

Licensing Sub-Committee

Meeting held 9 October 2018

**PRESENT:** Councillors David Barker (Chair), Jack Clarkson and Neale Gibson

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**1. APOLOGIES FOR ABSENCE**

1.1 No apologies for absence were received. Councillor Cliff Woodcraft attended the meeting as a reserve Member, but was not required to stay.

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 No items were identified where resolutions may be moved to exclude the public and press.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. LICENSING ACT 2003 - WOODHOUSE BARGAIN BOOZE, 16 CROSS STREET, SHEFFIELD, S13 7JR**

4.1 The Chief Licensing Officer submitted a report to consider an application, made under Section 17 of the Licensing Act 2003, for the grant of a premises licence in respect of premises known as Woodhouse Bargain Booze, 16 Cross Street, Sheffield S13 7JR (Ref. No. 98/18).

4.2 Present at the meeting were Nadeem Ur Rehman (Applicant), Irfan Butt (Employee), Philip Brightmore (Premises Landlord), Councillor Jackie Satur and Stuart Abbott (Local Residents, in support of the application), Clive Stephenson (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

4.3 Marie-Claire Frankie outlined the procedure which would be followed during the hearing.

4.4 Clive Stephenson presented the report to the Sub-Committee, and it was noted that representations in respect of the application had been received from five members of the public, and were attached at Appendix 'B' to the report. A petition containing 118 signatures, objecting to the application, had also been received. Mr Stephenson also made reference to a petition containing 156 signatures, expressing support for the application, which had been received outside the statutory consultation period. All five members of the public who had submitted representations had been invited to the meeting, but none attended the hearing.

4.5 The Chair granted permission for Councillor Jackie Satur and Stuart Abbott to make representations at the hearing.

- 4.6 Nadeem Ur Rehman stated that he had around 12 years' experience in the retail trade, working in many shops selling alcohol, and had worked in another shop, which sold alcohol, in Woodhouse for around 4/5 years. He had got to know a number of residents in the Woodhouse area and the majority of residents he had spoken to were supportive of the application. Philip Brightmore stated that he was happy for Mr Rehman to take on the shop lease, and open it up as an off-licence.
- 4.7 Councillor Jackie Satur stated that Mr Rehman was aware that some local residents were concerned by the name of the premises which, he had appreciated, could give the wrong impression in terms of the nature of sales. In the light of this, Mr Rehman had agreed to change the name of the shop, and was currently trying to think of a suitable name. Reference was made to the St Ann's Hostel, which was located close to the premises, which assisted people with drink problems. Mr Rehman stated that he was familiar with a lot of the residents of the Hostel, and would be very mindful if they came in to purchase alcohol.
- 4.8 In response to questions raised by Members of the Sub-Committee, Mr Rehman stated that the other premises within the vicinity of the shop, and which sold alcohol, included City Living, McColls Supermarket and two public houses. Only two people had expressed an interest in taking on the lease to the premises, following its closure as a video store, with both interested parties, of which Mr Rehman was one, wanting to sell alcohol. Mr Rehman stated that he had not really given too much consideration as to where people would drink the alcohol purchased from his premises on the basis that he had worked in the area for a number of years, and had become familiar with those having drink problems, meaning he would refuse to serve them. He did not believe that opening another shop in the area selling alcohol would have a major adverse effect on the basis that it was only small, and only a small percentage of sales would comprise alcohol. Mr Rehman explained where the alcohol would be located in the premises, and also circulated photographs of the shop. It was confirmed that one of the people who had objected to the application was the Premises Supervisor at City Living, another shop in the area which sold alcohol. There was no intention to sell cheap alcohol, and Mr Rehman would be focusing on wine sales. Mr Rehman confirmed that he was aware of the existing Alcohol Exclusion Order in respect of Woodhouse Village, but indicated that he was not aware of many alcohol-related incidents during the last year. Mr Butt stated that he had worked with Mr Rehman (his cousin) for a number of years in the retail business, which included the sale of alcohol, and stated that he would always work to the terms of the premises licence, and was very mindful of who he would sell alcohol to. He stated that alcohol sales would only comprise around 10% of total sales at the shop. Mr Rehman had met with the manager of the Police's Licensing Department, to discuss the application, and who had indicated that the Police had suggested that a number of conditions be added to the licence, which were set out in the report, and to which Mr Rehman had agreed to. He also confirmed that there was a CCTV system in operation at the premises, and had agreed to the suggested condition with regard to this, suggested by the Police.
- 4.9 Nadeem Ur Rehman summarised the case.

- 4.10 Clive Stephenson presented the options available to the Sub-Committee.
- 4.11 RESOLVED: That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.12 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.
- 4.13 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.14 RESOLVED: That the Sub-Committee agrees to grant a premises licence in respect of the premises known as Woodhouse Bargain Booze, 16 Cross Street, Sheffield, S13 7JR (Ref. No. 98/18), subject to the agreed conditions set out in the report, with the re-wording of one of the conditions as follows:-

No singular alcoholic drinks, including beer, lager and cider in cans, and wine, less than 70cl, will be sold; a minimum purchase of four cans of beer, lager and cider will be required.

(NOTE: (a) Councillors Jack Clarkson and Neale Gibson, whilst being mindful that there was no evidence to show that granting the application would undermine the licensing objectives, expressed concerns at the decision to grant the application, and asked for this to be recorded; and

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

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