

# **Licensing Committee**

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**Thursday 16 January 2014 at 10.00 am**

**To be held at at the Town Hall,  
Pinstone Street, Sheffield, S1 2HH**

**The Press and Public are Welcome to Attend**

## **Membership**

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Councillors Clive Skelton (Chair), Jenny Armstrong, David Barker, Nikki Bond, Jillian Creasy, Roger Davison, Neale Gibson, Adam Hurst, George Lindars-Hammond, Denise Reaney, Nikki Sharpe, Stuart Wattam, Cliff Woodcraft and Joyce Wright

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## **PUBLIC ACCESS TO THE MEETING**

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The Licensing Committee carries out a statutory licensing role, including licensing for taxis and public entertainment.

A copy of the agenda and reports is available on the Council's website at [www.sheffield.gov.uk](http://www.sheffield.gov.uk). You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday, or you can ring on telephone no. 2734552.

You may not be allowed to see some reports because they contain confidential information. These items are usually marked \* on the agenda.

Recording is allowed at Licensing Committee meetings under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

If you would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

If you require any further information please contact Harry Clarke on 0114 273 6183 or email [harry.clarke@sheffield.gov.uk](mailto:harry.clarke@sheffield.gov.uk).

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## **FACILITIES**

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There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

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**LICENSING COMMITTEE AGENDA  
16 JANUARY 2014**

**Order of Business**

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**  
Members to declare any interests they have in the business to be considered at the meeting.
- 5. Minutes of Previous Meetings**  
To approve the minutes of the meetings held on:-  
  
11 November 2013  
14 November 2013  
18 November 2013  
19 November 2013  
21 November 2013  
25 November 2013  
28 November 2013  
2 December 2013  
5 December 2013
- 6. Licensing Act 2003 - Multi-Agency Safeguarding Work**  
Report of the Chief Licensing Officer

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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New standards arrangements were introduced by the Localism Act 2011. The new regime made changes to the way that members' interests are registered and declared.

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period\* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

\*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.
- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) -
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either -
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in

land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or

- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously, and has been published on the Council's website as a downloadable document at -<http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests>

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email [lynne.bird@sheffield.gov.uk](mailto:lynne.bird@sheffield.gov.uk)

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Licensing Sub-Committee

Meeting held 11 November 2013

**PRESENT:** Councillors Clive Skelton (Chair), Adam Hurst and Denise Reaney

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**1. APOLOGIES FOR ABSENCE**

1.1 No apologies for absence were received. Councillor Nikki Bond attended the meeting as a reserve Member, but was not required to stay.

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 4 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES**

4.1 The Chief Licensing Officer submitted details in respect of three cases relating to Hackney Carriage and Private Hire Licensing.

4.2 The applicant in Case No. 92/13 had cancelled his appointment prior to the hearing as his representative was not available on this day. A new date for the hearing would be arranged.

4.3 The applicant in Case No.93/13 attended the hearing with a representative and they both addressed the Sub-Committee.

4.4 The applicant in Case No.94/13 attended the hearing and addressed the Sub-Committee.

4.5 RESOLVED: That the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
93/13	Review of a Hackney Carriage and Private Hire Driver's Licence	Defer consideration of the review for a period of one month, to allow officers to speak to the complainants to give them the opportunity to expand on the details of their complaints. The license holder was then to be given the opportunity to

respond fully to the complaints made against him.

94/13      Renewal of a Hackney  
Carriage and Private Hire  
Driver's Licence

Renew the licence for the shorter term of nine months in view of the offence and conviction now reported, and on renewal, authority be given to grant the applicant an 18 month licence, subject to there being no further cause for concern.

# SHEFFIELD CITY COUNCIL

## Licensing Committee

### Meeting held 14 November 2013

**PRESENT:** Councillors Clive Skelton (Chair), Jillian Creasy, Roger Davison, George Lindars-Hammond, Denise Reaney, Stuart Wattam and Joyce Wright

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

1.1 Apologies for absence were received from Councillors Nikki Bond, Neale Gibson, Adam Hurst and Cliff Woodcraft.

#### **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. MINUTES OF PREVIOUS MEETINGS**

4.1 The minutes of the meetings of the Licensing Committee held on 12<sup>th</sup> September and 10<sup>th</sup> October 2013, and the Licensing Sub-Committee held on 9<sup>th</sup>, 10<sup>th</sup>, 16<sup>th</sup>, 23<sup>rd</sup>, 26<sup>th</sup> and 30<sup>th</sup> September and 3<sup>rd</sup> October 2013, were approved as correct records.

#### **5. PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING - DRIVER AND APPLICANT REFERRALS POLICY - REVIEW**

5.1 The Chief Licensing Officer submitted a report relating to the review of the current policy in respect of referring current and prospective licensed drivers to the Licensing Sub-Committee and the setting of the guidelines as to when a driver and applicant should be referred. The report had been submitted to the meeting of the Committee held on 12<sup>th</sup> September 2013, and although the Committee had agreed in principle to a small change in the current policy, attached to the report at Appendix 1, it had requested the submission of further information on the offences and reasons that related to the issue of warnings, cautions and the prosecution of offenders. The report contained such information, together with Appendices 2 and 3, relating to a list of the 'common' offences that officers may detect and details of penalty point schemes adopted by other local authorities. Copies of the local Sheffield City Council By-Laws, relating to hackney carriages, were circulated at the meeting.

5.2 Clive Stephenson, Principal Licensing Officer, presented the report, referring specifically to the additional information requested by the Committee at its

meeting held on 12<sup>th</sup> September 2013. He reported on the penalty point systems adopted by a number of local authorities, indicating that, in his view, such a system would be very difficult to administer and would create problems for both officers and drivers.

- 5.3 Hafeas Rehman, Sheffield Taxi Trades Association (STTA), agreed with the views now made with regard to a penalty points system, indicating that such a system would place too much pressure and onus on officers, as well as creating confusion for drivers. He agreed broadly with the present warning system, but suggested that those drivers receiving three warning letters for minor offences should be required to attend the Licensing Office to explain their behaviour in front of officers. Mr Rehman concluded by referring to the problems facing taxi drivers in the City Centre, stating that there were very few taxi ranks and places for them to park and that, in his opinion, taxi drivers were being unfairly treated by some Parking Services staff.
- 5.4 Mohammed Yasim, GMB, referred to the recent death of John Robson, the former Chair of the Committee, stating that he wished to express his sincere condolences, on behalf of the GMB, to John's family and friends. Mr Yasim stated that he also agreed with the officer's view in terms of the present referral system and the penalty point system, indicating that there was no justification for the introduction of a point system and that it would be very confusing for both officers and drivers. He reiterated Mr Rehman's views in terms of the problems facing drivers in terms of parking in the City Centre and suggested that the Council look at this issue as a matter of urgency.
- 5.5 In response to comments and questions raised, Clive Stephenson stated that it would be possible to introduce a system whereby warnings were time-limited, with the period of time being dependent on the nature of the offence. Officers had looked at introducing a system similar to the Council's Disciplinary Procedures, where there would be a number of informal stages prior to a warning letter being sent, and prior to any formal disciplinary process, but had decided against this as there was a difference between drivers and employees, as well as the fact that current legislation depicted that all offences should be considered as part of applications for, and reviews of, licenses. In terms of the weightings given in respect of warnings by officers, all aspects of the case would be considered, including whether the driver had committed similar or other offences in the past, and taking into consideration the views of the public in those cases where someone had made a complaint about the actions of a driver. Taxi Licensing Officers would continue to work with colleagues in Transport and Highways in reviewing the number of taxi ranks and parking spaces in the City Centre, particularly in the light of the increase in the number of private hire vehicles. On this issue, the Chair stated that Taxi Licensing Officers worked closely with colleagues in Transport and Highways and Development Services when there were major developments in the City Centre, such as the new Markets building, to look at what provision could be made in terms of parking for taxi drivers. He added that officers also liaised with the bus companies to look at how taxi drivers could rank at certain bus stops once services had stopped running late at night. Mr Stephenson stated that having an agreed procedure in terms of the nature and number of warnings would assist officers and also help to reduce any confusion

for drivers. He stated that he would be willing to attend a future meeting of the Access Liaison Group to discuss the issue regarding the parking of taxis around the new Markets building.

- 5.6 RESOLVED: That the public and press and attendees 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.
- 5.7 The Solicitor to the Committee reported orally, giving legal advice on various aspects of the report.
- 5.8 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 5.9 RESOLVED: That the Committee:-
- (a) notes the contents of the report now submitted, the representations now made and the responses to the questions raised;
  - (b) in the light of the information now reported and the representations now made, agrees that the Council should not adopt a penalty points system in connection with warnings and prosecutions for drivers and operators under the current Referrals Policy; and
  - (c) (i) approves the criteria regarding the Referral of Drivers or Applicants to the Licensing Sub-Committee, relating to more serious offences, as set out in Appendix 1 to the report now submitted, and (ii) agrees that, for less serious misdemeanours, offences and breaches of conditions, (A) drivers and operators should receive a verbal warning for the first offence, a written warning for the second offence, and a final written warning for the third offence, with any further offences resulting in a referral to the Licensing Sub-Committee and (B) the term of the warnings remain on the licence in periods of calendar months, dependent on the nature of the offence.

## **6. PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING - TAXI ENFORCEMENT REVIEW**

- 6.1 The Chief Licensing Officer submitted a report outlining the enforcement activity undertaken in relation to private hire and taxi licensing for the period 1<sup>st</sup> April to 30<sup>th</sup> September 2013.
- 6.2 In attendance were Clive Stephenson, Principal Licensing Officer, Hafeas Rehman, Sheffield Taxi Trades Association (STTA), and Mohammed Yasim, GMB.
- 6.3 Mohammed Yasim stated that both drivers and officers should be commended on the figures regarding vehicle enforcement, driver checks and referrals to the Licensing Sub-Committee. He stated that the majority of problems at the present time were caused by drivers from other areas plying for hire in the City and drivers

illegally plying for hire, and that there was a need for urgent action against such drivers.

- 6.4 Hafeas Rehman welcomed the report, but expressed concern at the fact that there was no reference to operators. He reiterated Mr Yasim's views in that officers should be focussing their enforcement activity on drivers, often those from other areas, illegally plying for hire in the City. He also expressed his concern at any possible reduction in service following the planned restructuring of the Licensing Section, indicating that drivers deserved a better service and wanted to see a better standard of enforcement. He concluded by stating that action was required to resolve the issues at Owlerton Stadium and Napoleon's Casino, Penistone Road.
- 6.5 In response to questions from Members of the Committee, Clive Stephenson stated that arrangements had been put in place in terms of enforcement action against operators, details of which would be included in the next enforcement report. The reason for the increase in the number of checks made by officers in August 2013, was that officers were accompanied by the Police, who were able to stop drivers. Particular efforts were made to stop private hire drivers when officers were accompanied by the Police. Although officers were aware of the problems caused by unlicensed drivers from other areas coming into the City and illegally plying for hire, it was very difficult for them to take any action as, even if they had the relevant contact details, there was no requirement on the drivers to respond or provide any information. It was also very difficult to obtain any job records or other details from their respective operators, therefore officers could not obtain the relevant evidence they required to hand to the Police.
- 6.6 RESOLVED: That the public and press and attendees 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.
- 6.7 The Solicitor to the Committee reported orally, giving legal advice on various aspects of the report.
- 6.8 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 6.9 RESOLVED: That the Committee:-
- (a) notes the contents of the report now submitted, the representations now made and the responses to the questions raised;
  - (b) welcomes the report and expresses its thanks to (i) the officers in the Taxi Licensing Section for the excellent work undertaken by them in terms of enforcement and (ii) the drivers in connection with the comparatively low figures regarding defect notices, warning letters and referrals; and
  - (c) requests:-

- (i) the Chief Licensing Officer to submit a total of four update reports on enforcement activity per annum to future meetings, comprising three quarterly reports and one annual report, with (A) both the quarterly reports and the annual report containing comparative figures for the two previous quarterly period or years, respectively, and (B) details in terms of an explanation, being included in the report where any figures vary from the norm; and
- (ii) that, regardless of any changes following the planned restructuring of the Licensing Service, officers be required to undertake enforcement activity a minimum of 40 weeks per annum.

**7. JOHN ROBSON**

7.1 The Chair referred to the recent death of John Robson, who was considered to be a good friend, as well as a colleague, to many Councillors, and who had Chaired this Committee since May, 2012.

7.2 RESOLVED: That the Committee:-

- (a) places on record its sadness at the death of John Robson; and
- (b) requests that its sincere condolences be conveyed to John's family and friends.

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**SHEFFIELD CITY COUNCIL**

**Licensing Sub-Committee**

**Meeting held 18 November 2013**

**PRESENT:** Councillors Clive Skelton (Chair), Jenny Armstrong and Denise Reaney

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**1. APOLOGIES FOR ABSENCE**

1.1 An apology for absence was received from Councillor Neale Gibson.

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 4 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES**

4.1 The Chief Licensing Officer submitted details in respect of two cases relating to hackney carriage and private hire licensing.

4.2 The applicant in Case No. 95/13 attended the hearing and addressed the Sub-Committee.

4.3 The licence holder in Case No. 96/13 attended the hearing with a representative and they both addressed the Sub-Committee. Also in attendance were two complainants representing Owlerton Stadium and Napoleon's Casino.

4.4 RESOLVED: That the cases now submitted be determined as follows:-

<u>Case No</u>	<u>Licence Type</u>	<u>Decision</u>
95/13	Application for a Hackney Carriage and Private Hire Driver's Licence	Refuse to grant a licence on the grounds that the Sub-Committee does not consider the applicant to be a fit and proper person to hold a licence in the light of (a) his offences and convictions, (b) the responses provided to the questions raised and (c) the lack of evidence to show that he has changed his attitude and behaviour.

96/13	Review of a Hackney Carriage and Private Hire Driver's Licence	In the light of the circumstances of the case, and based on the evidence provided by the licence holder, the licence holder's representative and the two complainants, the Sub-Committee decided that no action should be taken in respect of this case.
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**SHEFFIELD CITY COUNCIL**

**Licensing Sub-Committee**

**Meeting held 19 November 2013**

**PRESENT:** Councillors Clive Skelton (Chair), Jillian Creasy and Roger Davison

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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. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - STREET TRADING - CITY CENTRE SMALL TRADING STALLS**

4.1 The Chief Licensing Officer submitted a report to consider an application, under the Local Government (Miscellaneous Provisions) Act 1982, for a street trading consent to trade in the city centre (Ref No.63/13).

4.2 Present at the meeting were Stephen Harrison (Applicant), Steve Cooper (City Centre Resources Manager), Andy Ruston (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 Andy Ruston presented the report to the Sub-Committee and it was noted that objections to the application had been received from the City Centre Management Team, the Highways Service, South Yorkshire Police and South Yorkshire Fire and Rescue and were attached at Appendices "C", "D", "E" and "F" to the report.

4.5 Steve Cooper stated that the application to site the mobile catering van in Devonshire Green fails to meet the qualitative criteria that have been agreed by the City Council for static street trading pitches in the City Centre. Steve Cooper added that the main objection therefore was that the vehicle did not fit the desired criteria.

4.6 In response to questions from Members of the Sub-Committee, Steve Cooper stated that vehicular access onto the site is via the removable bollards off Fitzwilliam Street, which are key operated by members of the City Centre Management Team and vehicle movement would be restricted between the hours of 10.00 a.m. to 6.00 p.m. daily. He went on to add that the applicant would be

responsible for providing his own electricity and water supply, and for ensuring that adequate waste receptacles were provided and subsequently removed from the site on a daily basis.

- 4.7 Stephen Harrison stated that the vehicle was brand new and was fitted with its own generator and running water. He added that the project was going to be run on a voluntary, non-profit making basis and was aimed at trying to promote healthy eating to prevent people developing Type 2 Diabetes. Stephen Harrison went on to inform Members that he had, in the past, obtained funding from different areas of the City Council i.e. Community Assemblies, Area Panels, etc. but due to financial constraints, the funding had now ceased.
- 4.8 Stephen Harrison said that he had been advised initially to apply for a licence on Barkers Pool, which was subsequently refused and then to apply for a licence at Devonshire Green.
- 4.9 In response to questions from Members of, and the Solicitor to, the Sub-Committee, Stephen Harrison stated that he needed to get the project up and running as he was making a loss and was willing to operate wherever footfall was the greatest in order to cover the costs of initially buying the vehicle and the ongoing costs since its purchase. He added that Diabetes UK was hoping to be involved with the project by handing out flyers and giving information regarding Diabetes.
- 4.10 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.
- 4.11 Kavita Ladva reported orally, giving legal advice on various aspects of the application.
- 4.12 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.13 RESOLVED: That, following consideration of the information contained in the report now submitted, and the representations now made, the application for a city centre small trading stall consent to trade at Devonshire Green (Ref No.63/13), be granted.

**SHEFFIELD CITY COUNCIL**

**Licensing Sub-Committee**

**Meeting held 21 November 2013**

**PRESENT:** Councillors Clive Skelton (Chair), Nikki Bond and Joyce Wright

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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 - DOMINO'S PIZZA, 443 HANDSWORTH ROAD, SHEFFIELD S13 9DD**

4.1 The Chief Licensing Officer submitted a report to consider an application for a premises licence made under Section 17 of the Local Government Act 2003, in respect of the premises known as Domino's Pizza, 443 Handsworth Road, Sheffield S13 9DD.

4.2 Present at the meeting were Colin Tomlin (Applicant), Matt Proctor (Senior Licensing Officer), Nina Hollis (Licensing Officer), Louise Slater (Solicitor to the Sub-Committee) and Jennie Skiba (Democratic Services).

4.3 The Solicitor to the Sub-Committee outlined the procedure which would be followed during the hearing.

4.4 Nina Hollis presented the report to the Sub-Committee and it was noted that two representations had been received and were attached at Appendix B to the report. Nina Hollis stated that although the objectors had been invited, they did not attend the meeting.

4.5 Colin Tomlin referred to the objections received regarding the proposed opening of Domino's Pizza in which the objectors referred to the opening times and possible increase in public nuisance due to the unsocial hours and increase in litter.

4.6 He stated that he has held franchise agreements in other cities but not in Sheffield, and that the system of business primarily involves home delivery services and that after midnight he would only operate a total delivery service so there would be no customers entering and leaving the premises after midnight,

- 4.7 Colin Tomlin then addressed the concerns of the objectors and stated that there would be little increase in public nuisance due to the proposed opening hours and whilst litter bins would be placed outside the premises, he could not be held responsible for litter dropped away from the area.
- 4.8 In response to questions from Members, he stated that he has systems in place at his premises in Chesterfield and that there has never been any problem with late night revellers.
- 4.9 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.
- 4.10 Louise Slater reported orally, giving legal advice on various aspects of the application.
- 4.11 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.12 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 Domino's Pizza, 443 Handsworth Road, Sheffield S13 9DD, be granted.

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

**SHEFFIELD CITY COUNCIL**

**Licensing Sub-Committee**

**Meeting held 25 November 2013**

**PRESENT:** Councillors Clive Skelton (Chair), Jenny Armstrong and Roger Davison

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**1. APOLOGIES FOR ABSENCE**

1.1 No apologies for absence were received. Councillor David Barker attended the meeting as a reserve Member, but was not required to stay.

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 4 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES**

4.1 The Chief Licensing Officer submitted details in respect of three cases relating to hackney carriage and private hire licensing.

4.2 The applicant in Case No. 91/13 attended the hearing and addressed the Sub-Committee.

4.3 The applicant in Case No. 97/13 attended the hearing and addressed the Sub-Committee.

4.4 The applicant in Case No. 98/13 attended the hearing with a representative and they both addressed the Sub-Committee.

4.5 RESOLVED: That the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
91/13	Application for a new Hackney Carriage and Private Hire Driver's Licence	Grant a licence for nine months and, on the first renewal, authority be given to grant the applicant a 12 month licence and, on any subsequent renewals, an 18 month licence, subject to there being no further cause for concern.

- |       |  |   |
|-------|--|---|
| 97/13 | Application for a new Hackney Carriage and Private Hire Driver's Licence | Refuse to grant a licence on the grounds that the Sub-Committee does not consider the applicant to be a fit and proper person to hold a licence in the light of (a) his offences and convictions now reported, specifically the short period of time since his last offence and (b) the responses provided to the questions raised.   |
| 98/13 | Application for a new Hackney Carriage and Private Hire Driver's Licence | (a) Grant a licence for the shorter term of six months in the light of the offences and convictions now reported, subject to the applicant taking and passing the knowledge test and a medical examination, (b) on the first renewal, authority be given to grant the applicant a nine month licence, on the second renewal, authority be given to grant the applicant a 12 month licence and, on any subsequent renewals, an 18 month licence, subject to there being no further cause for concern and (c) the applicant be given a first written warning, to remain on his licence for a period of 12 months. |



**SHEFFIELD CITY COUNCIL**

**Licensing Sub-Committee**

**Meeting held 28 November 2013**

**PRESENT:** Councillors Clive Skelton (Chair), Neale Gibson and Jillian Creasy

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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 Councillor Neale Gibson declared a personal interest in agenda item 5 (Licensing Act 2003 – Fancie Canteen and Deli, 359-361 Ecclesall Road, Sheffield, S11 8PF) as he was familiar with the applicant through his business dealings. Councillor Gibson stated that his familiarity with the applicant was not sufficient to prevent him from taking part in the hearing.

**4. LICENSING ACT 2003 - FANCIE CANTEEN AND DELI, 359-361 ECCLESALL ROAD, SHEFFIELD, S11 8PF**

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 Fancie Canteen and Deli, 359-361 Ecclesall Road, Sheffield, S11 8PF.

4.2 Present at the meeting were Christopher Grunert (John Gaunt and Co, Solicitors, for the Applicant), Amanda Perry (Applicant, FC & Co. Ltd), Deborah Hall (General Manager, FC & Co Ltd), Peter McGuinness (Objector), Sean Gibbons (Health Protection Service, Objector), Jon Round (Environmental Protection Service, Objector), Matt Proctor (Senior Licensing Officer), Louise Slater (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

4.3 Louise Slater outlined the procedure which would be followed during the hearing.

4.4 In the light of recent correspondence in connection with the application and, at the request of the Chair, the applicant's representative clarified the present position in this regard.

4.5 Matt Proctor presented the report to the Sub-Committee and it was noted that representations had been received from the landlord of a nearby property and the Environmental Protection Service, and were attached at Appendices 'B' and 'D' to the report. He added that the representations made by the Health Protection

Service had been withdrawn following agreement to conditions by the applicant.

- 4.6 Although the representations of the Health Protection Service had been withdrawn, in response to questions regarding clarification, Sean Gibbons stated that the request made by the Service for the applicant to install a food hoist at the premises was mainly due to the design of the building, specifically the narrow and steep staircase, and the potential for conflict and accidents between staff and customers in terms of carrying food to the first floor. It had also been determined that the consumption of alcohol could potentially increase this risk. The installation of the hoist would only result in the loss of a small area of the premises, and would not result in the loss of any seating capacity.
- 4.7 Jon Round, Environmental Protection Service, stated that his concerns focused on noise nuisance and cooking odours. In terms of the potential for noise nuisance, he stated that the upper floor of the premises shared a party wall with residential accommodation and the proposed increase in the opening hours could result in the tenant of this property being affected by noise generated by customers and by staff and customers going up and down the stairs. He also made reference to the first floor terrace which overlooked neighbouring residential external space, indicating that there would be an enhanced potential for increased, prolonged activity at the premises, which would give rise to complaints regarding public nuisance. He did accept that the 21:00 hour curfew in terms of the use of the first floor terrace, as now offered by the applicants, would go some way to alleviate this problem. Mr Round referred to the acoustic report provided by the applicants, indicating that, in his opinion, the findings of the report did not go far enough so as to make him feel confident that neighbours living in nearby accommodation, particularly the tenant of the flat adjoining the premises, would not be affected by noise nuisance from the premises. In terms of the issues regarding cooking odours, he considered the present method of getting rid of such odours, which included doors and windows being left open for most of the day, was not sufficient, but indicated that he was confident that the requirement to install an appropriate fume extraction system, which would be dealt with as part of the planning permission, would help to alleviate this problem.
- 4.8 In response to questions from Members of the Sub-Committee, Mr Round confirmed that he would still be requiring the applicants to implement necessary sound insulation measures to address the issues now raised on the basis that the findings of the acoustic report did not provide the necessary evidence to show that residents in neighbouring properties and the tenant of the flat adjoining the premises would not be affected by noise nuisance from the premises. The measurements, as part of the acoustic survey, had been taken in the living room of the adjoining flat and, following information received from the resident of the flat, and on inspection of the plans, it appeared that it was the bedroom that shared the party wall with the first floor of the premises. There had been no problems of noise breakout at the rear and front of the premises. Mr Grunert highlighted the layout of the premises, pointing out the terrace area and stated that any issues of noise nuisance should be addressed by the condition limiting the use of this area after 21:00 hours. There was a potential for noise nuisance in connection with the fume extraction system required at the premises, but it was hoped that it would be installed in such a way as to minimise any potential problems. Mr Round did not

envisage any problems in connection with the music to be played on the premises, as it would only be background music. No objections had been received from the owners of the flat next door to the premises following the licence application, but they had made representations in connection with the planning application. Mr Round confirmed that the Council had not received any complaints of noise nuisance in connection with the events held during October and November 2013 at the premises, under the Temporary Event Notices, nor had any complaints of noise nuisance been received since the premises commenced operating approximately 12 months ago.

- 4.9 Peter McGuinness stated that the property he owned was directly opposite the rear of the premises and expressed concerns in terms of a potential increase in noise nuisance and general disturbance if the application was granted. He accepted that some of his concerns would be alleviated if the stated conditions were placed on the licence and adhered to. Mr McGuinness stated that there had been problems with regard to rubbish overflowing from the bins to the rear of the premises, as well as smell and noise nuisance emanating from the kitchen door, which was left open constantly, and that extending the opening hours would only exacerbate such problems. He stressed that whilst the issues raised had not caused major disturbance in the area, he was concerned at the potential for problems in the future.
- 4.10 In response to questions from Members of the Sub-Committee and the applicant's representative, Mr McGuinness stated that whilst he was supportive of the applicant's plans and wanted any conditions to be placed on the licence to be proportional and realistic, he wanted the Council to be mindful of the potential for further problems, particularly in the light of the number of licensed premises in the Ecclesall Road area. The waste bins were located outside the kitchen door, to the rear of the premises, a very short distance away from Mr McGuinness's property, and there had been problems caused by the bins being left open, and rubbish falling out and blowing over the surrounding area. If the hours of operation were increased, this would result in an increase in food and drink waste, which could exacerbate the problem. Mr McGuinness had only received one complaint from one of the tenants of the property during the events held under the Temporary Events Notices in October and November 2013, which referred to noise nuisance as a result of waste being thrown in the bins outside. The tenants of the property comprised two students, a young professional and a girl in employment. A number of licensed premises on Ecclesall Road had walled or fenced off their bin stores, which not only provided a buffer in terms of noise nuisance, but kept them out of the view of the public which lessened the opportunity of people throwing rubbish in or around the bins or taking rubbish out and spreading it round the area. Mr McGuinness confirmed that there had been no vandalism to his property, but he would often find bottles, food and waste products on the driveway. He could not provide any evidence to show that such waste was attributed to the premises. As stated earlier, he had only received one complaint from one of his tenants regarding noise nuisance, relating to waste from the premises being emptied into the bins outside.
- 4.11 Chris Grunert, on behalf of the applicant, stated that the application had been made to compliment the current business operation, and it was believed that the

application would have a limited adverse effect on the licensing objectives. The applicant wished to provide an increased range of products, and would continue to offer high quality products and the application would involve only a modest change to the current operation. In terms of the supply of alcohol, it was planned that last drinks would be served at 23:00 hours, and the premises would close at 23:30 hours. In terms of the concerns regarding noise nuisance, it was not expected that there would be a constant flow of customers and staff going up and down the stairs. The applicant had commissioned the acoustic survey in response to the representations made by the Environmental Protection Service and Development Services, and the company who undertook the work had been recommended by the Council. It was the applicant's view that the information contained in the report was reliable. Mr Grunert stated that there was very little evidence to show that the application would have an adverse effect on the promotion of the licensing objectives, and that the representations now made referred mainly to fears and concerns regarding potential adverse effects. Mr Grunert offered a further condition to the extent that bottles would not be emptied into the waste bins between 22:00 and 08:00 hours, daily. He concluded by stating that there had only been one objection raised to the application from a member of the public, referring to the fact that no objections had been received from the Ecclesall Road Residents' Group, who were usually very reactive in terms of such applications.

- 4.12 In response to questions from Members of the Sub-Committee, Mr Grunert stated that the first floor of the premises would primarily be operated in a restaurant-style and, although the applicant would have the option of moving tables and operating the area in a vertical drinking-style arrangement, it was not envisaged that this would happen. A waiter service would mostly be used in terms of the sale of alcohol, but customers would also be able to purchase drinks from the bar. There were no plans to have any door supervisors at the premises. Mr Grunert confirmed that there were toilets on the ground floor, with disabled access, and that a Premises Licence Holder would be on the premises for the majority of the time they were open.
- 4.13 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.
- 4.14 Louise Slater reported orally, giving legal advice on various aspects of the application.
- 4.15 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.16 RESOLVED: That:-
- (a) the Sub-Committee agrees to grant a Premises Licence in respect of Fancie Canteen and Deli, 359-361 Ecclesall Road, Sheffield, S11 8PF, subject to the amended application, operating schedule, agreed conditions and the additional conditions as follows:-

- (i) the collection and disposing of bottles and/or glasses to the outside bin will not take place between 21:00 and 08:00 hours, seven days a week; and
  - (ii) the Challenge 21 Scheme will be implemented at the premises; and
- (b) the Chair be requested to write to the Chair of the Planning and Highways Committee requesting that the Committee considers, in detail, the concerns raised by the Environmental Protection Service and the local resident in terms of noise nuisance, as part of the planning application.

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

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**SHEFFIELD CITY COUNCIL**

**Licensing Sub-Committee**

**Meeting held 2 December 2013**

**PRESENT:** Councillors Clive Skelton (Chair), Jenny Armstrong and David Barker

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**1. APOLOGIES FOR ABSENCE**

1.1 No apologies for absence were received.

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 4 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES**

4.1 The Chief Licensing Officer submitted details in respect of three cases relating to hackney carriage and private hire licensing.

4.2 Prior to the consideration of each case, the Chair stated that, due to unforeseen circumstances, there was no Council officer present at the meeting to provide legal advice to the Sub-Committee but, if required, Members would seek advice, by telephone. In each case, the applicants and their representatives, where applicable, gave their consent for the cases to be considered in this way.

4.3 The applicant in Case No. 92/13 attended the hearing with a representative and they both addressed the Sub-Committee.

4.4 The applicant in Case No. 100/13 attended the hearing and addressed the Sub-Committee.

4.5 The applicant in Case No. 101/13 attended the hearing with a representative and they both addressed the Sub-Committee.

4.6 RESOLVED: That the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
92/13	Application for a new Hackney	Refuse to grant a licence on the grounds that the Sub-Committee does not consider the

	Carriage and Private Hire Driver's Licence	applicant to be a fit and proper person to hold a licence in the light of the offence now reported.
100/13	Application for a new Hackney Carriage and Private Hire Driver's Licence	Grant a licence for nine months and, on the first renewal, authority be given to grant the applicant a 12 month licence and, on any subsequent renewals, an 18 month licence, subject to there being no further cause for concern.
101/13	Application for a new Private Hire Vehicle Licence	Agree to deviate from current policy and issue a licence for the normal term of 12 months on the grounds that (a) the Sub-Committee considers that the applicant's failure to licence the vehicle on time was due to unforeseen circumstances which were outside his control and (b) the applicant's vehicle is in excellent condition.



**SHEFFIELD CITY COUNCIL**

**Licensing Sub-Committee**

**Meeting held 5 December 2013**

**PRESENT:** Councillors Clive Skelton (Chair), Roger Davison and Joyce Wright

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**1. APOLOGIES FOR ABSENCE**

1.1 No apologies for absence were received. Councillor David Barker attended the meeting as a reserve Member, but was not required to stay.

**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. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - CITY CENTRE SMALL TRADING STALLS**

4.1 The Chief Licensing Officer submitted a report to consider an application, under the Local Government (Miscellaneous Provisions) Act 1982, for a street trading consent to trade in the city centre (Ref No.64/13).

4.2 Present at the meeting were Andy Ruston (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 following during the hearing.

4.4 Andy Ruston presented the report to the Sub-Committee and it was noted that this case had been deferred from a previous meeting held on 15<sup>th</sup> October, 2013 to allow for further consideration to be given to the suitability of the vehicle to be used, and objections to the application had been received at such meeting from Development Services, the City Centre Management Team and the Highways Service and were attached at Appendices "C", "D" and "E", and additional objections had since been received from the City Centre Management Team and additional comment from the Highways Service and were attached at Appendices "F" and "G" to the report, respectively.

4.5 Neither Rosita Hunt (applicant) nor any of the objectors attended the meeting, although Andy Ruston pointed out that they had all been invited to attend. Members decided to consider the application in the absence of the applicant and objectors.

4.6 Andy Ruston outlined the application stating that Ms. Hunt had submitted an

application to trade at Devonshire Green to sell ice cream and frozen confectionary. He added that she intends to trade on a seasonable basis, and she had produced photographs of the new trailer, which is a “pull-along” trailer and not motorised.

- 4.7 Members gave consideration to the information provided.
- 4.8 RESOLVED: That the meeting be closed to the public and press 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.
- 4.9 Louise Slater reported orally, giving legal advice on various aspects of the report.
- 4.10 At this point in the proceedings, the meeting was re-opened to the public and press.
- 4.11 RESOLVED: That, following consideration of the information contained in the report now submitted, the application for a city centre small trading stall consent to trade at Devonshire Green (Ref. No. 64/13), be granted.

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



**SHEFFIELD CITY COUNCIL**  
**Committee Report**

**Agenda Item 6**

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**Report of:** Chief Licensing Officer, Head of Licensing

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**Date:** 16<sup>th</sup> January 2014

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**Subject:** **Licensing Act 2003**  
**Multi-Agency Safeguarding Work**

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**Author of Report:** Claire Bower – 203 7751

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**Summary:** To provide Members with a summary of the multi-agency safeguarding work being carried out in Sheffield.

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**Recommendations:** That Members note the subject of the work and acknowledge the support offered to local businesses

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**Background Papers:** Appendices

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**Category of Report:** OPEN

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**Licensing Act 2003**

**MULTI-AGENCY SAFEGUARDING WORK**

**1.0 PURPOSE AND OUTCOMES**

- 1.1 The purpose of this report is to provide Members with a summary of the training and support schemes delivered to businesses in Sheffield by responsible authorities on the subject of safeguarding children.
- 1.2 Representatives of the relevant responsible authorities will be in attendance at the hearing to provide Members with the detail of the schemes.
- 1.3 The expected outcomes of this report are:-
  - To give Members an understanding of the work carried out in Sheffield in order to support local businesses on the subject of underage alcohol sales under the Licensing Act 2003 and other areas of the licensed trade on wider child safeguarding issues.

**2.0 OVERVIEW OF THE WORK BEING UNDERTAKEN**

**2.1 Multi-agency - “Safeguarding Children at Licensed Premises” Workshop**

- 2.1.1 The ‘Tackling Underage Sales Strategic Group’ is a multi-agency working group which concentrates specifically on under age alcohol sales identified through test purchasing operations and tackling issues with licensed premises in the city selling alcohol to underage children.
- 2.1.2 The group agreed a Test Purchasing Strategy for dealing with and educating premises that failed test purchase operations and the strategy was approved by the licensing committee at its policy meeting in August 2011.
- 2.1.3 The strategy is attached at **Appendix ‘A’** and shows where licence holders would be engaged in the workshop.
- 2.1.4 Further information on the content of the workshop will be provided at the meeting.

**2.2 Responsible Authorities – “Bailment Scheme”**

- 2.2.1 In response to requests from the licensed trade, the responsible authorities have developed a ‘bailment scheme’ to prevent young people using false identification to access adult venues or to purchase alcohol underage.
- 2.2.2 This consists of security staff being trained to confiscate suspected false ID and report to the police, alongside educational resources having been developed to educate young people about the legal consequences and personal risks of using false ID.
- 2.2.3 Further information on the scheme will be provided at the meeting.

## **2.3 Responsible Authorities – Partnership Work with other Areas of the Licensed Trade on Safeguarding Issues**

- 2.3.1 Responsible authorities are also working in partnership with other areas of the licensed trade (taxi/private hire, hospitality and other businesses), training them to identify risks such as child sexual exploitation, human trafficking and risks relating to dangerous or inappropriate adult behaviour.
- 2.3.2 Similar training sessions are delivered to the taxi/private hire trade as part of the BTec course undertaken by new applicants for driver licences. The safeguarding training supports drivers to recognise vulnerable passengers (adults and children) and provide them with a safe and appropriate service.
- 2.3.3 Since June 2013, awareness training has been delivered to the hospitality trade as part of the national ‘Say Something If You See Something’ campaign which aims to protect children from sexual exploitation and prevent hotels from being misused by criminals as part of this activity. Officers representing the Sheffield responsible authorities were invited to speak at Westminster in September 2013 to promote this campaign and other local authorities have adopted the Sheffield approach on this issue.

## **3.0 FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications for the Council arising from this report.

## **4.0 RECOMMENDATIONS**

- 4.1 That members note the availability of the training and the support provided for local businesses.

Steve Lonnia  
Chief Licensing Officer (Head of Licensing)  
Licensing Services

January 2014/CB

# APPENDIX 'A'

## Tackling Underage Sales Strategic Group

### TEST PURCHASE STRATEGY PROCESS

#### 1. First Failure

Option of:

- Fixed Penalty Notice (£80)

Or

- Disposal if offender enrolls and pays to attend responsible retail of alcohol course (approx £60)

Plus

- Offered multi-agency training "Safeguarding Children at Licensed Premises" workshop (free)

#### 2a. Second Failure (within 3 months of first failure - considered persistent)

Consider prosecution/discuss voluntary closure/review licence

#### 2b. Second Failure (after 3 months of first failure within 12 months of first failure)

Option of:

- Fixed Penalty Notice (£80)

Or

- Disposal if offender enrolls and pays to attend responsible retail of alcohol course (approx £60)

Plus

- *Expected* to attend multi-agency training "Safeguarding Children at Licensed Premises" workshop (free)

#### 3. Third Failure

Automatic review application