

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 18 August 2020

(NOTE: This meeting was held as a remote meeting in accordance with the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.)

PRESENT: Councillors Andy Bainbridge (Chair), Joe Otten and Adam Hurst

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Sioned-Mair Richards and Jim Steinke.

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 agenda (item 4 of these minutes) 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 - APPLICATION TO REVIEW A PREMISES LICENCE

4.1 The Chief Licensing Officer submitted a report to consider an application, made by South Yorkshire Police, under Section 51 of the Licensing Act 2003, for a review of a premises licence (Ref No. 61/20).

4.2 Present at the meeting were James Ketteringham (Solicitor) and Catherine Jarvis (Licensing Officer) (South Yorkshire Police, Applicants), Chris Grunert (John Gaunt and Partner, Solicitors, for the premises), a representative of the premises licence holder, Bill Masini (Sheffield Trading Standards), Councillor Angela Argenzio (Ward Councillor, Objector), Clive Stephenson (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

4.3 Marie-Claire Frankie 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 had been received from Sheffield Trading Standards and Councillor Angela Argenzio (local Ward Member), and were attached at Appendix 'D' to the report.
- 4.5 Chris Grunert, on behalf of the premises licence holder, requested that the hearing be adjourned on the basis that an application for the transfer of a premises licence holder had been received this morning, and that an adjournment would give South Yorkshire Police an opportunity to review this application. Mr Grunert added that if the hearing proceeded on this day, and if the Sub-Committee took the decision to revoke the premises licence, this could have a potential adverse effect on the application to transfer the licence.
- 4.6 RESOLVED: That the attendees involved in the application be excluded from the meeting to allow for the Sub-Committee to consider the request for an adjournment, on the grounds that, if the participants were present during the transaction of such business, 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.
- 4.7 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.
- 4.8 At this stage in the proceedings, the participants involved in the hearing were re-admitted to the meeting.
- 4.9 The Chair of the meeting (Councillor Andy Bainbridge) reported that, based on the legal advice received, the Sub-Committee had decided that the hearing should proceed.
- 4.10 James Ketteringham reported on the grounds as to why the application for the review of the premises licence had been made by South Yorkshire Police.
- 4.11 James Ketteringham and Catherine Jarvis responded to questions raised by Chris Grunert.
- 4.12 Bill Masini reported on the representations made by Sheffield Trading Standards.
- 4.13 Bill Masini responded to questions raised by Members of the Sub-Committee and Chris Grunert.
- 4.14 Councillor Angela Argenzio reported on her representations, which had been made in her capacity as a local Ward Member.
- 4.15 Chris Grunert provided the case for the premises licence holder.
- 4.16 Chris Grunert responded to questions raised by James Ketteringham and Bill Masini.

- 4.17 James Ketteringham, Bill Masini and Chris Grunert summarised their cases.
- 4.18 Clive Stephenson reported on the options available to the Sub-Committee.
- 4.19 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.
- 4.20 Marie-Claire Frankie reported orally, giving legal advice in respect of the application.
- 4.21 RESOLVED: That in the light of the information contained in the report now submitted, the representations now made and the responses to the questions raised, the premises licence in respect of the premises now mentioned be revoked (Ref No. 61/20).

(The decision will be relayed to all interested parties following the meeting and the full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)