

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 9 March 2017

**PRESENT:** Councillors Alan Law (Chair), Moya O'Rourke, Josie Paszek and Neale Gibson

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

1.1 No apologies for absence were received. Councillor Moya O'Rourke attended the meeting, 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. LICENSING ACT 2003 - MALIN BRIDGE INN, 194 HOLME LANE, SHEFFIELD, S6 4JZ**

4.1 The Chief Licensing Officer submitted a report to consider an application made under Section 34 of the Licensing Act 2003, to vary a Premises Licence in respect of the premises known as Malin Bridge Inn, 194 Holme Lane, Sheffield, S6 4JZ.

4.2 Present at the meeting were Jill Marston-Revitt (Landlady), Stephen Marston-Revitt (Landlord), Ben Fletcher (Events Manager) and Michelle Hoyes (Bar Supervisor) (Applicants), Clive Stephenson (Licensing Strategy and Policy Officer), Samantha Bond (Legal Advisor to the Sub-Committee) and John Turner (Democratic Services).

4.3 The Chair 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 a representation had been received from a member of the public, and was attached at Appendix 'D' to the report. The member of the public had been invited to the meeting, but was not present.

4.5 Stephen Marston-Revitt stated that the nature of the proposed variation involved the extension of the licensing activities to include

the outside cocktail bar for the sale of alcohol. Although reference was made in the application for the outside area to be used from 12:00 to 23:00 hours, Monday to Sunday, this was mainly to provide flexibility in terms of its use. It was originally intended that the area would be open from 15:30 to 22:45 hours, Friday and Saturday, from June to September, then for reduced hours from Sunday to Thursday, and from October to May. The area would be closed in January and February. It was not planned that the external area would be used at all, subject to special events, during January and February. Jill Marston-Revitt stated that it was a very well run pub, with very few problems.

- 4.6 In response to questions from Members of, and the Legal Advisor to, the Sub-Committee and Clive Stephenson, it was stated that, around two years ago, the owners converted the car park to the rear of the premises to a cocktail bar and children's play area. The area would close at 22:45 hours, and customers would be asked to move inside. Anyone wishing to go outside, to smoke after this time, would be able to do this at the front of the premises, with staff monitoring the situation carefully. It was considered that having smokers at the front of the premises would minimise any problems of noise nuisance in terms of residents living to the rear. Mr Marston-Revitt confirmed that he accepted all the terms and conditions set out in the Noise Management Plan, which had been developed with assistance from the Environmental Protection Service, and that all members of staff at the premises would be required to read the Plan and be fully aware of its contents. He also confirmed that the police had no concerns in terms of the proposed application. The music system for the external area would be separate to that of the internal area, and there would be a facility whereby the music would cut off at a given time. It was considered that 15 minutes would give staff sufficient time to ensure that all customers who were in the external area had moved inside prior to 23:00 hours. Staff had the relevant experience as the procedure had been followed during events held at the premises using the Temporary Event Notices (TENs). If the application was granted, it was envisaged that the external area would be available for use with effect from 3<sup>rd</sup> June 2017. Mrs Marston-Revitt stated that, on the rare occasions when herself and her husband were away, either Ben Fletcher or Michelle Hoyes, who had sufficient experience, would be in charge of running the pub. It was accepted that different, and more, people were likely to attend for special events, over and above the regular customers, but staff were confident that they would be able to ensure that everyone was out of the external area by 23:00 hours. On a day to day basis, there was not likely to be a large number of people in the external area, and Mrs Marston-Revitt stated that she, or another member of staff, would keep a regular check on the area. There had been a number of special events held at the premises, using TENs, and that there had not been any problems or complaints from local residents in relation to such events. It was confirmed that all attendees from the premises, in attendance at this hearing, were

Personal Licence Holders, and that the applicants would be happy with a condition requiring that the Beer Garden Noise Pollution Book, as referred to in the Noise Management Plan, be made available to the responsible authorities, on request.

- 4.7 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.
- 4.8 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 4.9 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.10 RESOLVED: That the Sub-Committee agrees to vary the Premises Licence in respect of the premises known as Malin Bridge Inn, 194 Holme Lane, Sheffield, S6 4JZ, in the terms requested, subject to (a) the approval of the Noise Management Plan by the Environmental Protection Service and (b) the addition of the following condition:-

‘The Beer Garden Noise Pollution Book be made available to officers of the responsible authorities, on request’.

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