

**SHEFFIELD CITY COUNCIL**

**Licensing Sub-Committee (Statutory)**

**Meeting held 7 February 2023**

**PRESENT:** Councillors Jayne Dunn (Chair), Denise Fox and Henry Nottage

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**1. APOLOGIES FOR ABSENCE**

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

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 **RESOLVED:** That the public and press be excluded from the meeting before discussion takes place on item 6 on the agenda (item 5 of these minutes) on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraph 7 of Schedule 12A to the Local Government Act 1972, as amended.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. MINUTES OF PREVIOUS MEETINGS**

4.1 The minutes of meetings of the Licensing Sub-Committee (Statutory) held on 6<sup>th</sup>, 12<sup>th</sup> and 26<sup>th</sup> September, 3<sup>rd</sup>, 25<sup>th</sup> and 31<sup>st</sup> October, 7<sup>th</sup>, 14<sup>th</sup> and 22<sup>nd</sup> November and 6<sup>th</sup> and 13<sup>th</sup> December, 2023, were approved as correct records.

**5. LICENSING ACT 2003 - OLIVE GROVE SPORTS CLUB, HEELEY BANK ROAD, SHEFFIELD, S2 3GE**

5.1 The Chief Licensing Officer submitted a report to consider an application made by South Yorkshire Police, under Section 51 of the Licensing Act 2003, for a review of a Club Premises Certificate in respect of Olive Grove Sports Club, Heeley Bank Road, Sheffield S2 3GE (Ref. No. 11/23).

5.2 Present at the meeting were James Ketteringham and Catherine Jarvis (South Yorkshire Police, Applicants), Chris Grunert (John Gaunt, Solicitors, for the premises), Kerry Naylor (Designated Premises Supervisor) and Peter Sutton (Secretary/Treasurer) (Olive Grove Sports Club), Maureen Hannify (Sheffield Children Safeguarding Partnership), Shimla Finch (Licensing Policy and Strategy

Officer), Carol Curtin (Legal Adviser to the Sub-Committee) and John Turner (Democratic Services).

- 5.3 Carol Curtin outlined the procedure to be followed during the hearing.
- 5.4 Shimla Finch presented the report, and it was noted that representations had been received from five members of the public, in support of the premises, and from the Sheffield Children Safeguarding Partnership, in support of the application, and were attached at Appendix "D" to the report. Ms Finch stated that, following the outcome of the summary review of the premises licence, the Club had proposed a number of conditions which they were offering to add to the Certificate if the Sub-Committee was minded to allow the Club to retain their Club Premises Certificate.
- 5.5 Catherine Jarvis referred to the review hearing on 9th January 2023, stating that, in the light of the Sub-Committee's decision on that day, and consequent discussions with the premises' solicitor immediately prior to the hearing regarding a number of conditions the police wished to be added to the Certificate, South Yorkshire Police no longer wished to review the Club Premises Certificate, subject to the agreement of the conditions.
- 5.6 Maureen Hannify made representations on behalf of the Sheffield Children Safeguarding Partnership (SCSP), indicating that whilst the Partnership had not made representations as part of the review of the premises licence, she shared the police's original concerns following the incident at the premises on 4th December 2022. Ms Hannify considered that additional safeguarding measures needed to be put in place at times when persons under the age of 18 were present at the premises to ensure the premises provided a family friendly environment. Ms Hannify also requested that the premises' management attend the safeguarding training sessions arranged by the Partnership.
- 5.7 In response to a question raised by Councillor Henry Nottage, Ms Hannify stated that she considered that the conditions now proposed would help the premises to meet the licensing objectives.
- 5.8 Chris Grunert, for the premises, referred to the conditions set out in the document which he had submitted, and which had been circulated to all parties prior to the hearing, and on which further discussions had been held between himself and the police immediately prior to the hearing. Mr Grunert read through all the conditions, indicating which had been agreed, and which had been agreed, with amendments, by himself and the police.
- 5.9 Shimla Finch presented the options available to the Sub-Committee.
- 5.10 **RESOLVED:** That the attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.

- 5.11 Carol Curtin reported orally, giving legal advice on various aspects of the application.
- 5.12 At this stage in the proceedings, the meeting was re-opened to the attendees.
- 5.13 RESOLVED: That in the light of the information contained in the report now submitted, the further information circulated prior to the hearing, the representations now made and the responses to the questions raised, regarding the Club Premises Certificate in respect of the premises known as Olive Grove Sports Club, Heeley Bank Road, Sheffield, S2 3GE (Ref. No. 11/23), the Sub-Committee agrees to modify the conditions of the Club Premises Certificate, as agreed between all parties at the hearing, as follows:-
- (a) CP1. The use of door staff will be risk assessed on an ongoing basis by a committee member or member of bar management. Where engaged, door staff shall be licensed by the Security Industry Authority.
  - (b) CP2. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any time the premises. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
  - (c) CP3. New members of staff who will be authorised to supply alcohol shall complete a suitable induction training (which is to cover dispute resolution and escalation) programme within two months of commencing their employment. Prior to completing their training, such members of staff shall be suitably supervised by trained members of staff.
  - (d) CP4. Staff authorised to sell alcohol will receive training regarding vulnerability awareness. The premises will implement and provide staff training for an 'Ask for Angela' scheme.
  - (e) CP5. Staff authorised to sell alcohol will receive suitable training in crime scene preservation.
  - (f) CP6. Staff authorised to supply alcohol shall complete a suitable refresher training once per calendar year, commencing the year after the date of their employment.
  - (g) CP7. A written record of the staff training outlined in conditions CP3, CP4, CP5, and CP6 shall be maintained and shall be made available to the Police and/or Licensing Authority upon request.
  - (h) CP8. There shall be a zero-tolerance policy in relation to drugs at the premises, and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
  - (i) CP9. A Challenge 25 policy shall be in operation at the premises, and staff will be suitably trained to implement this policy.

- (j) CP10. A refusals book (or equivalent) will be maintained and audited by management.
- (k) CP11. All staff shall have written authorisation from a committee member or member of bar management to permit them to sell alcohol.
- (l) CP12. An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The log will be inspected and signed off by a committee member (or member of bar management) at least once a week. The log book should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as being one which involves violence, threats of violence (“violence” includes sexual violence and sexual harassment), disorder, ejections or when staff require parties to separate and harassment. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. Any refusals made for alcohol service e.g. underage, will also be recorded (either in electronic or written form) and feedback given to staff as relevant. The log will be kept at the premises for a minimum of twenty-four (24) months.
- (m) CP13. CCTV to be installed with recording facilities, such recordings shall be retained for a period of 28 days (except where such retention cannot be achieved due to reasonable periods of maintenance or repair). Footage made available with a reasonable time upon request by the police in accordance with data protection principles. The system shall accord with the requirements specified by South Yorkshire Police in their specification document ‘CCTV Systems within Licensed Premises Updated July 2019’. The CCTV system shall cover all external areas surrounding the premises, and all images from the system, both internal and external, shall be instantly recoverable.
- (n) CP14. Toughened glasses or other alternative drinking vessels will be used in the premises where appropriate.
- (o) CP15. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises. Where appropriate the licensee or a suitable staff member will monitor patrons leaving at closing time.
- (p) CP16. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
- (q) CP17. On evenings when regulated entertainment in the form of live and/or recorded music (‘events’) is provided at the premises, the management will implement a proactive scheme of noise monitoring. A written noise management policy shall be prepared and made available for inspection at the premises. The Policy shall include a pro-forma

observation form ('observation sheet') which will be completed by staff during events. The aim of the policy will be to prevent a noise nuisance arising and ensure that the nearest noise sensitive premises are not adversely impacted by the regulated activities of the premises.

- (r) CP18. The observations sheets shall be retained for a minimum of 2 months from the date of the event.
- (s) CP19. There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
- (t) CP20. Children under the age of 16 shall not be permitted to remain on the premises after 22.00 hours unless dining with an adult or attending a pre-booked function under suitable adult supervision.
- (u) CP21. A committee member or member of bar management shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
- (v) CP22. Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.
- (w) CP23. A booking form must be used for all events. The form must set out the booking conditions for the customer and include the signature and printed name of the venue manager authorising the booking. The form must also include the name, contact details and signature of the customer who is responsible for making the booking. Such records will be retained for 6 months and made available for inspection of the authorities.
- (x) CP24. Persons under the age of 18 years are not permitted to make bookings. Age/identity checks will be undertaken at the time of booking, and a written record of these will be made.
- (y) CP25. All doors and windows shall be closed, save for access and egress of the general public and/ or than in case of emergency, when amplified sound or live music is present in the premises.
- (z) CP26. No speakers shall be fixed externally nor directed to broadcast sound outside the building at any time, save for public address purposes in connection with organised sporting activity taking place in external areas.
- (aa) CP27. A committee member or member of bar management or authorised member of staff must take a proactive approach to noise control, checking outside the premises to ensure that noise is kept to a reasonable level from patrons using the external area(s) and access and egress.
- (bb) CP28. A committee member or member of bar management or authorised member of staff shall prominently display A5 notices on all exits reminding

patrons to leave the premises in a quiet and orderly fashion to respect the local neighbour's needs.

- (cc) CP29. If deemed reasonably necessary by Sheffield EPS, upon receipt of written notification of not less than 28 days from Sheffield EPS, resulting from noise complaints to that service, the premises shall install a noise limiter to control noise breakout from the premises. Amplified sound shall then only be played within the building through an in-house amplified sound system fitted with a sound limiting facility capable of limiting the sound level output of the system to a pre-set level which may then be secured in a tamper-resistant manner, the design and settings of which shall have received the prior written approval of the Environmental Protection Service. The limiter shall impose such limits on amplified sound or live played within the building to ensure noise breakout does not exceed the prevailing ambient noise level by more than 2dB when measured at 1m from the facade of the nearest noise sensitive property;
  - a. as a 15 minute LAeq, and;
  - b. at any one third octave band centre frequency as a 15-minute LZeq.
- (dd) CP30. Managers must make a valid contact number for the club available to all local residents to mitigate any issues that may occur with the premises.
- (ee) CP31. Vehicular access to the front of the building will be prohibited after 21:00 hours whenever a ticketed event is held at the site, save for disability access.
- (ff) CP32. Whenever a ticketed event is held at the venue, which includes 60 or more guests of members, and which concludes after 21:00 hours and at which alcohol is supplied or sold, a minimum of 2 SIA door supervisors will be employed from the scheduled start time of the event until 30 minutes after the scheduled end time, or until all guests have dispersed from the grounds of the premises.
- (gg) CP33. Whenever ticketed event, which includes 60 or more guests of members, is held at the venue which concludes after 22:00 hours and at which alcohol is supplied or sold, metal detecting wands shall be utilised by door supervisors. Door supervisors will carry out searches on a risk-assessed basis.
- (hh) CP34. A current copy of the Olive Grove Club Rules shall be lodged with Sheffield City Council Licensing Service and updated within 21 days of any rule changes that may be implemented by the Club.
- (ii) CP35. There shall only be one private/ticketed event on the premises after 18:00 hours.
- (jj) CP36. When SIA registered door supervisors are on duty, the premise shall maintain a register containing the following details of all door staff engaged at the premises:

- c. Full name
  - d. Address
  - e. Date of birth
  - f. Copy of security industry licence
- (kk) CP 37. The premise shall maintain a signing in book recording the start and finish times of each person engaged in door staff duties. Both the signing in book and the door staff register shall be retained for a period of 6 months and made available for inspection.
- (ll) CP38. No later than 2nd May 2023, a written safeguarding risk assessment is undertaken at the premises for all types of trading including functions and sport events. To address issues of safeguarding including sufficient staffing, management oversight, and recording.

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

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