

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 20 October 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), Ruth Mersereau and Mick Rooney

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Adam Hurst.

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 - THE BEER HOUSE, 623 ECCLESALL ROAD, SHEFFIELD, S11 8PT

4.1 The Chief Licensing Officer submitted a report to consider an application, made under Section 34 of the Licensing Act 2003, for the variation of a premises licence in respect of the premises known as The Beer House, 623 Ecclesall Road, Sheffield, S11 8PT (Ref No. 82/20).

4.2 Present at the meeting were John Harrison and Chris Sinclair (Applicants), Clive Stephenson (Licensing Strategy and Policy Officer), Samantha Bond (Legal Advisor to the Sub-Committee) and John Turner (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 had been received from three members of the public, and were attached at Appendix 'D' to the report. They had been invited to the meeting, but were not in attendance. It was also noted that during the consultation, the applicants had agreed a condition with Environmental Health.

4.5 John Harrison stated that he had made the application for the

variation, which comprised the use of the external area to the rear of the premises, mainly to protect the viability of the business, following the measures imposed due to Covid-19. Chris Sinclair added that the licenced premises next door to them already had a similar permission, and they simply wanted to be treated the same.

- 4.6 In response to questions from Members of, and the Legal Adviser to, the Sub-Committee and the Licensing Strategy and Policy Officer, it was stated that staff would remind customers, around 20:30 hours, that they needed to drink up and be ready to leave the area by 21:00 hours. The garden area was very enclosed, with a high wall and a bush to the rear, with its boundary with Neill Road. As a result of this, and due to the bar's clientele, it was not envisaged that there would be any issues regarding noise nuisance. The bar comprised a microbrewery, that attracted a mainly older clientele, who rarely caused any problems. No objections had been received from residents of Neill Road, which backed onto the premises, and the residents who had submitted objections lived some distance away. The accommodation on Neill Road comprised mainly student lets. The application involved the provision of three tables, one seating six and two seating four each. The premises were situated some distance from the Porter Brook public house, and the premises next door were Le Patisserie, a cafe/restaurant/bar, which were licenced to sell alcohol up to 21:00 hours. It was believed that the licence for Le Patisserie had been granted around two years ago. Mr Harrison stated that, at such time the current restrictions were lifted, whilst it was difficult to say what their plans were, there was little standing room in the bar, so the majority of customers would sit down anyway. He added that they would not insist that customers sat down.
- 4.7 Mr Harrison summarised the case on behalf of the applicants, stressing that the proposals were critical for the viability of the business.
- 4.8 Clive Stephenson reported on the options available to the Sub-Committee.
- 4.9 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.
- 4.10 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 4.11 RESOLVED: That, in the light of the information contained in the report now submitted, together with the representations now made,

and the responses to the questions raised, approval be given for the grant of an application for the variation of a premises licence in respect of the premises known as The Beer House, 623 Ecclesall Road, Sheffield, S11 8TP (Ref No. 82/20), in the terms requested and, subject to the condition agreed with Environmental Health, as follows:-

“Customers shall not be permitted to use the rear outdoor area after 21:00 hours on all days”.

(NOTE: 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.)