

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 16 May 2019

**PRESENT:** Councillors Josie Paszek (Chair), Andy Bainbridge and Cliff Woodcraft

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#### **1. APPOINTMENT OF CHAIR**

1.1 It was agreed that Councillor Josie Paszek be appointed Chair of this meeting.

#### **2. APOLOGIES FOR ABSENCE**

2.1 No apologies for absence were received. Councillor Douglas Johnson attended the meeting as a reserve Member, but was not required to stay.

#### **3. EXCLUSION OF PUBLIC AND PRESS**

3.1 No items were identified where resolutions may be moved to exclude the public and press.

#### **4. DECLARATIONS OF INTEREST**

4.1 There were no declarations of interest.

#### **5. LICENSING ACT 2003 - LANGLANDS GARDEN CENTRE, WEST LANE, SHEFFIELD, S6 6SN**

5.1 The Chief Licensing Officer submitted a report to consider an application, under Section 17 of the Licensing Act 2003, for the grant of a premises licence in respect of premises at Langlands Garden Centre, West Lane, Sheffield S6 6SN (Ref.47/19).

5.2 Present at the meeting were Rachel Shaw (Applicant), Sean Gibbons (Environmental Health Officer), Elaine Cresswell (observing on behalf of the Health Protection Service), Jayne Gough (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 Jayne Gough presented the report to the Sub-Committee, and it was noted that an objection had been received from a member of the public and was attached at Appendix "B" to the report. An objection had also been received from the Health Protection Service, but this had been withdrawn, following the agreement of conditions with the applicant.

5.5 Ms. Gough reported that the objector had contacted the Licensing Service stating

that he would be out of the country for a period of one month and asking that the hearing be deferred. The Sub-Committee considered the written information that had been provided by the objector and decided that it was sufficient to proceed with the hearing in his absence.

- 5.6 Sean Gibbons circulated an amended plan and outlined the differences to Members stating that the doors leading to the outside of the premises should be turned round to open outwards to be compliant with the Building Regulations. He added that the proposed changes would significantly affect the day to day operation for both the staff in and out of the premises and members of the public and the applicant had agreed to the proposed changes.
- 5.7 Rachel Shaw referred to the seven public objection points raised and addressed them in turn. With regard to the lack of notification, Ms. Shaw stated that notices had been displayed on the top and bottom gates to the premises; on a post close to the junction; at the nearby bus stop and at the entrance to the till area inside the premises, and also an advert had been placed inside the local newspaper. Ms. Shaw said that members of staff currently escort patrons to the car park during events and the front of the premises in the till area were always monitored for health and safety reasons and the possibility of theft from the premises. She added that during the past 10 years that she had worked at the premises, events such as "Supper with Santa", bistro nights, charity events and BBQs etc. had been held and it was these types of events they wished to replicate with the consumption of alcohol being ancillary to the events. Ms. Shaw further stated that there was only a very limited bus service to the premises, therefore customers had never left by public transport and all events were ticket only with patrons supplying the details of a designated driver. With regard to concerns regarding extra deliveries to the premises, it was anticipated any extra produce required, would be added to the deliveries to be made by the two local companies who already delivered to the premises. Live music at the premises was non-amplified and included a choir at Christmas, a singer with a guitar and a steel band and light background music from a CD player at bistro nights. Finally, Ms. Shaw stated that there would be no extra traffic or any more events than already mentioned. She said that there was a solid white line on the brow of the hill to prevent parking and the local police were aware of the dangers of parking at the junction and regularly check the area for illegal parking. The garden centre ensures that any shrubbery is cut back at the junction to keep visibility as clear as possible and there was no history of any complaints.
- 5.8 In response to questions from Members of the Sub-Committee, Rachel Shaw stated that she didn't anticipate any problems with regard to drink/driving as this had never happened in the past, but the offer of a cup of coffee could be made to the designated driver and the situation would be monitored. With regard to a question regarding TENs applications, she stated that there had never been the need to apply for one as alcohol hadn't been served in the past, and the reason for wanting to serve alcohol was to compete with local businesses. There would be no extension to the opening hours, as members of staff would not want to stay any later at events than they already had done. Ms. Shaw further stated that there were no plans to increase the number of events already planned and private parties were not catered for as there wasn't a private function room at the

premises.

- 5.9 Jayne Gough reported on the options open to the Sub-Committee.
- 5.10 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.
- 5.11 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 5.12 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 5.13 RESOLVED: That, in the light of the information contained in the report now submitted, together with the representations now made, the application for a premises licence in respect of Langlands Garden Centre, West Lane, Loxley, Sheffield S6 6SN (Ref No.47/19), be granted as applied for and with conditions agreed with the Health Protection Service prior to the hearing.

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