy Roberts in as manager. Once Andy had obtained his personal licence he would become DPS and Paul would be DPS at The Sportsman only. As Andy has not yet obtained his personal licence a discussion took place as to what would DPS do if Andy was unable to obtain this? DPS advised he does not want to be DPS at the Terminus and wants to withdraw, he was advised he could do this by just providing a written statement saying he no longer wishes to be DPS. DPS advised he would do this later that day but wanted to speak to David Greenall first as obviously once he withdraws the premise will need to close until another DPS is installed
23. On 30th January 2013, at approx 0210 hours, police received a call from the Bar Manager Andy Roberts, reporting that the premises had been broken into approx 30mins ago via rear door. He stated a Games machine, situated in the bar area had been broken into. There was no CCTV working within that area.
24. On 30th January 2013 a meeting was held, at the premises, with myself, PLH David Greenall and Bar Manager Andy Roberts. Andy Roberts intimated his intention to get his personal licence and become DPS and he was looking to attend the training on 8 March 2013 and he was also considering sending a member of the bar staff on the next training. He was to discuss with PLH whether to ask the bar staff to be DPS if successful on the course. In the meantime the DPS will remain as David John Wild 11.9.68. I had spoken to Mr Wild on his mobile telephone and he stated that was 'helping out with as DPS for around 6 months until staff or Andy get a personal licence and become DPS'. He initially told me he

Signature: *Gillian Parker* Signature Witnessed by:

Continuation of Statement of: Gillian Parker

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would be attending every other day at the Terminus. A long discussion took place around due diligence and ensuring the premises in his absence operated as he wanted as it was his licence at stake. He had not given a written authorisation for the sale of alcohol, but agreed this would be done the next day. From the discussion with Mr Wild it was apparent he had limited knowledge of his obligations as a DPS and compliance with the licensing objectives.

25. On 30th January 2013, at approximately 1543 hours, police received a call from Andy Roberts reporting a local male, alleged to sell drugs, refusing to move from the steps of the premises. Officers attended and advised the male to leave which he did.

26. On 13th February 2013 there was a multi agency visit with myself, SYP Licensing Officer, Safeguarding Officer, Trading Standards, PLH and Bar Manager to discuss proposed action plan details.

27. On 16th February 2013, at approx 0746 hours, police received a call from ambulance reporting a male having been assaulted and robbed. Officers attended and spoken with injured party who stated approximately 30mins ago he had been in the Terminus Tavern, he had been stood outside when 2 Asian males had attacked him with a baseball bat. Further checks show injured party appeared to have been assaulted but not robbed and there was no CCTV covering the area.

28. On 20th February 2013, I was aware that South Yorkshire Police Crime Reduction Officer, Dene Tinker, had had difficulty contacting Mr Wild, the DPS, and that he had contacted the PLH regarding the installation of CCTV.

29. On 14th March 2013 a multi agency meeting was held at the Terminus Tavern between myself, South Yorkshire Police Licensing officer, Safeguarding Officer, PLH and new DPS Tansy Bagshaw to review the current action plan. It was acknowledged that Tansy had only been DPS for two days and had not yet had sight of the action plan which was signed up to by the previous DPS, therefore it was agreed to extend some of the actions to afford Tansy time to deal with them. A training offer was passed to Tansy from Safeguarding to attend the multi-agency course on 11th April 2013. The risk assessment for safeguarding children had still not completed despite this being after many months of advice given.

Signature: *Carla 14683* Signature Witnessed by:

Continuation of Statement of: Gillian Parker

Training records were checked, they have completed records apart from one as this person only started a week ago, advised to complete this without delay. It became clear from the discussion that the DPS did not know details and content of the Violent Incident Protocol training and this needed to be added to training records. CCTV had still not been fully addressed as per action plan. It was still not working at the premises. The deadline was extended by one week, with the CRO to visit to check compliance with the specification required. PLH was aware this was ongoing and required resolving as a matter of importance. Polycarbonate Glasses for use outside had still not been purchased despite earlier agreement.

30. On 16th March 2013, at approximately 0032 hours, police received a call from a member of staff reporting a robbery. Officers attended however there has been insufficient evidence to proceed any further.

31. On 21st March 2013, I reviewed the current action plan with DPS Tansy Bagshaw. The CCTV is still not working correctly nor to recommended specifications.

32. On 27th March 2013, I received a telephone call from Andy Roberts that PLH Mr Greenall had thrown him out of the premises and changed the locks. He was enquiring initially about his legal position but then changed his comments stating he was not bothered about this any more. He was advised this was a civil matter

33. On 28th March 2013, a visit was made to the premises by myself, SYP Licensing Manager and SYP CRO to meet with PLH and DPS to discuss the matter of the CCTV. CCTV still not installed to cover front and rear entrances, CRO to provide a report to PLH. It was apparent however that the limited footage, although an improvement on no system, was insufficient to meet the minimum specification required by South Yorkshire Police to assist in the detection of crime.

34. On 18th April 2013, I attended the premises and spoke to Tansy Bagshaw about the CCTV. The improvements had not yet been completed and she stated she was unable to access the current system. At this time I am unable to confirm any recordings.

Signature: *Gillian Parker* Signature Witnessed by:

BETWEEN

SOUTH YORKSHIRE POLICE

Complainant

- and -

**Terminus Tavern
DPS – Tansy Bagshaw
PLH – Gavid Greenall**

Respondent

WITNESS STATEMENT OF

Benita Mumby

1. I am the Licensing Manager, employed by South Yorkshire Police currently based at Attercliffe, Sheffield. I have been in my current role as Licensing Manager for South Yorkshire Police for approximately 14 months. I have been investigating incidents which have occurred at Terminus Tavern, Darnall on behalf of Sheffield East Central Safer Neighbourhood Team. In addition to the statement of PC Gillian Parker, I have made further enquiries of police records available to me in connection with these premises. The following matters have come to the attention of South Yorkshire Police.
 - 1 On 13th May 2010, a meeting was held between PC Parker, Safeguarding Officer Julie Hague, Paul Frith, DPS at the time and Chris Dean, PLH at the time and an action plan was put in place.
 - 2 On 17th May 2010 Safeguarding officer, Julie Hague, attended a staff meeting at the Terminus where staff expressed concerns over some of the action plan

- points. An email was sent by Julie to PC Parker outlining the discussions and attaching a copy of a letter sent to PLH Mr Dean.
- 3 On 28th June 2010 a meeting was held between PC Parker, Safeguarding Officer, Julie Hague, PLH, Mr Chris Dean and DPS, Mr Paul Frith. A revised action plan was drawn up and agreed by all parties.
 - 4 On 14th July 2010, a letter was sent by Safeguarding Officer Julie Hague to the new DPS, Mr Mark Castleton outlining the fact that the premises are on an action plan and inviting Mr Castleton to a meeting to review said plan on 29th July 2010. A copy of this letter was also sent to PLH.
 - 5 On 17th July 2010 email sent by PC Parker to Julie re pre arranged meeting with Mark Castleton
 - 6 On 17th July 2010, an email was sent by PC Parker to SYP Crime Reduction Officer, Phil Bullivant asking him to contact PLH Mr Dean with a view to checking the premises
 - 7 On 23rd October 2010, the police were called to a report of a burglary at the premises. This was reported by Chris Dean, no CCTV available.
 - 8 On 25th November 2010, the police were called to a report of a burglary at the premises. Report made by Chris Dean, no CCTV available.
 - 9 On 4th November 2011 a report of assault was made and when attending officers asked the landlord if CCTV was working, he replied that "it was currently inoperable".
 - 10 On 6th November 2011 a report of assault was made and the bar staff informed attending officers that the CCTV was not working and was missing an adaptor.
 - 11 On 30th November 2011 a meeting was held with South Yorkshire Police Licensing Officers, Lizzie Payne and Andrea Marsden, South Yorkshire Police Crime Reduction Officer, Eamonn Larkin and DPS, Mr Chris Dean. Discussed in the meeting was as there is no specific condition relating to CCTV on the

premises licence, the purpose of the meeting was to offer support and advise the DPS re CCTV. Mr Larkin examined the current system and the DPS stated that he required a new monitor to ensure that the system was recording at all times. The DPS was to attend at Mapplins that day to obtain a new monitor and to possibly obtain a further camera to cover the entrance to the premises as advised by Mr Larkin. a further visit to be arranged the following week between Mr Larkin and the DPS to ensure progress had been made. The DPS was very co-operative with the police in this matter. he was also informed that there was quite a bit of broken glass at the front of the premises and in the beer garden area, again he stated that he would ensure it was cleaned away and monitored. no other issues apparent, plenty of challenge 21 signs, zero drugs posters evident around the premises.

- 12 On 9th January 2012, a report of burglary was made to the police by Chris Dean. Damage to side and internal doors, no CCTV available. Crime report submitted
- 13 On 18th January 2012 PC Gill Parker was advised the premises had been closed by PLH Mr David Greenall in order for refurbishment to take place. Mr Greenall also stated that he had removed Mr Chris Dean from the premises.
- 14 On 6th February 2012 a Licensing check was completed by the local Safer Neighbourhood Team and the premises were closed.
- 15 On 23rd February 2012, a test purchase operation conducted which resulted in a fail. Alcoholic drinks were served to volunteers and an £80 fixed penalty noticed issued to relevant bar staff.
- 16 On 8th March 2012 a meeting was held with SYP Licensing Officer Lizzie Payne, Safeguarding Children Officer, Julie Hague, PLH, David Greenall and Manager, Andy Roberts, to discuss the premises 1st test purchase failure on 23rd February 2012. PLH was initially spoken to who was fairly obstructive and unhelpful. then spoken to manager who made the sale. As a pack containing supportive

information was given to PLH and manager, the content was discussed. The manager appeared interested in what was being discussed and asked to be invited on the underage sales course. He advised he was going to do his personal licence and then he will apply to be DPS, he asked if this fail would go against him. He was advised no and the DPS application process explained including the fact checks would be made for relevant offences which could lead us to object, the manager became subdued at this point.

- 17 On 24th April 2012, at approx 1427hrs, call made to police from manager Andy Roberts, reporting a barred male refusing to leave. Although further call made to cancel officers as male had left, police attended and spoke to Andy. He did not wish any further police action.
- 18 On 16th May 2012, at approx 1830, call from ambulance to police stating a 70yr old male had fallen in the pub and banged his head. No further police action required.
- 19 On 20th December 2012, at approx 1745hrs, call made to police from manager Andy Roberts reporting a barred male refusing to leave. Officers attended and male left. (same male as incident on 24th April 2012).
- 20 On 11th January 2013, at approx 1849hrs, call made to police from manager Andy Roberts, reporting he has ejected a barred male already today however male has returned and was refusing to leave. Andy felt there may be trouble if he tries to eject him again as male appears to be on drugs. Police attended, male now left premise. (same male as incidents in April and 20th December 2012)
- 21 On 27th January 2013, at approx 2148hrs, call made to police, landlord told a member of staff to report 30 people fighting inside premises. Officers attended, on arrival no fighting taking place and ambulance requested for male with head injury. Premises cleared however no complaints forthcoming from injured party or other customers.

- 22 On 29th January 2013 a meeting was held to discuss an incident which occurred over the previous weekend. At the meeting was PC Parker, SYP Licensing Officer Lizzie Payne, Safeguarding Officer, Julie Hague, Sheffield Council Licensing Officer, Jayne Gough and the DPS at the time, Mr Paul Frith
- 23 On 30th January 2013, at approx 0210hrs, call made to police by landlord Andy Roberts, reporting premises broken into approx 30mins ago via rear door. Games machine, situated in bar area, broken into, no CCTV working within that area.
- 24 On 30th January 2013 a meeting was held, at the Terminus, with PC Parker, PLH David Greenall and manager Andy Roberts.
- 25 On 30th January 2013, at approx 1543hrs, call made to police by landlord Andy Roberts reporting local male, alleged to sell drugs, refusing to move from steps of premises. Mr Roberts reporting this as advised to do so by officers from meeting earlier same day. Officers attended and advised local male to leave which he did.
- 26 On 13th February 2013 there was a multi agency visit with SYP Licensing Officers, Safeguarding Officer, Trading standards, PLH and manager to discuss proposed action plan details.
- 27 On 16th February 2013, at approx 0746hrs, call from ambulance to police reporting a male having been assaulted and robbed. Officers attended and spoken with injured party who stated approx 30mins ago he had been in the Terminus Tavern, he had been stood outside when 2 Asians had attacked him with a baseball bat. Further checks show injured party appeared to have been assaulted but not robbed and no CCTV covering the area.
- 28 On 20th February 2013, SYP Crime Reduction Officer Dene Tinker informed SYP Licensing department that despite having tried on several occasions, he has failed to contact DPS David Wild's on the number provided, eventually speaking

to PLH, David Greenhall. PLH informed him that he was addressing the CCTV issues and that despite having been offered assistance and guidance by Mr Tinker, PLH stated he had 28 days and he will sort it. Mr Tinker offered PLH his contact phone number to utilise for any assistance and also to inform Mr Tinker when the system would be ready to inspect. PLH seemed to have a negative attitude

29 On 14th March 2013 a multi agency meeting was held at the Terminus between SYP Licensing officers, safeguarding Officer, PLH and new DPS Tansy Bagshaw to review action plan..

30 On 16th March 2013, at approx 0032hrs, call made to police by a member of staff reporting a robbery. The result of police investigations are that there is insufficient evidence to proceed.

31 On 21st March 2013 the current plan was reviewed.

32 On 28th March 2013, a visit was made to the premises by myself, PC Parker and SYP CRO to meet with PLH and DPS to discuss the matter of the CCTV. CCTV still not installed to cover front and rear entrances, CRO to provide a report to PLH.

33 On 18th April 2013, a visit was made by PC Parker to speak to DPS Tansy Bagshaw re CCTV.

I believe that the contents of this statement are true and I understand it may be placed before the court.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

Signed.....

Dated..... 29-4-13

ACTION PLAN
Licensing Act 2003

1. Date	13.5.10
2. Premises	Terminus Tavern, Main Road, Darnall, Sheffield
3. Designated Premises Supervisor / Premises Licence Holder	Paul Firth (DPS) Christopher James Dean (Licence Holder)
4. South Yorkshire Police representative	PC Gillian Parker
5. Safeguarding Children representative	Julie Hague

Outline and Purpose

This action plan is an agreement between all the parties identified above to provide a framework of assistance and guidance to ensure compliance with the licensing objectives in respect of licensable activities conducted at Terminus Tavern, Darnall, Sheffield.

This Action Plan is suggested to the Designated Premises Supervisor (DPS) and Premises Licence Holder as a means of reducing police concerns regarding recent incidents at the above premises, with a view to promoting better compliance with the licensing objectives and/or any conditions imposed by the Licensing Authority.

The failure by the DPS/Premises Licence Holder to abide by the action plan, or any of its components without due cause or reasonable excuse together with raised concerns as to the non-compliance with any conditions of a licence or with the licensing objectives, may result in an application by the Responsible Authorities to the Licensing Authority, to review the premises licence.

Background

The premise shown at 2 above was subject to a licensing visit on 9.4.10 which was conducted following concerns identified by South Yorkshire Police and the Sheffield Safeguarding Children Board (SSCB) Licensing Project. The result of this operation was that advice was issued to the General Manager, Mr Christopher Dean by the police and Safeguarding Children Board Licensing Project Manager in relation to the systems required to improve the operation.

Methodology

South Yorkshire Police and the SSCB Licensing Project will facilitate the improved compliance by regular consultation with the DPS/Licence Holder (if necessary) to ensure the elements of the action plan are satisfied and to address any delays or issues relating to its implementation. A further meeting will take place including the DPS/Licence Holder and representatives of South Yorkshire Police and the Safeguarding Children Board Licensing Project no later than one month after the agreement of the action plan to review its progress.


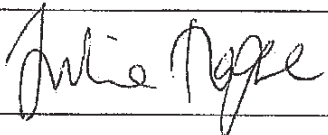
Upon the satisfactory completion of the action plan, the DPS/Licence Holder will be informed, in writing, of its formal discharge or other actions to be taken.

Number	Action required	Date to be Achieved by	Completion Date	Remarks
1	The DPS to become an active member of 'Sheffield Licence Watch' and any localised sub groups. To attend all meetings unless this is impractical after taking all reasonable steps.	Within 14 days of this contract		
2	The 'Challenge 21' procedure to be operated by all staff and all systems to be in place as set out in the multi agency guidance 'Criteria for a Recognised Proof of Age Scheme'. (Copy provided.)	Within 7 days of this contract		
3	All staff to be trained to operate the scheme set out in '2' above. Content of the training is to comply with the recommendations set out in the 'Criteria for a Recognised Proof of Age Scheme' including maintenance of staff training records.	Within 7 days of this contract		
4	Staff Training records to be available to the Responsible Authorities on request. To display relevant posters and information relating to the supply of alcohol to underage customers in prominent positions that are visible both inside and outside the premises, and at the point of sale.	Within 7 days of this contract		
5	A colour CCTV system to the specification of South Yorkshire Police (provided) will be fitted, maintained and in use at all times the premises are open. CCTV images will be stored for 28 days. Police will be given access to, and copies of images for purposes in connection with the prevention and detection of crime and disorder.	Within 28 days of this contract		

6	A policy will be operated to prohibit access to the internal and external areas of the premises to persons under the age of 18 years at all times until further notice until it is agreed by all parties that a culture change has been achieved at the premises.	With immediate effect	
7	Signage indicating restrictions to children's access to the premises must be displayed. (Children's Charter provided).	Within 7 days of this contract	
8	An incident book must be maintained and be made available upon request for inspection by the Responsible Authorities under the Licensing Act 2003. This book should record the discovery and disposal procedures in relation to substance misuse paraphernalia.	With immediate effect	
9	Zero tolerance posters / signage to be prominently displayed throughout the premises	Within 7 days of this contract	
10	Throughout opening hours, staff will patrol all public areas at the premises at a minimum of once per hour, including toilet areas to monitor the environment for drug use/dealing, dangerous or inappropriate behaviour. Incidents will be recorded in the incident book and any criminal behaviour will be reported to the police. Signage will be displayed on toilet doors to indicate that regular checks are being made.	With immediate effect.	

11	A 'Children's Safeguarder' will be assigned at the premises. This person must attend the training provided by the SSCB and comply with the guidance issued by the SSCB. (Description of this role provided.)	With immediate effect. To attend training on 7.7.10.	
12	A children and young people's risk assessment must be completed in writing and retained as part of the premises management's due diligence records. A risk assessment tool has been provided. Risks identified in this process will inform the premises policy regarding access to children, prior to 17:00 hours.	By 14.5.10	
13	All drinks will be decanted into polycarbonate vessels prior to being taken outside for consumption.	Within 14 days of this contract	

The signatories below agreed this action plan and all its components

1. Date	13/6/2010
3. Designated Premises Supervisor / Licence Holder	
4. South Yorkshire Police representative	C. J. 1683
5. Safeguarding Children representative	

ACTION PLAN
Licensing Act 2003

1. Date	28.6.10
2. Premises	Terminus Tavern, Main Road, Darnall, Sheffield
3. Designated Premises Supervisor / Premises Licence Holder	Paul Firth (DPS) Christopher James Dean (Licence Holder)
4. South Yorkshire Police representative	PC Gillian Parker
5. Safeguarding Children representative	Julie Hague

Outline and Purpose

This action plan is an agreement between all the parties identified above to provide a framework of assistance and guidance to ensure compliance with the licensing objectives in respect of licensable activities conducted at Terminus Tavern, Darnall, Sheffield.

This Action Plan is suggested to the Designated Premises Supervisor (DPS) and Premises Licence Holder as a means of reducing police concerns regarding recent incidents at the above premises, with a view to promoting better compliance with the licensing objectives and/or any conditions imposed by the Licensing Authority.

The failure by the DPS/Premises Licence Holder to abide by the action plan, or any of its components without due cause or reasonable excuse together with raised concerns as to the non-compliance with any conditions of a licence or with the licensing objectives, may result in an application by the Responsible Authorities to the Licensing Authority, to review the premises licence.

Background

The premise shown at 2 above was subject to a licensing visit on 9.4.10 which was conducted following concerns identified by South Yorkshire Police and the Sheffield Safeguarding Children Board (SSCB) Licensing Project. The result of this operation was that advice was issued to the General Manager, Mr Christopher Dean by the police and Safeguarding Children Board Licensing Project Manager in relation to the systems required to improve the operation.

Methodology

South Yorkshire Police and the SSCB Licensing Project will facilitate the improved compliance by regular consultation with the DPS/Licence Holder (if necessary) to ensure the elements of the action plan are satisfied and to address any delays or issues relating to its implementation. A further meeting will take place including the DPS/Licence Holder and representatives of South Yorkshire Police and the Safeguarding Children Board Licensing Project no later than one month after the agreement of the action plan to review its progress.


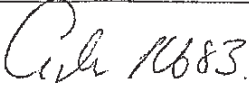

Upon the satisfactory completion of the action plan, the DPS/Licence Holder will be informed, in writing, of its formal discharge or other actions to be taken.

Number	Action required	Date to be Achieved by	Completion Date	Remarks
1	The DPS to become an active member of 'Sheffield Licence Watch' and any localised sub groups. To attend all meetings unless this is impractical after taking all reasonable steps.	Within 7 days of this contract	5.7.10	Previous deadline not complied with. Target date agreed with premises licence holder on 28.6.10.
2	The 'Challenge 21' procedure to be operated by all staff and all systems to be in place as set out in the multi agency guidance 'Criteria for a Recognised Proof of Age Scheme'. (Copy provided.)			Completed.
3	All staff to be trained to operate the scheme set out in '2' above. Content of the training is to comply with the recommendations set out in the 'Criteria for a Recognised Proof of Age Scheme' including maintenance of staff training records.	Within 21 days of this contract	19.7.10	Previous deadline not complied with. Target date agreed with premises licence holder on 28.6.10.
4	Staff Training records to be available to the Responsible Authorities on request. To display relevant posters and information relating to the supply of alcohol to underage customers in prominent positions that are visible both inside and outside the premises, and at the point of sale.	Within 7 days of this contract	19.7.10	Completed.
5	A colour CCTV system to the specification of South Yorkshire Police (provided) will be fitted, maintained and in use at all times the premises are open. CCTV images will be stored for 28 days. Police will be given access to, and copies of images for purposes in connection with the prevention and detection of crime and disorder.	Within 2 months of this contract	27.8.10	Previous deadline not complied with. Target date agreed with premises licence holder on 28.6.10.

6	A policy will be operated to prohibit access to the internal and external areas of the premises to persons under the age of 18 years at all times until further notice until it is agreed by all parties that a culture change has been achieved at the premises.			Completed. This policy to be reviewed on 29.7.10 as agreed with premises licence holder who will on that date evidence that all due diligence safeguarding systems are in operation and that a minimum of 1 staff has attended SSCB Training Workshop on 7.7.10.
7	Signage indicating restrictions to children's access to the premises must be displayed. (Children's Charter provided).	Prior to children being readmitted to the premises		
8	An incident book must be maintained and be made available upon request for inspection by the Responsible Authorities under the Licensing Act 2003. This book should record the discovery and disposal procedures in relation to substance misuse paraphernalia.			Completed.
9	Zero tolerance posters / signage to be prominently displayed throughout the premises			Completed.
10	Throughout opening hours, staff will patrol all public areas at the premises at a minimum of once per hour, including toilet areas to monitor the environment for drug use/dealing, dangerous or inappropriate behaviour. Incidents will be recorded in the incident book and any criminal behaviour will be reported to the police. Signage will be displayed on toilet doors to indicate that regular checks are being made.	With immediate effect.	29.7.10	This action was completed in May 2010 but records were not maintained in June. Records to be re-inspected for continuity on 29.7.10.

11	A 'Children's Safeguarder' will be assigned at the premises. This person must attend the training provided by the SSCB and comply with the guidance issued by the SSCB. (Description of this role provided.)	With immediate effect. To attend training on 7.7.10.	29.7.10	A risk assessment has been undertaken. A minimum of one staff attending training workshop on 7.7.10.
12	A children and young people's risk assessment must be completed in writing and retained as part of the premises management's due diligence records. A risk assessment tool has been provided. Risks identified in this process will inform the premises policy regarding access to children, prior to 17:00 hours.			Completed. Policy has been reviewed on this basis and will be further reviewed on 29.7.10.
13	All drinks will be decanted into polycarbonate vessels prior to being taken outside for consumption.	Within 14 days of this contract	29.7.10	Previous deadline not complied with. Target date agreed with premises licence holder on 28.6.10.
14	The Premises Licence Holder will apply for DPS status and relevant CRB check for this.	Within 7 days of this contract	5.7.10	The premises licence holder has expressed an intention to become DPS (April 2010) to ensure day to day control of the premises but this has not yet been achieved.

The signatories below agreed this action plan and all its components

1. Date	
3. Designated Premises Supervisor / Licence Holder	
4. South Yorkshire Police representative	
5. Safeguarding Children representative	

ACTION PLAN
Licensing Act 2003

1. Date	19-02-13
2. Premises	Terminus Tavern, Main Road, Darnall, Sheffield
3. Designated Premises Supervisor / Premises Licence Holder	David John Wild David Greenall
4. South Yorkshire Police representative	PC 683 Gillian Parker
5. Safeguarding Children representative	Julie Hague
6. Sheffield City Council Licensing representative	Jayne Gough
7. Sheffield City Council Trading Standards representative	Greg Ward

Outline and Purpose

This action plan is an agreement between all the parties identified above to provide a framework of assistance and guidance to ensure compliance with the licensing objectives in respect of licensable activities conducted at Terminus Tavern, Darnall, Sheffield.

This Action Plan is suggested to the Designated Premises Supervisor (DPS) and Premises Licence Holder as a means of reducing police concerns regarding recent incidents at the above premises, with a view to promoting better compliance with the licensing objectives and/or any conditions imposed by the Licensing Authority.

The failure by the DPS/Premises Licence Holder to abide by the action plan, or any of its components without due cause or reasonable excuse together with raised concerns as to the non-compliance with any conditions of a licence or with the licensing objectives, may result in an application by the Responsible Authorities to the Licensing Authority, to review the premises licence.

Background

The premise shown at 2 above was subject to a licensing visit on 30.1.2013 which was conducted following concerns identified by South Yorkshire Police and the Sheffield Safeguarding Children Board (SSCB) Licensing Project. The result of this operation was that advice was issued to the General Manager, Mr Andrew ROBERTS and Mr GREENALL by the police in relation to the systems required to improve the operation.

Methodology

South Yorkshire Police and the SSCB Licensing Project will facilitate the improved compliance by regular consultation with the DPS/Licence Holder (if necessary) to ensure the elements of the action plan are satisfied and to address any delays or issues relating to its implementation. A further meeting will take place including the DPS/Licence Holder and representatives of South Yorkshire Police and the Safeguarding Children Board Licensing Project no later than one month after the agreement of the action plan to review its progress.

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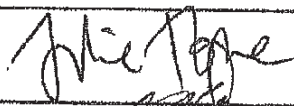
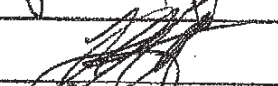
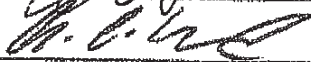
Upon the satisfactory completion of the action plan, the DPS/Licence Holder will be informed, in writing, of its formal discharge or other actions to be taken.

Number	Action required	Date to be Achieved by	Completion Date	Remarks
1	The DPS to become an active member of 'Sheffield Licence Watch' and any localised sub groups. To attend all meetings unless this is impractical after taking all reasonable steps.	Within 14 days of this contract		
2	The 'Challenge 25' procedure to be operated by all staff and all systems to be in place as set out in the multi agency guidance 'Criteria for a Recognised Proof of Age Scheme'. (Copy provided.)	Within 7 days of this contract		
3	All staff to be trained to operate the scheme set out in '2' above. Content of the training is to comply with the recommendations set out in the 'Criteria for a Recognised Proof of Age Scheme' including maintenance of staff training records.	Within 7 days of this contract		
4	Staff Training records to be available to the Responsible Authorities on request. To display relevant posters and information relating to the supply of alcohol to underage customers in prominent positions that are visible both inside and outside the premises, and at the point of sale.	Within 7 days of this contract		
5	A colour CCTV system to the specification of South Yorkshire Police (provided) will be fitted, maintained and in use at all times the premises are open. CCTV images will be stored for 28 days. Police will be given access to, and copies of images for purposes in connection with the prevention and detection of crime and disorder.	Within 28 days of this contract		
6	A policy will be operated to prohibit access to the	With immediate		

	internal and external areas of the premises to persons under the age of 18 years after 18:00 hours daily.	effect	19/2/13 <i>cl.</i>	
7	Signage indicating restrictions to children's access to the premises must be displayed. (Children's Charter provided).	Within 7 days of this contract		
8	An incident book must be maintained and be made available upon request for inspection by the Responsible Authorities under the Licensing Act 2003. This book should record the discovery and disposal procedures in relation to substance misuse paraphernalia.	With immediate effect	19/2/13 <i>cl.</i>	
9	Zero tolerance posters / signage to be prominently displayed throughout the premises	Within 7 days of this contract	19/2/13 <i>cl.</i>	
10	Throughout opening hours, staff will patrol all public areas at the premises at a minimum of once per hour, including toilet areas to monitor the environment for drug use/dealing, dangerous or inappropriate behaviour. Incidents will be recorded in the incident book and any criminal behaviour will be reported to the police. Signage will be displayed on toilet doors to indicate that regular checks are being made.	With immediate effect.		
11	A 'Children's Safeguarder' will be assigned at the	With immediate		

	premises. This person must attend the training provided by the SSCB and comply with the guidance issued by the SSCB. (Description of this role provided.)	effect. To attend training on		
12	A children and young people's risk assessment must be completed in writing and retained as part of the premises management's due diligence records. A risk assessment tool has been provided. Risks identified in this process will inform the premises policy regarding access to children, prior to 18:00 hours.	By		
13	All drinks will be decanted into polycarbonate vessels prior to being taken outside for consumption, with the exception of the dedicated smoking shelter	Within 14 days of this contract		
14	Staff will familiarise themselves with the details of the Violent Incident Protocol and this will be used as appropriate	With immediate effect.		

The signatories below agreed this action plan and all its components

1. Date	19th February 2013.
3. Designated Premises Supervisor / Licence Holder	 D.N. Greenall
4. South Yorkshire Police representative	Chris Phipps
5. Safeguarding Children representative	 Mike Tye
6. Sheffield City Council Licensing representative	
7. Sheffield City Council Trading Standards representative	

Minimum Standard for CCTV within Licensed Premises

1. There shall be sufficient cameras to cover the areas to which the public have access to (including outside drinking areas). Coverage will be to the standard shown as "Detection" on the South Yorkshire Police publication "Advice on Getting the most from your CCTV System".
2. A camera will monitor each entrance to the premise, in order to obtain an image of persons entering the premise to a standard equivalent to that shown as "Identification" on the South Yorkshire Police publication "Advice on Getting the most from your CCTV System".
3. If parts of the premises are not easily supervised from the bar area, a monitor should be placed in such a position as to be viewed by staff working in the bar area of the premises.
4. All images will be recorded in colour.
5. Images will be recorded in 'real time' with a minimum of 6 frames per second being recorded for all cameras. Time lapse or switching between images is not acceptable.
6. The system will be operated, and recordings made during each trading period at the premises. Recording by motion detection during trading hours is NOT an acceptable method of operating. (It is acceptable during closed periods for security monitoring purposes).
7. Recorded images will be retained on the system for 28 days (and longer if specifically requested by the police in the event of an incident taking place).
8. Any system installed should be capable of producing immediate copies of recordings on site. Copies of recordings will either be recorded on good quality VHS video (from either a video-based system, or a digital system), or onto a Microsoft Windows compatible video CD or DVD (from a digital system).
9. Digital systems must have an 'Archive' facility capable of retaining specified images beyond the standard 28 day period.
10. Staff should be trained in order to produce copies of recordings.
11. Copies of recordings shall be provided on request (against signature) to a Police Officer, member of Police Staff, or officer of the Local Authority on production of his/her identification.
12. The Designated Premises Supervisor shall be responsible for ensuring that the system is maintained in working order, and that it is operated in accordance with this document.
13. CCTV systems should be registered in accordance with the Data Protection Act.

The South Yorkshire Police publication "Advice on Getting the most from your CCTV System" can be accessed at www.southyorks.police.uk/leaflets/cctv.pdf

ACTION PLAN dtd 13 March 2013

1 THE DPS TO BECOME AN ACTIVE MEMBER OF 'SHEFFIELD LICENCE WATCH' AND ANY LOCALISED SUB GROUPS. TO ATTEND ALL MEETINGS UNLESS THIS IS IMPRACTICAL AFTER TAKING ALL REASONABLE STEPS.

WITHIN 14 DAYS OF THIS CONTRACT

2 THE 'CHALLENGE 21' PROCEDURE TO BE OPERATED BY ALL STAFF AND ALL SYSTEMS TO BE IN PLACE AS SET OUT IN THE MULTI AGENCY GUIDANCE 'CRITERIA FOR A RECOGNISED PROOF OF AGE SCHEME'. (COPY PROVIDED.) WITHIN 7 DAYS OF THIS CONTRACT

3 ALL STAFF TO BE TRAINED TO OPERATE THE SCHEME SET OUT IN '2' ABOVE. CONTENT OF THE TRAINING IS TO COMPLY WITH THE RECOMMENDATIONS SET OUT IN THE 'CRITERIA FOR A RECOGNISED PROOF OF AGE SCHEME' INCLUDING MAINTENANCE OF STAFF TRAINING RECORDS.

STAFF TRAINING RECORDS TO BE AVAILABLE TO THE RESPONSIBLE AUTHORITIES ON REQUEST.

WITHIN 7 DAYS OF THIS CONTRACT

4 TO DISPLAY RELEVANT POSTERS AND INFORMATION RELATING TO THE SUPPLY OF ALCOHOL TO UNDERAGE CUSTOMERS IN PROMINENT POSITIONS THAT ARE VISIBLE BOTH INSIDE AND OUTSIDE THE PREMISES, AND AT THE POINT OF SALE.

WITHIN 7 DAYS OF THIS CONTRACT

5 A COLOUR CCTV SYSTEM TO THE SPECIFICATION OF SOUTH YORKSHIRE POLICE (PROVIDED) WILL BE FITTED, MAINTAINED AND IN USE AT ALL TIMES THE PREMISES ARE OPEN. CCTV IMAGES WILL BE STORED FOR 28 DAYS. POLICE WILL BE GIVEN ACCESS TO, AND COPIES OF IMAGES FOR PURPOSES IN CONNECTION WITH THE

PREVENTION AND DETECTION OF CRIME AND DISORDER.

WITHIN 28 DAYS OF THIS CONTRACT

6 A POLICY WILL BE OPERATED TO PROHIBIT ACCESS TO THE INTERNAL AND EXTERNAL AREAS OF THE PREMISES TO PERSONS UNDER THE AGE OF 18 YEARS AFTER 17:00 HOURS DAILY.

WITH IMMEDIATE EFFECT

7 SIGNAGE INDICATING RESTRICTIONS TO CHILDREN'S ACCESS TO THE PREMISES MUST BE DISPLAYED. (CHILDREN'S CHARTER PROVIDED).

WITHIN 7 DAYS OF THIS CONTRACT

8 AN INCIDENT BOOK MUST BE MAINTAINED AND BE MADE AVAILABLE UPON REQUEST FOR INSPECTION BY THE RESPONSIBLE AUTHORITIES UNDER THE LICENSING ACT 2003. THIS BOOK SHOULD RECORD THE DISCOVERY AND DISPOSAL PROCEDURES IN RELATION TO SUBSTANCE MISUSE PARAPHERNALIA. WITH IMMEDIATE EFFECT

9 ZERO TOLERANCE POSTERS / SIGNAGE TO BE PROMINENTLY DISPLAYED THROUGHOUT THE PREMISES WITHIN 7 DAYS OF THIS CONTRACT

10 THROUGHOUT OPENING HOURS, STAFF WILL PATROL ALL PUBLIC AREAS AT THE PREMISES AT A MINIMUM OF ONCE PER HOUR, INCLUDING TOILET AREAS TO MONITOR THE ENVIRONMENT FOR DRUG USE/DEALING, DANGEROUS OR INAPPROPRIATE BEHAVIOUR. INCIDENTS WILL BE RECORDED IN THE INCIDENT BOOK AND ANY CRIMINAL BEHAVIOUR WILL BE REPORTED TO THE POLICE.

SIGNAGE WILL BE DISPLAYED ON TOILET DOORS TO INDICATE THAT REGULAR CHECKS ARE BEING MADE.

WITH IMMEDIATE EFFECT.

11 A 'CHILDREN'S SAFEGUARDER' WILL BE ASSIGNED AT THE PREMISES. THIS PERSON MUST ATTEND THE TRAINING PROVIDED BY THE SSCB AND COMPLY WITH THE GUIDANCE ISSUED BY THE SSCB. (DESCRIPTION OF THIS ROLE PROVIDED.)

WITH IMMEDIATE EFFECT.

TO ATTEND TRAINING ON

12 A CHILDREN AND YOUNG PEOPLE'S RISK ASSESSMENT MUST BE COMPLETED IN WRITING AND RETAINED AS PART OF THE PREMISES MANAGEMENT'S DUE DILIGENCE RECORDS. A RISK ASSESSMENT TOOL HAS BEEN PROVIDED. RISKS IDENTIFIED IN THIS PROCESS WILL INFORM THE PREMISES POLICY REGARDING ACCESS TO CHILDREN, PRIOR TO 17:00 HOURS.

BY

13 ALL DRINKS WILL BE DECANTED INTO POLYCARBONATE VESSELS PRIOR TO BEING TAKEN OUTSIDE FOR CONSUMPTION.

WITHIN 14 DAYS OF THIS CONTRACT

14 STAFF WILL FAMILIARISE THEMSELVES WITH THE DETAILS OF THE VIOLENT INCIDENT PROTOCOL AND THIS WILL BE USED AS APPROPRIATE WITH IMMEDIATE EFFECT.

21st March 2013 – review of action plan

DPS TANSY BAGSHAW WAS NOT WORKING, BUT ATTENDED ON REQUEST.

SIGNED OFF AND NOW COMPLETE ARE ENTRIES

1. DPS NOW LICENCE WATCH, CERTIFICATE SEEN
2. CHALLENGE 25 IN PLACE
3. STAFF TRAINING RECORDS, ALL NOW COMPLETED INCLUDED NEW STAFF
4. POSTERS REGARDING UNDERAGE SALES
6. NO UNDER 18S AFTER 1800 HRS
7. CHILDREN'S CHARTER RESTRICTIONS
8. INCIDENT BOOK
9. DRUG ZERO TOLERANCE POSTERS
10. TOILET CHECKS
13. POLYCARBONATE GLASSES, NOW BEEN PURCHASED AND READY FOR USE.
14. VIOLENT INCIDENT PROTOCOL.

INCOMPLETE WAS 12. THE RISK ASSESSMENT. TANSY SAID THIS WAS AT HOME ALMOST COMPLETE, AND SHE WOULD ENDEAVOUR TO GET THIS FULLY COMPLETED AND ON ITS WAY BACK TO JULIE HAGUE BY TOMORROW.

11: THIS CANNOT BE SIGNED OFF UNTIL AFTER THE TRAINING ON 11.4.13 SHOULD IT BE COMPLETED.

5. THERE IS NOW SOME CCTV WORKING AT THE PREMISES. THIS WAS INSTALLED ONLY THIS MORNING BY DAVID GREENALL DESPITE NUMEROUS REQUESTS TO EXPEDITE BY THE DPS. I WAS UNABLE TO FULLY CHECK THE COMPLIANCE OF THE SYSTEM WITH THE SYP SPEC. THERE WERE 4 CAMERAS SHOWING, BUT ONLY 3 WORKING. IT WAS OBVIOUS THAT THERE WAS INSUFFICIENT COVERAGE OF ALL AREAS OF THE PREMISES WHERE THE PUBLIC HAVE ACCESS, INCLUDING THE MAIN BAR, ENTRANCE AND OUTSIDE DRINKING AREA. PLH WAS SPOKEN TO AND ALLEGED HE WAS NOT AWARE OF THE SPECIFICATION OR THE ATTEMPTS WHEN DENE TINKER HAD TRIED TO CONTACT HIM.

THE DPS HIGHLIGHTED THE FACT THAT THE LANDLINE TO THE PREMISES IS STILL NOT YET WORKING IN THE MAIN PUB. THIS IS A SAFETY CONCERN IN VIEW OF RECENT INCIDENTS. DESPITE NUMEROUS REQUESTS BY DPS TO THE PLH THIS HAS NOT YET BEEN COMPLETED. DPS REQUESTS POLICE AGAIN REITERATE THE IMPORTANCE TO PLH.

IN VIEW OF THE RECENT ROBBERY AT THE PREMISES FROM 16.3.13 I HAVE SEERIOUS CONCERNS THAT THE LICENSING OBJECTIVES ARE NOT BEING MET AND CRIME AND DISORDER IS NOW AN

A45

ISSUE AT THE PREMISES. I INFORMED THE DPS AND THE PLH THAT I WOULD BE SEEKING A REVIEW OF THE PREMISES LICENCE AS A RESULT.

ANDY ROBERTS THE BAR MANAGER WAS PRESENT. THERE IS CLEARLY TENSION BETWEEN ALL PARTIES AT THE PREMISES AND CONCERNS FURTHER INCIDENTS WILL OCCUR.

A46

£1000

THE LICENSING ACT 2003

Premises Licence No: SY 0089 PR

ISSUE NO: 7

The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

PART 1 – Premises details

Terminus Tavern
150a Main Road
Sheffield
S9 5HQ

Telephone Number: 0114 249 3494

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities:

1. Provision of regulated entertainment:

Recorded Music

Indoors

Sunday	12:00 to 22:50 hours
Monday to Saturday	10:00 to 23:20 hours
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:20 hours
Christmas Day (25.12)	12:00 to 15:20 and 19:00 to 22:50 hours

2. Sale by retail of alcohol:

a) for consumption on the premises

b) for consumption off the premises

Sunday	12:00 to 22:30 hours
Monday to Saturday	10:00 to 23:00 hours
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:00 hours
Christmas Day (25.12)	12:00 to 15:00 and 19:00 to 22:30 hours

N.B. See Annex 2 for further restrictions on hours including Good Friday and where New Years Eve falls on a Sunday.

The opening hours of the premises are:

Sunday	12:00 to 22:50 hours
Monday to Saturday	10:00 to 23:20 hours
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:20 hours
Christmas Day (25.12)	12:00 to 15:20 and 19:00 to 22:50 hours

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Sale by retail of alcohol for consumption both on and off the premises.

PLEASE NOTE:

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

PART 2**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:**

Mr David Nelson Greenall
29 Junction Road
Sheffield
S11 8XA

Telephone Number: 07832 194634

Registered number of holder, for example company number, charity number (where applicable):

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Tansy Joanne Bagshaw
36 Maltravers Terrace
Wybourn
Sheffield
S2 5FL

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:

Personal Licence Number: SY 4930 Per
Issuing Authority: Sheffield City Council

State whether access to the premises by children is restricted or prohibited:

Restricted

This Premises Licence shall be in force from the 24th November 2005

Issued on: 15th July 2005



.....
Steve Lonnie
Chief Licensing Officer
Head of Licensing Services
On behalf of Sheffield City Council (issuing licensing authority)

Sheffield City Council – For Office use only	
Variation of Premises Licence	
Variation of DPS	Issue No: 5 Date: 12th March 2013
Transfer of Premises Licence	Issue No: 2 Date: 14th September 2012
Minor Variation	
Change of Name/Address	

Annex 1A – Mandatory Conditions

Mandatory Condition 1 (Section 19 ss 2)

Where a licence authorises the sale of alcohol then no supply of alcohol may be made under the premises licence –

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (a) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Mandatory Condition 2 (Section 19 ss 3)

Where a licence authorises the sale of alcohol then every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Condition 3 (Section 20)

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:
 - (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
 - (a) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.
2. In this section -
 - "children" means persons aged under 18; and
 - "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory Condition 4 (Section 21)

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

Annex 1B - Mandatory Conditions effective from 6th April 2010:

These mandatory conditions apply where the licence authorises the supply of alcohol. The conditions in paragraph 1 to 3 do not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

1.
 - (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Annex 1C - Mandatory Conditions effective from 1st October 2010:

These mandatory conditions apply where the licence authorises the supply of alcohol. The condition 5 does not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
5. The responsible person shall ensure that—
- (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) Customers are made aware of the availability of these measures.

Annex 2 – Conditions consistent with the operating schedule

Any embedded permissions and restrictions attached to the justices on/off licence including those specified at Appendix 1.

1. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Appendix B

Representation – Sheffield Safeguarding Children Board



Address correspondence to:

Julie Hague
 Sheffield Safeguarding Children
 Board - Licensing Project
 Floor 2
 Redvers House
 Union Street
 Sheffield S1 2JQ
 Telephone: 0114 2736753
 Email: Julie.hague@sheffield.gov.uk
 Fax: 0114 2734628

2nd June 2013

The Licensing Authority
 Town Hall
 Surrey Street
 Sheffield

Dear Sirs

APPLICATION TO REVIEW THE PREMISES LICENCE: TERMINUS TAVERN, 150A Main Road, Darnall, Sheffield S9 5HQ

I am writing to make a representation on behalf of the Safeguarding Children Board as the Responsible Authority for the protection of children from harm under the Licensing Act 2003. The reason for the representation is that the environment at the premises has been managed in an inconsistent way, lacking enforcement of the necessary safeguarding measures to make it a 'family friendly' for children and young people .

The evidence submitted by South Yorkshire Police demonstrates that the premises has a history of incidents of crime and disorder, including recent incidents on 27th January 2013 (whereby it is reported that a crowd of 30 people were fighting) and on 16th February (whereby a further incident is reported of assault and robbery outside the front of the premises).

The premises operates as an adult orientated public house where the sole trade is for the sale and consumption of alcohol and at which, under the current licence, children and young people may have unrestricted access. The Safeguarding Children Board is concerned that if adequate safeguarding systems are not enforced, children may be exposed to the risk of harm in this environment.

The Safeguarding Children Board has been working with a number of Designated Premises Supervisors at the premises since 2010, trying to establish robust and consistent safeguarding systems (documents at annex 1 refer). As documented in the Police evidence, a significant number of multi agency advice visits and action plans have been undertaken over a 3 year period and attempts have been made to engage Mr Greenall, the premises licence holder, in partnership work in order to achieve the necessary improvements. Despite this, progress has been slow in relation the protection of children and young people at the premises: Action plans have not fully been complied with and repeatedly issued and there have been changes of Designated Premises Supervisors and general managers, resulting in the safeguarding policies being inconsistently or inadequately enforced.

Continued .../

However, since Ms Bagshaw, the current Designated Premises Supervisor, was recruited in March 2013, compliance with the action plan and establishment of the recommended safeguarding systems has improved. At a meeting with the premises management on 14.3.13, I informed Ms Bagshaw that there were actions outstanding from the improvement and these were subsequently addressed, including Ms Bagshaw's attendance at the multi-agency safeguarding training session on 11.4.13, along with Ms Jennett, another member of staff.

Whilst the new Designated Premises Supervisor has demonstrated a commitment to improving the safeguarding policies, the Safeguarding Children Board is concerned that enforcement continues to be reliant upon the discretion of the DPS. This means that existing policies that are currently operating on a voluntary agreement may change, as they are not established as licence conditions.

The Safeguarding Children Board would therefore ask the Licensing Sub-Committee take positive action to establish robust safeguarding policies, if children and young people are to continue to be allowed access to the premises.

Yours sincerely



JULIE HAGUE
Licensing Project Manager

Annex 1 a

B3



14th July 2010

Mr Mark Castleton
 87 Manor Park Centre
 Manor Park
 Sheffield S2

Sheffield Safeguarding Children
 Board (Licensing Project)
 Floor 2
 Redvers House
 Union Street
 Sheffield S1 2JQ
 Telephone: 0114 2736763
 Fax: 0114 2734828
 E'mail: julie.hague@sheffield.gov.uk

Dear Mr Castleton

**SAFEGUARDING CHILDREN AT LICENSED PREMISES (LICENSING ACT 2003) –
 TERMINUS TAVERN, MAIN ROAD, DARNALL, SHEFFIELD**

I have been informed that you are now the Designated Premises Supervisor (DPS) at the above premises. As you are aware, the premises is currently under an action plan that has been agreed between the Sheffield Safeguarding Children Board (Licensing Project), South Yorkshire Police, and Mr Dean, the premises licence holder. The purpose of the action plan is to improve the standard of operation so that the premises operates in line with the core objectives of the Licensing Act 2003 (to prevent crime and disorder and to protect children from harm) and to assist the premises management in developing a suitable family friendly environment for children and young people, in line with the Licensing Authority's Statement of Licensing Policy (Section 9 refers).

For your information, I enclose with this letter a copy of the current action plan and advise you to liaise with Mr Dean, myself and PC Parker if you have any queries regarding the issues that need to be addressed. I would also like to invite you to a meeting on **Thursday 29th July at 3pm at the premises** with myself, PC Parker and Mr Dean, the purpose of the meeting is to further review the action plan.

I look forward to meeting you on the 29th July, meanwhile if you have any questions or need further advice about safeguarding children at the premises, please don't hesitate to contact me.

Yours sincerely

JULIE HAGUE
 Licensing Project Manager
 Sheffield Safeguarding Children Board

Cc Christopher Dean, Premises Licence Holder, Terminus Tavern, 150a Main Road
 Darnall Sheffield S9
 Mr David Greenall
 Licensing Authority
 SY Police

Annex 1 b

B4



26th July 2010

Mr Mark Castleton
87 Manor Park Centre
Manor Park
Sheffield S2

Sheffield Safeguarding Children
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Floor 2
Redvers House
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Sheffield S1 2JQ
Telephone: 0114 2736753
Fax: 0114 2734628
E'mail: julie.hague@sheffield.gov.uk

Dear Mr Castleton

**SAFEGUARDING CHILDREN AT LICENSED PREMISES (LICENSING ACT 2003) –
TERMINUS TAVERN, MAIN ROAD, DARNALL, SHEFFIELD**

Thank you for meeting PC Holmes and I on 21.7.10 to discuss the action plan in detail. I am writing to confirm our verbal agreements that the following actions will be prioritised:

1. A member of the premises management team (either yourself or Mr Dean) will join Licencewatch immediately.
2. Staff training records will be established. I also advised you to contact Mr Greg Ward, Sheffield City Council Trading Standards office (tel 0114 2736241) for advice about how to become a responsible retailer and due diligence records.
3. Staff will be instructed to maintain the incident log.
4. Due to concerns raised by the police, it was agreed that drinking outside the front of the premises must cease and chairs must not be taken out of the pub on to the front pavement by customers. It was therefore agreed that a policy will be enforced at the premises that outside drinking will only be permitted in the beer garden at the rear of the premises and only in polycarbonate drinks containers.
5. Your comment was noted that Mr Dean is in the process of obtaining the necessary CRB checks in order to apply to become the Designated Premises Supervisor.

I look forward to reviewing the action plan further at our meeting on **Thursday 29th July at 3pm at the premises** with PC Holmes and Mr Dean. Meanwhile if you have any questions or need further advice about safeguarding children at the premises, please don't hesitate to contact me.

Yours sincerely

JULIE HAGUE
Licensing Project Manager
Sheffield Safeguarding Children Board

Cc Christopher Dean, Premises Licence Holder, Terminus Tavern, 150a Main Road
Darnall Sheffield S9
Mr David Greenall
Licensing Authority
SY Police

Annex 1 c

B5



30th July 2010

Mr Mark Castleton
87 Manor Park Centre
Manor Park
Sheffield S2

Sheffield Safeguarding Children
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Floor 2
Redvers House
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Sheffield S1 2JQ
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Fax: 0114 2734628
E'mail: julie.hague@sheffield.gov.uk

Dear Mr Castleton

**SAFEGUARDING CHILDREN AT LICENSED PREMISES (LICENSING ACT 2003) –
TERMINUS TAVERN, MAIN ROAD, DARNALL, SHEFFIELD**

Further to our meeting with Mr Dean and PC Holmes yesterday to review the action plan in relation to the above premises. I am writing to confirm our verbal agreements that the following actions will be prioritised:

1. As the DPS, you will join Licencewatch immediately.
2. Arrangements will be made to install 3 live CCTV cameras to monitor activity at the premises and improve safety (1 camera to the front entrance; 1 in the bar area; 1 to the rear beer garden).
3. Mr Dean will continue to progress his application for the necessary CRB checks in order to apply to become the Designated Premises Supervisor.

We have agreed to meet again to review the action plan on **Thursday 30th September at 3pm at the premises** with PC Holmes and Mr Dean. I confirm that Mr Greenhall, the building owner, will also be invited.

Meanwhile if you have any questions or need further advice about safeguarding children at the premises, please don't hesitate to contact me.

Yours sincerely

JULIE HAGUE
Licensing Project Manager
Sheffield Safeguarding Children Board

Cc Christopher Dean, Premises Licence Holder, Terminus Tavern, 150a Main Road
Darnall Sheffield S9
Mr David Greenhall
Licensing Authority
SY Police

Annex 1 d

B6



4th October 2010

Mr Chris Dean
Terminus Tavern
150a Main Road
Sheffield S9

Sheffield Safeguarding Children
Board (Licensing Project)
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Fax: 0114 2734628
E'mail: julie.hague@sheffield.gov.uk

Dear Mr Dean

**SAFEGUARDING CHILDREN AT LICENSED PREMISES (LICENSING ACT 2003) –
TERMINUS TAVERN, MAIN ROAD, DARNALL, SHEFFIELD**

Further to our meeting on 30th September to review the action plan in relation to the above premises. I am writing to confirm the key points of our meeting, as follows.

1. You informed me that the DPS, Mark Castleton, is now a member of Licencewatch.
2. You were able to evidence that the refusals register is being maintained.
3. You were able to evidence that the incident book is being maintained.
4. I observed that the Children's Charter and Challenge 21 signage are displayed and signage regarding the pool room/designated family area is on display, to promote the agreed operating policies for the protection of children and young people.

I have advised you that because you are currently enforcing the necessary policies and systems for the protection of children from harm at the premises in compliance with the agreed action plan, I do not intend to further visit the premises on the basis that it is expected that the agreed policies shall continue to operate.

For your assistance, I enclose a revised copy of the action plan which highlights the policies that have been agreed and also identifies matters outstanding: **Please note that there remain two points which have not yet been addressed within the agreed timescale:**

- a) To install live CCTV cameras, to monitor activity at the premises and improve safety (1 camera to the front entrance; 1 in the bar area; 1 to the rear beer garden).
- b) To progress your application for the necessary CRB checks in order to apply to become the Designated Premises Supervisor.

As these actions were requested by South Yorkshire Police, I advise you as a matter of urgency to contact your local police team to discuss these matters further.

Meanwhile if you have any questions or need further advice about safeguarding children at the premises, please don't hesitate to contact me.

Yours sincerely

JULIE HAGUE

Licensing Project Manager

Sheffield Safeguarding Children Board

Cc Mr Mark Castleton, DPS; Licensing Authority; SY Police



Annex
le

B7

26.1.11

Mr Mark Castleton
87 Manor Park Centre
Manor Park
Sheffield S2

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Sir/Madam

THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: TERMINUS TAVERN, MAIN ROAD, DARNALL, SHEFFIELD

I am writing to inform you that a place has been reserved on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop, for the DPS or another member of staff. The workshop is free of charge and will take place as follows:

Dates: Wednesday, 13TH April 2011
Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP
Time: 1.15pm to 5.15pm

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

In the meantime, please ensure that the following child protection systems are operating at the premises (immediate advice and support with these systems is available from Greg Ward, Trading Standards, tel. (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.noidnosale.com/>; or <http://www.drinkaware.co.uk/resources>. Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

Please contact me on (0114) 2736753 not later than 31st March 2011 to confirm the name of the person who will attend. **DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE.** Please let us know in advance if you have any special requirements to access the training.

Yours sincerely
JULIE HAGUE

Licensing Project Manager, Sheffield Safeguarding Children Board

Cc Licence Holder: Christopher James Dean, Terminus Tavern, 150A Main Road, Darnall
SHEFFIELD S9 5HQ



Annex
1 f

B8

13.4.12

Mr David Nelson Greenall
29 Junction Road
Sheffield
S11 8XA

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children
Board - Licensing Project
Floor 2
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Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Greenall

LICENSING ACT 2003: PROTECTION OF CHILDREN FROM HARM
TERMINUS TAVERN, 150a MAIN ROAD, DARNALL, SHEFFIELD S9 5HQ

I am writing further to my visit to the above premises on 8 March 2012 to confirm the key points of my discussion with Mr Andy Roberts, your general manager and the advice I provided verbally to ensure that the premises provides a family friendly environment at all times the pub is accessed by children. I have advised that the following safeguarding systems should operate.

1. Signage should be displayed to promote responsible adult behaviour and ensure that children are supervised by accompanying adults. To assist with this, I enclose two copies of the Children's Charter and advise that the posters are displayed and the principles enforced.
2. A policy should operate to restrict access to children during times the environment is adult orientated (for example, during times when the main activity at the premises is for the sale and consumption of alcohol).
3. In line with the mandatory conditions, an age verification scheme must operate to prevent underage sales of alcohol. Staff should be trained to operate this scheme, including how to make and record refusals and they should be trained to be vigilant for proxy purchase and underage drinking. Staff training records should be maintained and made available to the authorities for inspection, on request. Signage should be displayed to promote the scheme. I enclose a copy of the guidance produced by South Yorkshire Police, Trading Standards and Safeguarding Children Board to assist you with your proof of age scheme.
4. The premises should be patrolled regularly to monitor activity in all areas including the external drinking area. Checks should include: parent/carer supervision of children, irresponsible behaviour (signs of intoxication, strong or offensive language, aggression), substance misuse, inappropriate use of gaming machines.
5. A children and young people's risk assessment should be completed and the outcome of this should inform your operating policy. I enclose for your assistance a risk assessment tool which should be retained as part of your due diligence records.
6. A designated family area should be used.
7. A suitable member of staff should be assigned to act as 'Children's Safeguarder'. This person should act in accordance with the guidance and training provided by the Sheffield Safeguarding Children Board. Please note that free training is available and I confirm that a place has been reserved for the relevant member of staff for the training

on 18.4.12. Details of the training have been provided in a separate letter to you which has been copied to Mr Andy Roberts, as discussed at my meeting with him on 8.3.12.

B9

I advise that the above systems are implemented with immediate effect and trust that this will assist in providing a family friendly environment during times children are at the premises.

If you have any queries about this letter, please don't hesitate to contact me.

Yours sincerely



JULIE HAGUE
Licensing Manager
Sheffield Safeguarding Children Board

cc Licensing Authority
General Manager: Mr Andy Roberts, 43 Hammerton Road, S6 2NA



BIO

13.4.12

Mr David Nelson Greenall
29 Junction Road
Sheffield
S11 8XA

Dear Sir/Madam

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: TERMINUS TAVERN, 150a MAIN RD, DARNALL, S9 5HQ

I am writing to confirm that a place has been reserved for you/your staff on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop. The workshop is free of charge and will take place as follows:

Date: 18.4.12

Time: 1.15pm to 5.15pm

Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop in addition to any other training you may attend, as this training is recognised by the Sheffield Licensing Authority and will assist you with improving partnership work with the responsible authorities and finding out what services are available in Sheffield to help you; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

Meanwhile, please ensure that the following systems are operating at the premises (immediate advice about age verification is available from Greg Ward, Trading Standards (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.noidnosale.com/>; or <http://www.drinkaware.co.uk/resources>. Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

TO SECURE A PLACE PLEASE CONFIRM BY 17 APRIL 2012. DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE. Please let us know in advance if you have any special requirements to access the training.

Yours sincerely
JULIE HAGUE

Licensing Project Manager, Sheffield Safeguarding Children Board
Cc Mr Andy Roberts, 43 Hammerton Road, S6 2NA



Annex
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BI

30.1.13

Mr Paul Firth
DPS
Terminus Tavern
150A Main Road
Darnall
SHEFFIELD S9 5HQ

Address correspondence to:

Julle Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Email: julle.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Sir/Madam

**THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: TERMINUS TAVERN, 150A MAIN ROAD, DARNALL
SHEFFIELD S9 5HQ**

I am writing to inform you that a place has been reserved on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop, for the Designated Premises Supervisor or other responsible member of staff at the above premises. The workshop is free of charge and will take place as follows:

Date: 5.2.13

Time: 1.15pm to 5.15pm

Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop in addition to any other training you may attend, as this training is recognised by the Sheffield Licensing Authority and will assist you with improving partnership work with the responsible authorities and finding out what services are available in Sheffield to help you; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

Meanwhile, please ensure that the following systems are operating at the premises (immediate advice about age verification is available from Greg Ward, Trading Standards (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

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B12

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.noidnosale.com/>; or <http://www.drinkaware.co.uk/resources>. Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

To secure a place please contact me on (0114) 2736753 not later than 4 February 2013 to confirm the name of the person who will attend. DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE. Please let us know in advance if you have any special requirements to access the training.

Yours sincerely


JULIE HAGUE
Licensing Project Manager,
Sheffield Safeguarding Children Board



Annex

12

B13

30.1.13

Mr D Greenall
Licence Holder
Terminus Tavern
150A Main Road
Darnall
SHEFFIELD S9 5HQ

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

BY EMAIL AND POST

Dear Sir/Madam

**THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: TERMINUS TAVERN, 150A MAIN ROAD, DARNALL
SHEFFIELD S9 5HQ**

I am writing to inform you that a place has been reserved on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop, for the Designated Premises Supervisor or other responsible member of staff at the above premises. The workshop is free of charge and will take place as follows:

Date: 5.2.13

Time: 1.15pm to 5.15pm

Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop in addition to any other training you may attend, as this training is recognised by the Sheffield Licensing Authority and will assist you with improving partnership work with the responsible authorities and finding out what services are available in Sheffield to help you; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

Meanwhile, please ensure that the following systems are operating at the premises (immediate advice about age verification is available from Greg Ward, Trading Standards (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

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B14

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.noidnosale.com/>; or <http://www.drinkaware.co.uk/resources>. Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

To secure a place please contact me on (0114) 2736753 not later than 4 February 2013 to confirm the name of the person who will attend. DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE. Please let us know in advance if you have any special requirements to access the training.

Yours sincerely



JULIE HAGUE
Licensing Project Manager,
Sheffield Safeguarding Children Board



Annex 1
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27.2.13

Mr D Wild
Designated Premises Supervisor
Terminus Tavern
150a Main Road
Darnall
Sheffield S9 5HQ

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734626

Dear Mr Wild

**LICENSING ACT 2003: THE PROTECTION OF CHILDREN FROM HARM
TERMINUS TAVERN, 150A MAIN ROAD, S9 5HQ**

Further to a joint agency meeting at the above premises on 13.2.13 at which you were unfortunately not in attendance, I am writing to confirm the key points of our discussion and the agreements made with Mr Greenall, licence holder and Mr Andy Roberts, general manager, in relation to safeguarding children and young people at the premises. Please note that the following actions were agreed in addition to the multi agency action plan served by South Yorkshire Police.

1. I note Mr Roberts' comments that few children access the premises. However in light of the premises licence and action plan allowing children restricted access, it is vital that the environment at the pub remains safe and family friendly. In order to ensure this, I have offered to deliver an in-house training session to your staff. I also strongly advise that the premises managers and staff attend the free safeguarding training on 11.4.13 (copy of a letter to Mr Greenall, attached, refers). Please let me know if you intend to take up these training offers.
2. A children and young people's risk assessment must be undertaken and the outcome of this must inform your staff briefings and operating policy. To assist, I enclose a risk assessment tool which should be completed and retained as part of your due diligence records.
3. As agreed, I also enclose an information pack including leaflets, advice about a recognised proof of age scheme and copies of the Children's Charter. This should assist you with enforcing children's safeguarding policies, completing your children's risk assessment and briefing your staff.

I trust the above will assist and look forward to hearing from you regarding the training.

Yours sincerely


JULIE HAGUE
Licensing Project Manager
Sheffield Safeguarding Children Board
Cc: SY Police; Mr D Greenall (Licence Holder)



Annex 1
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B16

14.3.13

Ms Tansy Bagshaw
Designated Premises Supervisor
Terminus Tavern
150a Main Road
Darnall
Sheffield S9 5HQ

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736763
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Ms Bagshaw

**LICENSING ACT 2003: THE PROTECTION OF CHILDREN FROM HARM
TERMINUS TAVERN, 150A MAIN ROAD, S9 5HQ**

Further to a joint agency meeting at the above premises this morning, which was also attended by PC Parker and Ms Payne of South Yorkshire Police and Mr Greenall, licence holder. I am writing to confirm the key points of our discussion and the agreements made in relation to the action plan outstanding issues for safeguarding children and young people at the premises. Please note that the following safeguarding actions are still outstanding and must be addressed as per the action plan timescales agreed this morning.

1. I note your comments that few children access the premises. However in light of the premises licence and action plan allowing children restricted access, it is vital that the environment at the pub remains safe and family friendly. In order to ensure this, I have strongly advised that you plus one suitable member of staff as a minimum, attend the free safeguarding training on 11.4.13 (enclosed training letter refers).
2. A children and young people's risk assessment must be undertaken and the outcome of this must inform your staff briefings and operating policy. To assist, I have already provided 2 risk assessment documents which have not been completed by your predecessor or Mr Greenall and which we have agreed today that you will complete as a matter of priority. Once completed this exercise should inform your staff briefings and operating policy and the document must be retained as part of your due diligence records.
3. You confirmed that you are in receipt of copies of the Children's Charter and that these will be displayed and the principles enforced by all staff immediately. This should assist you with enforcing children's safeguarding policies.

I trust the above will assist and look forward to hearing from you regarding the training.

Yours sincerely


JULIE HAGUE
Licensing Project Manager
Sheffield Safeguarding Children Board



Anex 1
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14.3.13

Ms Tansy Bagshaw
Designated Premises Supervisor
Terminus Tavern
150a Main Road
Darnall
Sheffield S9 5HQ

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children Board
- Licensing Project
Floor 2
Redvers House
Union Street
Sheffield S1 2JQ
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

Dear Sir/Madam

**THE PROTECTION OF CHILDREN AT LICENSED PREMISES - LICENSING ACT 2003
OFFER OF FREE STAFF TRAINING: TERMINUS TAVERN, 150A MAIN ROAD, DARNALL
SHEFFIELD S9 5HQ**

I am writing to inform you that 2 places have been reserved on the multi-agency 'Safeguarding Children at Licensed Premises' training workshop, for the Designated Premises Supervisor and/or other responsible member(s) of staff at the above premises. The workshop is free of charge and will take place as follows:

Date: 11.4.13

Time: 1.15pm to 5.15pm

Venue: STADIA TECHNOLOGY PARK, 60 Shirland Lane, Sheffield S9 3SP

The purpose of the workshop is to support you to operate the premises legally and responsibly, with due regard for the protection of children. It is important to attend the workshop in addition to any other training you may attend, as this training is recognised by the Sheffield Licensing Authority and will assist you with improving partnership work with the responsible authorities and finding out what services are available in Sheffield to help you; attendance will go towards your test of due diligence and help you to demonstrate that you are trying to address issues at the premises. Records of attendance will be maintained and shared with South Yorkshire Police, Sheffield City Council Trading Standards and the Licensing Authority.

Meanwhile, please ensure that the following systems are operating at the premises (immediate advice about age verification is available from Greg Ward, Trading Standards (0114 2736241):

- The Challenge 21 (OR 25) scheme: All staff must be trained to operate this, including managing confrontation, keeping a refusals log and knowledge of which types of identification are legitimate and acceptable.
- Staff training records must be maintained including the signature of trainees, details of the training delivered and dates, including refresher training.
- Signage to highlight the Challenge 21 OR 25 scheme and to highlight the law in relation to children and alcohol must be prominently displayed.
- A children and young people's risk assessment should be undertaken and this should inform your operating policy and staff training. Assistance with the risk assessment process including a risk assessment tool is available from the Sheffield Safeguarding Children Board (contact details above).

CONTINUED .../

Materials such as posters and other signage to promote your proof of age scheme are also available to download from the internet at <http://www.noidnosale.com/>; or <http://www.drinkaware.co.uk/resources>. Proof of age materials may also be obtained from info@validateuk.co.uk to assist customers who do not have other types of acceptable identification.

To secure a place please contact me on (0114) 2736753 **not later than 30 MARCH 2013** to confirm the name of the person who will attend. **DELEGATES ATTENDING THE WORKSHOP MUST BRING PHOTO ID (passport or driving licence) IN ORDER TO OBTAIN A CERTIFICATE OF ATTENDANCE.** Please let us know in advance if you have any special requirements to access the training.

Yours sincerely


JULIE HAGUE
Licensing Project Manager,
Sheffield Safeguarding Children Board

Appendix C

Hearing Notices / Regulations / Procedure



CI

**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

To: Mr David Nelson Greenall
29 Junction Road
Sheffield
S11 8XA

daveandfiona@hotmail.com

The Sheffield City Council being the licensing authority, on the 7th May 2013 received an application from South Yorkshire Police for a review of a Premises Licence in respect of premises known as The Terminus Tavern, 150a Main Road, Sheffield, S9 5HQ

During the consultation period the Council also received representations from Sheffield Safeguarding Children Board.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield, S1 2HH, on Tuesday 2nd July 2013 at 10am; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) Your response to the application for review, upon which you may ask and be asked questions by the parties to the hearing.
- 2) You may also be asked questions by the parties to the hearing, relating to the application made for review the Premises Licence.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated 21st June 2013

Signed _____
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.



C2

**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

To: Mr David Nelson Greenall
c/o The Terminus Tavern
150a Main Road
Darnall
Sheffield
S9 5HQ

The Sheffield City Council being the licensing authority, on the 7th May 2013 received an application from South Yorkshire Police for a review of a Premises Licence in respect of premises known as The Terminus Tavern, 150a Main Road, Darnall, Sheffield, S9 5HQ.

During the consultation period the Council also received representations from Sheffield Safeguarding Children Board.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on Tuesday 2nd July 2013 at 10am; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) Your response to the application for review, upon which you may ask and be asked questions by the parties to the hearing.
- 2) You may also be asked questions by the parties to the hearing, relating to the application made for review the Premises Licence.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated 21st June 2013

Signed _____
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield, S9 3HD.

**Notice of hearing to consider an
application for review of a premises
licence and any relevant representations**

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board

The Sheffield City Council being the licensing authority, on the 7th May 2013 received an application from South Yorkshire Police for a review of a Premises Licence in respect of premises known as The Terminus Tavern, 150a Main Road, Darnall, Sheffield, S9 5HQ.

During the consultation period the Council also received representations from Sheffield Safeguarding Children Board.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on Tuesday 2nd July 2013 at 10am; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

1. The representations you have made in connection with the review with reference to these particular premises and the four core objectives.
2. You may also be asked questions by the parties to the hearing, relating to your representations.

**You should complete form LAR1 and return it to: The Licensing Service,
Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road
Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the
day or the first day on which the hearing is to be held.**

Dated 21 June 2013

Signed _____
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

**Notice of hearing to consider an
application for review of a premises
licence and any relevant representations**

SYP Licensing Team
Attercliffe Police Station
60 Attercliffe Common
SHEFFIELD
S9 2AD

The Sheffield City Council being the licensing authority, on the 7th May 2013 received an application from South Yorkshire Police for a review of a Premises Licence in respect of premises known as The Terminus Tavern, 150a Main Road, Darnall, Sheffield, S9 5HQ.

During the consultation period the Council also received representations from Sheffield Safeguarding Children Board.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on Tuesday 2nd July 2013 at 10am; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) The application for review you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your application.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated 21 June 2013

Signed _____
The officer appointed for this purpose

Please address any communications to:

The Licensing Service,
Business Strategy and Regulation
Place Portfolio,
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

Right of attendance, assistance and representation

15. Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

Representations and supporting information

16. At the hearing a party shall be entitled to –
- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
 - (b) if given permission by the authority, question any other party; and
 - (c) address the authority

Failure of parties to attend the hearing

20. – (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may:–
- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence.
- (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Procedure at hearing

21. Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for at regulation 16.
25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –
- (a) refuse to permit that person to return, or
 - (b) permit him to return only on such conditions as the authority may specify, but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

Licensing Act 2003 – Hearing Procedure – Regulation 7 (1)

This procedure has been drawn up in accordance with the Licensing Act 2003 to assist those parties attending Licensing Committee hearings.

1. The hearing before the Council is Quasi Judicial.
 2. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
 3. The Chair will ask the applicants to formally introduce themselves.
 4. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
 5. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked both by Members and the applicant.
 - (c) The Licensing Officer will introduce in turn representatives for the Responsible Authority and Interested Parties who will be asked to detail their relevant representations.
 - (d) Members may ask questions of those parties
 - (e) With the leave of the Chair the applicant or his representative may cross examine the representatives of the Responsible Authorities and Interested Parties.
 - (f) The applicant/licensee (or his/her nominated representative) will then be asked to:-
 - (i) detail the application;
 - (ii) provide clarification on the application and respond to the representations made.
 - (g) The applicant/licensee (or his/her nominated representative) may then be asked questions by members and with the leave of the Chair from the other parties present.
 - (h) The applicant will then be given the opportunity to sum up the application.
 - (i) The Licensing Officer will then detail the options.
 - (j) There will then be a private session for members to take legal advice and consider the application.
 6. The decision of the Licensing Committee will be given in accordance with the requirements of the Licensing Act 2003 and regulations made there under.
- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
 - 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.