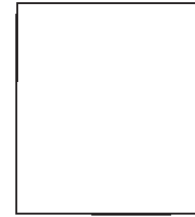




SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: Thursday 6th July 2017

Subject: Licensing Act 2003

Author of Report: Clive Stephenson

Summary: To consider an application for the summary review of a premises licence under the Licensing Act 2003 submitted by South Yorkshire Police

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

LICENSING ACT 2003

Summary Review of Premises Licence: Serious Crime.

Sheffield Students Union (The Foundry) Western Bank Sheffield S10 2TG

1.0 PURPOSE OF REPORT

- 1.1 To consider an application for the summary review of a premises licence made under Section 53a of the Licensing Act 2003 in relation to the premises called The Foundry Western Bank Sheffield S10 2TG.
- 1.2 A copy of the current premises licence can be found at Appendix 'A'.
- 1.3 A meeting was held on the 12th June to give consideration as to whether it was necessary to take interim steps following the application for the summary review of the premises licence received by the Licensing Service on the 8th June 2017. A copy of the determination notice, outlining the interim steps, which was sent to the premises licence holder on the 12th June 2017, can be found at Appendix 'B'.

2.0 THE APPLICATION

- 2.1 The application was made by the South Yorkshire Police on 8th June 2017.
- 2.2 The application form and certificate can be found at Appendix 'C' of this report.
- 2.3 The grounds for the review application are, that in the opinion of the Superintendent (on behalf of) Chief Officer of the Police, that the premises are associated with serious crime.

3.0 REASONS FOR REFERRAL

- 3.1 The Licensing Authority must under the Act refer any application for review made under Section 53a, to the Licensing Committee.
- 3.2 The Licensing Authority has, during the representation period received representations from the following:-
 - a) South Yorkshire Police Appendix 'D'
 - b) Sheffield Safeguarding Appendix 'D'
- 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 'E'.

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 Section 53a of the Act, as amended by the Violent Crime Reduction Act 2006 and The Licensing Act 2003 (Summary Review of Premises Licences) Regulations 2007 came into force on the 1st October 2007.

- 5.2 The procedure allows for a quick process of attaching interim conditions to a licence, and a fast track licence review when the police consider that the premises concerned are associated with serious crime or disorder, or both.

- 5.3 The Licensing Act 2003, at Section 53a requires that the Licensing Authority must:

- Hold a hearing to consider the application for review and any relevant representations;
- Take such steps mentioned in subsection (3) (if any) as it considers necessary for the promotion of the Licensing Objectives;
- Secure that, in the coming into effect of the decision made on the determination of the review, any interim steps having effect pending that determination cease to have effect (except so far as they are comprised in steps taken in accordance with paragraph (b))

- 5.4 Section 53C(3) states:

"The steps are:

- a) The modification of the conditions of the premises licence;
- b) The exclusion of a licensable activity from the scope of the licence;
- c) The removal of the designated premises supervisor from the licence;
- d) The suspension of the licence for a period not exceeding three months; or
- e) The revocation the premises licence;

(4) for this purpose of subsection (3) (a) the conditions of a premises licence are modified if any of them is altered or omitted, or any new condition added."

- 5.5 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).

5.6 The Licensing Act 2003 at section 53 C (11) states that:

"A decision under this section does not have full effect until –

- a) 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."

5.7 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.

5.8 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 'E'.

6.3 Attached at Appendix 'E' 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 5.4 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;



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

6th July 2017

Appendix A

Current Premises Licence

THE LICENSING ACT 2003**Premises Licence No: SY 1426 PR****ISSUE NO: 10**

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

Students Union Building
University Of Sheffield
Western Bank
Sheffield
S10 2TG

Telephone Number: 0114 222 8550

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

1. Provision of regulated entertainment:**Plays**

Indoors

Sunday to Saturday	08:00 to 04:30 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 04:30 the following day

On not more than 6 occasions per year, there may be 24 hour plays with 28 days notice in writing and consent of the Police.

Films

Indoors

Sunday to Saturday	08:00 to 04:30 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 04:30 the following day

On not more than 12 occasions per year, there may be 24 hour films with 28 days notice in writing and consent of the Police.

Live Music
Recorded Music
 Indoors & Outdoors

Sunday to Saturday	08:00 to 04:30 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 04:30 the following day

On not more than 15 occasions per year until 06:00 with 28 days notice in writing and consent of the Police.

Performances of Dance
 Indoors

Sunday to Saturday	08:00 to 04:30 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 04:30 the following day

On not more than 15 occasions per year until 06:00 with 28 days notice in writing and consent of the Police.

Anything of a similar description to live music, recorded music or performances of dance

Indoors & Outdoors

Sunday & Saturday	08:00 to 04:30 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 04:30 the following day

On not more than 15 occasions per year until 06:00 with 28 days notice in writing and consent of the Police.

2. Provision of entertainment facilities for:

Facility for Making Music

Facility for Dancing

Entertainment of a similar description to making music and dancing

Indoors

Sunday to Saturday	08:00 to 04:30 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 04:30 the following day

On not more than 15 occasions per year until 06:00 with 28 days notice in writing and consent of the Police.

A3

3. Late Night Refreshment:

Indoors

Sunday to Saturday	23:00 to 05:00 hours the following day
New Years Eve (31.12)	23:00 to 24:00 hours
New Years Day (01.01)	00:00 to 05:00 the following day

4. Sale by retail of alcohol:

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

Sunday to Saturday	08:00 to 04:00 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 04:00 the following day

The opening hours of the premises are:

Sunday to Saturday	08:00 to 05:00 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 05:00 the following day

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:

University of Sheffield Students Union
University Of Sheffield
Western Bank
Sheffield
S10 2TG

Telephone Number: 0114 2228500

A4

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:

Chris Aucott

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:
Issuing Authority:

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

Restricted

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

Issued on: 6th February 2006.



.....

Steve Lonnia
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	No: 3 Issue Date: 29/06/2012
Variation of DPS	No: 2 Issue Date: 31/01/2014
Transfer of Premises Licence	
Minor Variation	No: 2 Issue Date: 24/06/2011
Change of Name/Address	

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

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.
2. No live or recorded music to be played outside except between:

16:00 to 21:00 hours Monday to Friday
12:00 to 22:00 hours Saturday
12:00 to 21:00 hours Sunday
3. A proof of age scheme to be in operation.
4. The primary use of the premises shall be as the Sheffield University Union of Students and the primary use shall not be changed without the prior consent of Sheffield City Council.
5. The Designated Premises Supervisor, or some such other person, will be assigned to act as lead safeguarder for children's issues at the premises.
6. To comply with the reasonable requirements of the Fire Officer, Building Control, Environmental Health and the Police to be incorporated and the altered area shall not be used for licensable activities until those authorities have inspected and pronounced themselves satisfied or have indicated that they do not wish to inspect.

A9

Annex 4 – Plans

Plan Reference:

Students Union Building

The Bar One
JMDA1081.L2
April 2011

Lic Plan Level 1
L(67)001 25/04/2012

Lic Plan Level 2
L(67)002 25/04/2012

Lic Plan Level 3
L(67)003 25/04/2012

AIO

Appendix 1

All

LICENSING ACT 2003

Premises Licence Summary

ISSUE NO: 10

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 1426 PR**

Students Union Building
University Of Sheffield
Western Bank
Sheffield
S10 2TG

Telephone Number: 0114 222 8550

Licensable activities authorised by the licence:

1. Provision of regulated entertainment:

Plays

Indoors

Sunday to Saturday	08:00 to 04:30 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 04:30 the following day

On not more than 6 occasions per year, there may be 24 hour plays with 28 days notice in writing and consent of the Police.

Films

Indoors

Sunday to Saturday	08:00 to 04:30 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 04:30 the following day

On not more than 12 occasions per year, there may be 24 hour films with 28 days notice in writing and consent of the Police.

Live Music**Recorded Music**

Indoors & Outdoors

Sunday to Saturday	08:00 to 04:30 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 04:30 the following day

On not more than 15 occasions per year until 06:00 with 28 days notice in writing and consent of the Police.

Performances of Dance

Indoors

Sunday to Saturday	08:00 to 04:30 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 04:30 the following day

On not more than 15 occasions per year until 06:00 with 28 days notice in writing and consent of the Police.

Anything of a similar description to live music, recorded music or performances of dance

Indoors & Outdoors

Sunday & Saturday	08:00 to 04:30 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 04:30 the following day

On not more than 15 occasions per year until 06:00 with 28 days notice in writing and consent of the Police.

2. Provision of entertainment facilities for:**Facility for Making Music****Facility for Dancing****Entertainment of a similar description to making music and dancing**

Indoors

Sunday to Saturday	08:00 to 04:30 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 04:30 the following day

On not more than 15 occasions per year until 06:00 with 28 days notice in writing and consent of the Police.

3. Late Night Refreshment:

Indoors

Sunday to Saturday	23:00 to 05:00 hours the following day
New Years Eve (31.12)	23:00 to 24:00 hours
New Years Day (01.01)	00:00 to 05:00 the following day

4. Sale by retail of alcohol:

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

Sunday to Saturday	08:00 to 04:00 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 04:00 the following day

The opening hours of the premises are:

Sunday to Saturday	08:00 to 05:00 hours the following day
New Years Eve (31.12)	08:00 to 24:00 hours
New Years Day (01.01)	00:00 to 05:00 the following day

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:

University of Sheffield Students Union
 University Of Sheffield
 Western Bank
 Sheffield
 S10 2TG

Telephone: 0114 2228578

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

N/A

ARC

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

Chris Aucott

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

Restricted

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

Issued on: 6th February 2006.



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

Appendix B

Interim Steps Determination Notice

Decision of the Licensing Board – 12th June 2017 – Sheffield Students Union (The Foundry), Western Bank, Sheffield, S10 2TG

B1

This was a meeting to consider whether or not interim steps under section 53B of the Licensing Act 2003 are necessary pending the determination of the review applied for.

South Yorkshire Police submitted an interim steps application with the required certificate on 8th June 2017.

The application is made by the Acting Superintendent who is of the opinion the premises are associated with serious crime, serious disorder or both.

Members considered the incident detailed which resulted in a 22 year old female dying after allegedly taking drugs at an event at the premises.

Officers attended the premises and the DPS confirmed that a large quantity of drugs were seized that night and the drugs box was full.

Members decided that, on the evidence provided, it was necessary to take interim steps in order to promote the licensing objectives. After discussion Members felt that imposing conditions would adequately address the issues. The conditions imposed pending the full review are:

- 1) A refusal log and incident log will be maintained and audited by management
- 2) SYP are to be notified of a calendar of events which are taking place at least one month in advance
- 3) There shall be a zero tolerance to drugs policy at the premise and there shall be a suitably secure drop box for any illegal substances or items confiscated. After 7pm everyone entering the premises will be searched and anyone found with drugs will give their personal details or they will be refused entry.
- 4) A colour CCTV system shall be installed at the premises to the specification of South Yorkshire Police to cover internal and external areas. This will be maintained and in use at all times that the premises are open. The images will be stored for a minimum of 30 days and must be made available to an officer of the council or Police.

Appendix C

Application

C

South Yorkshire Police Force
 Carbrook House
 5 Carbrook Hall Road
 Sheffield
 S9 2EH

LICENSING

- 8 JUN 2017

SERVICES

2017 14-10 2017

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime / ~~serious disorder~~ / ~~both serious crime and serious disorder~~¹.

*Premises*²:

Sheffield Students Union (The Foundry)
 Western Bank
 Sheffield
 S10 2TG

Premises licence number (if known): SY1883PR

Name of premises supervisor (if known): Chris Aucott

I am a Temporary Chief Superintendent ³ in the South Yorkshire
 police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁴:

The premises have a responsibility to adhere to the licensing objectives namely

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

¹ Delete as applicable.

² Include business name and address and any other relevant identifying details.

³ Insert rank of officer giving the certificate, which must be superintendent or above.

⁴ Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

C2

The serious nature of incidents which have taken place on Wednesday 07 June 2017 clearly show the activities of the premises in question are not supporting the licensing objectives. A 20 year old female (and her friend) has been offered "pills" inside the premises. The consumption of these pills has led her to become critically ill. A second female has become unwell at the premises as a suspected result of drug use and has since died.

There is also evidence from the South Yorkshire Police licencing manager that upon his visit to the premises on Wednesday 31 May 2017 the drugs bin was "overflowing" and 98 packages of powder, 36 packages of tablet(s) were recovered from within. It is worth noting that the majority of the packets had 2-3 tablets within them and one packet had 10-15 tablets within it. There were an additional 6 packets of vegetable matter consistent in appearance to cannabis

A/Ch Ahmed has attended at the premises on Wednesday 07 June 2017 and upon speaking to the DPS Chris Aucutt, Mr Aucutt informed him that a "large quantity of drugs were seized on the night in question"

There is a clear issue of public safety and a duty of care to the customers of these premises. There is clear and consistent supply and consumption of controlled drugs in the premises. This duty of care can be discharged by imposing additional conditions on the premises to reduce the risk of harm to customers and achieve the licensing objectives.

The premises have large numbers of people attending their events (1800 were expected on 08/06/2017) and there are events most nights this week. Therefore it is necessary to apply for a summary review of the premise's license to ensure the safety of the public and prevent crime and public nuisance.

S. Ahmed (Signed) 8/6/17 (Date)

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

C3

Sheffield City Council
 Staniforth Road
 Sheffield
 S9 3HD

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

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 the 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.**

I Shaun Morley Temporary Chief Superintendent [on behalf of] the chief officer of police for the South Yorkshire Police police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**Sheffield Students Union (The Foundry/Fusion/Studio)
 Western Bank**

Post town: Sheffield

Post code (if known): **S10 2TG**

2. Premises licence details:

Name of premises licence holder (if known): Chris Aucott

Number of premises licence holder (if known): SY1883PR

C4

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

South Yorkshire Police have concerns regarding the use of controlled drugs by young persons, particularly students in Sheffield.

On Wednesday 7th June at 05:48am, an incident was reported via Northern General Hospital, Herries Road, Sheffield (Incident number 103 of 07/06/2017), regarding two female patients admitted in a critical condition, one on a life support and one about to be placed on a life support machine due to the ingestion of illicit substances believed to be MDMA. Both females had been present at the Tuesday Club event, located at The Foundry, University of Sheffield, Students Union, Western Bank.

It was confirmed by the friend of the one of the injured parties Bronwyn Tero, aged 20 that the pills were purchased from within the top bar of the premise, from an unknown male.

The unknown male offered the two girls blue coloured tablets and these were passed to the two females at the bar area.

A 22 year old female, Joanna Burns, aged 22, has since tragically died at Northern General Hospital. The cause of death will be known following a post mortem examination and toxicology results. There is no evidence that the drugs that led to the death of Joanna were purchased at these premises.

Officers have arrested two individuals for supply of the drugs but enquiries are very much ongoing.

From visits to the the premises prior to this incident, officers from the licencing team at South Yorkshire Police have recovered a large quantity of drugs which had been seized by doorstaff. A/Chief Inspector Ahmed was also informed by Chris Aucott, the Director of Social Enterprise at the University of Sheffield that a large quantity of drugs was seized by door staff on the night of the incidents too. It is apparent there is an underlying issue of drugs supply and consumption at the premises.

In view of the incidents in question and the concern around drug use and supply at the premises, a summary review of the licence is required.

C5



Signature of applicant:

Date: 08/06/2017

Capacity: T/Chief Superintendent

Contact details for matters concerning this application:

Address: **South Yorkshire Police Licensing Department, Force Headquarters,
Carbrook House, 5 Carbrook Hall Road, Sheffield, S9 2EH**

Telephone number(s): 01142964308

Email: sheffield.liquor_licensing@southyorks.pnn.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

C6

ACCESS ONLY TO STUDENTS WITH VALID ID. IF MEMBERS OF THE PUBLIC ARE TO BE ALLOWED ACCESS THEN A TEN WILL NEED TO BE APPLIED FOR.

SIA REGISTERED DOOR STAFF TO BE EMPLOYED AT THE PREMISES EVERY EVENING 7PM-CLOSE. THE AMOUNT OF DOOR STAFF TO BE R/A BY THE VENUE.

THE PREMISES LICENSE HOLDER SHALL MAINTAIN AT THE PREMISES A REGISTER CONTAINING THE FOLLOWING DETAILS OF ALL DOOR STAFF ENGAGED AT THE PREMISES.

*FULL NAME

*ADDRESS

*DOB

SIA LICENSE NUMBER

A REFUSAL LOG AND INCIDENT LOG WILL BE MAINTAINED AND AUDITED BY MANAGEMENT

SYP ARE TO BE NOTIFIED OF A CALENDAR OF EVENTS WHICH RE TAKING PLACE AT LEAST ONE MONTH IN ADVANCE.

AN ID SCANNER WILL BE OPERATED AT SITE ON FOUNDRY / FUSION / STUDIO FROM 7PM-CLOSE EVERY EVENING WHEN THE PREMISES ARE OPEN.

THE ID SCANNER WILL BE OPERATED IN CONJUNCTION WITH THE CHALLENGE 25 POLICY IN RELATION TO ASSISSTING IN PROVING PERSONS ENTERING THE PREMISES ARE 18 YEARS OR OVER.

WHERE PROOF OF ID IS REQUESTED , SUCH ID WILL BE SCANNED.

RECORDS OF THE ID SCANNED WILL BE MAINTAINED FOR A PERIOD OF 14 DAYS AND MADE AVAILABLE TO A POLICE OFFICER UPON REQUEST, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE DATA PROTECTION ACT 1998 OR SUCH OTHER LEGISLATION.

THERE SHALL BE A ZERO TOLERANCE TO DRUGS POLICY AT THE PREMISES AND THERE SHALL BE A SUITABLY SECURE DROP BOX FOR ANY ILLEGAL SUBSTANCES OR ITEMS CONFISCATED. AFTER 7PM-CLOSE EVERYONE ENTERING THE PREMISES WILL BE SEARCHED BY DOORSTAFF AND ANYONE FOUND WITH DRUGS WILL GIVE THEIR PERSONAL DETAILS OR THEY WILL BE REFUSED ENTRY.

A COLOUR CCTV SYSTEM SHALL BE INSTALLED AT THE PREMISES TO THE SPECIFICATION OF SYP TO COVER INTERNAL/EXTERNAL AREAS. THIS WILL BE MAINTAINED AND IN USE AT ALL TIMES THAT THE PREMISES ARE OPEN. THE IMAGES WILL BE STORED FOR A MINIMUM OF 30 DAYS AND MUST BE MADE AVAILABLE TO AN OFFICER OF THE COUNCIL OR SYP.

Appendix D

Representations
South Yorkshire Police
Safeguarding

D)

INDEX TO BUNDLE OF DOCUMENTS

Compiled on 21st June 2017

	DOCUMENT	
1.	Statement of Witness A	
2.	Statement of Witness B	
3.	Statement of Witness C	
4.	Statement of Temporary Chief Inspector Ahmed	
5.	Statement of Police Constable 2941 Briggs	

D2

WITNESS STATEMENT

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

Statement of: [redacted] URN [] [] [] []

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Student

This statement (consisting of 5 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: [redacted] Date: 08/06/17

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

I am the above named. I have just completed my degree at Sheffield Hallam University. For the last year I have shared a flat in [redacted], Sheffield with [redacted], [redacted], [redacted] and [redacted].

R6x

[redacted] has rarely been at the flat for the year and none of us know her very well. She wasn't here at the time I am going to describe in this statement.

Around a month or so ago my flatmates and I decided to have a final student night out together at the Tuesday Club at University of Sheffield Students' Union, ^{on 6th June 2017} I think the exact location is the Foundry. We had to buy tickets in advance. As well as my flatmates, [redacted] (friend), [redacted] (boyfriend/ex-boyfriend) and [redacted] (girlfriend) came with us.

I have known [redacted] since around January 2014 when her and [redacted] got together. I have

Signature: [redacted] Signature witnessed by: [redacted]

Continuation of Statement of [redacted]

got to know her well and she has become a good friend. She has virtually lived with us this past year.

At some point while planning our last night out we decided collectively to take 'MD'.

I think this is MDMA, which we were all fully aware is illegal. There was no peer pressure on anyone to take it. We all wanted to do it together. At some point during the discussion about taking 'MD', [redacted] told us that she knew someone one could get it from. [redacted] said it was a guy that she knew. I trust [redacted] completely so was happy with this.

2Gx

We all gathered in the kitchen/lounge of the flat during the evening. I went to join the others ~~and~~ around 10:30pm ^(the day of 09/12) ~~the day of 09/12~~. I was feeling a bit nervous about taking the drug as I know it can be dangerous and it alters your consciousness. [redacted] had brought the 'MD' into kitchen at some point earlier that day. She gave me 1/2 g in 2 small (2cm x 2cm) bags. The bags were clear and had a seal at the top where you press the two edges together. We had asked her to get in 1/4 g bags as this was the dose we were

Signature: [redacted]

Signature witnessed by:

Continuation of Statement of: [redacted]

going to take. I had given [redacted] £7 before for her to buy the MD for me. [redacted] also gave me some to [redacted] and [redacted] and [redacted]. When I had got it I left it on the arm of the chair in the lounge until later when I went back in the lounge.

When I went back into the lounge at 10.30pm I prepared the 'MD'. I put each of 1/4g bags in a separate Pizza paper and rolled each up into a ball - a bomb from what I understand. We had done research beforehand to make sure we were minimizing the risk eg for the amount to take and how to take it. I think most people had already prepared theirs but [redacted] might have been preparing his.

We got two separate taxis to the Students' Union sometime around 11pm. I think we got there around 11.20pm. I didn't drink any alcohol or take anything other than the MD that evening. I am not sure about the others, including [redacted].

I took one of my bombs before we went in. I swallowed it with water. I didn't see any of the others take theirs. I had planned to take one before going in and

Signature: [redacted]

Signature witnessed by:

Continuation of Statement of: [REDACTED]

The other 1/2 hour to an hour after getting in. I put the second one in my sock to get inside the Tuesday Club as they do random searches of people going in.

I took my second one at sometime after getting in. I waited until I had 'come up' and feeling high before taking the other. I didn't see anybody else take theirs. Most of the night I was with [REDACTED], either on our own or talking to other random people. I wasn't aware of any of our group feeling unwell or having any issues.

Around 3am I was aware that others in our group had gone out for some fresh air. After a while when they hadn't come back [REDACTED] and I decided to go out into the smoking area to look for them. As I got onto the ramp I jumped over the railing when [REDACTED] beckoned me over. He looked terrified. He told that [REDACTED] wasn't well. I saw her in the corner. She looked terrified and as I approached she recoiled into the corner. She was speaking gibberish. I assumed she was having a bad trip and thought we just had to wait.

Signature: [REDACTED]

Signature witnessed by:

D6

Continuation of Statement of: [REDACTED]

Page No. 5 of

and be there for her. I moved away from her. [REDACTED] was holding her. At some point [REDACTED] said that we needed an ambulance. [REDACTED] wished to get security. Someone came over. An ambulance eventually turned up and [REDACTED] and [REDACTED] went to hospital in the ambulance. [REDACTED], [REDACTED] and I followed it to hospital. We didn't see [REDACTED] again after she was put in the ambulance. [REDACTED], [REDACTED] and I left hospital around 0640 hours and came back to our flat. I have taken 'MD' around 3 times in total over the past 3 years. This has been with [REDACTED], [REDACTED] and [REDACTED] every time.

As far as I know, none. From what I know, [REDACTED] is not a regular drug user. None of us are. It was just supposed to be a one off 'final thing' to finish university.

RL

Signature: [REDACTED]

Signature witnessed by:

WITNESS STATEMENT

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

Statement of: [redacted]

URN [] [] [] []

Age if under 18: over 18

(if over 18 insert 'over 18')

Occupation: Student

This statement (consisting of 5 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: [redacted]

Date: 11/06/17

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

I am the above named and am currently a first year student at Sheffield Hallam University.

For the last year I have lived at [redacted] Sheffield. I moved in last July (2016). I didn't know the other occupants, apart from [redacted] who moved out earlier in the year.

A couple of weeks ago we decided to go out to the 'Tuesday Club' at the University of Sheffield. We had to get tickets in advance - [redacted] bought them. There was a kind of general understanding / assumption that we were all going to take MDMA. We didn't actually discuss it together. I was aware that [redacted] was getting his MDMA from [redacted] one of my flat mates so I decided to ask [redacted] to get mine too. [redacted] is also my flat mate. I asked her to get it for me around a week or so before the event. She agreed and I asked her for 1/2 gram. She told me it would be £7.

Signature: [redacted]

Signature witnessed by: [redacted]

18

RESTRICTED (when complete)

MG11(CONT)

Page No. 2 of 5

Continuation of Statement of: [redacted]

On Sunday or Monday before the event I bumped into [redacted] in the kitchen and gave her £7 in cash for my MDMA.

On Tuesday 6th June 2017, [redacted] his girlfriend [redacted] (another flat mate) and I were in the kitchen listening to music. This was around 5pm. Around this time [redacted] came in and handed over the MDMA. She gave me 2 bags (1/4g in each bag). She gave the other the same amount. I remember [redacted] commenting on the fact that she had got it in quarters. The bags were see through small with zip lock tops.

We stayed in the kitchen until it was time to get ready around 8pm. I brought my MDMA into my bedroom and dumped it on my desk. I made it into two 1/4 bombs wrapped in Pizza paper around 11pm.

L.N

I took one at that time. Just as we were about to leave in taxi I popped back into my room and took the second one. This was around 11.30-11.40pm.

We got two taxis to the Students' Union. There was [redacted], [redacted], [redacted], [redacted], [redacted].

Signature: [redacted]

Signature witnessed by: [redacted]

Continuation of Statement of: [redacted]

[redacted] ex-boyfriend) and me. All except [redacted] and [redacted] live in our flat, although [redacted] basically lives here with [redacted]. I was not aware of the others taking their MDMA or where it was. We went in around 12 (midnight). Around half 12, [redacted] asked me to go to the toilet with [redacted]. It is quite a big place so he didn't want her going on her own and getting split up from the group. I believed that [redacted] had taken her first bomb before going in but I didn't actually see her. I know she was getting high when I took her to the toilet.

L2

We went in separate cubicles. I believe that's when she took her second bomb. When we got outside the toilets, she pulled me towards the smoking area and said she wanted some fresh air as she didn't feel well. We went out to the smoking area. We went to the far corner away from security as [redacted] said she felt sick. We must have been outside for around 5 minutes in total. During this time [redacted] was sick all over her shoes. I remember

L2

Signature: [redacted]

Signature witnessed by:

Continuation of Statement of: [REDACTED]

both of us clearly seeing the undissolved second bomb in her sock [REDACTED] remarked, "IT'S SUCH A SHAME IT'S SUCH A WASTE" I said, "DON'T WORRY ABOUT IT" I remember thinking that she was already 'up' and didn't appear to need any more

We went back inside [REDACTED] leg was shaking and she couldn't take her shoe off so I had to sit her on the sink and ^{clean her shoe} do it for her

L.N

We sat down for a while and had a chat I wanted to make sure she was OK I know she has anxiety and wanted to make sure everything was OK with her This went on for 10 minutes max We then went back to join the group She thanked me for looking after her

I didn't go to the toilet with her again [REDACTED] and I went off together

Around 2.30 am - 3am [REDACTED] came up to me and told me that [REDACTED] wasn't very well I ran to catch her up She told me she wanted some fresh air She was really hot I told [REDACTED] to take her outside [REDACTED] and I waited by the door for them when they didn't re-appear, after [REDACTED]

Signature: [REDACTED]

Signature witnessed by: [REDACTED]

D11

RESTRICTED (when complete)

MG11(CONT)

Page No. 5 of 5

Continuation of Statement of: [redacted]

20-30 minutes, [redacted] and I went to look for them. As we got outside [redacted] shouted us. They were in the far corner on the disabled ramp. [redacted] told us that [redacted] wasn't well. [redacted] deteriorated and after about 20 minutes [redacted] said that we needed to get an ambulance so I went to get Security. [redacted] went in an ambulance with [redacted] and I followed in a taxi. I didn't see [redacted] again. I have known [redacted] for about a year, as [redacted] girlfriend since we moved into this flat. I know [redacted] occasionally gets a bit down and needs some space to sit in [redacted] room. As far as I know she has not been diagnosed with any mental health conditions, nor is she on any medication for mental health. [redacted]

Signature: [redacted]

Signature witnessed by:

2013

RESTRICTED (when complete)

WITNESS STATEMENT

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

Statement of: [redacted] URN [] [] [] []
Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Student

This statement (consisting of 5 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: [redacted] Date: 8th June 2017

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

I am the person named above and I live at the address mentioned above. This is a student accommodation that I share with a number of other Sheffield Students. I am currently residing in Sheffield.

I share the accommodation with persons including [redacted] (don't know her surname) and [redacted] (don't know her surname)

[redacted] had a girlfriend called [redacted]. Although [redacted] did not formally live in our accommodation, he spent most week-nights here with [redacted].

I would describe [redacted] as a nice person who I got along with. He was good fun and good company.

As the end of the semester approached, we were all looking forward to the end of term parties and functions including one at The Tuesday Club at The Fusion and Boundary Student Union.

Signature: [redacted] Signature witnessed by: [Signature]

DB

RESTRICTED (when complete)

MG11(CONT)

Page No. 2 of 5

Continuation of Statement of: [Redacted]

Sheffield. We know this would be a popular event and so bought tickets in advance. About two weeks before, the subject of drugs came up for discussion as some of us use recreational drugs including cannabis and MDMA. Some of my flat mates wanted MDMA for the night out at The Tuesday which was to take place on Tuesday 6th June 2017.

[Redacted] knows someone who can get MDMA and so [Redacted] arranged to get MDMA for people for the event. I believe it was on the day of the party that [Redacted] asked me whether I wanted anything but I declined. I have taken MDMA before but didn't want any on this occasion.

On Tuesday evening 6th June we were in the flat and I think the following people were present: [Redacted]

[Redacted] and myself. [Redacted] is a friend of [Redacted]

I think it was about 9pm that I saw [Redacted] leave the flat. I heard he had got a call to go and collect the drugs.

Signature: [Redacted]

Signature witnessed by: [Signature]

Continuation of Statement of: [REDACTED]

Page No. 3 of 5

but was not present when he received that call. I estimate that he returned about 30 minutes later. I was now in the main living room/kitchen. The girls were around the dining table and the boys on sofas around the coffee table.

[REDACTED] put the orders onto the coffee table and I saw a number of small craggy bags containing a 'crystal' that was dark brown in colour, it looked too dark to me.

People came to the table and took what they had ordered and opened the bags to prepare it for use and to place it on their person in case of a body search entering the house. In order to prepare it for use it had to be crushed into a powder and placed into a Rizk paper as a 'bomb' that can be taken orally.

Straightaway I smelt what I believed was hydrochloric acid and said to people that what I could smell. I advised them not to take it based upon the smell but also because of the dark brown colour. People sat & dismissed this.

Signature: [REDACTED]

Signature witnessed by: [REDACTED]

Continuation of Statement of: [Redacted]

and said it was that colour because it had not been washed properly and referred to 'la.24 chemists'

I believe it was about 1110pm that we all got taxis to the event and entered 'Bar One' via the rear entrance through the Prudent Union. Our ID cards and tickets were checked and only [Redacted] was searched by [Redacted]. He was cleared and we all entered the venue at about 1130pm.

It was quiet at this point with only 20 or so people in the bar area so I bought myself a coke at the bar.

Within half an hour the place was busy and I noticed the girls going backwards and forwards to the toilets. [Redacted] seemed fine at this point and was having a good time.

By 1am I noticed that he was not looking so good and by 2am he could hardly stand up. I actually noticed them dancing and you can see [Redacted] is having to be held up or supported by [Redacted].

When it was clear that [Redacted] was poorly

Signature: [Redacted]

Signature witnessed by: [Handwritten Signature]

Continuation of Statement of [redacted]

we sat her down on a table or raised area to make her feel better. We then tried to assist her by moving her to quieter area in a corridor but she could hardly stand up now. [redacted] wanted to take her home but I told him not to do this because she seemed so poorly. We couldn't even sit her up properly. I went to the bar to get an orange juice and when I returned about 2 minutes later she had really gone downhill. She had gone rigid, her muscles were stiff and she had lost consciousness. We were assisted by 3 or 4 members of staff and eventually an ambulance arrived. The paramedics had trouble getting [redacted] into a wheelchair and had to strap her in. [redacted] ment in the ambulance with [redacted] and [redacted] got a taxi to N.G.H. and I went home as I couldn't find [redacted] and [redacted] who had stayed in the venue. Eventually we all ended up back in the flat apart from [redacted] and [redacted]

Signature: [redacted]

Signature witnessed by:

WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

Statement of Paul BRIGGS

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: PC2941

This statement (consisting of ... 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 (witness) Date:

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

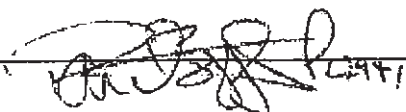
I am a Police constable in South Yorkshire Police currently stationed at Snig Hill Police Station Sheffield.

At 1445 hours on Wednesday 31st May 2017 I was on duty in full police uniform in company with Sheffield Liquor licensing manager John O'MALLEY.

At this time I attended at the Sheffield University students union at Western Bank to empty their drugs box. Geoff WARD (porter) allowed me access to the office where the drug box was located and I was able to empty it there in.

The drugs box was considerably full and something that I was not use to seeing as I have been emptying the drugs boxes for around 5 years. These drugs had been taken between November 2016 and present day.

Within the box I found 98 packets of a powder substance, 31 packets containing tablets/pills (some of which had several tablets/pills in) 4 cannabis spliff's and 9 packets of containing cannabis.



Signature:

Signature Witnessed by:

Continuation of Statement of: Paul BRIGGS.....

WARD stated that it was a mixture of what was found on the floor or toilet in the bar/club and some taken off people when entering the venue.

At 1400 hours on Friday 9th June 2017, I was on duty in full uniform in company with John O'MALLEY. I attended at the Students Union and emptied the drugs box again, this time speaking with Richard ATKINSON.

This time there was 2 packets of tablets/pills (some with more than one tablets/pills in) and 9 packets of powder. ATKINSON stated that most of these had been found or taken from one night that they had had.

All the drugs that I have seized have been booked into Attercliffe Drugs Store.



Signature:

Signature Witnessed by:

WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

--	--	--	--

Statement of Shakeel Ahmed

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: Acting/ Chief Inspector

This statement (consisting of ... 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 (witness) Date: 22 June 2017

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

I am an Acting/Chief Inspector in the South Yorkshire Police currently stationed at Snig Hill Police Station, Sheffield.

On Wednesday 07 June 2017, I was on duty at Attercliffe Police Station when I was made aware of an incident, which had been reported at 0548 hours the same day. The incident related to two females that had been conveyed to the Northern General Hospital (NGH) following suspected drug use and were in a serious condition.

One of the females was a 22-year-old student at Hallamshire University. She had been supplied with the drugs suspected to be MDMA at her home address. On arrival at the 'Tuesday Club' event at the Foundry Club in Sheffield University Students Union, she consumed half of her quantity of suspect drugs outside the club, secreted the other half on her person and consumed it within the toilets of the club. This female became unwell at The Foundry and after receiving first aid at the premises was conveyed to the NGH where she spent some time in the Intensive Care Unit before passing away.

The other female aged 20 years and also a student at Hallamshire University attended the same club on the same evening with a friend. Once inside the club, they were approached by a male unknown to them

Signature: S. Ahmed Signature Witnessed by:

Continuation of Statement of: Shakeel Ahmed.....

and asked if they would like to purchase drugs. Both girls purchased the drugs, which again are suspected of being MDMA inside the premises in the bar area, and consumed them inside the club. The victim became unwell and the friends went home. However, her condition deteriorated and the friend sought medical attention. The female was conveyed to NGH where she spent a number of days in intensive care. Whilst her condition has since improved somewhat, she is still too unwell to be formally spoken to by officers.

As a result of these two incidents, I attended at the Sheffield Students Union building where I had a meeting with Chris Aucott the Designated Premises Supervisor. I discussed the circumstances of the incidents with Mr. Aucott and he informed me that "a large amount drugs had been seized" on the night in question by the security team. I was already aware that the South Yorkshire Police Licensing Manager had recently visited the premises and recovered a large amount of drugs from the drug box fitted at the premises, although I was later made aware that this had accumulated over several months. I then informed Mr. Aucott that as this was very much an ongoing criminal investigation and the original suppliers of the drugs remained at large, I would recommend the premises remained closed that night. Mr Aucott agreed.

The next day on Thursday 08 June 2017 I was informed the 22 year old female had passed away overnight. As a result I spoke to the Sheffield District Commander Temporary Chief Superintendent Shaun Morley and an application was made to apply for a summary review of the licence at the premises to ensure they were adhering to the licensing objectives namely 'The Prevention of Crime and Disorder' and 'Public Safety'.

I am aware the application was submitted and the Licensing Sub-Committee applied a number of interim steps to the licence of the premises.

Signature: S. Ahmed Signature Witnessed by:



D21

Address correspondence to:

Julie Hague
Sheffield Safeguarding Children
Board - Licensing Project
Floor 3
Howden House
Union Street
Sheffield S1 2SH
Telephone: 0114 2736753
Email: Julie.hague@sheffield.gov.uk
Fax: 0114 2734628

22.6.17

The Licensing Authority
Licensing Service
Business Strategy & Regulation
Block C, Staniforth Road Depot
Sheffield S9 3HD

Dear Sirs

APPLICATION TO REVIEW THE PREMISES LICENCE: UNIVERSITY OF SHEFFIELD STUDENTS' UNION (THE FOUNDRY), WESTERN BANK, SHEFFIELD S10 2TG

I am writing to make a representation on behalf of the Safeguarding Children Board (SSCB) as the Responsible Authority for the protection of children from harm under the Licensing Act 2003. The reason for the representation is that there is evidence documented by South Yorkshire Police, that illegal and dangerous activity has taken place within the licensed area at The Foundry. The Safeguarding Children Board takes a serious view of premises where substance misuse takes place and is therefore concerned that The Foundry is not currently operating as a family friendly venue.

In response to the review application, I met with the licence holder Mr Aucott on 16th June, to discuss the safeguarding concerns. Mr Aucott has a history of working co-operatively with the Safeguarding Children Board and was able to present evidence of the required due diligence materials for safeguarding, including safeguarding policies for all areas of the university to which people under the age of 18 have access, children and young people's risk assessments, training records and refusals logs for both the Challenge 21 and 25 schemes which operate on various sites. During my discussion with the licence holder, Mr Aucott demonstrated a full understanding of the safeguarding issues and a willingness to implement the necessary measures for the protection of children from harm, should the premises retain its licence following the review. These measures include a suspension of access to children and young people to The Foundry and a voluntary commitment to additional staff training in safeguarding.

Continued ... /

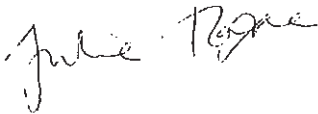
D22

I note that the applicant Mr Morley on behalf of South Yorkshire Police suggests in the review that the duty of care held by the premises management can be "...discharged by imposing additional conditions on the premises to reduce the risk of harm to customers and achieve the licensing objectives." The Safeguarding Children Board would recommend that if the Licensing Committee determines that the licence conditions should be modified as part of this review, the following condition should be considered for the protection of children from harm:

"Persons under the age of 18 years are not permitted to attend live music, 'gigs', or 'club nights' or any other such type of adult orientated activity for a minimum period of 3 months or until such a time that a culture change has been evidenced at the premises"

The above proposed measure would ensure that children and young people do not access the premises until the premises management has delivered refresher training and has completed its review of access and security procedures, to ensure that the environment is family friendly when used by children and young people.

Yours faithfully



JULIE HAGUE
Licensing Project Manager
Sheffield Safeguarding Children Board

Appendix E

Hearing Notices/
Regulations/Procedures

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

FAO - Christopher Aucott
University of Sheffield Students Union
University of Sheffield
Western Bank
Sheffield
S10 2TG

Emailed to - [REDACTED]

The Sheffield City Council being the licensing authority, on the 8th June 2017 received an application for the Summary Review of a Premises Licence in respect of premise known as **The Foundry (Sheffield Students Union) Western Bank Sheffield. S10 2TG**

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

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 **Thursday 6th July at 10.00am**; 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: 28th June 2017

Signed: Clive Stephenson
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.
Email - LicensingService@sheffield.ov.uk

E2

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

South Yorkshire Police Licensing Team
Force Headquarters
Carbrook House
5, Carbrook Hall Road
Sheffield,
S9 2EH

Emailed - Sheffield.Liquor-Licensing@southyorks.pnn.police.uk

The Sheffield City Council being the licensing authority, on the 8th June 2017 received an application for a Summary Review of a Premises Licence in respect of premises known as Sheffield Students Union Western Bank Sheffield S10 2TG

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

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 **Thursday 6th July 2017 at 10.00am**; 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 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: 28th June 2017

Signed: Clive Stephenson
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.

Email – licensing@sheffield.gov.uk

EB

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

Julie Hague
Sheffield Safeguarding Children Board
Floor 3 Howden House
Sheffield
S1 2SH

Emailed - [REDACTED]

The Sheffield City Council being the licensing authority, on the 8th June 2017 received an application for a Summary Review of a Premises Licence in respect of premises known as Sheffield Students Union Western Bank Sheffield S10 2TG

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Dated: 28th June 2017

Signed: Clive Stephenson
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.

Email – licensing@sheffield.gov.uk

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.

Regulation 8

E5

- (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.

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.

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