

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 14 September 2021

**PRESENT:** Councillors Lewis Chinchon, Joe Otten and Sioned-Mair Richards

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

- 1.1 RESOLVED: That in the absence of the scheduled Co-Chair of the Sub-Committee (Councillor David Barker), Councillor Sioned-Mair Richards be appointed Chair of the meeting.

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

- 2.1 No apologies for absence were received. Councillor Josie Paszek attended as 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 - OLIVE GROVE CLUB, HEELEY BANK ROAD, SHEFFIELD S2 3GE**

- 5.1 The Chief Licensing Officer submitted a report on an application made under Section 17 of the Licensing Act 2003, for the grant of a premises licence in respect of premises known as Olive Grove.
- 5.2 Present at the meeting were Chris Grunert (Solicitor for the applicant), Paul Rodgers and Peter Sutton (Applicants), Jayne Gough (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Legal Adviser to the Sub-Committee) and Jennie Skiba (Democratic Services).
- 5.3 Marie-Claire Frankie 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 representations had been received from two local residents and were attached at Appendix "B" to the report. Ms. Gough said that the objectors had been invited to attend the hearing but were not in attendance. Chris Grunert said that there was

an error on the application which had been submitted in the name of Peter Rodgers, when in fact the applicant's name was Paul Rodgers.

- 5.5 Chris Grunert stated that the Olive Grove Club was formerly the Sheffield Works Department staff club for which employees had contributions deducted from their wages but has now changed to a community club operating under a Club Premises Certificate. He said that the applicants were looking to hold a premises licence and were not seeking to extend the licence. He said that discussions had been held around the 2.00 a.m. terminal hour on Thursdays to Sunday and the applicants were not willing to reduce that. Chris Grunert stated that the club would want to retain its membership but also make the premises available to non-members through a ticketing system. He said that the club was also a sports club, having a number of football teams associated with it and wanted to extend hospitality to visiting teams. Mr. Grunert said that with a premises licence in place, the club would benefit from having Designated Premises Supervisor (DPS) and was currently applying for a personal licence. With regard to the objections received regarding noise nuisance, Chris Grunert stated that following discussions with the Environmental Protection Service (EPS), a noise monitoring board had been installed and the amplified sound system had been fitted with a sound limiting facility which would impose limits on amplified sound or live music within the building to ensure noise breakout did not exceed the prevailing ambient noise level. Chris Grunert then referred to alleged dispersal issues and said these were of a sporadic nature. He said that polite notices were prominently displayed on all exits reminding customers to leave quietly, as did the DJ and there were no off-sales or carry out drinking vessels. He said that the management of the club was moving to be run on a more professional level and he referred to the training manual as approved by the EPS.
- 5.6 In response to questions from Members of, and the Solicitor to, the Sub-Committee, Chris Grunert stated that the current licence limited the club to members only. He said the principal differences would be ticketing to non-members and the hiring out of the function room. He added that South Yorkshire Police had suggested that having a DPS would improve the running of the club. He said the applicants would be prepared to close before 2.00 a.m. on Thursdays. He said it was expected of everyone using the premises to behave responsibly, both inside and when leaving the premises and as far as he was aware, there had only been two complaints. With regard to the long driveway, he said that the club had been there for more than 20 years and there had never been any accidents, it was felt that the drive was wide enough for two cars to pass each other. He said that speed limit signs were in place and these would be kept under review. For those customers requiring taxis, private hire taxis were called up to the venue, no-one was picked up on the main road. Peter Sutton stated that the drive formed part of the land on which the club resides and the whole area belongs to the club, however the City Council have stated that they own the land and as such negotiations were ongoing for the club to be granted a 30-year lease of the land. Finally, the applicants stated that they were willing for a contact number to be made available to local residents should they have cause for complaint.
- 5.7 Chris Grunert summarised the case on behalf of the applicants.

- 5.8 Jayne Gough outlined the options available to the Sub-Committee.
- 5.9 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.
- 5.10 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.
- 5.11 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 5.12 RESOLVED: That, in the light of the information contained in the report now submitted and the representations now made and the responses to the questions raised, the Sub-Committee agrees to grant a premises licence in respect of the premises known as Olive Grove Club, Heeley Bank Road, Sheffield S2 3GE (Ref No. 68/21) be granted in the terms requested in accordance with the modified operating schedule and the following condition:
- (a) the premises is to advertise at the premises and make available, a managers contact number for all hours that the premises is open to the public; and
- (b) notes the additional points of clarification:
- the applicant's name is Paul Rodgers
  - the premises name is Olive Grove Sports Club
  - the all saints days referred to, are the four patron saint days, i.e. St. George, St. Andrew, St. David and St. Patrick.

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

**6. LICENSING ACT 2003 - HORSE AND JOCKEY, 248-250 WADSLEY LANE, SHEFFIELD S6 4EF**

- 6.1 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 Horse and Jockey, 248-250 Wadsley Lane, Sheffield S6 4EF (Ref. No.69/21).
- 6.2 Present at the meeting were Alex Liddle (Operating Director, True North Brew Co) (Applicants), Jayne Gough (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Legal Adviser to the Sub-Committee) and Jennie Skiba (Democratic Services).

- 6.3 Marie-Claire Frankie outlined the procedure which would be followed during the meeting.
- 6.4 Jayne Gough presented the report to the Sub-Committee and it was noted that representations had been received from five members of the public and were attached at Appendix "C" to the report. Ms. Gough stated that the applicant had agreed a condition with the Environmental Protection Service which was detailed at Appendix "D" to the report. Ms. Gough further stated that the objectors had been invited to attend the hearing but were not in attendance.
- 6.5 Alex Liddle stated that the proposals were to extend the bar on the ground floor to facilitate a glass wash area, instead of their being staff accommodation on the first floor it was intended to create a function, dining and food preparation space on the first floor, to change the car park and install two covered areas to seat approximately 20 people which would provide extra facilities on match days and he asked for the removal of the requirement for there to be a personal licence holder on the premises at all times. He said that his company was well run and that managers were trained to a high standard.
- 6.6 In response to questions from Members of, and the Solicitor to, the Sub-Committee, Alex Liddle stated that there was no extension to the current licensing hours and the intention was to change the previous ambience of the pub to a family pub and he stated that they are responsible operators and apologised for any noise issues that had arisen when the premises was not being operated by them. He said there were no plans for amplified music to be played in the function room, it was to be used for pre-booked dining. He said that there would be a Duty Manager on the premises at all times and the premises would be locked up overnight. Mr. Liddle said that if there were to be any events to be held in the car park, he would apply for a Temporary Event Notice. He said that service would cease in the car park area at 10.30 p.m. and the area cleared by 11.00 p.m. and there would be appropriate signage to this effect. He said that staff were booked onto a training course regarding Safeguarding with Julie Hague, the Council's Safeguarding Officer. With regard to traffic issues, Alex Liddle stated that the company would monitor customer parking and would address any highways issues should they arise. He referred to the Noise Management Plan that had been submitted to the Environmental Protection Service. Mr. Liddle stated that True North Brew Co. have other venues in and around the city where there wasn't always a personal licence holder on the premises and whilst he did not have an issue with there being a Personal Licence holder on the premises at all times, and there would always be a Duty Manager on the premises, they may not have passed the Personal Licence course yet and didn't want to fall foul of this condition.
- 6.7 Alex Liddle then gave a brief summary of his case.
- 6.8 Jayne Gough outlined the options available to the Sub-Committee.
- 6.9 **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.

- 6.10 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.
- 6.11 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 6.12 RESOLVED: That, in the light of the information contained in the report now submitted and the representations now made and the responses to the questions raised, the Sub-Committee agrees to vary the premises licence in respect of premises known as Horse and Jockey, 248-250 Wadsley Lane, Sheffield S6 4EF (Ref No.69/21) in the terms requested subject to the two additional conditions as follows:-
- (a) a Duty Manager is to be on the premise at all times that it is open to the public; and
  - (b) the premises must advertise at the premises and make available a managers contact number for all hours that the premises is open to the public.

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