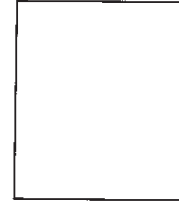




SHEFFIELD CITY COUNCIL Committee Report



Report of:	Chief Licensing Officer, Head of Licensing
Date:	9 th October 2014
Subject:	Licensing Act 2003 Application for the review of a premises licence
Author of Report:	Claire Bower – 2734264
Summary:	To consider an application for the review of a premises licence submitted by the Sheffield Safeguarding Children Board
Recommendations:	That members carefully consider the application for review along with any other representations made and take such steps that the Committee consider necessary for the promotion of the Licensing Objectives
Background Papers:	Attached documents
Category of Report:	OPEN

**REPORT OF THE CHIEF LICENSING OFFICER,
HEAD OF LICENSING, TO THE LICENSING SUB COMMITTEE**

Ref No 96 / 14

LICENSING ACT 2003

Review of Premises Licence

Terminus Tavern, 150a Main Road, Sheffield, S9 5HQ

1.0 PURPOSE OF REPORT

- 1.1 To consider an application for the review of a premises licence made under Section 51 of the Licensing Act 2003 in relation to Terminus Tavern, 150a Main Road, Sheffield, S9 5HQ.

2.0 THE APPLICATION

- 2.1 The application is made by the Sheffield Safeguarding Children Board and was received by the Licensing Service on 20th August 2014.
- 2.2 The grounds for the review are based on the following aspects of the 2003 Licensing Act objectives:-
- The protection of children from harm.
- 2.3 The application form is attached at Appendix 'A' and details further the grounds for the review application.

3.0 REASONS FOR REFERRAL

- 3.1 The Licensing Authority must under the Act refer any application for review to the Licensing Committee, unless it is withdrawn, or if representations are made by an interested party that the Licensing Authority are of the opinion that they are frivolous or vexatious.
- 3.2 The Licensing Authority has, during the representation period received representations from the following:-
- a) South Yorkshire Police Appendix 'B'

- 3.3 The applicant, the Premises Licence Holder and any other person that has made representations have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'C'.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no specific financial implications arising from this application. However additional costs may be incurred should the matter go to appeal. In such an eventuality it may not be possible to recover all these costs. The impact of these additional costs (if any) will be kept under review and may be subject of a further report during the year.

5.0 THE LEGAL POSITION

5.1 The Licensing Act 2003 at section 52(3) requires that the Licensing Authority must, having regard to the application and any relevant representations, take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

5.2 Section 52(4) states:

“The steps are –

- a) To modify the conditions of the licence;
- b) To exclude the licensable activity from the scope of the licence;
- c) To remove the designated premises supervisor;
- d) To suspend the licence for a period not exceeding three months;
- e) To revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted, or any new condition added.”

5.3 If members decide to take the steps referred to in (a) or (b) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

5.4 The Licensing Act 2003 at section 52(11) states that:

“A determination under this section does not have effect –

- a) until the end of the period given for appealing against the decision, or
- b) if the decision is appealed against, until the appeal is disposed of.”

5.5 The Licensing Act 2003 at section 4(1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as: -

- a) the prevention of crime and disorder,
- b) public safety,
- c) the prevention of public nuisance,
- d) the protection of children from harm.

5.6 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published Statement of Licensing Policy and any guidance issued by the Secretary of State under Section 182.

6.0 HEARINGS REGULATIONS

6.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.

6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'C'.

6.3 Attached at Appendix 'C' is the following: -

- a) a copy of the Notice of Hearing;
- b) the rights of a party provided in Regulations 15 and 16;
- c) the consequences if a party does not attend or is not represented at the hearing
- d) the procedure to be followed at the hearing.

7.0 APPEALS

- 7.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant; the holder of the premises licence and those making representations against decisions of the Licensing Authority to the Magistrates Court.

8.0 RECOMMENDATIONS

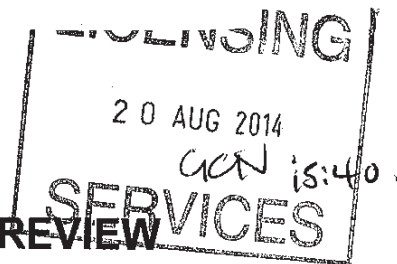
- 8.1 That members carefully consider the application for review along with any other representations made and take such steps as detailed in paragraph 5.2 above that the Committee consider necessary for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1
- a) modify the conditions of the licence;
 - b) exclude a licensable activity from the scope of the licence;
 - c) remove the designated premises supervisor;
 - d) suspend the licence for a period not exceeding three months;
 - e) revoke the licence; or
 - f) reject the application for review.

Steve Lonnia

Steve Lonnia,
Chief Licensing Officer, Head of Licensing
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot
Sheffield
S9 3HD.

FRONT SHEET

**LICENSING ACT 2003: APPLICATION TO REVIEW
 THE PREMISES LICENCE: TERMINUS TAVERN,
 150A MAIN ROAD, DARNALL, SHEFFIELD S9 5HQ**

Premises Licence Holder/ Designated Premises Supervisor:

Mrs Tansy Bagshaw

Premises Licence Number: SY0089 PR

INDEX TO BUNDLE: 19.8.14

Reference	Document
	Application to Review dated 19.8.14
Annex 1 Annex 1 (a) to (q)	Chronology of Incidents/Interventions Copies of email correspondence
Annex 2	Exhibit 'A' CCTV discs x 4: <ul style="list-style-type: none"> • Terminus DB/1A dated 13.4.14 • Licensing LCV/1 DB/1 and DB/2 dated 7.5.14 • Terminus Tavern DB/1A 50th birthday dated 18.5.14 • Licensing KH/1A dated 24.5.14
Annex 3	Copy of letter of Representation June 2013
Annex 4	Copy of Premises Licence

**Application for the review of a premises
licence or club premises certificate under
the Licensing Act 2003**

(1)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure
that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records

(2) **I/We** The Sheffield Safeguarding Children Board

apply for the review of a [premises licence under section 51]
[club premises certificate under section 87] of the Licensing Act 2003 for the premises
described in Part 1 below

Part 1 - Premises details or club premises details

Postal address of premises or club premises, or if none, Ordnance Survey map reference or description Terminus Tavern, 150a Main Road,	
Post town Sheffield	Post code S9 5HQ
Telephone number (if any)	
Name of premises licence holder or club holding club premises certificate (if known) Mrs Tansy Bagshaw, Premises Licence Holder and Designated Premises Supervisor	
Number of premises licence or club premises certificate (if known) SY 0089 PR (Issue 8)	

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an interested party (please complete section (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises

Delete any words in square brackets which do not apply

(1) Insert name and address of relevant licensing authority and its reference number (optional)

(2) Insert name(s) of applicant

Please tick ✓ yes

2) a responsible authority (please complete section (C) below)

3) a member of the club to which this application relates (please complete section (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

Current address

Post town

Post code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT (fill in if applicable)

Name and address

Post town

Post code

Telephone number (if any)

E-mail address
(optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in if applicable)

Name and address The Sheffield Safeguarding Children Board Floor 2, Redvers House Union Street	
Post town Sheffield	Post code S1 2JQ

Telephone number (if any)

E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

The application to review the premises licence is made under the core objective for the protection of children from harm under the Licensing Act 2003, on the grounds that despite continued attempts to advise, support and work in partnership with the premises management, there is evidence that the safeguarding concerns at the premises remain unaddressed since the Safeguarding Children Board last made a representation as part of a review of the premises licence in July 2013.

Please provide as much information as possible to support the application

(please read guidance note 2)

The premise operates as a public house in the Darnall area of Sheffield. The sole trade is for the sale and consumption of alcohol and the style of operation is adult-oriented. The pub has a history of safeguarding concerns: Since 2010, the Safeguarding Children Board (SSCB), has attempted to work in partnership with a number of Designated Premises Supervisors to address persistent issues, this has involved providing advice, support and training including to Ms Bagshaw while in her current role as the Designated Premises Supervisor/licence holder and during the time she was the general manager at the premises in March 2013. In July 2013, the SSCB made a representation to the Licensing Authority, seeking an improvement to the way the premise is regulated; in order to promote the core objective for the protection of children from harm. This resulted in the Licensing Sub Committee modifying the licence conditions to include a prohibition of persons under the age of 18 after 17:00 hours (Annex 2, condition 6), a trained safeguarding co-ordinator to oversee compliance (Annex 2, condition 11), a dynamic risk assessment (Annex 2, condition 12) and the use of a designated family area (Annex 2, condition 16). These conditions were set by the Licensing Authority to address persistent safeguarding issues related to children and young people being exposed to dangerous or inappropriate adult behavior (criminal behavior, intoxication, fighting, swearing) and a lack of supervision of children.

At that time the SSCB was hopeful that with a range of licence conditions in place, the environment at the premise could develop into a suitable, family-friendly; with this aim the SSCB continued to attempt to work in partnership with Ms Bagshaw who had expressed a wish to apply at a future date to the Licensing Sub Committee to relax the restrictions, if control and compliance could be evidenced. Despite a significant amount of support to Ms Bagshaw including free multi-agency safeguarding training (in April 2013), advice meetings and communications, telephone discussions (Annex 1 chronology refers), there is evidence that over the past year, the premises management has not met the core objective to protect children from harm.

On 16th June 2014 South Yorkshire Police provided the Safeguarding Children Board Police with CCTV recordings of activity at the premises which shows that the risk to children remains and is not being managed. This activity (referenced at Annex 2 which is the CCTV evidence submitted as part of this application) demonstrates a breach of licence conditions, a lack of due diligence and a disregard for the core objective for the protection of children from harm under the Licensing Act 2003, whereby children and young people can be observed to be wandering about the premises unsupervised, including unsupervised young children loitering at the bar and being served by staff, or left to stand alone in an unsuitable adult environment.

The SSCB is concerned that, in light of the style and character of the premises and the management's lack of compliance with the licence conditions, children and young people will continue to be at risk of harm unless positive action is taken. The SSCB therefore submits this application in order to address escalating concerns.

Due to the nature of the CCTV evidence submitted as part of this application, which includes recordings of a confidential nature, the SSCB would request that the Hearing is Part Closed.

Please tick ✓ yes

Have you made an application for review relating to these premises before?

If yes, please state the date of that application

Day	Month	Year

If you have made representations before relating to these premises, please state what they were and when you made them.

The Safeguarding Children Board made a representation on 2.6.13 in order to address child protection concerns at the premises, copy attached at Annex 3 of this bundle.

Please tick ✓ yes

• I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate

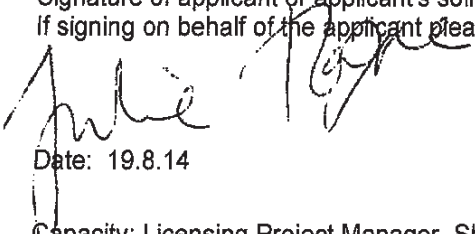
• I understand that if I do not comply with the above requirements my application will be rejected

* insert amount

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [*,], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 - Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 4)
If signing on behalf of the applicant please state in what capacity.



Date: 19.8.14

Capacity: Licensing Project Manager, Sheffield Safeguarding Children Board

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Julie Hague Licensing Project Manager Sheffield Safeguarding Children Board Floor 2, Redvers House Union Street	
Post town Sheffield	Post code S1 2JQ
Telephone number (if any) 0114 2736753	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) 0114 2736753	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Chronology of Intervention: Sheffield Safeguarding Children Board

Terminus Tavern, 150a Main Road, Darnall, Sheffield S9 5HQ

Date	Incident / Intervention	Notes
02/07/2013		Licensing Review hearing. SSCB representation regarding child protection concerns. Licensing Authority attach safeguarding conditions to the licence.
12/7/13	SSCB receive email from PC Parker, SY Police (reference Annex 1 (a) stating that a PCSO had "... noticed that there were children under 18 in the beer garden after permitted 1700 hours, specifically 2001 hours. I have made Tansy aware this is not acceptable and she has agreed to ensure compliance. Specifically we discussed the entrance gate from the road to the beer garden."	PC Parker has agreement with DPS that the designated room in future would be the room to the front left of the building on entering from Main Road.
31/07/2013	T/c from SY Police to SSCB Licensing Project Manager to report that SYP had cause to contact DPS Ms Bagshaw due to an incident involving an unsupervised 10 year old on 30.7.13 when the child had been noticed coming out of the front door of the pub unaccompanied with a soft drink.	
02/08/2013	T/c from PC Parker SY Police to SSCB Licensing Project Manager to report that PC Parker had noticed 2 children aged 7 and 9 years in the beer garden area after the permitted 1700 hours licence condition and that other children had been observed in the bar area at this time. PC Parker reported that the DPS Ms Bagshaw arrived at the premises at 1800 hours. PC Parker was of the view that the licence breach appeared to be a failure of staff to comply with the licence conditions.	

	<p>Email from J Hague, SSCB Licensing Project Manager to Health Protection Service (ref Annex 1 (b)) confirming SSCB had no issues with the room to the front left being used as designated family room and requested that HPS confirm the room is suitable from a health and safety point of view.</p> <p>Email from J Hague, SSCB to Ms Payne, SY Police to request joint visit to meet Ms Bagshaw, DPS to discuss concerns raised by PC Parker. (ref Annex 1 (c)).</p>	
15/8/2013	<p>Email to SSCB from Mr Pitts, HPS confirming that works are required before the room to the front left on entering the premises is suitable to be used as a designated family area. (ref Annex 1 (d))</p>	
16/08/2013	<p>Licensing Authority notified SSCB for information that TENs applied for at premises. (ref Annex 1 (e))</p>	
20/08/2013	<p>J Hague, SSCB received an unannounced visit to the SSCB office by Ms Bagshaw and partner. Ms Bagshaw stated that SY Police had indicated it may be possible to vary the licence conditions to allow children until 8 or 9pm and Ms Bagshaw wished to get the SSCB view. It was explained that the SSCB would respond after consulting with SY Police and possibly the Health Protection Service. Ms Bagshaw stated that if children could not be allowed increased access she would leave the pub. J Hague, SSCB advised Ms Bagshaw that in light of serious concerns raised at July hearing and new licence conditions, it was vital to comply daily with licence conditions and for children not to remain any later than 8pm at any event, until a culture change had been achieved. (Annex 1 (f & g) refer)</p> <p>J Hague, SSCB email to SY Police informing of above and requesting confirmation/validity of alleged police position. (ref Annex 1 (f)).</p>	

22/08/2013	<p>SSCB informed that the late TEN for 26.8.13 had been rejected by the Licensing Authority.</p> <p>J Hague, SSCB email to SY Police and Licensing Authority to confirm verbal advice given to Ms Bagshaw during her unannounced visit to the SSCB office on 20.8.13 (Annex 1 (g) refers)</p>	
27/8/2013	<p>T/c from DPS, Ms Bagshaw to J Hague, SSCB. Ms Bagshaw unhappy that licence conditions restricting access to children and requesting 2 interchangeable areas are used (beer garden and room to front left). Discussed that currently health and safety issues had been identified in beer garden and room to front left. Agreed to discuss interchangeable arrangement further.</p> <p>J Hague, SSCB t/c to PC Parker, SY Police to update following above discussion with DPS.</p> <p>J Hague, SSCB email to Mr Pitts, HPS to update following above discussion with DPS. (ref Annex 1 (h))</p>	
28/8/2013	<p>Email update from Mr Pitts, HPS to SSCB/SYP to confirm current position that health and safety issues in both areas had not been addressed. (ref Annex 1 (h))</p>	
11/9/2013	<p>J Hague, SSCB and Ms Payne, SYP attended meeting at premises with Ms Bagshaw, DPS/licence holder. Discussion about designated family room took place. Agreed that a single area to be used which would be the internal room front left on entering the premises when it had been approved as safe and fit by HPS. Signage to be displayed to help enforce this/notify customers. Parents/carers would be responsible for own arrangements for supervision of their children if leaving</p>	

	designated area to smoke. (annex 1 (i) refers). Discussion re removing conditions attached by Licensing Authority at July hearing; J Hague advised that Ms Bagshaw should submit TENs and act in compliance with conditions and advice issued to demonstrate DPS has control, prior to submitting application to vary the licence. DPS expressed dissatisfaction at this plan and at the cost of TENs.	
18/9/2013	SSCB informed by SYP of TEN applications for 4 to 6 October, 11 to 13 October, 18 to 20 October, 25 to 27 October.	
15/10/2013	J Hague, SSCB, Ms Payne, SYP and Mr Pitts, HPS attended meeting at premises with Ms Bagshaw, DPS for purpose of inspecting/signing off designated area following works. HPS unable to sign off as some of required works had not been completed. Ms Bagshaw remained unhappy that children were restricted to one area. Ms Hague advised that if health and safety issues addressed irrelevant which area would be the designated one, providing parent/carers were supervising properly. Ms Bagshaw gave a number of examples to illustrate the difficulty of keeping families in a designated area. J Hague advised that the priority is for parent/carers to supervise at all times and that they are responsible for making their own childminding arrangements so that the licence conditions can be complied with. J Hague and Mr Pitts agreed to further consider the possibility of having 2 designated areas however it was agreed that this would be difficult to enforce. A discussion took place about a pending TEN for a bonfire party. J Hague advised that a specific risk assessment must be done due to the unusual style and character of the event including arrangements for parent/carers to supervise their children and a trained safeguarding lead to be on site. On inspection of the beer garden Mr Pitts further advised Ms Bagshaw of health and safety works outstanding and that the smoking shelter breached smoking legislation.	

	<p>Email from J Hague to Ms Bagshaw to confirm advice issued and offering additional free staff training to assist with the safeguarding advice issued. (annex 1 (j) refers).</p> <p>Email to SY Police to confirm advice issued to Ms Bagshaw re planned event for 5.11.13 (annex 1 (k) refers).</p>	<p>NB Ms Bagshaw and Ms Jennet attended safeguarding training in April 2013 however no additional training places have since been requested for other staff.</p>
22/10/2013	<p>Email to Ms Bagshaw from Mr Pitts, HPS copied to SSCB setting out list of works still not undertaken in order to make children's area safe. (annex 1 (l) refers)</p>	
14/11/2013	<p>Multi agency meeting with SSCB, SY Police, Licensing Authority, Ms Bagshaw and partner Mr Tony Stubbs to discuss agency response to potential variation application. Protracted discussion about the use of a designated family area; Ms Bagshaw stated that the problem is the customers will not remain with their children in the designated room as they want to be in the main bar area to socialise with other adults. J Hague explained that the main bar is adult orientated and unsuitable however Ms Bagshaw and Mr Stubbs objected to children not being allowed in the main bar area on the grounds that they had been in the area during TENs and exposed to shouting and anti social behaviour. When challenged by Ms Hague about the appropriateness of this in light of Ms Bagshaw's previous safeguarding training, Ms Bagshaw retracted her comment that children had been exposed to this type of behaviour during TENs. Ms Bagshaw and Mr Stubbs advised the meeting that if the conditions were not relaxed regarding children, they would leave the premises in January 2014. J Hague explained that after the last hearing it was hoped that incrementally the premises would achieve a culture change however little progress in terms of safeguarding compliance had yet been evidenced. Ms Bagshaw repeated that she needed children to have access</p>	

		to the main bar area. Ms Bagshaw was advised by Ms Hague that until control and compliance could be evidenced by management and staff, there was insufficient evidence to have grounds for the SSCB to support an application to relax the safeguarding restrictions.	
20/11/2013		Email from J Hague, SSCB to Ms Bagshaw to confirm that the SSCB agreed that the proposed room to the front left on entry to the premises may be used as the designated family area and HPS had confirmed the necessary works had finally been completed by the premises management. (annex 1 (m) refers)	
14/4/14		T/C from PC Parker, SY Police to J Hague, SSCB reporting concerns about two children at the premises on 13/4/14 who were exposed to risk and adults who were intoxicated and swearing, whilst the children were inadequately supervised at the premises.	
28/4/14		Email from J Hague, SSCB to Ms Bagshaw to offer assistance in planning a TEN (funeral wake) at the premises on 7.5.14. (ref Annex 1 (n))	Ms Bagshaw did not contact Ms Hague for support with risk management for the event.
6.5.14		Email from J Hague, SSCB to Ms Bagshaw to again offer assistance in planning a TEN (funeral wake) at the premises on 7.5.14. (ref Annex 1 (n))	Ms Bagshaw did not contact Ms Hague for support with risk management for the event.
15.5.14		Email from PC Parker, SYP to J Hague, SSCB regarding escalating safeguarding concerns and police action against the DPS/Licence Holder. (annex 1 (o) refers)	
28.5.14		Email from PC Parker, SYP to J Hague, SSCB regarding allegation made to SYP that a 17 year old is working at the pub selling alcohol after 1700 hours. (annex 1 (p) refers)	

Annex 1

		T/c from Ms Mumby, SYP Licensing Manager to J Hague to discuss above. Ms Hague confirmed that the current licence conditions prohibit persons under the age of 18 to be present after 1700 hours including persons working.	
29.5.14		Meeting between Ms Hague, SSCB, Inspector Hogg SY Police and PC Parker SY Police to discuss escalating safeguarding concerns at the premises. Agreed SY Police to provide CCTV evidence to SSCB for its consideration.	
16.6.14		CCTV evidence provided to SSCB by SY Police for safeguarding consideration.	
11/7/14		T/c from Ms Mumby, SYP Licensing Manager to J Hague to discuss Ms Bagshaw's recent request to SYP to vary the licence to allow seasonal variation of the designated children's area. Ms Hague advised that due to persistent failure to comply with existing conditions the SSCB would not be able to support this move and was preparing an application for a licence review.	
31/7/2014		Email to SSCB from SYP to inform that an objection had been made against a TEN at the premises on 9.8.14 on the grounds of protection of children from harm.(ref Annex 1(q)) Email from J Hague, SSCB to Ms Bagshaw advising that if the event proceeds on 9.8.14 persons under the age of 18 should not be admitted. (ref Annex 1(q)).	

Hague Julie

From: Hague Julie
Sent: 02 August 2013 16:52
To: 'Gillian.Parker@southyorks.pnn.police.uk'
Subject: RE: Terminus Tavern

Hi Gill,

Many thanks for the update, I will contact HPS to confirm the designated area jointly. If the issues with the children recur in the beer garden, now that you have made Tansy aware and have an agreement, please let me know and I will follow up with Tansy.

Hope you are well and enjoying the summer (it's a real one!).

Kind regards

Julie

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board
Floor 2, Redvers House
Union Street
Sheffield S1 2JQ

0114 2736753

julie.hague@sheffield.gov.uk

From: Gillian.Parker@southyorks.pnn.police.uk [mailto:Gillian.Parker@southyorks.pnn.police.uk]
Sent: 12 July 2013 14:04
To: Hague Julie
Cc: Sheffield.Liquor-Licensing@southyorks.pnn.police.uk
Subject: Terminus Tavern

Hi Julie

I have visited the Terminus this morning on return from annual leave for a courtesy visit following the determination from the review.

I can confirm that the designated children's area is now within the front room of the premises. Can you arrange for the HPS and yourselves to agree its suitability.

Over the weekend one of our PCSOs noticed that there were children under 18 in the beer garden after the permitted 1700 hours, specifically 2001 hours. I have made Tansy aware this is not acceptable and she has agreed to ensure compliance. Specifically we discussed the entrance gate from the road to the beer garden. Access is required by the tenants who live in the flats above the pub, they do however have keys so the agreement has been reached that the

gate will be locked daily at 1700 hours to stop the children sneaking in.

There was a noise complaint about the beer garden over the weekend, and I have asked Bob or Jon to visit to check out a speaker installed in the smoking shelter.

regards
Gill

PC 683 Gillian Parker
East Safer Neighbourhood Team
Sheffield District - East Sector
Attercliffe Police Station
60 Attercliffe Common
Sheffield
S9 2AD

Direct Line: 0114 2963099, 2964438, 2964439
Internal: 714438
Blackberry 07920533212

Airwave 0683

gillian.parker@southyorks.pnn.police.uk

To find out who your local Safer Neighbourhood Team officer is, how to contact them, and to find out what's happening in your area enter your postcode at www.southyorks.police.uk

Could you or someone you know make a difference as a Special Constable in South Yorkshire Police? If so call 0114 2197000 or visit www.southyorks.police.uk to find out more

Internet communications are not secure and therefore South Yorkshire Police cannot accept responsibility for any changes made to this message after it was sent. This e-mail and any attachments may be confidential. They may contain privileged information and are intended for the intended recipient, if you are not the intended recipient please notify us immediately and delete the message and any attachments from your computer. Do not disclose, distribute, or retain this e-mail or any part of it. In the case of a privately generated e-mail, the opinion expressed may not be the opinion of the South Yorkshire Police We believe but do not warrant that this e-mail and any attachments are virus free. You must therefore take full responsibility for virus checking. South Yorkshire Police reserves the right to monitor all e-mail communications through their networks

16

Hague Julie

From: Hague Julie
Sent: 02 August 2013 16:55
To: Gibbons Sean (DEL); Pitts Steven; Prasad Shiva (Shiva.Prasad@sheffield.gov.uk)
Cc: Gillian Parker (Gillian.Parker@southyorks.pnn.police.uk)
Subject: Terminus Tavern, Darnall

Hello all

Gill Parker, SYP has recently been to the Terminus Tavern and they are using the room that is to the immediate left of the premises on entering as the designated family room. The room has a door so is closed to the main bar area. I do not have any issue with this being used as the designated family area but would be grateful if you could confirm from a H&S perspective if you are happy with this, as the licence conditions require the area to be approved by both agencies.

I look forward to hearing from you and thank you.

Kind regards

Julie

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board
Floor 2, Redvers House
Union Street
Sheffield S1 2JQ

0114 2736753

julie.hague@sheffield.gov.uk

Annex (c)

Hi Lizzie

I've had info from Gill Parker that there have been 2 incidents where children have been at the premises after 5pm which is the new licence condition. When the modified licence is issued I'd like to do a joint visit if you're available – I've asked Matt Proctor to advise when we can expect the licence to be available.

Thanks v much, I'll be in touch!

Julie

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board
Floor 2, Redvers House
Union Street
Sheffield S1 2JQ

Amex 1 (d.)

Hague Julie

From: Pitts Steven
Sent: 15 August 2013 09:10
To: Hague Julie
Subject: RE: Terminus Tavern, Darnall

Hi Julie,
Have visited and give them some work to do ,told them to contact me when it's finished so that we can all have a look.

Steve

From: Hague Julie
Sent: 02 August 2013 16:55
To: Gibbons Sean (DEL); Pitts Steven; Prasad Shiva
Cc: Gillian Parker (Gillian.Parker@southyorks.pnn.police.uk)
Subject: Terminus Tavern, Darnall

Hello all

Gill Parker, SYP has recently been to the Terminus Tavern and they are using the room that is to the immediate left of the premises on entering as the designated family room. The room has a door so is closed to the main bar area. I do not have any issue with this being used as the designated family area but would be grateful if you could confirm from a H&S perspective if you are happy with this, as the licence conditions require the area to be approved by both agencies.

I look forward to hearing from you and thank you.

Kind regards

Julie

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board
Floor 2, Redvers House
Union Street
Sheffield S1 2JQ

0114 2736753

julie.hague@sheffield.gov.uk

0114 2736753

julie.hague@sheffield.gov.uk

NA (e)

From: Rhodes Emma (CEX)
Sent: 16 August 2013 15:33
To: Police Licensing; Jow Heather; Prasad Shiva; Pitts Steven
Cc: Hague Julie
Subject: TEN'S X2 - TERMINUS TAVERN, 150 MAIN ROAD, S9 5HQ

Dear All

Please find attached a copy of 2 TEN's for the above premises which have been submitted today.

Julie

I have sent a copy of this to you for your information only.

Kind Regards

Emma
Emma Rhodes
Licensing Officer,
Licensing Service, Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road,
Sheffield, S9 3HD.
Telephone: 0114 2734264 / 2734880
Fax: 0114 27 35410 *Email:* Emma.Rhodes@sheffield.gov.uk or
general.licensing@sheffield.gov.uk
Website: www.sheffield.gov.uk

Part or all of the information contained in this document may be subject to legal professional privilege and must not be disclosed without the prior consent of Legal & Governance Services. It may be exempt from disclosure by virtue of Section 42 of the Freedom of Information Act 2000 and Para 10, Sch 7 of the Data Protection Act 1998

Annex 1 (F)

Hello all

I've just had a visit from Tansy Bagshaw who is keen to get the views of the Safeguarding Children Board about the possibility of applying for a minor variation to allow children in "until 8 or 9pm". Tansy said she has already met with Insp Ferguson who (she said) will fully support such an application. (I understand Paul is on leave this week so am unable to verify this.)

At the hearing I had proposed a licence condition to allow children on until 8pm at the latest, so I would not be averse to an 8pm change, provided the police view is that the environment is being managed in a safe, family friendly way. Before I respond I would be grateful for your views before we meet with Tansy.

I told Tansy that I would be in touch as we were planning to visit her this week, to discuss the TENs and new licence conditions.

Tansy said that if she can't increase the hours for children and families she will be leaving the pub.

Lizzie - I'm in the office after 2pm today so will give you a call re way forward.

Kind regards

Julie

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board
Floor 2, Redvers House
Union Street
Sheffield S1 2JQ

0114 2736753
julie.hague@sheffield.gov.uk

From: Lucy.Adams@southyorks.pnn.police.uk [mailto:Lucy.Adams@southyorks.pnn.police.uk]
Sent: 19 August 2013 14:55
To: Hague Julie
Cc: Gillian Parker (Gillian.Parker@southyorks.pnn.police.uk); Lizzie.Payne@southyorks.pnn.police.uk
Subject: RE: Terminus Tavern

Dear All,

Just to advise, I have received the application today to transfer the premise licence to Tansy Bagshaw.

Kind Regards

Lucy

Annex 1 (g)

Hague Julie

From: Hague Julie
Sent: 22 August 2013 15:12
To: Sheffield. Liquor-Licensing (Sheffield.liquor-licensing@southyorks.pnn.police.uk);
Licensing(General)
Subject: Terminus Tavern ,Main Road, Darnall

Dear all,

Thank you for notifying the Safeguarding Children Board about the TENs applications, which have been submitted by Ms Bagshaw, DPS at the above premises. Following discussions with police colleagues, I am aware that the proposed event for 26.8.13 will not be going ahead due to the notice being served out of time.

However, as the temporary event notice for 31.8.13 still stands, which would allow children access until midnight, I am writing to inform you of the recommendations I made verbally to Ms Bagshaw (on 20.8.13 when Ms Bagshaw visited this office and by telephone this afternoon) in response to (a) her proposal to allow children until late at night on 31.8.13 and (b) her proposal to apply for a minor variation to permanently extend the hours for children's access at the premises.

In response to both of these proposals which seek to allow later access for children, I suggested that in light of the recent licence review hearing, at which serious concerns were raised about the suitability of the environment for children, I would strongly recommend that the existing conditions are complied with and that children should not remain at the premises after 8pm at events, until a culture change has been achieved and the premises is well evidenced to be compliant and family friendly. I also raised concern that as yet, the designated family room is not ready for use in line with the requirements of the Health Protection Service.

I have discussed this recommendation with Ms Bagshaw and reassured her that the Safeguarding Children Board would continue to support her, as it has, to develop the premises as a family friendly venue in the longer term. However, at this time there is insufficient evidence that the new licence conditions are being complied with or that the environment has sufficiently changed to that described at the licence review hearing on 2nd July 2013.

Ms Bagshaw and I have agreed to continue to liaise and review the situation in due course.

I hope these comments are of assistance.

Kind regards

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board
Floor 2, Redvers House
Union Street
Sheffield S1 2JQ

Annex 1 (h)

Hague Julie

From: Pitts Steven
Sent: 28 August 2013 09:41
To: Hague Julie
Cc: 'Gillian.parker@southyorks.pnn.police.uk'
Subject: RE: Terminus Tavern, Darnall

Hi Julie / Gillian ,

Told Tansy Bagshaw what needed to be done in both area's as she requested PLH was also there, also told her to contact the Fire Sevice regarding padlocking the gate to the footpath which she was doing to keep out undesirables as this is not permissible and there may be an alternative method.

I told her to contact me when the work was done so that I could arrange to visit with you. Also told her there was no point in commenting in its present state, not heard anything since.

Best Regards,

Steve

From: Hague Julie
Sent: 27 August 2013 15:56
To: Pitts Steven
Cc: Benita.Mumby@southyorks.pnn.police.uk; Gillian Parker (Gillian.Parker@southyorks.pnn.police.uk); Lizzie.Payne@southyorks.pnn.police.uk
Subject: RE: Terminus Tavern, Darnall

Hi Steve,

Just an update as I've had a telephone discussion with Tansy Bagshaw and Gill Parker, SYP this afternoon, about the 'designated area'. Tansy has complained that if customers with children wish to smoke or use the beer garden they will be unable to if the designated area is the internal room. We discussed the possibility of having the beer garden as the designated area in summer (eg May to September) and the internal room as the designated area for the rest of the time.

From a safeguarding point of view, I have reiterated that it is imperative that there is only ever one single area operating, and that signage would need to be displayed and staff trained to enforce this. I also emphasised to Tansy that whichever the area is, it also has to be safe from a health and safety point of view.

As you've already asked for works to be done in both areas I wondered what your views are about whether the designated area could be 'interchangeable' and if either of the areas have been approved and are safe for family use yet?

Kind regards,

Julie

Julie Hague
Licensing Project Manager

Amerex (i)

Hague Julie

From: Hague Julie
Sent: 11 September 2013 23:20
To: tansyb@live.co.uk
Cc: Lizzie.Payne@southyorks.pnn.police.uk; Pitts Steven; Proctor Matthew; Gillian Parker (Gillian.Parker@southyorks.pnn.police.uk)
Subject: Terminus Tavern licence condition - designated family area

Dear Tansy

Further to our meeting this afternoon at which Ms Payne of South Yorkshire Police was present. I am writing to confirm our proposed agreement regarding the above matter.

I have copied this email in to Mr Pitts as the proposed designated area arrangements are subject to his approval.

The following arrangements were proposed:

- To ensure that the condition is enforceable a single designated area should be identified.
- The area proposed is the internal room to the left of the entrance to the premises, subject to approval by the health protection service.
- Signage will be displayed to show the public the area children are allowed to use.
- Parents/carers who wish to smoke must take their children with them off the premises or make suitable supervisory arrangements by a responsible adult if the children remain on the premises

I also advised that the conditions apply to children and young people who live, work, entertain, perform, visit or socialise at the premises.

I hope this proposed agreement helps clarify the matter from a safeguarding point of view. I have copied in all interested parties so that they can comment on what has been proposed.

Kind regards,

Julie

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board
Floor 2, Redvers House
Union Street
Sheffield S1 2JQ

0114 2736753

julie.hague@sheffield.gov.uk

Hague Julie

From: Hague Julie
Sent: 15 October 2013 17:43
To: tansyb@live.co.uk
Subject: Designated children area and Temporary Events allowing children and young people

Dear Tansy,

Further to our meeting this morning, I am writing to confirm the key points of our discussion.

1. We talked about the possibility of having the internal room (lounge) and external beer garden as designated family areas. This means that children and young people would be allowed in these areas provided they are accompanied and supervised by a responsible adult at all times but we discussed that children and young people would not be allowed in the bar area at any time or circumstance under the current licence conditions. Whilst this was agreed in principle by myself and Mr Pitts, there is also a police point of view to be confirmed as the issue of safety and law enforcement must be clear and acceptable to that agency also.
2. We agreed that children or young people would not use either of these areas until they have been approved as safe from a health and safety point of view, by the Health Protection Service.
3. Regarding the use of temporary events involving children and young people, I advised you to complete a written risk assessment for each event and to brief staff about potential risks and how these are going to be managed.
4. I also advised that a trained safeguarding co-ordinator should be on site when children are present. I note that currently there are 2 trained co-ordinators at the premises. If you require any more staff to receive the training please don't hesitate to contact me.

Any questions please give me a ring, here is my mobile: 07854219682 as I am out of the office regularly.

Yours sincerely

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board
Floor 2, Redvers House
Union Street
Sheffield S1 2JQ

0114 2736753

julie.hague@sheffield.gov.uk

Amey 1 (K)

Hague Julie

From: Hague Julie
Sent: 15 October 2013 21:54
To: 'Benita.Mumby@southyorks.pnn.police.uk'
Subject: RE: Terminus

Hi Benita

I've copied SYP in to the email I sent to Tansy after my meeting with her today but basically I've advised her to do a children's risk assessment for each TEN, to consider the type of activities, how they impact the environment and what safeguarding measures she is going to have in place. These must include a designated family area and the presence on site of a trained safeguarding coordinator (Tansy and another member of staff have done the training so should not be onerous for them to follow this advice and procedure). They are also required to ensure adults supervise and remain with their children. In light of that, the 9pm finish should not be an issue providing Tansy enforces what we ask (which I reiterated today).

Hope that clarifies from a safeguarding point of view.

Kind regards

Julie

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board
Floor 2, Redvers House
Union Street
Sheffield S1 2JQ

0114 2736753
julie.hague@sheffield.gov.uk

Annex 1 (1)

Hague Julie

From: Pitts Steven
Sent: 22 October 2013 11:06
To: 'tansyb@live.co.uk'
Cc: Hague Julie; Gillian.parker@southyorks.pnn.police.uk
Subject: Terminus Tavern

Dear Tansy,

Further to my visit in respect of the children's area please note the following requirements:

1. Provide safety film to glazing that is not toughened glass.
2. Fix Perspex over the broken feature glazing.
3. Remove the dartboard from the room.
4. Box in or remove any remaining pipework.
5. Remove the heater unit or provide adequate guarding.
6. Ensure the TV shelf is adequately supported.
7. Securely fix the TV if provided to the TV shelf.
8. Ensure the ceiling light has a suitable end terminal

If required beer garden area:

1. Level up uneven surfaces.
2. Highlight raised areas
3. Ensure the emergency exit gate has a suitable door locking mechanism, (advised to contact South Yorks Fire Service for advice).
4. Ensure access to the fire escape stair is prevented.
5. Complete fencing to a reasonable standard.

The existing smoking shelter does not comply with the smoke free regs. in order to comply one side of the shelter must be removed as discussed.

Should you have any queries please contact me on the telephone number shown.

Regards,

Steve Pitts

Annex (m)

Hague Julie

From: Hague Julie
Sent: 20 November 2013 19:32
To: tansyb@live.co.uk
Subject: Terminus Tavern: Designated Family Area

Dear Tansy,

Further to your telephone enquiry to the Safeguarding Children Board today, I am writing to confirm that I have received confirmation from Steve Pitts, Health Protection Service, that the health and safety issues previously identified in the room on the immediate left of the premises have now been addressed. On the basis that these standards continue to be maintained, I confirm that the Safeguarding Children Board does not have any objection to the room on the immediate left of the premises now being used as the designated family room, with immediate effect.

I trust this assists. Please do not hesitate to contact me should you require further assistance.

Kind regards

Julie

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board
Floor 2, Redvers House
Union Street
Sheffield S1 2JQ

0114 2736753

julie.hague@sheffield.gov.uk

Annex 1 (a)

Hague Julie

From: Hague Julie
Sent: 06 May 2014 12:11
To: tansyb@live.co.uk
Subject: RE: RE: Terminus Tavern Proposed TENS Wednesday 7 May 2012

P.T.O
→

Dear Tansy

Further to my email below, I have not heard from you to advise regarding the event tomorrow so would strongly recommend that you include the following safeguarding measures:

- All children to be accompanied and supervised by a responsible adult
- A designated family room to be in use
- Children not to remain at the premises after 20:00 hours
- Regular recorded patrols (as per training) or cctv monitoring including outside areas
- A written risk assessment to be undertaken to inform your operating policy
- The designated premises supervisor or other suitably trained member of staff to be in attendance for the duration of the event

If you have any queries please don't hesitate to contact me, my mobile is 07854 219682

Kind regards

Julie

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board
Floor 2, Redvers House
Union Street
Sheffield S1 2JQ

0114 2736753

julie.hague@sheffield.gov.uk

From: Hague Julie
Sent: 28 April 2014 16:28
To: tansyb@live.co.uk
Subject: RE: Terminus Tavern Proposed TENS Wednesday 7 May 2012

Dear Tansy

I am informed that you may be hosting a temporary event at the above premises on 7th May involving children. I am aware that you and your colleague have already been on the safeguarding training so are aware of what safeguarding measures need to be in place, but if you

need any additional help or support with the risk management plan please don't hesitate to get in touch.

Kind regards.

Yours sincerely

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board
Floor 2, Redvers House
Union Street
Sheffield S1 2JQ

0114 2736753

julie.hague@sheffield.gov.uk

Annex 1 (6)

Hague Julie

From: Gillian.Parker@southyorks.pnn.police.uk
Sent: 15 May 2014 15:01
To: Hague Julie
Cc: Andrew.Hogg@southyorks.pnn.police.uk; Licensing(General); Sheffield.Liquor-Licensing@southyorks.police.uk
Subject: Pending prosecution of Tansy BAGSAW, Terminus Tavern

Hi Julie

Further to my interviewing and reporting Tansy on summons for unauthorised licensable activity on 13th April I have now had the opportunity to retrieve and watch the cctv. It shows at least six children, male and female, ranging from babies to around 10 years old in the pub after the permitted hours and also free running of the area (inside and out). It also shows when officers entered some of the children being ushered into the back of the bar (out of sight) and also one customer being hurriedly escorted out of the premises via the other door by Tony Stubbs who is the business partner of the DPS. Tansy nor David can truthfully say they were unaware of their presence. The actions on camera show that on our arrival they knew the kids were in the premises but had 'been caught out'. I have reported Tansy on summons to allow the court to make a decision. I am happy this is the correct way for the matter to be dealt with. I am clearly disappointed in the management at the premises. The cctv also showed glasses (not plastic) outside. As Tansy has already been interviewed and admitted the offence I will not be fetching her back in on this occasion.

I also have arranged for the footage to be downloaded so I can check it from the recent TENS. I am hoping to do this in the next few days on duty and will take positive action should I identify any further offences.

regards
Gill

PC 683 Gillian Parker
 East Safer Neighbourhood Team
 Sheffield District - East Sector
 Attercliffe Police Station
 60 Attercliffe Common
 Sheffield
 S9 2AD

Direct Line: 0114 2963099, 2964438, 2964439
 Internal: 714438
 Blackberry 07920533212

Airwave 0683
gillian.parker@southyorks.pnn.police.uk

To find out who your local Safer Neighbourhood Team officer is, how to contact them, and to find out what's happening in your area enter your postcode at www.southyorks.police.uk

Could you or someone you know make a difference as a Special Constable in South Yorkshire Police? If so call 0114 2197000 or visit www.southyorks.police.uk to find out more

Internet communications are not secure and therefore South Yorkshire Police cannot accept responsibility for any changes made to this message after it was sent. This e-mail and any attachments may be confidential. They may contain privileged information and are intended for the intended recipient, if you are not the intended recipient please notify us immediately and delete the message and any attachments from your computer. Do not disclose, distribute, or retain this e-mail or any part of it. In the case of a privately generated e-mail, the opinion expressed may not be the opinion of the South Yorkshire Police We believe

Annex 1 (p)

Hague Julie

From: Gillian.Parker@southyorks.pnn.police.uk
Sent: 28 May 2014 14:12
To: Hague Julie; Sheffield.Liquor-Licensing@southyorks.police.uk
Subject: Fw: Inc 580 25.5.14 - possible underage girl working at Terminus tavern

Hi all

please be aware of the below. I have tried to ring the caller back for further details of the alleged new bar staff. Hopefully by our meeting tomorrow I will have some more details

regards
Gill

PC 683 Gillian Parker
East Safer Neighbourhood Team
Sheffield District - East Sector
Attercliffe Police Station
60 Attercliffe Common
Sheffield
S9 2AD

Direct Line: 0114 2963099, 2964438, 2964439
Internal: 714438
Blackberry 07920533212

Airwave 0683

gillian.parker@southyorks.pnn.police.uk

To find out who your local Safer Neighbourhood Team officer is, how to contact them, and to find out what's happening in your area enter your postcode at www.southyorks.police.uk

----- Forwarded by Gillian Parker/SHEFFIELD/SYP on 05/28/14 02:11 PM -----

Joe Hunt/SHEFFIELD/SYP

To Gillian Parker/SHEFFIELD/SYP@SYP

cc

05/27/14 12:16 PM

Subject: Inc 580 25.5.14 - possible underage girl working at Terminus tavern

Gill

Please be aware of the above job which is info re a 17 year old girl serving drinks in the pub. According to the caller she is a relative of the landlady. I've closed the incident that you are aware and dealing with other licensing issues at the location.

Ta

Joe

Joe Hunt PS 447

Arbournthorne Safer Neighbourhood Team
Sheffield District

Attercliffe Police Station
60 Attercliffe Common
Sheffield S9 2AD

Annex 1 (q)

Hague Julie

From: SHEFFIELD_Licensing <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>
Sent: 31 July 2014 12:57
To: Licensing(General)
Cc: GILLIAN PARKER; ANDREW HOGG; BENITA MUMBY; ELIZABETH PAYNE; Hague Julie; PAUL FERGUSON
Subject: Objection to Late Temporary event notice-Terminus Tavern

Sent on behalf of Sheffield Licensing, South Yorkshire Police

Licensing General

Block C

Staniforth Road Depot

609 Staniforth Road

Sheffield

S9
3GZ

31st July 2014

Licensing Act 2003

Objection to Late temporary event notice 9th August 2014

Terminus Tavern, 150 Main Road, Darnall, Sheffield

On behalf of the Chief Constable of South Yorkshire, an objection is being made in relation to the above application.

The grounds of objection are based on the protection of children from harm. We have serious concerns regarding the suitability of the premise for children to attend the proposed event until 20:00hrs on 9th August 2014. South Yorkshire police currently have no confidence that the premise is being run in accordance with the current licensing conditions and the four licensing objectives the main one being "Protection of Children from Harm".

Further information will be provided in due course.

Yours faithfully,

For and on behalf of

Chief Constable, South Yorkshire Police

Annex 1 (g)

Hague Julie

From: Hague Julie
Sent: 31 July 2014 14:21
To: tansyb@live.co.uk
Subject: Application for a Temporary Event Notice: Terminus Tavern, 150 Main Road, Darnall, Sheffield

Importance: High

Dear Tansy

I am aware that an application has been made for a Temporary Event Notice at the above premises to allow children to attend an event there until 8pm. I am writing to urge you that in light of the concerns recently raised to you and thoroughly discussed regarding the unsuitability of the premise for children and the lack of adult supervision of children, persons under the age of 18 years should not be admitted to the event.

Yours sincerely

Julie

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board
Floor 2, Redvers House
Union Street
Sheffield S1 2JQ

0114 2736753

julie.hague@sheffield.gov.uk



Address correspondence to:

Julie Hague
 Sheffield Safeguarding Children
 Board - Licensing Project
 Floor 2
 Redvers House
 Union Street
 Sheffield S1 2JQ
 Telephone: 0114 2736753
 Email: Julie.hague@sheffield.gov.uk
 Fax: 0114 2734626

2nd June 2013

The Licensing Authority
 Town Hall
 Surrey Street
 Sheffield

Dear Sirs

APPLICATION TO REVIEW THE PREMISES LICENCE: TERMINUS TAVERN, 150A Main Road, Darnall, Sheffield S9 5HQ

I am writing to make a representation on behalf of the Safeguarding Children Board as the Responsible Authority for the protection of children from harm under the Licensing Act 2003. The reason for the representation is that the environment at the premises has been managed in an inconsistent way, lacking enforcement of the necessary safeguarding measures to make it a family friendly' for children and young people .

The evidence submitted by South Yorkshire Police demonstrates that the premises has a history of incidents of crime and disorder, including recent incidents on 27th January 2013 (whereby it is reported that a crowd of 30 people were fighting) and on 16th February (whereby a further incident is reported of assault and robbery outside the front of the premises).

The premises operates as an adult orientated public house where the sole trade is for the sale and consumption of alcohol and at which, under the current licence, children and young people may have unrestricted access. The Safeguarding Children Board is concerned that if adequate safeguarding systems are not enforced, children may be exposed to the risk of harm in this environment.

The Safeguarding Children Board has been working with a number of Designated Premises Supervisors at the premises since 2010, trying to establish robust and consistent safeguarding systems (documents at annex 1 refer). As documented in the Police evidence, a significant number of multi agency advice visits and action plans have been undertaken over a 3 year period and attempts have been made to engage Mr Greenall, the premises licence holder, in partnership work in order to achieve the necessary improvements. Despite this, progress has been slow in relation the protection of children and young people at the premises: Action plans have not fully been complied with and repeatedly issued and there have been changes of Designated Premises Supervisors and general managers, resulting in the safeguarding policies being inconsistently or inadequately enforced.

However, since Ms Bagshaw, the current Designated Premises Supervisor, was recruited in March 2013, compliance with the action plan and establishment of the recommended safeguarding systems has improved: At a meeting with the premises management on 14.3.13, I informed Ms Bagshaw that there were actions outstanding from the improvement and these were subsequently addressed, including Ms Bagshaw's attendance at the multi-agency safeguarding training session on 11.4.13, along with Ms Jennett, another member of staff.

Whilst the new Designated Premises Supervisor has demonstrated a commitment to improving the safeguarding policies, the Safeguarding Children Board is concerned that enforcement continues to be reliant upon the discretion of the DPS. This means that existing policies that are currently operating on a voluntary agreement may change, as they are not established as licence conditions.

The Safeguarding Children Board would therefore ask the Licensing Sub-Committee take positive action to establish robust safeguarding policies, if children and young people are to continue to be allowed access to the premises.

Yours sincerely



JULIE HAGUE
Licensing Project Manager

Licensing Service
Sheffield City Council
Block C, Staniforth Road Depot
Staniforth Road
Sheffield, S9 3HD

Tel: 0114 273 4264 or 273 4880 Fax: 0114 273 4073
E-mail: general.licensing@sheffield.gov.uk
Website: www.sheffield.gov.uk/licensingact
Date: 6 September 2013

Mrs Tansy Bagshaw
36 Maltraver Terrace
Sheffield
S2 5FL

Dear Madam,

Licensing Act 2003: Transfer of a Premises Licence
Premises: Terminus Tavern, 150a Main Road, Sheffield, S9 5HQ
Premises Licence Number: SY 0089 PR

I enclose:

- a) **the transferred premises licence; and**
 - a) **the transferred premises licence summary**
- for the above named premises.

Please check both documents carefully, including all attached papers, and ensure that all details are correct. If they are not, please contact us immediately.

Please also be aware of the following:

- The original (or a certified copy) of the **entire premises licence** must be kept on the premises and available for inspection at all times. This includes any annexes, appendices & other related documents.
- The original (or a certified copy) of the **premises licence summary** must be prominently displayed at the premises.
- Failure to comply with any conditions attached to a licence is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both.

You must inform the Licensing Authority if you wish to do any of the following:

- Vary the licence;
- Vary the Designated Premises Supervisor (DPS) named on the licence;
- Transfer the licence; or
- Surrender the licence.

You must also inform us if the premises licence holder or DPS change their name or address.

Should you wish to make any changes to the licence, please contact us for the relevant forms or refer to the website for information at www.sheffield.gov.uk/licensingact. The original premises licence and premises licence summary must be returned for amendment and accompanied by the required fee (if applicable).

If the original premises licence or premises licence summary is lost or stolen, you must report this to South Yorkshire Police and immediately forward us a statement containing the incident number and/or the officer's details to whom it has been reported and a fee of £10.50 for the replacement.

Finally, an annual fee is payable on this licence each year on the anniversary the licence was granted.

Please ensure you make a record of the date your annual fee is due.

Your licence was granted on 24 November 2005.

Your annual fee is due each year on this date.

Failure to pay the annual fee when it is due will lead to your licence being suspended.

Please contact me if you have any queries.

Yours faithfully

Georgina Hollis
Licensing Officer

Enquiries to: 0114 2734264 / 0114 2734880
Enc.

THE LICENSING ACT 2003

Premises Licence No: SY 0089 PR ISSUE NO: 8.

The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

PART 1 – Premises details

Terminus Tavern
150a Main Road
Sheffield
S9 5HQ

Telephone Number: 0114 249 3494

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities:

1. Provision of regulated entertainment:

Recorded Music

Indoors

Sunday	12:00 to 22:50 hours
Monday - Saturday	10:00 to 23:20 hours
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:20 hours
Christmas Day (25.12)	12:00 to 15:20 and 19:00 to 22:50 hours

2. Sale by retail of alcohol

- a) for consumption on the premises
- b) for consumption off the premises

Sunday	12:00 to 22:30 hours
Monday - Saturday	10:00 to 23:00 hours
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:00 hours
Christmas Day (25.12)	12:00 to 15:00 and 19:00 to 22:30 hours

N.B. See Annex 2 for further restrictions on hours including Good Friday and where New Years Eve falls on a Sunday.

The opening hours of the premises are

Sunday	12:00 to 22:50 hours
Monday - Saturday	10:00 to 23:20 hours
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:20 hours
Christmas Day (25.12)	12:00 to 15:20 and 19:00 to 22:50 hours

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Sale by retail of alcohol for consumption both on and off the premises.

PLEASE NOTE:

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

PART 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

Mrs Tansy Bagshaw
36 Maltravers Terrace
Wybourn
Sheffield
S2 5FL

Telephone Number: 07765377585

Registered number of holder, for example company number, charity number (where applicable):

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Mrs Tansy Bagshaw
36 Maltravers Terrace
Wybourn
Sheffield
S2 5FL

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:

Personal Licence Number: SY 4930 Per
Issuing Authority: Sheffield City Council

State whether access to the premises by children is restricted or prohibited:

Restricted

This Premises Licence shall be in force from the 24 November 2005.

Issued on: 15 July 2005.

Steve Lonnie

.....
Steve Lonnie
Chief Licensing Officer
Head of Licensing Services
On behalf of Sheffield City Council (issuing licensing authority)

Sheffield City Council – For Office use only	
Variation of Premises Licence	
Variation of DPS	No: 5 Issue Date: 12/03/2013
Transfer of Premises Licence	No: 3 Issue Date: 16/08/2013
Minor Variation	
Change of Name/Address	
Amendment to Premises Licence	
Review	No: 1 Issue Date: 26/07/2013
Summary Review	

Annex 1A – Mandatory Conditions

Mandatory Condition 1 (Section 19 ss 2)

Where a licence authorises the sale of alcohol then no supply of alcohol may be made under the premises licence –

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (a) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Mandatory Condition 2 (Section 19 ss 3)

Where a licence authorises the sale of alcohol then every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Condition 3 (Section 20)

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:
 - (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
 - (a) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.
2. In this section -
 - "children" means persons aged under 18; and
 - "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory Condition 4 (Section 21)

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

Annex 1B - Mandatory Conditions effective from 6th April 2010:

These mandatory conditions apply where the licence authorises the supply of alcohol. The conditions in paragraph 1 to 3 do not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Annex 1C - Mandatory Conditions effective from 1st October 2010:

These mandatory conditions apply where the licence authorises the supply of alcohol. The condition 5 does not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
5. The responsible person shall ensure that—
- (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) Customers are made aware of the availability of these measures.

Annex 2 – Conditions consistent with the operating schedule

Any embedded permissions and restrictions attached to the justices on/off licence including those specified at Appendix 1.

1. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Annex 3 – Conditions attached after a hearing by the licensing authority

1. The DPS is to become an active member of the 'Sheffield Licence Watch' and any localised sub groups. To attend all meetings unless this is impractical after taking all reasonable steps.
2. The challenge 25 procedure is to be operated by all staff and all systems to be in place as set in the multi agency guidance criteria for a recognised proof of age scheme.
3. All staff are to be trained to operate the scheme set out in condition 2 above. Content of the training is to comply with the recommendations set out in the criteria for a recognised proof of age scheme including maintenance of staff training records. Staff training records are to be available to the responsible authorities on request, this includes a refusals log.
4. To display relevant posters and information relating to the supply of alcohol to underage customers in prominent positions that are visible both inside and outside the premises and at the point of sale.
5. A colour CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times the premises are open. CCTV images will be stored for 28 days. Police will be given access to and copies of images for purposes in connection with the prevention of Crime and Disorder.
6. A policy will be operated to prohibit access to the internal and external areas of the premises to persons under the age of 18 years after 17:00 hours daily. ✕
7. Signage indicating restrictions to the children's access to the premises must be displayed.
8. An incident book must be maintained and made available upon request for inspection by the responsible authorities under the Licensing Act 2003. This book should record the discovery and disposal procedures in relation to substance misuse paraphernalia.
9. Zero tolerance posters/signage is to be prominently displayed throughout the premises.
10. Throughout the opening hours, staff will patrol all public areas at the premises at a minimum of once per hour, including toilet areas to monitor the environment for drug use/dealing, dangerous or inappropriate behaviour. Incidents will be recorded in the incident book and any criminal behaviour will be reported to the police. Signage will be displayed on toilet doors to indicate that regular checks are being made.
11. A children's safeguarder will be assigned to the premises. This person must attend the training provided by the SSCB and comply with the guidance issued by the SSCB. ✕
12. A Children and Young People's Risk assessment must be completed in writing and retained as part of the premises management's due diligence records. A risk assessment tool has been provided. Risks identified in this process will inform the premises policy regarding access to children, prior to 17:00 hours. ✕

Appendix 1

LICENSING ACT 2003

Premises Licence Summary

ISSUE NO: 8.

The Sheffield City Council being the Licensing Authority under the above Act hereby issue this Premises Licence Summary in respect of:

Premises licence number **SY 0089 PR**

Terminus Tavern
150a Main Road
Sheffield
S9 5HQ

Telephone Number: 0114 249 3494

Licensable activities authorised by the licence:

1. Provision of regulated entertainment:

Recorded Music

Indoors

Sunday	12:00 to 22:50 hours
Monday - Saturday	10:00 to 23:20 hours
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:20 hours
Christmas Day (25.12)	12:00 to 15:20 and 19:00 to 22:50 hours

2. Sale by retail of alcohol

a) for consumption on the premises

b) for consumption off the premises

Sunday	12:00 to 22:30 hours
Monday - Saturday	10:00 to 23:00 hours
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:00 hours
Christmas Day (25.12)	12:00 to 15:00 and 19:00 to 22:30 hours

N.B. See Annex 2 for further restrictions on hours including Good Friday and where New Years Eve falls on a Sunday.

The opening hours of the premises are

Sunday	12:00 to 22:50 hours
Monday - Saturday	10:00 to 23:20 hours
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:20 hours
Christmas Day (25.12)	12:00 to 15:20 and 19:00 to 22:50 hours

PLEASE NOTE:

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:

Sale by retail of alcohol for consumption both on and off the premises.

Name, (registered) address of holder of premises licence:

Mrs Tansy Bagshaw
36 Maltravers Terrace
Wybourn
Sheffield
S2 5FL

Telephone: 07765377585

Registered number of holder, for example company number, charity number (where applicable):

N/A

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Mrs Tansy Bagshaw

State whether access to the premises by children is restricted or prohibited:

Restricted

The Premises Licence shall be in force from 24 November 2005.

Issued on: 15 July 2005.



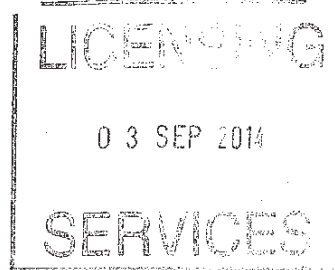
.....
Steve Lonnia
Chief Licensing Officer
Head of Licensing Services
On behalf of Sheffield City Council (issuing licensing authority)



South Yorkshire
POLICE

APPENDIX 'B'

Sheffield Council Licensing Department
Block C
Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD



27th August 2014

Dear Sir/Madam

Re:- Terminus Tavern, Main Road, Darnall

Please find attached representations made by South Yorkshire Police in relation to the Application for Review of the above premise licence submitted by the Sheffield Safeguarding Children Board

Yours faithfully,

South Yorkshire Police Licensing Team

South Yorkshire Police Central Licensing Team
1st Floor
Attercliffe Police Station
Attercliffe Common
Sheffield
S9 2AD

0114 2523617 / 0114 2523163 / 0114 2523618

sheffield.liquor-licensing@southyorks.pnn.police.uk

BETWEEN

SOUTH YORKSHIRE POLICE

Complainant

- and -

**Terminus Tavern, Main Road, Sheffield.
Premises Licence Holder – Tansy BAGSHAWE
Designated Premises Supervisor – Tansy BAGSHAWE**

Respondent

**WITNESS STATEMENT OF LICENSING OFFICER
Lizzie PAYNE**

1. I am a Licensing Enforcement Officer for South Yorkshire Police. I have carried out this role for approximately four years. My role requires me to work with members of the licensing trade and also Responsible Authorities under the 2003 Licensing Act to ensure that premises run safely and within the requirements of the four Licensing Objectives.
2. Whilst I am a Licensing Officer for the whole of Sheffield, I have particular responsibility for premises in four specific Safer Neighbourhood Areas (SNAs), with the East SNA being one of those areas. Darnall is contained within the East SNA.
3. I have been involved in working with the above premise since commencing my role, alongside PC Gillian Parker, and Licensing Manager Benita Mumby. I have outlined below my specific involvement since the last premise Licence Review in July 2013.

4. At 10:55am on 6th September 2013 I received a telephone call from Tansy Bagshawe advising she would be submitting Temporary event Notices for the 14th & 28th September. She wanted us to know that there were still some works required for completion of the Designated Children's Area. She stated these needed to be carried out by the then Premise Licence Holder David Greenall but that he was taking his time in getting them completed. I advised Tansy that I was looking to attend the premise during the next week with an Environmental Protection Officer to check on the progress of the works and hopefully sign them off. I asked Tansy to call me to let me know when the works were completed.

5. At 15:50hrs on 11th September I attended at the premise with Childrens Safeguarder Julie Hague after receiving a telephone call from Tansy asking us to come and see the Designated Childrens Area. A long discussion took place as Tansy said she wanted to use two separate areas – the front room and also the outside. It was advised that this would not be agreeable as it was too open for possible confusion as to where to go and who is supervising who and therefore open for potential breaches

It was explained that by adding the condition for a designated area the council were indicating that they required all children to be in a specific place - not spread out over two areas. Tansy was not too happy re this. She also queried whether children could remain in the designated area after the 5pm "curfew" - advised no

Eventually it was agreed and reiterated several times to ensure total understanding that the front room would be the designated area - all children need to be in the area whilst they are on the premise. If adults who are with the children wish to smoke they either have to leave the child with another responsible person in the designated room, or take the child outside with them away from the building so they are off the licensed area.

Tansy advised one of the recent breaches re having a child in the premise after 5pm was due to a passer by asking if their child could come in to use the toilet. Tansy was advised that this cannot be allowed and that this is a clear breach and will go against her. Tansy argued this point for a while but was told in no uncertain terms that this was not acceptable and should not be allowed to happen

Tansy then questioned whether her daughter who is under 18 was allowed in the premises kitchen – Julie Hague advised that if this was part of the licensed premise then no she couldn't as the no u18s after 5pm condition relates to all the licensed areas. Tansy was advised to ask David Greenall for a copy of the plans so she can check the licensed area

General discussion then took place regarding tansy wanting to know when she could apply for a variation to allow children in later. It was confirmed that should she wish to do this at some point in the future the best thing to do would be to stick stringently to all the conditions to prove she can run the premise correctly. She was also advised that with regards to wanting children in later any tens she has that run smoothly can also be used as evidence in the future that she can successfully have children on the premise. Tansy said this was an issue as she had to pay for every ten she submitted which was costing her a lot of money. She was advised that should she be looking to submit a variation she should contact the responsible authorities first to meet and discuss her plans

Tansy wanted a specific timescale for when she could do this - she was advised that there is no set time limit - it would be up to her to come to us when she thinks she has sufficient evidence to prove she has run the premise correctly., the authorities would then look at her evidence in conjunction with whether there had been crime and disorder / other safeguarding issues etc and make a decision then on whether they would object. She was specifically advised that even if she felt she had sufficient evidence that would not be a guarantee that we would not object to any future variations

With regards to the Temporary Event Notice she has submitted for this weekend. I asked Tansy where the kids would be - she advised in the main part of the pub. She said she had discussed this with PC Gillian

Parker and Sgt Andy Hogg and that they had agreed to this as long as they were off the premises by 7.30pm

It was left that we would ask Environmental Protection to visit and sign off the designated area and that Julie Hague would email everyone to confirm what was discussed in today's meeting.

6. At 11am on 15th October 2013 I visited the premise with Julie Hague (Childrens Safeguarding) and Steve Pitts (Environmental Protection) to view the Designated Childrens Area. Steve Pitts checked the room and the following works are still outstanding:-

- Safety film on bottom windows and perspex on top ones
- Boxing in of pipes under the windows
- Any tv to be secured on the wall or the shelf and no seating to be under the shelf
- Relocation (out of the room) of the dartboard
- Sort light fitting in ceiling

Discussion took place about which area(s) are being used once signed off - Steve Pitts advised ok to have that room and the outside area as long as both safe. Julie Hague advised ok with both as long as any child in either area is supervised by a responsible adult. I advised that South Yorkshire Police still needed to consider the position and would discuss it further at meeting in November

Tansy then asked what was meant to happen if a parent is with a child in the designated area and then wants to go to the bar for a drink but will be unable to due to requirement from Julie Hague to be supervised at all times. After much discussion re various permutations of situations where the supervising adult may need to leave the child I advised that realistically we cannot sort a situation which will suit everyone and simply if customers want to bring children into their premise they need to understand the rules and abide by them - if they feel they can't then they need to drink elsewhere

Discussion then took place around the ten which Tansy wants to submit for bonfire night

Steve Pitts advised he would provide some guidance re fireworks etc but raised concerns re people bringing their own fireworks / children with sparklers etc. He suggested that Tansy sell sparklers herself to prevent people bringing them in. He also suggested she keep it low key with no aerial fireworks

Julie Hague advised needs to do risk assessment and that would require a responsible person with each child. She would also want someone who has done safeguarding course to be in the outside area all the time that children are there

I advised that from a police perspective we possibly wouldn't have any issues with children being in until 9pm but that we just have general concerns about possibility of children being in a situation involving alcohol and fireworks etc but that Benita would be calling Tansy further tomorrow to discuss.

We went outside to check the outside area - there are still works required to make it safe and suitable to be a designated area (fences heightening / bits of land filled in / some work on gate) - Steve Pitts confirmed these needed resolving before can be used as designated area

Steve also told Tansy that her smoking area is breaching legislation as it only has one open side.

7. On 12th July I replied to an email from Tansy regarding having an U18 year old staff member working with the following email:-

Hi Tansy

Yes it would be a breach of your current licence conditions to have the 17 year old barstaff member working after 17:00hrs. However they are ok to work from opening of the premise until 17:00hrs as long as every single sale of alcohol is agreed and authorised by a person over 18 years who has responsibility for the premise at the time of sale, and that both parties names are stated on the DPS Authorisation list (a list outlining every person who you authorise to make sales of alcohol on

your behalf - signed by you and dated) which should be displayed behind the bar.

Kind regards

8. On 16TH July 2014 I chaired the Darnall PubWatch meeting. There was nobody in attendance from the Terminus Tavern

I believe that the contents of this statement are true and I understand it may be placed before the court.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

Signed.....



Dated.....

12-8-14

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

--	--	--	--

Statement of Gillian Parker.....

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: Police Constable 683

This statement (consisting of 12 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature *C. 1683* (witness) Date: *11/8/14*

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable with the South Yorkshire Police currently posted to the East Safer Neighbourhood Team at Attercliffe Police station, Sheffield. I am also qualified as a Licensing Practitioner and hold a National Certificate for Licensing Practitioners and am a member of the British Institute of Innkeepers.

I have been in my current role as East Safer Neighbourhood Officer for more than 4 years. Part of my role is the responsibility for the policing of licensed premises within the Darnall and Attercliffe areas.

As the single point of contact for licensing on our Safer Neighbourhood Area, I have actively been involved since 2010, along with representatives from other responsible authorities trying to resolve the numerous issues surrounding the Terminus Tavern, Main Road, Darnall, Sheffield. Such issues suggested that the premises was not operating within the requirements of the four Licensing Objectives. The Terminus Tavern was subject of a previous Review of the Premises Licence on 2 July 2013 which was required to try to tackle the ongoing concerns and issues which were ongoing, and had not been addressed by previous interventions including advice, support and action plans. This previous Review resulted in a number of conditions being placed upon the Premises Licence.

The current Designated Premises Supervisor, Mrs Tansy BAGSHAW commenced this role on 12 March 2013, and despite advice from many responsible authorities that this was not required, she took the position as Premises Licence Holder on 16 August 2013. Despite assurance from the current management that the responsible authorities would see an improvement in the running of the premises, concerns continued to be raised, particularly surrounding the safeguarding of children at the premises.

Signature: *C. 1685* Signature Witnessed by:

Continuation of Statement of: Gillian Parker

Page 2

I have outlined chronologically my involvement with the premises since Tansy BAGSHAW was responsible at the premises.

On 14 March 2013 I attended a multi-agency meeting at the Terminus Tavern. Also present was Lizzie Payne, Licensing Officer for South Yorkshire Police, Julie Hague, Safeguarding Officer, Mr David Greenall (then Premises Licence Holder) and Tansy BAGSHAW. The meeting had been arranged to review the current action plan. It was acknowledged that BAGSHAW had only been the DPS for two days and had not yet had sight of the action plan that had been signed by the previous DPS. It was agreed to extend some of the actions to allow her time to deal with them. A training offer was given to BAGSHAW from Safeguarding to attend the multi-agency course on 11 April 2013. The risk assessment for safeguarding children had still not been completed despite this being after many months of advice given. Training records were checked, which were complete with the exception of one staff member who had only been employed at the premises for around a week. Advice suggested this be completed without delay. From the discussions, it became clear that BAGSHAW was not familiar with the content of the Violent Incident Protocol and this also needed to be included in the staff training. CCTV had not been addressed as per the action plan and was still not working. The deadline was extended for one week and a return visit arranged to check. The meeting discussed the importance of the compliance. Polycarbonate glasses for use outside had still not been purchased despite an earlier agreement.

On 16 March 2013 at approximately 0032 hours police received a call from a member of staff reporting a robbery. A member of staff had been subject of a violent burglary, where he was blindfolded, tied up in the upstairs office and around £1000 cash was stolen from the premises. There was no CCTV footage to assist police with the investigation. The investigation did not identify an offender.

On 28 March 2013 I visited the premises along with Benita MUMBY, South Yorkshire Police Licensing Manager, and Dene Tinker, South Yorkshire Police Crime Reduction Officer. We met with GREENALL and BAGSHAW to discuss the matter of the CCTV. The system was partly working although there was no footage or coverage of the front and rear entrances. It was apparent that the limited footage, although an

Signature:  Signature Witnessed by:

Continuation of Statement of: Gillian Parker

improvement on no system, was insufficient to meet the minimum specification required by South Yorkshire Police to assist in the detection of crime.

On 30 July 2013 at approximately 1900 hours I was on mobile patrol in company with Acting Police Sergeant 3758 Greaves. I saw a boy aged around 10 years old coming out of the front of the Terminus Tavern with an orange drink. We parked up our police vehicle nearby and went into the premises. The child had left. I was met by a male who was so drunk he was struggling to stand. Another customer stated he was escorting him home and awaiting a taxi. I spoke to BAGSHAW on her mobile, as she was not on duty, and updated her of the current situation. I was unable to remain and await for the drunken male to leave as I had arrested another male within the premises whom I knew was circulated as wanted.

At approximately 1800 hours 3 August 2013 I attended at the Terminus Tavern following receiving a report from a colleague that she had witnessed two young children, aged 7 and 9 years, in the beer garden of the premises, the previous evening at 180 hours. I attended to speak to the DPS and to check the CCTV footage. On checking the footage I could clearly see the two boys whom I recognised, along with a baby in a pushchair with a female. They were in the beer garden. In addition from the CCTV I could see that there were other children, aged around 3-4 years old in the main bar of the premises, and not within the dedicated children's area. I spoke to the DPS who told me she had not been aware of the incident and had come on duty at 1800 hours. I strongly advised and admonished the poor staff compliance and encouraged her to positively deal with the issue to ensure no further recurrence. I told the DPS that I would be arranging to re-attend with Julie Hague as this was the third incident of a breach of the condition within a month.

At 1530 hours 9 August 2013 I spoke to BAGSHAW on the telephone who was again helpful and wanting to assist. She confirmed that GREENALL had not put in an appeal to Sheffield Magistrates Court at this would have cost him £200. He had even suggested that she pay and do this. I had checked with council licensing and they had confirmed this and has issued the licence with the new conditions this afternoon. The conditions were in effect from 31 July 2013. I mentioned to BAGSHAW that my Inspector had received a

Signature: *Gillian Parker* Signature Witnessed by:

Continuation of Statement of: Gillian Parker

Page 4

complaint and she was unaware. I explained that I wished to continue working with her and reiterated that I felt the problems were with her staff not carrying out her instructions. She did say that the 1700 hours child restriction was killing business but I told her I stood firm that I did not feel that the premises were suitable for children in the main room when customers were clearly drunk and swearing and displaying inappropriate behaviour in front of the young children. I suggested that it may be best to wait a couple of months to allow the premises to demonstrate they can comply with the conditions before submitting a request to vary this condition to extend the permissible hours of children. I told her that I would continue to monitor the situation and that it would more than likely be myself visiting as I was the licensing officer on the SNA. I also told her that it was unfortunate that her customers were unhappy but that they needed to be aware we were supporting the views of the Safeguarding Children Board. I informed her that I would also be arranging a mutually convenient re-visit with Julie HAGUE now the conditions were in place.

At 1140 hours 27 August 2013 I attended a meeting at the Terminus Tavern. Also present was Benita MUMBY, South Yorkshire Police Licensing Manager and Tansy BAGSHAW. The meeting had been arranged to assist the police in a decision over a forthcoming Temporary Event which was to be held at the premises on 30 August 2013. I asked BAGSHAW how the bank holiday had gone and she replied that she had five bar staff working as it was very busy. BAGSHAW said that she had managed to get the children off the premises by around 1715-1720 hours and that some parents were still drinking up delaying this. I reiterated the need to ensure the conditions were being complied with and to ensure the parents were aware of their obligation. We discussed the designated children's area and I asked BAGSHAW about this as it did not specify the location on the premises licence BAGSHAW told me "It's to be agreed with Julie & health protection, a bloke from there came & said it was ok to use the beer garden. BAGSHAW said the front room had been discussed as the area but there were a couple of things that needed sorting before it would be ok. I told BAGSHAW that I was not aware that this had been agreed and would check this up. Whilst at the premises I tried to speak to Steve Pitts who BAGSHAW had said had attended and left him a message to return my call. I also rung Julie Hague to try to clarify the situation. I then received a call from Steve Pitts so I asked BAGSHAW if she would show me the cctv from yesterday. I was aware that Benita

Signature:  Signature Witnessed by:

Continuation of Statement of: Gillian Parker

MUMBY was at this time watching cctv on the monitors. After a short conversation with Steve PITTS and he had told me that he hadn't agreed that the beer garden could be used as he had said it wasn't safe, I re-joined the others. I asked BAGSHAW if she wanted to speak to him but she then shouted "I've had enough of this, I'm kicking everyone out, you can lock up" she stormed out & I could hear her shouting in the bar area however couldn't hear the words. As Benita MUMBY and I came back into the kitchen area, a member of bar staff came in to get her bag, followed by BAGSHAW who continued to shout at us. I tried to calm her down however BAGSHAW went back into the bar as Benita MUMBY and I both left, we had to leave through the bar and BAGSHAW continued to shout towards us. There were customers present in the bar. It was clear that she was upset and there was no point trying to reason with her.

At 2150 hours 31 August 2013 I carried out a licensing visit with Police Sergeant 1414 HOGG. The visit was conducted whilst a Temporary Event Notice was operating. There were only six customers in the main bar and we were told that the day trip to the coast was running late and it was anticipated that the party would not be back in time to utilise the TENS. We arranged to re-visit the following day to speak to BAGSHAW.

At 1925 hours 1 September 2014 PS HOGG and myself re-visited the premises and spoke to BAGSHAW. She told us that they had not returned the previous evening until after closing time. She informed us that the business was suffering due to the restrictions of no children after 1700 hours. BAGSHAW informed us that the front room, which was the designated area for children, was almost ready. She could not however give a suggested timescale for its completion and was advised she needed to contact the council as soon as the works were complete so they could visit to confirm this. We checked the cctv system and found that a couple of the cameras were not working. BAGSHAW was informed that this needed to be corrected and she promptly telephoned a contact who told her it would be done the next day. As such we agreed a re-visit to verify this on 4 September 2013.

At 1645 hours 4 September 2013 PS HOGG and I re-visited the premises to check the cctv, which was back in working order. Whilst there it was noticed that children were using the bouncy castle in the beer

Signature: *Ch 11683* Signature Witnessed by:

Continuation of Statement of: Gillian Parker

garden, as there was no designated approved area. PS HOGG telephoned BAGSHAW whilst I was present regarding the proposed TENS for 14 and 28 September 2013. She was advised that the proposed time of 2130 hours where children were permitted to remain on the premises would lead to an objection from the police, but that a terminal time of 1930 hours seemed more appropriate and would not result in an objection. As a result the terminal time of 1930 hours was agreed and BAGSHAW suggested she would need to inform customers at 1900 hours that they needed to leave.

At 1120 hours 10 September 2013 I was on duty with PS HOGG and Lizzie PAYNE for an unrelated matter. As we drove past the Terminus Tavern I saw that three males were sat in the doorway, on stools, smoking. One male was also drinking from a can.

At 1945 hours 14 September 2013 I was on duty as part of a test purchase operation I had arranged to visit the licensed premises on our area. The Terminus Tavern was one of the premises that was visited by an underage volunteer. The premises correctly refused to serve both soft and alcoholic drinks to the volunteer.

At 1600 hours 16 October 2013 I attended the premises with PC 736 McLAUGHLIN to carry out a licensing visit and check the cctv from the nights of the recent TENS, specifically 14 and 28 September. 4-6 October, 11-13 October. It was not possible to fully identify whether there were under 18's present beyond their permitted hours. The cctv in the main room does not fully cover the entire bar area. In addition on the TENS on 28 September 2013 a banner had been hung obstructing the cctv camera 4 which covers the bar area running to the toilets and outside smoking area. The checks appeared to confirm that compliance was satisfactory.

It was also checked on random times beyond 1700 hours when no TENS were in place and compliant. The premises apart from Sunday evenings and TENS events appeared to be relatively quiet.

BAGSHAW and I also discussed the designated children's area as she requested my opinion. Work had visibly commenced to box in the pipework subject of the original direction. There was also in the room, plastic sheeting which she said was to address the concerns about the glass to the front of the pub. She was concerned that she had not been supplied with a written list of required works. I agreed to ask Steve

Signature: *Gillian Parker 11083* Signature Witnessed by:

Continuation of Statement of: Gillian Parker

Pitts for this. BAGSHAW also told me that at the recent meeting that it had been agreed that two children's areas were to be allowed. I questioned this, confirmed my concerns and that I would be addressing this as I did not believe this was a feasible and acceptable practice. I later confirmed this was not the case.

BAGSHAW also told me that it had been agreed that the police would no longer carry out visits. Again I addressed this that the police would still continue to make visits whether the customers were happy or not, and that it is good for customers to be aware of the presence.

The incident and refusals books were checked and in order.

At 1300 hours 14 November 2013 I attended a meeting held at Attercliffe police station to review recent TENS and also discuss BAGSHAW'S request to put in a variation to extend hours children allowed in the premise. also present were Benita Mumby, Lizzie Payne, Julie Hague, Matt Proctor and Nina Hollis (tansy BAGSHAW and her business partner Tony Stubbs.

A number of points were discussed. BAGSHAW requested that they have more than one designated area, but it was declined as being unworkable and BAGSHAW was informed that the requirement for a designated area was put on the licence by the licensing committee and required compliance.

BAGSHAW and Stubbs explained that the children have been in the bar area during TENS and have witnessed behaviours such as shouting, swearing and glasses being thrown. Julie Hague advised that this is exactly why a designated area is required. BAGSHAW then rectified the account saying that such behaviour had not taken place. Georgina Hollis pointed out that on a licensing check the week before a 16year old was in the bar area which was a clear breach. Stubbs replied that "worse things happen than having a 16 years old in the bar and that we were being 'petty'". The discussion continued to centre on the designated children's area. Benita MUMBY advised the meeting that the area was to be complete by the beginning of January 2014 as it still required works to be carried out. BAGSHAW confirmed that she was still awaiting David GREENALL to keep his side of the agreement.

On 28 November 2013 at 1155 hours I went to the premises with PS 1414 HOGG. We delivered a letter and spoke to BAGSHAW to ensure she was fully aware that now the children's area was functional, then this would be the only area on the premises where children were permitted to be.

Signature:  Signature Witnessed by:

Continuation of Statement of: Gillian Parker.....

At 1905 hours 11 December 2013, along with SC 7382 Heselden I attended at the premises to conduct a pre-Christmas licensing visit. On arrival I saw one of the local males whom I was aware was banned from the premises stood on the front steps, drinking from a can of lager. BAGSHAW was not present, but I spoke to the one member of bar staff and with approval requested that this male leave the premises. I was unable to check the cctv as the member of bar staff was unable to operate this. He was also unable to locate the incidents or refusals books. I could see on screen however that camera 5 was not working, but this was an external camera along Fisher Lane, which was not detrimental to the premises. I made an entry in the incidents book, which I located after I spoke to BAGSHAW on the telephone who had not made a final decision regarding the potential submission of any TENS for the festive period. I saw that there were around ten to twelve customers stood in the main bar of the premises. Of these, around five customers appeared very drunk, to the point of struggling to stand straight and speak efficiently. As such I told the bar staff not to serve these customers with any more alcohol.

At 1630 hours 5 February 2014 I attended at the premises with PCSO 8011 Boyer. This was at the request of Inspector Clews and was to follow up on an incident reported from 23 December 2013 when a 16 year old female had gone into the premises at 0221 hours and the premises were still open. I spoke to BAGSHAW and she did not deny that the premises were still open at that time which was beyond their permitted licence. She told me that for the time of year she did not feel this was late. There was no cctv to view as this had been recorded over as it was beyond the requirement time to save. I gave BAGSHAW a formal verbal warning and informed her I would be recording this. I believe this was proportionate in the circumstances and appreciated the honesty of BAGSHAW. I checked the incident book and there had been no further entries since the one I had previously made. I was aware that other incidents had occurred at the premises that would have been suitable to include in the register. I again advised BAGSHAW of the importance of keeping up to date records.

At 1000 hours 19 February 2014 I arranged the first of a newly formed pub watch meeting at the White Rose Public House, Handsworth Road, Sheffield. Invites had been sent via email to all the public houses in the East SNA area. I am aware that there is a condition on the premises licence for the Terminus Tavern

Signature: *Gillian Parker 1683* Signature Witnessed by:

Continuation of Statement of: Gillian Parker.....

regarding active participation and attendance at meetings. I had also spoken personally to BAGSHAW previously and she confirmed she would be attending. Despite this, BAGSHAW did not attend the meeting. At approximately 1910 hours Sunday 13 April 2014 I was on duty in full uniform in company with Police Constable 402 Addinall when, as a result of information received, we attended at the Terminus Tavern, Main Road, Darnall, Sheffield. PC Addinall and I entered the premises by the side gate that leads directly into the beer garden along the building and forms part of the licensed premises. As PC Addinall and I approached the smoking shelter to the rear of the beer garden I saw a young boy, who appeared to be around six years old stood in this area talking to some of the adults who were sat in the smoking shelter. I would describe this boy as white, around 3'6" to 4' tall, short brown hair, medium build and wearing a light coloured, possibly blue/grey checked short-sleeved shirt. I spoke with the boy and asked him where his parents were. He indicated they were inside the pub. As a result I walked with the boy in an attempt to reunite them. I allowed the boy to walk in front of me, but as we walked into the main bar of the pub via the steps and the rear door, I quickly lost sight of him, as the interior was very busy with adults. Some of these adults appeared to be at varying levels of suffering from alcohol intake. Unable to relocate the child I found and spoke to the Designated Premises Supervisor, BAGSHAW. I explained to BAGSHAW that we had attended as we had concerns that a ten year old boy was still on the premises and there were concerns for his safety following a prior incident. Attempts were then made to locate the child and after approximately five minutes the child was located by some of his family members, allegedly playing on a nearby side street and reunited with his family. I requested that another family member who was not under the influence of drink take this boy to a more suitable place. I also explained to BAGSHAW that the conditions on the premises licence were specific and that children under 18 years old were not permitted to remain on the premises after 1700 hours and that whilst on the premises within the relevant permissions then they were required to remain within the designated children's area which was the front room at the premises. BAGSHAW confirmed she was aware of the details of the conditions and further informed me that the small boy had only just come into the premises with his mother as she was trying to locate another family member. She told me they had been re-united. Because a significant few of the customers were getting

Signature: *C. L. 16/03* Signature Witnessed by:

Continuation of Statement of: Gillian Parker.....

Page 10

Irate and clearly unhappy at our presence at the premises I informed BAGSHAW that I would re-contact her at a later date to arrange to speak to her further. BAGSHAW apologised and said that she had been unaware that the ten year old boy was still at the premises, but was aware he had been there earlier in the day.

At 1400 hours 16 April 2014 I attended by arrangement at the Terminus Tavern to recover the cctv from the previous incident of 13 April 2014. BAGSHAW was unable to download this but assured me this would be done and available over the next few days. I arranged for BAGSHAW to attend at Attercliffe Police Station on 30 April 2014 to be formally interviewed for unauthorised licensable activity.

At 1805 hours 24 April 2014 I conducted a test purchase operation for licensed premises on the East SNA area. At this time one of my colleagues and test purchase volunteers visited the premises. The premises passed this visit and declined to serve either alcohol or soft drinks to the underage volunteers.

At 1148 hours Wednesday 30 April 2014 I was on duty at Attercliffe Police Station in company with Special Constable 7300 Willows when a recorded interview commenced with BAGSHAW. The interview concluded at 1516 hours the same date when the master disc was signed and sealed by all parties present. I can identify this by the exhibit label attached thereto, signed by me and marked GP/1. Disc reference G/P9/119/14 refers. At the conclusion of the interview I formally reported BAGSHAW on summons for any offences disclosed.

At approximately 1300 hours on Tuesday 3 June 2014 I was on duty in full police uniform in company with Police Constable 1990 MACKEY when we attended with two Technical Support Officers, Kenneth Hunter and David Burman to retrieve the cctv footage from the Terminus Tavern. This was because of both Technical Support Officers having been refused access to the cctv on Monday 2 June 2014.

BAGSHAW initially refused to assist with the provision of the cctv footage and said that she wanted a court order. I explained to her that we were lawfully on the premises to investigate offences and had provisions under the Licensing Act and the Police and Criminal Evidence Act to enter and seize evidence. I also informed her that should she obstruct the intention then she would be committing a further obstruction

Signature: *Carly 16/13* Signature Witnessed by:

Continuation of Statement of: Gillian Parker

offence which may result in prosecution. She was clearly upset, and angry, but allowed the evidence to be retrieved, and she walked out of the office back through to the main bar. I could hear that items were being banged about and could hear BAGSHAW shouting to customers that she were to leave as the police were persecuting the premises. I remained in the back office with my colleagues to secure the cctv footage.

Whilst the footage was being downloaded I was aware that other customers had come through to the back kitchen area, and a female who identified herself as the sister of BAGSHAW managed to calm her sufficiently for me to speak once again to her to assure that they were all aware that the visit was lawful and essential. I arranged for BAGSHAW to re-attend Attercliffe Police Station with her legal representative for a further interview on 12 June 2014.

At 1322 hours Monday 12 June 2014 I was on duty in full police uniform in company with Police Constable 3694 WOODING when a recorded interview commenced with BAGSHAW. Also present was her legal representative, David DRAKE and Julie HAGUE, from Sheffield City Council Safeguarding Children Board.

Disc reference G/P9/202/2014 refers. The interview concluded at 1511 hours the same date when the master disc was selected and signed by all parties present. At the conclusion of the interview I further reported BAGSHAW on summons for the further offences.

Following the interview I spoke with Julie HAGUE. Directly due to the concerns raised about the lack of compliance with the safeguarding conditions, and no longer having confidence that the current management actually had any control over the running of the premises I provided Julie HAGUE with working copies of the cctv discs to assist the licensing board with the evidence to support a review of the premises licence. I can identify these by the exhibit label attached thereto, signed by me and marked GP/1.

At 1430 hours 17 June 2014 I attended at the premises with PCSO 8166 Marks. I had been requested to attend to view the cctv following a fight that had been reported at the premises following the extension of the operating hours for the England match.

I spoke to the DPS who confirmed that she had not yet put the incident in the book, but would attend to that immediately. She was concerned as we had retrieved the cctv footage of the incident and thought the

Signature:  Signature Witnessed by:

Continuation of Statement of: Gillian Parker

Page 12

premises would be dealt with negatively because of the fight. I confirmed that I had reviewed the footage and there were no offences of unauthorised licensable activity. The assault was not because of anything negative the premises had done and they had dealt with it appropriately. As a result, I confirmed that I would not be further breaching the premises, but would wish to ensure that all incidents are entered into the book promptly and without fail. The footage however did show that once the incident had concluded in the main bar that one of the bar staff had lit a cigarette of one of the parties involved. I told BAGSHAW that I would be passing this information onto the council as this was not the first instance when I had seen evidence of smoking within the premises. I noticed that there was a new sign on the door stating that smoking was not permitted within the premises.

Signature: *Cue 1683* Signature Witnessed by:



South Yorkshire
POLICE

Ms Tansy Bagshaw
Terminus Tavern
Main Road
Darnall
Sheffield

Date: 28 November 2013

Dear Tansy

I write to confirm that we have now received confirmation from Julie Hague and Steve Pitts that the front room at the premises has now been passed as suitable for the sole designated children's area. With immediate effect this room should now be brought into use, as per the conditions on your premises licence. This room is the only area where children under 18 are allowed to be on the premises during the permitted hours. Children are clearly allowed to use the toilet facilities but should be accompanied by a responsible adult at such times.

Allowing children to be present on the premises other than as above is a breach of the licensing conditions and may result in further action being taken. Please ensure your customers are aware of the current position.

Yours sincerely

Andy Hogg
LLB (Hons), PGDip, MA, MCMI
Police Sergeant 1414
Darnall & Tinsley Safer Neighbourhood Team
Sheffield District

Attercliffe Police Station
60 Attercliffe Common
Sheffield S9 2AD

e-mail: andrew.hogg@southyorks.pnn.police.uk

I acknowledge receipt of the above letter.

[Type text]

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

--	--	--	--

Statement of Gillian PARKER.....

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: Police Constable 683

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature [Signature] (witness) Date: 26 August 2014

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable with the South Yorkshire Police currently posted to the East Safer Neighbourhood Team at Attercliffe Police Station, Sheffield. I am also qualified as a Licensing Practitioner, hold a National Certificate for Licensing Practitioners, and am a member of the British Institute of Innkeepers. I have been in my current role as East Safer Neighbourhood Officer for more than 4 years. Part of my role is the responsibility for the policing of licensed premises within the Darnall and Attercliffe areas. One of such premises that has been subject of long-term interventions, dating back to 2010 is the Terminus Tavern, Main Road, Darnall, Sheffield. Together with other responsible authorities, including the Sheffield Safeguarding Children Board we have worked together with the current and previous management of the premises in an effort to address the concerns that the premises was not working towards the four licensing objectives. Such interventions have included advice, support, training, action plans and a review July 2014. Following the review, and the presence of conditions placed upon the premises licence by the licensing committee, the police and other responsible authorities continued to share concerns about the management of the premises and particularly the ongoing breaches of the premises licence conditions which were not protecting children from harm. This resulted in the current Designated Premises Supervisor, Tansy BAGSHAW 08/01/1969 being interviewed under caution at Attercliffe Police Station by myself on Wednesday 30 April 2014 for unauthorised licensable activity relating to the breaches of the conditions specifically to protect children from harm.

Signature: [Signature] Signature Witnessed by:

Continuation of Statement of: Gillian PARKER

Page 2

Despite BAGSHAW being reported on summons for the offences disclosed the premises continued to breach their licensing conditions, predominantly surrounding the objective to protect children from harm. This resulted in my retrieving cctv evidence from the premises and further arranging to formally interview BAGSHAW under caution at Attercliffe Police Station. On Monday 12 June 2014 I again interviewed BAGSHAW for offences of unauthorised licensable activity. Also present during this interview, and with the agreement of BAGSHAW was Julie Hague from the Sheffield Safeguarding Children Board. During this interview BAGSHAW was given the opportunity to explain the evidence we had secured. BAGSHAW was again reported on summons for the offences.

Following the interview I spoke with Julie HAGUE. Directly due to the concerns raised about the lack of compliance with the safeguarding conditions and no longer having confidence that the current management actually had any control over the running of the premises I provided Julie HAGUE with working copies of the cctv discs to assist the licensing board with the evidence to support a review of the premises licence. I can identify these by the exhibit label attached thereto, signed by me and marked GP/1.

Signature:  Signature Witnessed by:

RESTRICTED
South Yorkshire Police
Regina v.

This is the CCTV.....

referred to in my statement

(Signatures)..... 26/8/14 Date

(1) [Signature].....

(2)

(3)

(4)

Exhibit No. 09/1..... (to be shown at Court)

GEN 9 (2005)

RESTRICTED

BETWEEN

SOUTH YORKSHIRE POLICE

Complainant

- and -

**Terminus Tavern, Main Road, Sheffield.
Premises Licence Holder – Tansy BAGSHAWE
Designated Premises Supervisor – Tansy BAGSHAWE**

Respondent

**WITNESS STATEMENT OF LICENSING MANAGER
Benita MUMBY**

1. I am the South Yorkshire Police Licensing Manager. I have carried out this role for approximately two and a half years. My role requires me to work with members of the licensing trade and Responsible Authorities under the 2003 Licensing Act to ensure that premises run safely and within the requirements of the four Licensing Objectives.
2. I have been involved in working with the above premise since commencing my role, alongside PC Gillian Parker, and Licensing Officer Lizzie Payne. I have outlined below my specific involvement since the last premise Licence Review in July 2013.
3. At midday on 23rd August 2013 the following email was sent by me to Tansy Bagshaw:-

I'm sorry I was unable to speak to you direct today and this email is confirming the voicemail message I have left for you with regards to your late ten submission for Mon 26th August 2013.

South Yorkshire Police have raised an objection to the late ten and under the current legislation, should such an objection be raised by either the police or the environmental health for a late ten then the ten will not be valid. Unfortunately we are not in a position to retract the objection nor enter into negotiation around it. We will liaise with you with regards to your other ten for 31st August asap.

I have left you my mobile number should you wish to contact me as I am happy to speak to you with regards to future support in ensuring a safe environment for customers and staff.

I would respectfully ask that should the need arise for any further communication in relation to this ten, that the following person be contacted – CI Roberts

4. At 14:40hrs on 27th August I visited the premise with PC Parker, to meet with Tansy. Tansy, when asked, said that the Bank Holiday had been busy, that she managed to get children off the premise approximately 15-20 minutes after 5pm, mainly due to some parents buying drinks at 5 to 5. I advised Tansy that customers are not bothered who runs the pub so long as they get served, that this was Tansy's job and she needed to make sure she was sticking to the conditions. When asked where the designated children's area, Tansy said it was to be agreed with Safeguarding and health protection. Tansy told PC Parker that **"a bloke from there came & said it was ok to use the beer garden"**. I advised Tansy that she needs to get the area agreed & to have this in writing so there is no confusion. Tansy said the front room had been discussed as the area but there were a couple of things that needed sorting before it would be ok. PC Parker asked how long that would take, I didn't hear a reply. Tansy asked who would look after kids when parents went out for a smoke as she's not a babysitter. PC Parker agreed with her & said the parents were

responsible for the kids. Tansy was asked who the male was who agreed the beer garden could be used and she said it was Steve Pitts. PC Parker left a message for him to ring her, she also rang Julie Hague in an attempt to clarify the designated area. Discussion was then around the British weather & I suggested using the front room in the winter & then the beer garden during the summer, Tansy then said **"what happens if it's raining then?"** I replied that I could not give solutions for all eventualities.

PC Parker then received a call from Steve Pitts so I asked Tansy if she would show me the CCTV from yesterday. I asked her to start it about 1730 & noticed on one camera a child in the bar area, Tansy said this was **"Eddie's kid & I was trying to get him out"**, I also saw children on a trampoline in the beer garden, Tansy brought that camera full screen & said **"you'll see me in a minute trying to get them out"**. I saw several children in the beer garden including one riding round on a bike. I didn't notice Tansy come out & she didn't point herself out to me. The children were still there at 1743 & when I pointed the time out to Tansy she said **"maybe it was a bit longer than I said, it was busy & I was trying to get them out"**. Again she mentioned that these children were Eddie's. I explained that we were now looking at 45mins after children should have been off premises & should it continue then there was a possibility of review.

At this point PC Parker came into the room & said she had Steve Pitts on the phone & he said he had not agreed that the beer garden could be used as he had said it was not safe. PC Parker asked Tansy if she wanted to speak to him but Tansy then shouted **"I've had enough of this, I'm kicking everyone out, you can lock up"**, she stormed out & I could hear her shouting in the bar area however could not hear the words. As myself & PC Parker came back into the kitchen area, a member of bar staff came in to get her bag, followed by Tansy. I advised the member of staff that there was a bowl with some money in the other room that would need putting away before she left, this woman did not say anything. Tansy said **"I've an appointment at the hospital, you've made me miss my husband"** she then again

shouted about ourselves locking up. PC Parker tried to calm her down however Tansy went back into the bar. I walked towards the front door believing PC Parker was behind me & when I realised she was not, I turned round & heard Tansy shouting at her. PC Parker & myself left the bar at this point.

5. At 10:00hrs on 30th August 2013 I attended a Licensing Hearing at Sheffield Town Hall re SYP objection to extension of hours re ten for 31st Aug 2013 - to allow children on premises 0800 - midnight. Due to 3 incidents where children were still on premises after current condition of 1700hrs, there was no confidence that the DPS and/or staff would ensure children be off premises by any time agreed. The result was the ten to remain in place with conditions that children are off premises by 2130hrs and there is to be no regulated entertainment (playing of CD ok). Chair did comment that he would expect that if a check was made after 2130hrs and children were still there that this would be considered a breach.
6. At 11.30hrs on 30th August 2013 Tansy & Tony Stubbs told me that the front room (designated childrens area) was now ready. I advised them to get in touch with Safeguarding & Health Protection asap so they could visit & inspect. Should they agree the area was in order, then to email me the authority so that I can update our systems straight away. I sent an email to Safeguarding advising of the comments made
7. At 12:30hrs on 13st September 2013 I attended a meeting at the office of Cllr Betts. Present Cllr Betts, Insp Paul Ferguson, SYP licensing manager Benita Mumby, Sheffield Council Licensing Officer Matt Proctor, DPS Tansy Bagshaw & her business partner Tony Stubbs. The meeting was held to discuss the recent TENS. I clarified to all present the legislation for both late and standard tens. Tansy was advised to submit TENS with a 1930hrs curfew for children in advance so should not fall foul of a late ten issue again. (she had stated she

would be telling parents that children were to be off premises by 1900hrs). Tansy had concerns over costs for TENs and money coming into the pub, I advised her of her ability to submit one TEN to cover a weekend – Friday/Saturday and Sunday, to submit a few of these and then liaise with relevant authorities regarding a minor variation. Tansy & her partner stated that customers were complaining about police attending - Matt volunteered council officers to do some checks, as they were not in uniform. Tansy was also advised by Inspector Ferguson and myself that police will attend if receiving reports and/or intelligence. Matt was to contact EPS – Steve Pitts - to ask that he attends to give authority for the front room to be the designated childrens area.

At 14:32hrs the following email was sent, by myself, to Inspector Ferguson, PC Hogg & PC Parker, Julie Hague, Matt Proctor and Tansy Bagshaw.

Dear all

Following a meeting today at Cllr Betts office, Tansy has been advised re submitting TENs to begin collating evidence to support a future submission for a minor variation. After the meeting, a suggestion was put forward that it may be prudent to have a meeting sometime in November to discuss the variation with Tansy, this is obviously under the proviso that sufficient TENs have been submitted. I have taken the liberty of booking Attercliffe conference room for 1300hrs on 14th November to hold such a meeting. If you can let me know if you're available for that date/time please it would be appreciated. Tansy - if you can submit TENs as discussed today & if all goes well, the meeting on 14th Nov should offer some clarity & guidance regards submitting a minor variation.

8. At 08:50hrs on 18th October 2013 the following email was sent, by myself, to Tansy:-

Tansy

It appears there are no issues with a TEN being submitted for 5th Nov for 2130hrs. As discussed you stated that whilst the TEN would be until 2130hrs, you would be advising customers children are to be off premises at 2100hrs. Please note that prior to a TEN being submitted, a risk assessment is to have been completed, as highlighted by Safeguarding and a copy of this to be sent with the TEN.

Benita

9. At 13:00hrs on 14th November 2013 a meeting held to review recent tens and also discuss Tansy's request to put in a variation to extend hours children allowed in premise In attendance:- Benita Mumby / Lizzie Payne / PC Gill Parker / Julie Hague (safeguarding) / Matt Proctor and Nina Hollis (council) / Tansy Bagshaw (DPS) and her business partner Tony Stubbs

Nina confirmed with Environmental Protection that most of improvements to designated childrens area had been carried out - just needed the dartboard removing / pipes boxing in / safety plastic on windows

Re TENs - Benita advised that any future TENs are not to have a half hour leeway in the times - the time they finish on paper are the time children need to be out

Re the designated area - Tansy wanted both the front room and the beer garden as designated areas - we advised that only one area could be used and that we recommended the front room. Tansy and Tony advised that the adults will not use the designated room as they want to sit in the main bar area with their friend It was explained that the requirement for a designated area was put on the licence by the licensing committee and that we cannot override this. Although we

appreciated they were unhappy with this, it was a matter they would have to work with.

Tansy asked why we have not objected to children being in the bar area on TENS but are saying that all other times they are not allowed. It was explained that TENS override licence conditions - but we explained that in future we would look at asking for the condition regarding the designated area to be attached to all TENS. Tansy & Tony were really not happy about this. They explained that the kids have been in the bar area during TENS and have witnessed behaviours such as shouting, swearing and glasses being thrown. Julie picked up on this and advised that this is exactly why a designated area is required. Tansy quickly back tracked then and said that none of the above behaviour had taken place in the premise.

Tony advised that they had no money left and because of this they would have to leave the premise. He felt they had not been given any support and said that they need to be allowed to have kids in until 1st Jan. I advised again that we cannot allow this. Julie advised that getting children allowed in later is a series of small steps starting off with showing that they are complying with the licence conditions. Nina pointed out that on a licensing check the week before a 16year old was in the bar area which was a clear breach - therefore Tansy is doing herself no favours. Tansy said that "worse things happen than having a 16 yr old in the bar and that we were being "petty"

Tansy said it wasn't fair that she was stuck with all these conditions due to "you lot not liking David Greenall". She was advised that David had not worked with the partner agencies, hence the reason why the licence had received the conditions it had. It was also pointed out that Tansy had taken on the licence in full knowledge of what the conditions were.

I asked Tansy and Tony what they wanted SYP & other agencies to change to make the pub work, Tansy stated to allow children in the bar area. I re-iterated that the designated area was the only area to be used and this condition would not be changed for the foreseeable future. PC Parker then asked Tansy and Tony if they could extend the hours until 1900/2000hrs would that help, both replied no if they had to use the designated area. PC Parker then confirmed with them that it would then not make a difference what time the hours were extended to as it was the designated area which was the issue. I advised that in that case it would be wasting money to vary the licence, as the designated area condition would remain. I stated the designated area was to be complete by beginning of Jan 2014, Tansy stating she was waiting for David Greenall to keep to his side of agreement. Meeting concluded at 1440hrs.

I then walked out of the room with Tansy and Tony. Tony whispered to me **"is there no way you could bend the rules until 1st Jan"**. I replied no and if he was going to continue discussing that, we would go back & discuss in front of the rest of the meeting participants. They continued to make comment about having no money and that it was not worth carrying on with the pub. Tony then said to me **"if it closes then the troublemakers will go elsewhere"**, I replied **"I didn't think you had any troublemakers Tony"**. Tansy said she had concerns over her 13yr old daughter not being allowed anywhere on the premises and I advised her to check her licence. By this point, we had reached the exit from the building and I advised the discussion had come to an end. As they reached halfway across the Police carpark, I heard Tony say **"fucking waste of time"**, he then turned to look at me and all I heard was **"fucking"**. Due to Tony's actions, I believed this last comment was directed at me. I do not know what else he said.

Throughout the whole of the meeting, and discussion after, it was re-iterated that all the partners would support Tansy in her venture to run the pub successfully however we had to work within the conditions and the licensing legislation.

10. At 11:54hrs on 23rd June 2014 I responded to a voicemail from Tony Stubbs. These are my notes from that phone call:-

He said they were **“getting a lot of stick, PC Parker is not giving up”**. He also said that a PC went into the pub the other day looking for a shoplifter who quite clearly was not there. When he checked CCTV yesterday, it showed someone being chased by a PC up Fisher Lane.

He said four respectable women in the community had asked him why kids could not be in the pub after 5pm and he wanted to arrange a meeting with those women & the police, so the police could explain the reasons around this. I advised him that the condition had been added at the review and that it had now been 12months since it was added and they still were not adhering to it, that is why they were being visited. I advised that had they complied with the condition by now, we could have been in a position to discuss varying it. He then complained about kids having to be in the designated area, that other premises were having problems, drug dealing etc but they were not getting any visits from the police. He then carried on complaining about PC Parker and that **“the business is finished so PC Parker has won”**. After more complaining about PC Parker I said I would not be carrying on the conversation, when he did not listen I advised him **“I was not discussing it any further and that I was putting the phone down”**, which I did.

11. At 12:57hrs on 11th July 2013 phone call was received from Tansy asking if she could have a meeting to discuss the possibility of the 'seasonal variation' of the children's area which was mentioned by Licensing last year. I have discussed this with the local police team & Safeguarding & it is felt that as the premises are due to be reviewed, a meeting would not be appropriate. More appropriate would be for Tansy to suggest this in front of the board.

I then sent two emails to Tansy on 110714:-

Tansy

Sorry for delay in getting back to you - I have spoken to Julie Hague & Gillian, and we are all in agreement that, at this time, it would not be appropriate to be having a discussion around changing a condition on your licence. This is in the main due to the fact that, as you are aware, the Terminus is going to be reviewed. This would be best being mentioned, by yourselves, at that hearing - the Board can then make an informed decision.

Thanks

Benita

Tansy

Sorry meant to add on last one - safeguarding have advised me that to have a 17yr old working in the bar after 1700hrs would currently be a breach of the condition around children on the premise. I thought you ought to be made aware of that

Thanks

Benita

At 0650hrs on 8th August 2014, I drove along Main Street, Darnall, which took me past the Terminus. I noticed that the gate to the right hand side of the premise, which can allow access to the beer garden, has what appears to be plywood attached to the inside of it. This in effect obstructs the view, into the beer garden, of any person driving past the premise.

I believe that the contents of this statement are true and I understand it may be placed before the court.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

Signed.....

Dated.....28/8/14

**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

Mrs Tansy Bagshaw
36 Maltravers Terrace
Sheffield
S2 5FL

The Sheffield City Council being the licensing authority, on the 20th August 2014 received an application for a review of a Premises Licence in respect of premises known as Terminus Tavern, 150a Main Road, Sheffield, S9 5HQ.

During the consultation period the Council has received representations from South Yorkshire Police.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **9th October 2014 at 10am**; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) Your response to the application for review, upon which you may ask and be asked questions by the parties to the hearing.
- 2) You may also be asked questions by the parties to the hearing, relating to the application made for review the Premises Licence.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated 18th September 2014

Signed

Chower

The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

NOTES

Right of attendance, assistance and representation

15. Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

Representations and supporting information

16. At the hearing a party shall be entitled to –
- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
 - (b) if given permission by the authority, question any other party; and
 - (c) address the authority

Failure of parties to attend the hearing

20. – (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may:–
- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence.
- (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Procedure at hearing

21. Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for at regulation 16.
25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –
- (a) refuse to permit that person to return, or
 - (b) permit him to return only on such conditions as the authority may specify,
- but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

Julie Hague
Licensing Project Manager
Sheffield Safeguarding Children Board

The Sheffield City Council being the licensing authority, on the 20th August 2014 received an application for a review of a Premises Licence in respect of premises known as Terminus Tavern, 150a Main Road, Sheffield, S9 5HQ.

During the consultation period the Council received representations from South Yorkshire Police.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **9th October 2014 at 10am**; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) The application for review you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your application.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated 18 September 2014

Signed C. Bower
The officer appointed for this purpose

Please address any communications to:

The Licensing Service
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

NOTES

Right of attendance, assistance and representation

15. Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

Representations and supporting information

16. At the hearing a party shall be entitled to –
- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
 - (b) if given permission by the authority, question any other party; and
 - (c) address the authority

Failure of parties to attend the hearing

20. – (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may:–
- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence.
- (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Procedure at hearing

21. Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for at regulation 16.
25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –
- (a) refuse to permit that person to return, or
 - (b) permit him to return only on such conditions as the authority may specify,
- but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

**Notice of hearing to consider an
application for review of premises
licence and any relevant representations**

SYP Licensing Team
Attercliffe Police Station
60 Attercliffe Common
SHEFFIELD
S9 2AD

The Sheffield City Council being the licensing authority, on the 20th August 2014 received an application for a review of a Premises Licence in respect of premises known as Terminus Tavern, 150a Main Road, Sheffield, S9 5HQ.

During the consultation period the Council has received representations from the South Yorkshire Police.

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **9th October 2014 at 10am**; following which the Council will issue a Notice of Determination of the Application for Review.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 52(7) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

1. The representations you have made in connection with the review with reference to these particular premises and the four core objectives.
2. You may also be asked questions by the parties to the hearing, relating to your representations.

You should complete form LAR1 and return it to: The Licensing Service, Business Strategy and Regulation, Place Portfolio, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated 18 September 2014

Signed CBWEN
The officer appointed for this purpose

Please address any communications to:

The Licensing Service,
Business Strategy and Regulation
Place Portfolio,
Block C, Staniforth Road Depot,
Staniforth Road,
Sheffield,
S9 3HD.

NOTES

Right of attendance, assistance and representation

15. Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

Representations and supporting information

16. At the hearing a party shall be entitled to –
- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
 - (b) if given permission by the authority, question any other party; and
 - (c) address the authority

Failure of parties to attend the hearing

20. – (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may:–
- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence.
- (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Procedure at hearing

21. Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for at regulation 16.
25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –
- (a) refuse to permit that person to return, or
 - (b) permit him to return only on such conditions as the authority may specify,
- but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

Premises: **Terminus Tavern**
Type of App: **Review of a premises licence**
Hearing Date: **9th October 2014**

Form LAR 1
Regulation 8

Notice of actions following receipt of notice of hearing

To **Licensing Service,**
Sheffield City Council
Block C Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD

I

Of

hereby confirm that I have received the Notice of Hearing dated **9th October 2014** and notify you as follows (**please complete**):

I intend to attend the hearing

I do not intend to attend the hearing

I intend to be represented at the hearing by:

I do not intend to be represented at the hearing by:.....

I consider the hearing to be unnecessary because:

I request thatshould appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

Dated: **Signed**.....

Please see Regulation 8 overleaf

Please complete this form and return it to:
Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.

Regulation 8

- (1) A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating –
 - (a) whether he intends to attend or be represented at the hearing;
 - (b) whether he considers a hearing to be unnecessary
- (2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.
- (3) In the case of a hearing under –
 - (a) section 48(3)(a) (cancellation of interim authority notice following police objection), or
 - (b) section 105(2)(a) (counter notice following police objection to temporary event notice),

the party shall give the notice no later than one working day before the day or the first day on which the hearing is to be held.

- (4) In the case of a hearing under –
 - (a) section 167(5)(a) (review of premises licence following closure order),
 - (b) paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence), paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
 - (c) paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence),

the party shall give the notice no later than two working days before the day or the first day on which the hearing is to be held.

- (5) In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.

Licensing Act 2003 – Hearing Procedure (REVIEW) – Regulation 7 (1)

This procedure has been drawn up in accordance with the Licensing Act 2003 to assist those parties attending Licensing Committee hearings.

1. The hearing before the Council is Quasi Judicial.
 2. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
 3. The Chair will ask the applicants and other parties to formally introduce themselves.
 4. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
 5. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked by Members the applicant and other parties.
 - (c) The Licensing Officer will introduce the applicant for review (or his/her nominated representative) who will be asked to detail the application.
 - (d) Members may ask questions.
 - (e) The Licensing Officer will in turn introduce representatives for the other Responsible Authorities and Interested parties who will be asked to detail their relevant representations
 - (f) Members may ask questions
 - (g) With the leave of the Chair the licensee or his representative may cross examine the representatives of the applicant for review and the other Responsible Authorities and Interested Parties.
 - (h) The licensee (or his/her nominated representative) will then be asked to respond to the application and to any other representations made.
 - (i) The licensee (or his/her nominated representative) may then be asked questions by members and with the leave of the Chair from the other parties present.
 - (j) The applicant will then be given the opportunity to sum up the application.
 - (k) The representatives of the Responsible Authorities will be given the opportunity to sum up
 - (l) The licensee will be given the opportunity to sum up
 - (m) The Licensing Officer will then detail the options.
 - (n) There will then be a private session for members to take legal advice and consider the application.
 6. The decision of the Licensing Committee will be given in accordance with the requirements of the Licensing Act 2003 and regulations made there under.
- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
 - 2) The Board Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

