

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 11 July 2017

**PRESENT:** Councillors David Barker (Chair), Jack Clarkson and Neale Gibson

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

- 1.1 No apologies for absence were received. Councillor Cliff Woodcraft 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. LICENSING ACT 2003 - LO SFIZIO PIZZA, 97 LINDSAY AVENUE, SHEFFIELD S5 7SD**

- 4.1 The Chief Licensing Officer submitted a report to consider an application for the grant of a Premises Licence made under Section 17 of the Licensing Act 2003, in respect of premises known as Lo Sfizio Pizza, 97 Lindsay Avenue, Sheffield S5 7SD (Ref. No.81/17).
- 4.2 Present at the meeting were Sean Gibbons (Health and Safety Enforcement Officer), Adil Raof (Solicitor for the applicant), Abdul Hanan (Applicant), Abdul Khundi, Abdul Manan and Habir Rahman Manan (Applicant's family), 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 representations in respect of the application had been received from South Yorkshire Fire and Rescue, Environmental Health Services and a petition containing 15 signatures from members of the public, and were attached at Appendix "B" to the report.
- 4.5 Sean Gibbons stated that he had met with the applicant and looked at the suitability of the premises. He then referred to an email that had been sent from the Solicitors acting on behalf of the applicant addressing his concerns. The areas of concern were a fixed wiring electrical certificate, a gas installation certificate, improvements to the windows and doors to ensure safety, the step

leading to the premises to be highlighted and made safe and a call for assistance bell/sign to be fitted to enable customers not able to use the steps to access the premises. Sean Gibbons stated that due to the fact that the applicants were willing to carry out the works, he was formally withdrawing his objection to the application but attended today to hold any in depth discussions necessary to get the premises to the correct safety standards.

- 4.6 In response to questions from Members of the Sub-Committee, Sean Gibbons stated that he would remain in contact with the applicants and carry out further inspections when 80% of the required works had been carried out.
- 4.7 Adil Raof stated that the applicant intends to run the business with the help of his family who have over 25 years' experience in the trade and who are fully aware of the regulations and appreciate the importance of health and safety standards. The reason for delaying the start of the works was that the applicant wanted to be sure of obtaining the licence before committing any finance to the project. Mr. Raof referred to the petition from local residents and said that the applicants had made themselves available to answer any concerns raised, but no-one had come forward. He added that it was not anticipated that the business would generate extra traffic and noise nuisance and there would only be one small delivery vehicle which had access to off-street parking.
- 4.8 In response to questions from Members of the Sub-Committee, Adil Raof stated that if the licence was granted, work on the premises would start straight away, having already gained two quotes and waiting on a third from contractors. With regard to the opening hours, it was hoped to attract steady trade and these hours had proved successful in previous businesses. He added that the applicant's family also had a wealth of experience in dealing with potential anti-social behaviour.
- 4.9 Clive Stephenson outlined the options open to the Sub-Committee in relation to the application.
- 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 Samantha Bond 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 in the light of the information contained in the report now submitted, together with the representations now made, including the responses provided to the questions raised, the application to grant a premises licence in respect of Lo Sfizio Pizza, 97 Lindsay Avenue, Sheffield S5 7SD, be granted in

the terms requested, subject to a final inspection being carried out by the Health and Safety Enforcement Team (Ref. No.81/17).

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