

**SHEFFIELD CITY COUNCIL**

**Licensing Sub-Committee**

**Meeting held 17 December 2013**

**PRESENT:** Councillors Clive Skelton (Chair), David Barker and Cliff Woodcraft

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**1. APOLOGIES FOR ABSENCE**

1.1 No apologies for absence were received.

**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 - DRINKS-NOW.COM, UNIT G2, 57 CHIPPINGHOUSE ROAD, SHEFFIELD S8 0ZF**

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 Drinks-Now.com, Unit G2, 57 Chippinghouse Road, Sheffield S8 0ZF.

4.2 Present at the meeting were Christopher Gascoigne (Applicant), Councillor Rob Murphy, Mr. N. Zaman, M. Zaman, Mrs. R. Calaghan and Mr. S. Calaghan (Objectors), Matt Proctor (Senior Licensing Officer), Kavita Ladva (Solicitor to the Sub-Committee) and Jennie Skiba (Democratic Services).

4.3 Kavita Ladva 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 five objections (including a petition of 136 signatures) had been received from members of the public and were attached at Appendix B to the report.

4.5 Councillor Clive Skelton, Chair of the Sub-Committee, asked the applicant to clarify the further condition he had put forward for inclusion on the licence should it be granted, as referred to at paragraph 2.3 of the report.

4.6 Nadim Zaman, objector, read from a prepared statement which outlined his main objections to the application. He stated that the premises had been used for a number of different enterprises recently and had all brought their own kind of undesirable visitors to the area. He further stated that the surrounding roads were not suitable for large volumes of traffic, many of them being one-way or with speed restrictions and felt that there would be increased congestion which would cause further annoyance to an area which is generally a peaceful suburb of

Sheffield.

- 4.7 Nadim Zaman felt that an application for the sale of alcohol 24 hours a day, seven days per week will lead to an increase in noise, disturbance and anti-social behaviour, and although such problems already existed in the area, the sale of alcohol could potentially exacerbate the problems even more.
- 4.8 Nadim Zaman went on to add that there is a children's playground in the area and did not feel that this type of business was suitable where many children played. He also felt that this type of property would attract criminal gangs if they were aware that large amounts of alcohol were stored there. Mr. Zaman also drew to the Sub-Committee's attention the fact that there is a Mosque in the area which in itself creates a lot of traffic when children are dropped off and collected from the Mosque.
- 4.9 Members asked Mr. Zaman a number of questions regarding the amount of traffic that may have always travelled along Chippinghouse Road, the nature of other businesses in the Unit and the wording on the petition. It was suggested that the wording on the petition bore no resemblance to the application and asked where the information had come from.
- 4.10 Mrs. Calaghan stated that she had posted the information as she saw it through letterboxes and said that she had not had sight of the application prior to the meeting. She added that her concerns were similar to those already outlined and also for the business to be viable, the applicant would have to trade at unsociable hours and create a nuisance during the night. Mrs. Calaghan also stated that there was a large heavy gate to the premises which tended to make a noise when being closed.
- 4.11 Christopher Gascoigne apologised to the objectors present for not contacting them prior to the meeting and said that he wished to work with the local residents and not create any nuisance. He stated that he had given a lot of thought as to how he could carry on his business and have a minimal impact on the local community.
- 4.12 Christopher Gascoigne addressed the concerns of the objectors and stated that it was his intention to trade online and provide pre-drink and party delivery service. He stated that he is the owner, Designated Premises Supervisor (DPS) and driver for the business. He further stated that all sales will be strictly off the premises, the premises not being open to members of the public, so no anti-social behaviour through alcohol could be attributed to the business. He went on to add that whilst the application is for "24 hours, seven days per week", the premises will be used strictly for storage purposes, he will not be making deliveries any later than 1.00 a.m. Tuesday to Thursday, and 2.00 a.m. on Fridays and Saturdays, and will be closed on Sundays and Mondays.
- 4.13 Christopher Gascoigne said that deliveries coming onto the premises will be during the specified hours of 9.00 a.m. to 5.00 p.m., preferably during the afternoon when all children should be in school and residents at work, which would minimise any traffic congestion. He has agreed that no deliveries will be

made on Fridays, taking into account Friday prayers at the local Mosque. He added that the proposed business is very small with only one vehicle, which will be driven by him. It is intended that his girlfriend will work in the office when she can. If the business grows then he plans to move to larger premises within a more industrial area. Mr. Gascoigne said that the gates to the premises were brand new and he would make every endeavour to minimise the noise when closing them.

- 4.14 In response to questions from Members of the Sub-Committee and objectors, Christopher Gascoigne stated that he would only arrange for deliveries to be made to his premises on the days and times already specified, and that if his stock ran low, he would visit his suppliers rather than arrange another delivery. He added that it was his intention to remain vigilant at all times and not create any public nuisance and to operate a strict Challenge 25 policy.
- 4.15 With regard to security at the premises, Christopher Gascoigne stated that there were two sets of gates, barbed wire around the wall and CCTV to the front and rear of the premises.
- 4.16 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.
- 4.17 Kavita Ladva reported orally, giving legal advice on various aspects of the application.
- 4.18 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.19 RESOLVED: That, following consideration of the information contained in the report now submitted, and the representations now made, the application for a premises licence in respect of Drinks-now.com, Unit G2, 57 Chippinghouse Road, Sheffield S8 0ZF, be granted in the terms requested, subject to the following conditions:-
- (a) that deliveries to the premises be restricted to twice a week between 9.00 a.m. and 5.00 p.m., Mondays to Thursdays;
  - (b) that the premises are not used after 1.00 a.m. Tuesday to Thursday and 2.00 a.m. Fridays and Saturdays;
  - (c) that the premises are closed on Sundays and Mondays; and
  - (d) buffers to be fitted to the outside gates to minimise noise.

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

