

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 7 February 2017

**PRESENT:** Councillors David Barker (Chair), Andy Bainbridge and Moya O'Rourke

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

1.1 No apologies for absence were received. Councillor Kieran Harpham 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 5 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 paragraph 7 of Schedule 12A to the Local Government Act 1972, as amended.

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

3.1 There were no declarations of interest.

#### **4. LICENSING ACT 2003 - MARSTON'S, JUNCTION OF CHAUCER ROAD AND HALIFAX ROAD, SHEFFIELD S6**

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 Marston's New Build, junction of Chaucer Road and Halifax Road, Sheffield.

4.2 Present at the meeting were Michelle Hazlewood and Paul Henocq (Solicitors for the Applicant), Rachel Newnes, (Applicant), Clive Stephenson (Licensing Strategy and Policy Officer), Samantha Bond (Legal Adviser to the Sub-Committee) and Jennie Skiba (Democratic Services).

4.3 Samantha Bond outlined the procedure which would be followed during the hearing.

4.4 Clive Stephenson presented the report to the Sub-Committee and it was noted that an objection from a member of the public had been received. The objector had been invited to attend the meeting, but was not present. Details of the representations were attached at Appendix 'C' to the report.

4.5 Michelle Hazlewood stated that the site was situated at the former Chaucer School playing fields and had been purchased by Marston's Brewery to develop a friendly family-orientated pub/restaurant, with parking spaces for 60 cars. She further stated that the new build would be along similar lines to a Marston's

pub/restaurant that had recently opened on the edge of the Waverley estate on the border of Rotherham and Sheffield. Michelle Hazlewood produced a large scale plan of the site which showed an "L" shaped bar, large kitchen, pizza counter, large cake counter, ice cream cabinet and a small, indoor children's play area. She went on to state that there would never be less than 75 tables and chairs inside the premises, ensuring that the premises could not be stripped back at the weekends to hold discos.

- 4.6 Michelle Hazlewood outlined the Brewery's "F" plan and Generous George branding which focused on food, families, females and forty/fifty somethings and generous portions. She produced a menu which would be available at the premises, and stated that although it was not cheap, it would be accessible for families in the local area and would hopefully attract persons driving through. Ms. Hazlewood then referred to wet/dry statistics which had been gathered from a number of Marston Brewery pubs and stated that the results showed that more profit was made from the sale of food rather than drink, and Marstons prided themselves on their extensive range of coffees, teas, etc., which were included in the statistics along with alcoholic drinks.
- 4.7 Michelle Hazlewood went on to state that as part of the Company's operating schedule, it was proposed that the Designated Premises Supervisor (DPS) or a delegated member of staff, will take a pro-active approach to noise control, to ensure that noise from patrons using the outside dining areas and when leaving the premises does not cause nuisance to local residents. Ms. Hazlewood further stated that, following discussions with the Sheffield Safeguarding Childrens Board, the DPS or another member of staff shall be designated as a Safeguarding Co-ordinator at the premises. She went on to state that she hoped agreement would be reached with all Responsible Authorities with a view to delivering an asset to the area, rather than a negative.
- 4.8 Michelle Hazlewood stated that Marstons Brewery had opened up similar pub/restaurants near to football grounds around the country and the staff were experienced in handling any incidents of anti-social behaviour. She added that it was her intention to contact South Yorkshire Police to seek advice on what works best in minimising trouble in the area when Sheffield Wednesday Football Club are playing at home and take a lead from them.
- 4.9 In response to questions from Members of the Sub-Committee, Michelle Hazlewood stated that the area surrounding the car park would be landscaped to provide a buffer to reduce noise nuisance for local residents. She further stated that Marstons Brewery operate a Challenge 21 scheme and held training programmes bi-annually, which staff are expected to complete and pass and would not be employed until they had done so. She added that the training courses are carried out electronically and are monitored through Head Office. Ms. Hazlewood informed Members that Marstons have opened pub/restaurants in some run down townships, and due to good training and management, had not encountered any problems. There would be a selection of premium beers/lagers/ciders for sale, the price of which would be similar to the other bars in the area and there were no plans for any cheap drink promotions. Last orders for food would be taken at 10.00 p.m. and last orders at the bar would be 1.00 a.m.,

although it was thought that the premises would have emptied before then, especially during the week. Ms. Hazlewood stated that she understood the objector's concerns, given past experience of troublesome pubs on the estate, but commented that the type of business it was planned to open would not cater for that type of clientele and she added that she had tried several times to contact the objector to offer to take her to the premises at Waverley to see how well the establishment was run and allay her fears. It was anticipated that the pub, potentially, would be open by the end of the year.

- 4.10 Michelle Hazlewood summed up by stating that the reputation of the Parson Cross estate and its public houses was well known, but that the new premises would offer an excellent opportunity to deliver something different to the area.
- 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 Samantha Bond 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 a Premises Licence in respect of the Marston's New Build, junction of Chaucer Road and Halifax Road, Sheffield, in the terms now requested.

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

## **5. LICENSING ACT 2003 - REVIEW OF A PREMISES LICENCE**

- 5.1 The Chief Licensing Officer submitted a report to consider an application made by Sheffield City Council Trading Standards, under Section 51 of the Licensing Act 2003, for a review of a premises licence (Case No.08/17). Consideration of the application had originally been scheduled for the meeting of the Sub-Committee held on 2<sup>nd</sup> February, 2017, but had been deferred due to the meeting being inquorate.
- 5.2 Present at the meeting were Neil Bates, Lisa Marsden and David Palmer (Trading Standards, Applicant), Julie Hague (Sheffield Safeguarding Children Board), Cheryl Topham (Licensing Officer, South Yorkshire Police), the Premises Licence Holder, Clive Stephenson (Licensing Strategy and Policy Officer), Samantha Bond (Legal Adviser to the Sub-Committee) and Jennie Skiba (Democratic Services).
- 5.3 Samantha Bond outlined the procedure which would be followed during the hearing.

- 5.4 Clive Stephenson presented the report to the Sub-Committee and it was noted that representations had been received from the Sheffield Safeguarding Children Board and South Yorkshire Police, and were attached at Appendix 'B' to the report.
- 5.5 David Palmer reported on the grounds as to why the application had been made by Sheffield City Council Trading Standards, referring to the receipt of information regarding the sale of counterfeit and illicit tobacco at the premises. He also showed Members a recording of the CCTV at the premises which evidenced the illegal sales taking place. He produced photographs showing where the goods had been stored.
- 5.6 Julie Hague made representations on behalf of the Sheffield Safeguarding Children Board.
- 5.7 Cheryl Topham made representations on behalf of South Yorkshire Police.
- 5.8 The Premises Licence Holder responded to a number of questions raised by Members of, and the Legal Adviser to, the Sub-Committee, and by David Palmer.
- 5.9 RESOLVED: That the 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.
- 5.10 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 5.11 At this stage in the proceedings, the meeting was re-opened to the attendees.
- 5.12 RESOLVED: That, in the light of the information contained in the report now submitted, the additional information now circulated and the representations now made, the Sub-Committee revoke the licence in respect of the premises now reported (Case No.08/17).

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