

## Licensing Committee hearing: Tuesday 6<sup>th</sup> September 2022 @ 10:30am

### License Variation: SRUs 708444: VARIATION OF PREMISES LICENCE - Nursery Tavern, Ecclesall Road, Sheffield, S11 8PE

#### Supplementary information

Sheffield City Council's Statement of Licensing Policy on Public Safety states Licence holders have a responsibility to ensure the safety of those using their premises and advises applicants to undertake risk assessments in relation to the safety of customers and staff on the premises. The Policy also encourages the provision of disabled access and facilities to licensed premises when a new application is being made or when substantial alterations are taking place, reasonable provision must be made under the Equality Act 2010 for people to access and use the building and its facilities.

The design standards for venue safety referred to in the Public Safety Policy are:

- Building Regulations Approved Document M: Access to and use of buildings - Volume 2: Buildings other than dwellings (This includes ramped access design).
- BS 8300-1 2018: Design of an accessible and inclusive built environment - Part 1: External environment - Code of practice
- BS 8300-2 2018: Design of an accessible and inclusive built environment - Part 2: Buildings - Code of practice (this includes wheelchair and ambulant accessible toilet design)

#### Guidance on WC provision:

Building Regulation Approved Document G provides information on the scale of provision and layout of toilets in buildings other than dwellings.

**For staff toilets** paragraph 4.12 refers to The Workplace (Health, Safety and Welfare) Regulations 1992 on the minimum number of sanitary conveniences which must be provided in workplaces. The Approved Code of Practice (ACOP) that supports those Regulations sets out how to calculate that minimum requirement (guidance on those minimum numbers can be found at <https://www.hse.gov.uk/simple-health-safety/workplace-facilities/health-safety.htm>).

**For accessible toilets** paragraph 4.13 refers to Part M of Schedule 1 to the Building Regulations 2010 which sets out requirements relating to access to and use of buildings and guidance on the provision of suitable sanitary accommodation. Such accommodation may form part of the total number of sanitary conveniences provided within a building.

**For the number of customer toilets** paragraph 4.14 refers to BS 6465-1:2006 + A1:2009 Sanitary installations. Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances. Table 11 is used to calculate the minimum provision for licenced pubs, bars, nightclubs and discos.

The standards are based on research and state that toilets need to be quickly accessible without the need to queue. Calculations for the number of persons using the sanitary facilities should reflect normal peak use. Allowance has been made in the tables for the fact that premises are unlikely to be used to capacity most of the time and the numbers should not be reduced.

## **Background: The Nursery Tavern (see photos below)**

The Nursery Tavern has confirmed it has an internal capacity of 217. The proportion of wet sales at the premises is 92 %, only 8% of sales relating to food. The sanitary appliances for the original building were designed for a maximum capacity of 250. The premises has seating to the front of the premises and in recent years an extensive beer garden with seating huts containing televisions, outdoor seating and two large TV screens has been installed without any additional sanitary provision at the premises. The proposed extension of the outdoor beer garden area could potentially increase the premises capacity by 60 – 70 persons.

From discussion with the manager, it is confirmed this popular premises regularly has between 350 - 450 customers at one time during the week, especially football match days, student nights and other sports event days where the use of the beer garden is so popular numbers have to be regulated on a one in one out basis and extensive queues for the toilets require door staff supervision and half hourly cleaning. Females and customers requiring unisex accessible facilities are particularly disadvantaged as the time required to use these facilities is greater. Undue delay queuing for toilets can lead to distress, health problems and potential pressure to exit the premises to urinate in the street.

In my opinion if the customer area is extended, there should be no further increase in customer capacity and the total capacity of the premises capped at 441 in line with the planning permission plans dated June 2018 (18/03728/FUL) unless permanent additional sanitary provision is provided in accordance with BS 6465-1:2006 + A1:2009 Table 11.

I further recommend that for match days and other events where the numbers of customers are likely to exceed 300, the requirement for additional sanitary provision is risk assessed and temporary additional facilities provided to prevent excessive queuing.

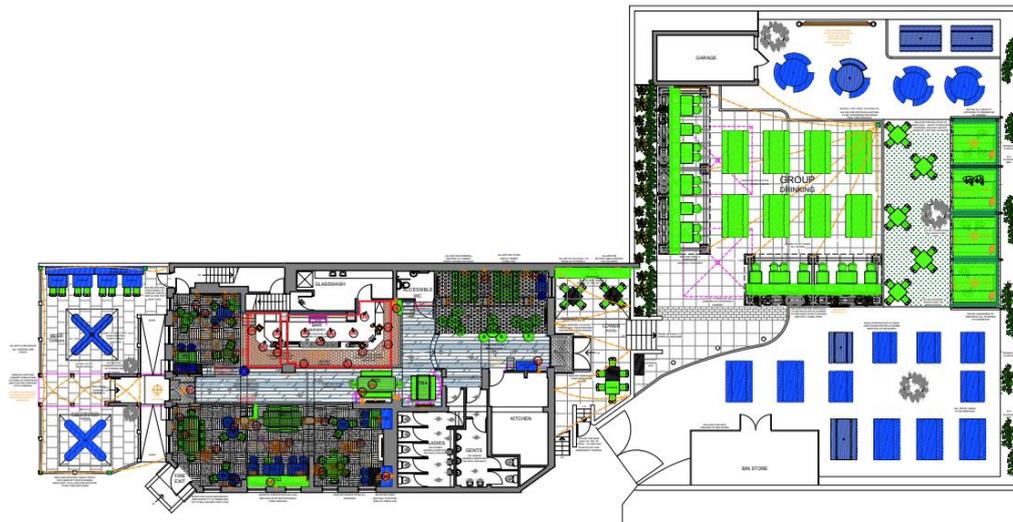
## **Toilet Provision Calculations**

BS 6465-1:2006 + A1:2009 Table 11 sanitary provision calculations for information		
(based on 50% male: 50% female occupation)	Male	Female (including 1 unisex accessible WC)
Capacity up to 250 (current provision)	2 WC + 4 Urinals	6 WC
Capacity up to 300	2 WC + 3 Urinals	7 WC
Capacity up to 350	3 WC + 4 Urinals	8 WC
Capacity up to 400 (expected provision)	3 WC + 4 Urinals	9 WC
Capacity up to 450	3 WC + 5 Urinals	10 WC

## **References:**

18/03728/FUL | Seating huts and additional outdoor seating to rear and erection of large TV screen to rear beer garden (amended description) | Nursery Tavern 276 Ecclesall Road Sheffield S11 8PE

BS 6465-1:2006 + A1:2009 Sanitary installations. Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances.



**EXISTING EDA:** 169 SQ M / 1818 SQ FT  
**EXISTING COVERS**  
 INTERNAL PUB COVERS: 79 No  
 EXTERNAL COVERS: 301 No  
**TOTAL EXISTING COVERS: 380 No**  
**PROPOSED EDA:** 169 SQ M / 1818 SQ FT  
**PROPOSED COVERS**  
 INTERNAL COVERS: 103 No  
 EXTERNAL COVERS: 338 No  
**TOTAL PROPOSED COVERS: 441 No**



Site Plan Scan Date 03 Oct 2018

18/03728/FUL | Seating huts and additional outdoor seating to rear and erection of large TV screen to rear beer garden (amended description) | Nursery Tavern 276 Ecclesall Road Sheffield S11 8PE

**Photographs:**

The following selection of photographs show the extent of the existing rear beer garden and the proposed side extension.

Report Date: 25/8/22

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Figure 1: View from rear of beer garden to the right screen



Figure 2: View from rear of beer garden straight ahead



Figure 3: View of beer garden towards Nursery Tavern. The gates in the distance where cars are currently parked are shown on the plans to be removed and the additional seating extended to the side of the building.



Figure 4: View from rear of Beer Garden to the left screen



Figure 5: Part of proposed new seating area

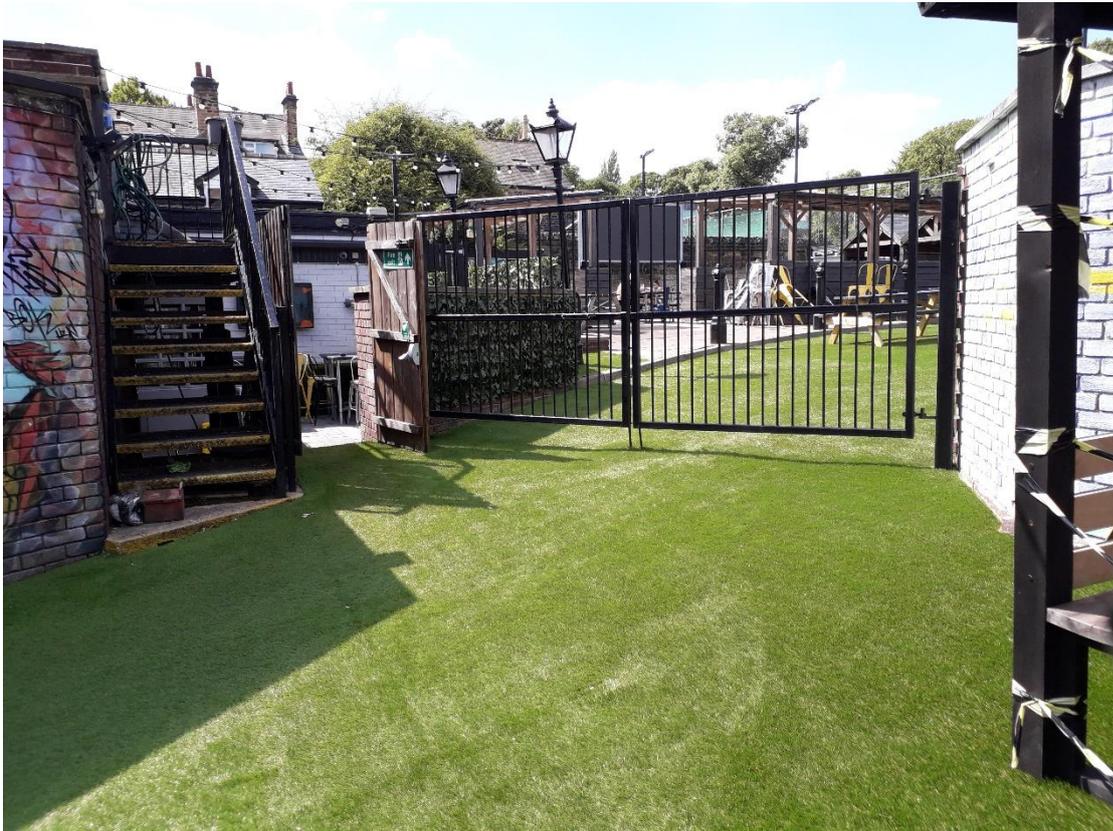


Figure 6: Part of proposed new seating area