

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 20 June 2013

**PRESENT:** Councillors Clive Skelton (Deputy Chair), David Barker and Nikki Bond

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

- 1.1 An apology for absence was received from Councillor John Robson (Chair of the Sub-Committee).

#### **2. EXCLUSION OF PUBLIC AND PRESS**

- 2.1 No items were identified where resolutions may be moved to exclude the public and press.

#### **3. DECLARATIONS OF INTEREST**

- 3.1 There were no declarations of interest.

#### **4. LICENSING ACT 2003 - DOVER ROAD CLUB, 1-3 DOVER ROAD, SHEFFIELD S11 8RH**

- 4.1 The Chief Licensing Officer submitted a report to consider an application for a Premises Licence made under Section 17 of the Licensing Act 2003, in respect of the premises known as Dover Road Club, 1-3 Dover Road, Sheffield S11 8RH.
- 4.2 Present at the meeting were Marion Watson (objector), Matthew Simpson (Botanical Area Community Association), Geoffrey Sleight (applicant), John Gaunt (Solicitor for the applicants), Matt Proctor (Senior Licensing Officer), Louise Slater (Solicitor to the Sub-Committee) and Jennie Skiba (Democratic Services).
- 4.3 Louise Slater outlined the procedure which would be followed during the hearing.
- 4.4 Matt Proctor presented the report to the Sub-Committee and it was noted that representations had been received from members of the public and were attached at Appendix 'B' to the report.
- 4.5 Marion Watson informed the Sub-Committee that her home and garden is adjacent to the area at the rear of the property and was very concerned that if the licence were granted for the opening hours requested, there would be a considerable amount of noise and felt that this was not acceptable in a residential area. She added that her main concern was that the owners would want to use the rear of the building for outside seating and drinking and the holding of private parties which she would find very stressful.
- 4.6 Matthew Simpson stated that the premises were previously used as the Polish Ex-Servicemen's Club and that it catered for local Polish people would arrive and

leave on foot. He added that the Club had closed due to dwindling numbers and that any future use, as had been suggested, was not comparable to it. Matthew felt that the proposed future use would be dependent on people coming from further afield, which would cause some disturbance to the community due to noise created by customers leaving the premises by car and taxis arriving and departing.

- 4.7 John Gaunt produced a map of the area and pointed out the grassed area used to be used as tennis courts and that it was this which bordered onto Marion Watson's property and stated that there were no plans to use that area as outside events. He added that any noise breakout would only be from a small second floor window and felt that when the application for a licence was originally made, he did not envisage any problems due to the premises being previously licenced. He added that the applicants wanted to replicate the previous licence and open the club as a members club to be run by responsible and sensible people. He felt that the absence of the responsible authorities i.e. the Police, Fire Service, Environmental Health etc. indicated that they felt there were no problems with the application. John Gaunt also felt that by bringing the premises back into use, there would be an improvement to the external appearance of the building.
- 4.8 In response to questions from Members of the Sub-Committee, John Gaunt reiterated that there were no plans to use the outside area and that with 23 years experience, the applicants had worked with the Responsible Authorities and local residents to resolve any problems which may have arisen. He also added that there would be Manager living on the premises.
- 4.9 In response to questions from the objectors, Mr. Gaunt said that the premises did not have an air-conditioning unit to create a noise nuisance and that if there was any noise breakout, the applicants would work with Environmental Health to assess any such nuisance.
- 4.10 Matt Proctor then outlined the options open to the Sub-Committee.
- 4.11 RESOLVED: That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.12 Louise Slater reported orally, giving legal advice on various aspects of the application.
- 4.13 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.14 RESOLVED: That the Sub-Committee agrees to grant the premises licence now submitted with the additional conditions as follows:-
- (a) that any amplified entertainment be produced through a noise limiter as set

by the Environmental Protection Service; and

- (b) that the tennis court to the rear of the property be excluded from the licence application.

(The full reasons for the Sub-Committee's decision and the operating conditions will be included in the Notice of Determination).