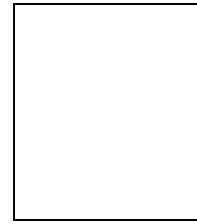




**SHEFFIELD CITY COUNCIL
Committee Report**



Report of: Chief Licensing Officer, Head of Licensing

Date: 9th April 2013

Subject: Licensing Act 2003
Summary Review of a Premises Licence: Serious Crime and Disorder

Author of Report: Claire Bower – 203 7751

Summary: To consider an application for the summary review of a premises licence made by South Yorkshire Police under Section 53A of the Act

Recommendations: That members carefully consider the representations made and take such steps, as 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 and Disorder

PREMISES: Players Lounge, 20 Yew Lane, Sheffield, S5 9AN.

1.0 PURPOSE OF REPORT

1.1 To consider an application for the summary review of a premises licence made by South Yorkshire Police under Section 53A of the Licensing Act 2003 in relation to the premises known as Players Lounge at 20 Yew Lane, Sheffield, S5 9AN.

2.0 THE APPLICATION

2.1 The application and certificate was submitted by South Yorkshire Police on 18th March 2013 and is attached to the report at Appendix 'A'.

2.2 The grounds for the summary review are, that in the opinion of a senior police officer, the premises are associated with serious crime or serious disorder or both. Further information is detailed in the application.

2.3 A copy of the current premises licence is attached at Appendix 'B'.

2.4 A meeting was held on 19th March 2013, to give consideration as to whether it was necessary to take interim steps following the application for summary review of the premises licence. A copy of the notice of determination following the meeting is attached to this report at Appendix 'C'.

2.5 The Premises Licence Holder made representation against the interim steps taken by the Licensing Committee, following which a meeting was held on 21st March 2013, to consider the representation. A copy of the notice of determination following this meeting is attached to this report at Appendix 'D'.

2.6 The Licensing Service has received representation in respect of the application from the following;

- Sheffield Safeguarding Children Board Appendix 'E'
- Local Residents (x3) Appendix 'F1', 'F2' & 'F3'

2.7 At the time of writing the report, the consultation period for comments on the summary review application was still open. Any comments received between the report being submitted and the last date for comments will be circulated to Members separately prior to the hearing.

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 within 28 days of receiving the application.
- 3.2 The Chief Officer of Police (or representative) who made the application, the Premises Licence Holder and any other person that has made representations have been invited to attend the hearing. Copies of the notices will be available at the hearing.
- 3.3 Please note paragraph 2.7 – any person submitting comments after the report has been submitted will be invited to attend the hearing and copies of the notices will be available at the hearing.

4.0 FINANCIAL IMPLICATIONS OF A SUMMARY REVIEW APPLICATION

- 4.1 There are no specific financial implications to the Council 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 2003 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 1 October 2007.
- 5.2 The procedures allow a quick process for attaching interim conditions to a licence and a fast track licence review when the police consider that the premises concerned is associated with serious crime or serious disorder (or both).
- 5.3 The Licensing Act 2003 at section 53C requires that the Licensing Authority must-
 - (a) hold a hearing to consider the application for the review and any relevant representations;
 - (b) take such steps mentioned in subsection (3) (if any) as it considers necessary for the promotion of the licensing objectives; and
 - (c) secure that, from 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 of the licence.
 - (4) For the 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 only for a specified period (not exceeding three months).
- 5.6 The Licensing Act 2003 at section 53C(11) states that:
- “A decision under this section does not have effect until –
- a) the end of the period given for appealing against the decision, or
 - b) if the decision is appealed against, the time 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 the 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 ‘G’.
- 6.3 Attached at Appendix ‘G’ is the following: -
- a) the rights of a party provided in Regulations 15 and 16;
 - b) the consequences if a party does not attend or is not represented at the hearing
 - c) the procedure to be followed at the hearing.
- 6.4 All relevant parties have been invited to attend the hearing. Copies of the notices will be available 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 The options open to the Committee are:

- a) To take no action;
- b) To modify the conditions of the licence;
- c) To exclude a licensable activity from the scope of the licence;
- d) To remove the designated premises supervisor for the licence;
- e) To suspend the licence for a period not exceeding three months; or
- f) To revoke the licence.

Stephen Lonnia
Chief Licensing Officer, Head of Licensing
Licensing Service
Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD

LIC/CB

Appendix 'A'

ANNEX C

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

Sheffield City Council Licensing Department
Staniforth Road Depot
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 Superintendent Morley [on behalf of] the chief officer of police for the South Yorkshire 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:

**Players Lounge
20 Yew Lane
Sheffield**

Post town: Sheffield

Post code (if known): **S5 9AL**

2. Premises licence details:

Name of premises licence holder (if known): Mr Keith Johnstone

Number of premises licence holder (if known): SY 0692 PR

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]

On 15th March 2013 a serious incident took place at the premises which has led South Yorkshire Police to seek an Expedited Review of the premise licence. At 22:58hrs the Police received a call from Ambulance control advising of a stabbing at the above location. They advised the injured party was a 31 year old male with a single stab wound who was conscious and bleeding. Ambulance control advised that the offender had left the premise and that he may be at a nearby flat. Officers arrived at the scene at 23:03hrs. As there is an ongoing investigation connected with this incident full details cannot be provided so a brief summary of events will be outlined below:-

An argument occurred within the premise between the injured party and three males. This argument spilled out into the car park of the premise where the injured party was stabbed multiple times. Two members of door security intervened in the incident to split up the fighting and escorted some people from the car park back into the premise. However the fighting subsequently carried on in the road outside the premise. There was no attempt made by security staff to deal with this extension of the incident.

After the incident one male was able to re-enter the premise whilst still in possession of a knife. This male went to the rear of the building to attempt to discard the weapon but was unable to due to police presence. He then went to the front of the premise to attempt to discard the weapon but again was unable to due to police presence. A subsequent search of the premise located one knife inside and two outside the premise. Tests are ongoing with regards to these weapons. Blood stained clothing was also located in a vehicle which was parked in the premise car park. Again tests are ongoing on these objects. Two males were arrested inside the premise and a third male was arrested outside. CCTV evidence is available of the above incident.

The premise was closed voluntarily after the incident in order to preserve the crime scene. Subsequent discussion took place between the DPS Kevin Johnstone and the local policing team with regards to re-opening the premise over the weekend as they had two pre-booked functions on Saturday 16th March. It was agreed that a voluntary closure would be in place until Monday 18th March – but that one of the functions booked in for Saturday 16th March could take place as long as extra precautions were put in place. These included :-

- 1) two extra door security to work for the duration of the function
- 2) the premise to be responsible for ensuring that only family members and friends attended the function – the premise was not to allow in general members of the public.
- 3) Alcohol was only to be served until 23:00hrs with the premise to be empty and closed up by 23:30hrs.

South Yorkshire Police also provided two Officers to monitor the premise and provide support should it be required. Unfortunately Officers had to enter the premise at 23:45hrs to remind Mr Johnstone for the agreement as the premise

was still open and the function was still in full swing. South Yorkshire Police find this extremely disappointing considering that, as they had understood it, they had been fair and proportionate in not issuing a formal closure notice on the premise at the time of the incident, and also subsequently allowing the premise to open to hold a pre-planned function on the basis that certain requirements would be met, which they weren't.

Prior to this incident we can confirm that the following incidents have taken place at the premises since 1st January 2013:-

- 1st January 2013 (03:56hrs) – noise complaint regarding people in the street outside the premise (although SYP agree that this may not be solely related to Players Lounge)
- 1st January 2013 (04:15hrs) – noise complaint regarding people still drinking in the street outside the premise (although SYP agree that this may not be solely related to Players Lounge)
- 12th January 2013 (00:20hrs) – Officers attended the premise due to people fighting outside the premise. A further call received advising people who had left the premise were kicking vehicles in the street as they passed. No complaints made and no injured parties located so no further police action.
- 26th January 2013 (00:33hrs) – Officers flagged down by a member of public advising that there was a large group outside Players causing noise and Anti-Social Behaviour nuisance. A further call was received advising that people from the group were throwing themselves into vehicles parked nearby the premise. Police speak to the premise who advise there are a group of people outside awaiting taxis and that there have been no issues.
- 26th January 2013 (23:11hrs) – Member of the public advises that there is a group of people outside the premise shouting and arguing and it sounds like they are going to fight, The caller advised this happens every weekend.
- 27th January 2013 (00:49hrs) – A male calls police to advise there are people fighting outside the premise. Officers attended. No fighting was taking place but there was a large group hanging around outside the premise. No injured parties or complainants so no further police action.
- 27th January 2013 (00:53hrs) – Member of the public calls police to advise that there are young people fighting outside the premise – throwing bottles and glasses. Linked to the above incident.
- 2nd February 2013 (00:45hrs) – Member of the public called police to report fighting on the decking in front of the premise. Caller advised approximately 50 people arguing and fighting. Caller described people in the road also, and lying on car bonnets. Police attend and spoke to staff at the premise who advised there had been no issues. There was no fighting on attendance however there was a large group of people outside the premise, all of whom were in drink.
- 21st February 2013 (11:56hrs) – Member of the public called to report underage drinking at the premise. Caller stated their 14 year old cousin went there the previous week and was “absolutely hammered”. Officers attend the premise later that day along with Licensing Officers and Childrens Safeguarding to express their concerns and offer further support and advice.
- 3rd March 2013 (00:41hrs) – Member of the public reports approximately 40 people outside the premise – some of them fighting. Officers attend and two people are detained.
- 3rd March 2013 (11:02hrs) – Member of the public calls police to advise that the previous evening she had had to attend at the premise to collect her 15 year old daughter who was at the premise “very drunk”. The caller advised that when she attended there were many more underage people there. She questioned the Door staff who did and said nothing. The caller advised she

was willing to provide the police with a statement should they require.

- 3rd March 2013 (13:48hrs) – member of the public called police to advise she had been at a function at the premise the previous evening and when she had walked outside she was assaulted by a female. Investigations carried out then the victim advised she did not wish to make a formal complaint so no further police action taken.

- 9th March 2013 (00:26hrs) - Ambulance control call police to advise that they have had a call from a female advising there are approximately 50-100 people fighting at the above premise with bottles being used as weapons. Police attend. On arrival there were a lot of people waiting outside the premise for taxis but there were no signs of fighting. No further police action.

Due to the above serious incident and the possibility for repercussions from this incident South Yorkshire Police are concerned that there may be potential for further serious crime and disorder to take place at the premises.

We were already considering the requirement for a s51 Review based on previous incidents at the premise and the ongoing concerns we have regarding the apparent lack of control the Premise Licence Holder and DPS have over the premise. We are also concerned about the lack of responsibility that Messrs Johnstone take regarding incidents at their premise, and the possible effects of bad management on members of the public and local residents. South Yorkshire Police, along with other agencies, have tried to engage with the Johnstones by offering support and advice, but it seems that this is never fully taken on board.

As shown above there have been a large number of calls to South Yorkshire Police – whilst not all of them have resulted in criminal action being taken, all of the incidents have required Officer time

With regards to the CCTV system it has been discussed with Kevin Johnstone several times that it is a licensing requirement for there always to be someone on the premise who is able to operate the system to provide copies of footage to Officers immediately it is required. However following several instances recently when Mr Johnstone has not been able to provide footage, and advice from a local Officer that should there be a further breach of this license condition we would look at serving a S19 Closure Notice, still there was nobody on the premise during the incident on 15th March who was able to work the system and provide the required footage to Officers immediately. At the time of the incident it was believed that the injured parties' injuries may have been life threatening and therefore we could have been dealing with a murder. Obviously immediate receipt of CCTV footage can prove invaluable in such situations, and once again the premise was unable to provide this to us. Therefore, due to the serious nature of the incident on 15th March 2013 we now request that the premises be the subject of an Expedited Review under s53a of the Licensing Act 2003 in order to prevent serious crime and disorder and public nuisance, and protect the public from harm.

Signature of applicant:



Date: 18th March 2013
Capacity: Superintendent

Contact details for matters concerning this application:

Address: **South Yorkshire Police Licensing Department, Attercliffe Police Station**

Telephone number(s): 0114 2523163

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.

ANNEX B

South Yorkshire Police
Sheffield Headquarters
Snig Hill
Sheffield
S3 8LY

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 disorder¹.

*Premises*²:
Players Lounge
20 Yew Lane
Sheffield
S5 9AN

Premises licence number (if known): SY 0692 PR

Name of premises supervisor (if known): Kevin Johnstone

I am a Police Superintendent³ in the South Yorkshire Police 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:

On 15th March 2013 a serious incident took place at the premises which has led South Yorkshire Police to seek an Expedited Review of the premise licence. At 22:58hrs the Police received a call from Ambulance control advising of a stabbing at the above location. They advised the injured party was a 31 year old male with a single stab wound who was conscious and bleeding. Ambulance control advised that the offender had left the premise and that he may be at a nearby flat. Officers arrived at the scene at 23:03hrs. As there is an ongoing investigation connected with this incident full details cannot be provided so a

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.

brief summary of events will be outlined below:-

An argument occurred within the premise between the injured party and three males. This argument spilled out into the car park of the premise where the injured party was stabbed multiple times. Two members of door security intervened in the incident to split up the fighting and escorted some people from the car park back into the premise. However the fighting subsequently carried on in the road outside the premise. There was no attempt made by security staff to deal with this extension of the incident.

After the incident one male was able to re-enter the premise whilst still in possession of a knife. This male went to the rear of the building to attempt to discard the weapon but was unable to due to police presence. He then went to the front of the premise to attempt to discard the weapon but again was unable to due to police presence. A subsequent search of the premise located one knife inside and two outside the premise. Tests are ongoing with regards to these weapons. Blood stained clothing was also located in a vehicle which was parked in the premise car park. Again tests are ongoing on these objects. Two males were arrested inside the premise and a third male was arrested outside. CCTV evidence is available of the above incident.

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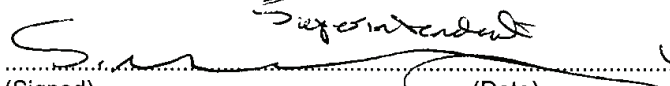
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Therefore, due to the serious nature of the incident on 15th March 2013 we now request that the premises be the subject of an Expedited Review under s53a of the Licensing Act 2003 in order to prevent serious crime and disorder and public nuisance, and protect the public from harm.

Superintendent

.....
(Signed) (Date) 18/3/13

Appendix 'B'

City Council



THE LICENSING ACT 2003

Premises Licence No: SY 0692 PR

Issue no 4

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

Players Lounge
20 Yew Lane
Sheffield
S5 9AN

Telephone Number: 0114 2466147

Where the licence is time limited, the dates:

Not applicable.

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

1. Provision of regulated entertainment:

(a) indoor sporting events

Sunday	10:00 to 23:30 hours
Monday	10:00 to 24:00 hours
Tuesday	10:00 to 24:00 hours
Wednesday	10:00 to 24:00 hours
Thursday	10:00 to 24:00 hours
Friday	10:00 to 00:30 hours the following day
Saturday	10:00 to 00:30 hours the following day

(b) live music

Indoors

Sunday	10:00 to 23:00 hours
Monday	10:00 to 23:00 hours
Tuesday	10:00 to 23:00 hours
Wednesday	10:00 to 23:00 hours
Thursday	10:00 to 23:00 hours
Friday	10:00 to 24:00 hours
Saturday	10:00 to 24:00 hours

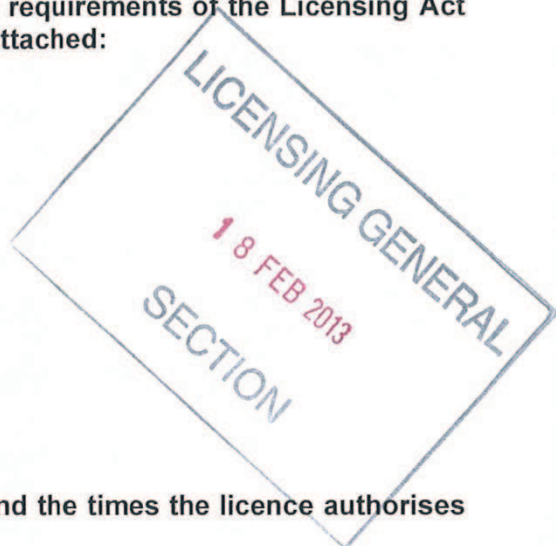
(c) recorded music

Indoors

Sunday	10:00 to 23:30 hours
Monday	10:00 to 24:00 hours
Tuesday	10:00 to 24:00 hours
Wednesday	10:00 to 24:00 hours

Application Type: LA03_App to Review Premises /Club

Unique Flare ID: 023540



Thursday	10:00 to 24:00 hours
Friday	10:00 to 00:30 hours the following day
Saturday	10:00 to 00:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:20 hours
Christmas Day (25.12)	12:00 to 15:20 and 19:00 to 22:50 hours

(d) anything of a similar description to (b) or (c) Indoors

Sunday	10:00 to 23:30 hours
Monday	10:00 to 24:00 hours
Tuesday	10:00 to 24:00 hours
Wednesday	10:00 to 24:00 hours
Thursday	10:00 to 24:00 hours
Friday	10:00 to 00:30 hours the following day
Saturday	10:00 to 00:30 hours the following day

2. Provision of entertainment facilities for:

(e) making music Indoors

(f) dancing

(g) entertainment of a similar description falling within (e) or(f)

Sunday	10:00 to 23:30 hours
Monday	10:00 to 24:00 hours
Tuesday	10:00 to 24:00 hours
Wednesday	10:00 to 24:00 hours
Thursday	10:00 to 24:00 hours
Friday	10:00 to 00:30 hours the following day
Saturday	10:00 to 00:30 hours the following day

3. Late Night Refreshment:

Indoors

Sunday	23:00 to 23:30 hours
Monday	23:00 to 24:00 hours
Tuesday	23:00 to 24:00 hours
Wednesday	23:00 to 24:00 hours
Thursday	23:00 to 24:00 hours
Friday	23:00 to 00:30 hours the following day
Saturday	23:00 to 00:30 hours the following day

4. Sale by retail of alcohol:

(a) for consumption on the premises

Sunday	11:00 to 23:00 hours
Monday	10:00 to 23:30 hours
Tuesday	10:00 to 23:30 hours
Wednesday	10:00 to 23:30 hours
Thursday	10:00 to 23:30 hours
Friday	10:00 to 24:00 hours
Saturday	10:00 to 24:00 hours

New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to standard terminal hour

The opening hours of the premises are:

Sunday	10:00 to 23:30 hours
Monday	10:00 to 24:00 hours
Tuesday	10:00 to 24:00 hours
Wednesday	10:00 to 24:00 hours
Thursday	10:00 to 24:00 hours
Friday	10:00 to 00:30 hours the following day
Saturday	10:00 to 00:30 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to standard terminal hour

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 on the premises.

PART 2

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

Mr Keith Johnstone
27 Wellington Road
Stannington
Sheffield
S6 5PE

Telephone Number: 01142466147

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

N/A

Kevin Johnstone
3 Burrowlee Park Square
Hillsborough
Sheffield
S6 2DA

Telephone Number: Unknown

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

Personal Licence Number: SY 1156 PR
Issuing Authority: Sheffield City Council

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

Restricted

This Premises Licence shall be in force from the Second Appointed Day

Issued on: 3rd November 2005



.....
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	1	Granted 16 th September 2010
Variation of DPS		
Transfer of Premises Licence		
Minor Variation	1	Granted 6 th January 2010
Amendment to Premises Licence following review	1	11 th October 2011

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**
- (b) 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).**
- (b) 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 sales of intoxicating liquor for consumption off the premises.
2. All staff and the Premises Licence Holder shall be trained in the operation of the Challenge 25 scheme and how to manage confrontation, staff training records must be maintained to the satisfaction of the Licensing Authority and made available to the officers of the Responsible Authorities and the Licensing Authority upon request.
3. A minimum of one member of staff must be assigned to act as Children's Safeguarder at the premises and this role must be fulfilled in compliance with the guidance and training issued by the Safeguarding Children's Board.
4. A colour CCTV system to the specification of South Yorkshire Police, will be fitted, maintained and in use at all times the premises are open, the CCTV images will be stored for 28 days. Police and Authorised Officers of the Council will be given access to images for the purposes in connection and detection of crime and disorder.
5. The Premises Licence Holder and all persons working at the premises shall be fully trained in the use of the CCTV system, so that images can be immediately obtained by the Police and Authorised Officers of the Council.
6. Staff will receive training on matters concerning underage sales, drugs policies, and operating procedures. Records of such training will be kept and made available for inspection by authorities upon request.
7. All doors and windows shall be closed, save for access and egress, when regulated entertainment is present in the premises.
8. The DPS or a designated member of staff must take a pro active approach to noise control, checking outside the premises to ensure that noise is kept to a reasonable level from patrons using the external area and manage noise levels internally so as not to cause a nuisance to the nearest noise sensitive property.
9. The Premises Licence Holder shall prominently display A4 notices on all exits reminding patrons to leave the premises in a quiet and orderly fashion to respect the local neighbours needs.
10. The Premises Licence Holder shall prominently display A4 notices in all external areas reminding patrons to be quiet whilst using the facilities provided and that they are in close proximity to residential accommodation.
11. No amplified sound shall be played in the premises except through an in-house amplified sound system fitted with a sound limiter and a cut off device connected to all emergency fire doors. The settings of which shall have received prior written approval of the Environmental Protection Service.
12. A recognised proof of age scheme must operate in compliance with the multi agency guidance issued by the Sheffield Safeguarding Children's Board, Trading Standards and South Yorkshire Police.

13. Children under the age of 16 years must be accompanied by an adult and supervised at all times.
14. Persons under the age of 18 years are not permitted to remain on the premises after 22:00 hours unless dining or attending a pre-booked function, event or game.

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

1. The premises shall be used as a private members club and for the purpose of providing members and bona fide guests with facilities for the playing of snooker and similar sports. The provision of live music and entertainment facilities shall be ancillary to the main use.
2. There shall not be more than 200 persons on the premises at any one time.
3. The provision of live music and similar entertainment facilities shall only be permitted for pre-booked events and shall be restricted to the new lounge as in accordance with the plan, dated 4th August 2005, revised 9th September 2010.
4. A permanent fixed residual current device (RCD) must protect the electrical power serving all amplified music equipment used for the purposes of live music.

Conditions attached after a hearing by the licensing authority 6th September 2011.

1. The DPS must become a member of Sheffield Licence Watch and attend regularly.
2. The Premises must display relevant posters and information relating to the supply of alcohol to underage customers in positions that are both visible inside and outside the premises and at the point of sale.
3. Training concerning 'Challenge 25', underage sales, drugs policies and operating procedures shall be provided to all new members of staff. Existing members of staff shall receive annual refresher training. Records of all training shall be retained at the site and made available for inspection upon request of any Responsible Authority or the Licensing Authority.
4. The external decking area may be utilised by customers between 09:00 hours and 22:00 hours only.
5. Save for access and egress, only customers wishing to smoke shall be permitted to stand on the external decking area after 22:00 hours. Those customers wishing to smoke must not be permitted to drink in external areas while smoking after 22:00 hours.
6. The premises management must conduct a risk assessment in respect of all pre booked functions considering the employment of door supervisors and the use of non glass drinking vessels and maintain a written record of such risk assessments.
7. A registered SIA door supervisor must be employed at the premises from 21:00 hours until 30 minutes after the terminal hour whenever pre booked functions take place at the premises and also after 21:00 hours where numbers exceed 100 on a Friday or Saturday evening. The door supervisor must monitor all external areas to ensure noise from the premises and customers does not become excessive and to encourage customers to disperse quietly.

8. One hour before the conclusion of any pre booked function the premises management will ensure an announcement is broadcast within the premises that the event will be finishing in the next hour and customers requiring taxi transport should arrange their taxi.
9. A member of staff at the premises must carry out a check for litter and broken glass in the immediate area adjacent to the premises each evening after the premises has closed and clear up/remove any such broken glass.
10. A person who has successfully completed the Safe Guarding Children course must be on the premises at all times that under 18's are present.

**Notice of determination under Section 53B of consideration
whether it is necessary to take interim steps.**

South Yorkshire Police

The Sheffield City Council, being the licensing authority, on the 18th March 2013 received an application for a Summary Review of a Premises Licence from South Yorkshire Police in respect of premises known as "Players Lounge" 20 Yew Lane, Sheffield, S5 9AN.

The Licensing Sub-Committee considered the written representations of the South Yorkshire Police in an application served by Superintendent Shaun Morley, of the South Yorkshire Police in Sheffield, for a Summary Review of the Premises Licence, under Section 53A of the Licensing Act 2003, in respect of the above named premises, on the grounds that the premises had recently been associated with serious crime and disorder.

The Licensing Sub-Committee decided to **IMPOSE** Interim Steps pending the decision at the full Review hearing, as follows:

Premises Licence Suspension

The Premises Licence in respect of "Players Lounge" 20 Yew Lane, Sheffield, S5 9AN shall be suspended with immediate effect from the 19th March 2013 until the full Review hearing of the Premises Licence.

The Licensing Sub-Committee read the representations from Superintendent Morley, on behalf of the South Yorkshire Police, in support of the application. The Licensing Sub-Committee asked for clarification on the Summary Review process which was provided by the Legal adviser to the Sub-Committee who explained that a Summary Review allowed the Police to fast track a review of a Premises Licence, where they considered that such Premises was associated with serious crime or serious disorder (or both), and the Licensing Authority is to respond within 48 hours of receipt of a Summary Review Application and consider under section 53B of the Licensing Act 2003 whether it was appropriate to take interim steps quickly pending the determination of a review of the premises licence, the Legal Adviser further advised as to the decision making process, that needed to be appropriate and proportionate. The Licensing Officer advised the Licensing Sub-Committee of the interim steps that the Licensing Authority could consider taking, namely:

- modification of the current conditions of the Premise Licence;
- exclusion of the sale of alcohol from the current permissions of the Premise Licence;
- removal of the Designated Premises Supervisor (DPS) from the Licence; or
- suspension of the Licence.

In the written representations, Superintendent Morley, on behalf of the South Yorkshire Police, indicated that the South Yorkshire Police had serious concerns as regards the overall management structure of the Premises and the failure to promote the licensing objectives in respect of the Prevention of Crime and Disorder, despite working with the Premises Licence holder.

REASONS:

An Interim Decision was made for the following reasons:

1. There was a serious incident at the premises on the 15th March 2013 at or around 22:58 hours. An argument within the premises spilled out into the car park of the premises, two members of door security intervened in the incident to split up the fighting and escorted some people from the premises car park back into the premises. The fighting subsequently carried on in the road outside the premises. A 31 year old man sustained a stab wound. After the incident one male was able to re-enter the premises whilst still in possession of a knife. Following the incident, the premises agreed that a voluntary closure would be in place until the 18th March 2013, however one booked function could take place provided extra precautions were in place, including:
 - (i) Additional security to be employed for the duration of the function;
 - (ii) The premises to be responsible for ensuring only family members and friends to be in attendance at the function (the premises was not to permit entry to general members of the public);
 - (iii) Alcohol to be served only until 23:00 hours, closing by 23:30 hours.

Notwithstanding South Yorkshire Police providing 2 Officers to monitor and support the premises, the Officers were required to enter the premises at 23:45 hours wherein the premises was still open and the function ongoing.

The Licensing Sub-Committee accepted that the premises had recently been associated with serious crime and disorder.

2. The Licensing Sub-Committee were concerned that the potential for further incidents in the short term were possible.

3. The Licensing Sub-Committee were concerned in respect of the ability of the premises to take immediate steps, with the assistance of the Police, to address enhanced licensing, operational or management issues at the premises and to protect the community and its customers and local families.

The Licensing Sub-Committee had regard to the Licensing Act 2003, its Regulations, the new Home Office Guidance, the Council's Statement of Licensing Policy, and parameters provided by relevant case law (more specifically the case of *Daniel Thwaites Plc v Wirral Borough Magistrates' Court 2008*), whilst considering the application based on the licensing objectives. The Licensing Sub-Committee felt that there was sufficient evidence within the Summary Review Application. This decision took effect immediately and amounts to immediate notice of this decision and the reasons for making it.

Representations of Premises Licence holder

If the holder of the Premises licence makes, and does not withdraw, representations against any interim steps taken by the Licensing Sub-Committee, the Licensing Authority must, within 48 hours of receipt of the representations, hold a hearing to consider those representations, with notice to be provided to the Police, so they can also attend before the Licensing Sub-Committee. Such a

hearing must consider whether the interim steps are necessary for the promotion of the licensing objectives and determine whether to withdraw or modify the interim steps taken. Any correspondence arising from this matter should be sent to The Licensing Service, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD or emailed to general.licensing@sheffield.gov.uk.

IMPORTANT NOTE:

- 1. The above decision takes effect as from 19th March 2013.**
- 2. The premises licence holder may make representations against the imposition of the interim step, any such representations must be made during the period specified under Section 53A(3)(e) and prescribed by Regulation 39A(2).**



Dated: 19th March 2013

Signed: Chief Licensing Officer, Head of Licensing

Notice of determination under Section 53B of representation against interim steps

South Yorkshire Police

Representations relating to the Interim Steps decided by the Licensing Sub-Committee in respect of the Summary Review of the Premises Licence of "Players Lounge" 20 Yew Lane, Sheffield, S5 9AN

The Licensing Sub-Committee considered representations of the Premises Licence Holder and the South Yorkshire Police relating to the interim steps decided by the Licensing Sub-Committee on 19th March 2013 in respect of the Summary Review of the Premises Licence of "Players Lounge" 20 Yew Lane, Sheffield, S5 9AN.

Inspector Leek addressed the Sub-Committee on behalf of the South Yorkshire Police referring to the serious incident on the 15th March 2013 giving rise to the application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder). Inspector Leek told the Sub-Committee that he had viewed the incident of the 15th March 2013 via CCTV footage on 20th March 2013. He explained that the footage viewed revealed a significant number of individuals hardly able to stand up, who were unchecked. He said that notwithstanding the victim of the incident presented staggeringly drunk, he was still served. He continued that at the point the victim was asked to leave, he was at the door with a full pint. The CCTV footage revealed an apparent verbal altercation until a punch was thrown by one offender, there was no reaction in terms of security/supervisors, indeed the victim was pushed outside. The victim subsequently sustained multiple horrific injuries caused by the use of a weapon. Inspector Leek continued that notwithstanding some intervention by door supervision staff 3 persons involved in the altercation were allowed back into the premises, a knife was later found in the premises. In line with the cooperation of the Licence Holder and appropriate notification with the Superintendent the incident resulted in voluntary closure of the Premises. Inspector Leek confirmed that whilst police were able to view CCTV within the Premises, they were unable to retrieve the footage pursuant to the Premise Licence conditions.

Mr Hyldon, solicitor for the Licence Holder, addressed the Sub-Committee, he apologised for his client coming before the Committee. He stated that before the incident of serious disorder giving rise to the interim step the premises had been subject to Review in 2011 saying that the review was around matters of public nuisance not crime and disorder, he said that as a result of the review a further ten conditions were added to his client's licence. He referred to paragraph 21 of the Premises Licence Holder Representation in so far as his client thought he was doing everything possible to effect the smooth operation of the premises. He referred to paragraph 18 of the Representation referring to sums expended and produced photographs in this regard. He referred to the variation application in respect of the premises and the multi-agency approach involved in that process. He said that due to the comments of Police Officer Gallery his client had applied for an extension of one hour, he advised that this additional hour was to be abandoned after the incident on the 15th March 2013. He referred to paragraph 20 stating that the Premises Licence Holder had complied with the condition and at no time had he been advised differently. He referred to a troublesome element in attendance at the premises following the closure of neighbouring venues. He referred to paragraph 25 of the Representation and agreed that an argument had occurred within the premises between the injured party and three males. He further stated that the 2 members of door staff had reacted

immediately. He said that the security staff had carried out their job, the incident carried out in the road well outside the allotted line of the premises. He referred to the immediate action of his client to try to engage alternative security, producing an email in this regard. He submitted that the actions taken reflected strong management. He said that going forward a weapons wand could be used to address concerns. He noted referring to paragraph 27 the voluntary closure amounted to a responsible operator.

He added that the function on the 16th March had ended at 23:30, people had remained in the premises as it was raining and in the interests of safety.

It was confirmed to the Sub –Committee that circa 120 people had been barred from the premises since December 2012, in this regard it was confirmed that CCTV footage was reviewed in advance of a decision to exclude customers.

It was confirmed to the Sub Committee that the serious incident had occurred on or around 22:45 and that the Police were made aware by the Ambulance service not from the premises.

The Police asked the Sub Committee to keep the Premise closed until review.

In summing up Mr Hyldon, on behalf of the Premises Licence Holder, asked that the suspension be removed submitting that the suggested condition at paragraph 35 should prevent reoccurrence.

Members of the Licensing Sub-Committee received representations against interim steps taken by the Sub-Committee following an application by the South Yorkshire Police under section 53A of the Licensing Act 2003 for a review of the Premises Licence granted to Mr Keith Johnstone in respect of the premises known as “Players Lounge” 20 Yew Lane, Sheffield, S5 9AN. Members were required to decide under section 53B of the Act whether the interim steps were necessary for the promotion of the licensing objectives and whether they should be withdrawn or modified pending a full review of the licence. In reaching a decision considered:

- The application made by the Police
- The certificate in support of that application stating that the premises are associated with serious crime and serious disorder
- The representations from the Police
- The representations from the licence holder including the offering of certain conditions
- The Council’s Statement of Licensing Policy
- The Statutory Guidance of the Secretary of State and the non-statutory guidance on expedited/summary licence reviews
- The parameters provided by relevant case law (more specifically the case of *Daniel Thwaites Plc v Wirral Borough Magistrates’ Court 2008*).

After taking into account the licensing objectives and all relevant considerations the Sub-Committee decided that the interim step previously taken by the Sub-Committee to suspend the licence pending the full review is still appropriate,

The Premises Licence in respect of “Players Lounge” 20 Yew Lane, Sheffield, S5 9AN shall remain suspended with immediate effect from the 19th March 2013 until the full Review hearing of the Premises Licence.

Reasons:

1. The Licensing Sub-Committee accepted that the Premises had recently been associated with a serious crime and disorder.
2. The Licensing Sub-Committee were concerned that the potential for further incidents in the short term were possible.
3. The Licensing Sub-Committee were concerned in respect of the ability of the Premises to take immediate steps, with the assistance of the Police, to address enhanced licensing, operational or management issues at the premises and to protect the community and its customers and local families.

The only interim step that the Sub-Committee can therefore take is suspension of the Licence.

There is no right of appeal against this decision and there will be a full hearing of the review after the consultation period. You will be informed of the date in due course.

Supporting documents:

- Report of the Chief Licensing Officer dated 19th March 2013
- Appendix A Premises Licence No: SY 0692PR
- Appendix B Form for applying for a Summary Licence Review
- Annex B Certificate under Section 53A(1)(b) of The Licensing Act 2003
- Decision on Review dated 19 March 2013
- Premises Licence Holder's Representation
- Submissions on behalf of the Licence Holder:
 - (i) 11 No Photographs
 - (ii) Premises Ground floor plan (drawing no 004a revision 'a' January 2013
 - (iii) email dated 18 March 2013



Dated 21st March 2013

Signed: _____
Chief Licensing Officer, Head of Licensing.

Please address any communications to:

Licensing General Section, Place Portfolio, Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD

Or email: general.licensing@sheffield.gov.uk

Appendix 'E'



Address correspondence to:

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

24th March 2013

The Licensing Authority
Town Hall
Surrey Street
Sheffield

Dear Sirs

APPLICATION FOR AN EXPEDITED REVIEW OF THE PREMISES LICENCE: PLAYERS LOUNGE, 20 YEW LANE, SHEFFIELD S5 9AN

The Safeguarding Children Board is in receipt of the above documentation and is writing to make a representation regarding this matter, as the Responsible Authority for the protection of children from harm under the Licensing Act 2003. The reason for the representation is that safeguarding concerns have been identified in relation to the style and character of the premises and the way the premises has been managed, which has failed to provide a suitable, family friendly environment.

The Safeguarding Children Board has been repeatedly involved with the premises management since 2010 due to on-going safeguarding concerns at the premises. Complaints have been received regarding underage drinking and anti social behaviour at the premises. In February this year, I attended a meeting with the premises management to investigate further complaints regarding underage drinking and young people accessing the premises unaccompanied, via the 'membership scheme'. During this time the Safeguarding Children Board has tried to work in partnership with the premises management to improve the environment to make it safer and family friendly. I can confirm that a number of staff at the premises, including the Designated Premises Supervisor Mr Kevin Johnstone, have attended the multi agency safeguarding training; this means that the DPS and staff are aware of what is expected in terms of competent risk management for the protection of children from harm. Despite having been trained and repeatedly advised, safeguarding issues have continued to be raised at the premises.

I note from the evidence submitted by South Yorkshire Police that in the face of security staff, fights, assaults and incidents of disorder take place and have escalated. I am concerned that on 15th March 2013, a stabbing took place and a weapon was found inside the venue, with a further two weapons

having been found in proximity to the premises and security staff did not the fight as it moved to the road outside. This demonstrates that there is an escalating risk that children and young people either socialising at the premises or who are in proximity to it, may suffer physical or psychological harm.

Since 2010 the premises management has received on-going intervention, support and training, but disappointingly has still failed to achieve a culture change at the premises.

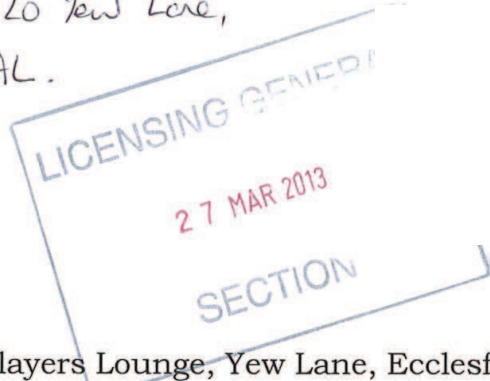
I am aware that an application to vary the premises licence has recently been submitted, to address the fact that the premises while being regulated in the style of a snooker membership club has in fact been operating as a public bar/function suite. This means that currently, children have liberal access in that they are permitted to remain at the premises until 10pm or after if attending parties/functions, dining, or attending a game or event. I am also concerned that currently young people aged 16 to 18 may access the venue unaccompanied. If robust measures are not enforced to address crime and disorder, children will continue to be exposed to risk of harm.

The evidence demonstrates that the environment at the premises is becoming increasingly unsuitable and hostile for children and young people; the premises is known to attract high numbers of young people who socialise in the bar, attend parties and attend sports coaching sessions. In light of the changed style and character of the operation it is imperative that stringent safeguarding measures are in place and enforced, to regulate the environment if children and young people are to continue to have access. I would therefore ask the Licensing Sub Committee to take positive action regarding this premises licence for the protection of children from harm.

Yours sincerely

JULIE HAGUE
Licensing Project Manager
Sheffield Safeguarding Children Board

Re-Review of licence
The Players Lounge, 20 Yew Lane,
Sheffield S5 9AL.



26/3/13

Dear Sirs,

Re The Players Lounge, Yew Lane, Ecclesfield, Sheffield.

I have lived at my home address, which is approximately 100 yards away from this club, for over 25 years.

During these years, that is until it became The Players Lounge, there seems to have been little or no problem to myself, the neighbours, or Ecclesfield.

Once it became The Players Lounge, with Johnston running it, there has been nothing but problems.

The club has been allowed to open till late on a Friday and Saturday nights and is thought of as a 'night club' by both residents of Ecclesfield, and the people who visit the club on its 'late nights', most of whom are obviously not from the local area. I can say this, as when the premises has 'turned out', a large group of people gather on Yew Lane awaiting numerous taxi's to collect them.

Johnson cannot fail to be aware of the problems the club causes, with the Police having to attend almost all Friday/Saturday nights – blue lights and sirens in operation, and I know from newspaper reports which are still online (The Sheffield Star, Sept 2011) that the problems were put to him by Police and that his answer was not to put things right, but to abuse Police. This resulted in the loss of his licence for a few days with the threat of more serious action, if he failed to take appropriate action to ensure the club was run correctly. I'm sure told the licensing committee exactly what he thought they wanted to hear, as he was given his licence back.

2

He failed to alter anything and things have gone from bad to worse, until earlier this month when the normal trouble we all have to put up with turned into a serious stabbing, resulting in the temporary loss of licence, and closure of the club.

I have spoken to his father, who appears to help with the running of the club, at length, following a complaint to Police over damage to one of my cars caused by youths exiting the club, fighting drunk, and one youth throwing another onto the bonnet of the car.

Talking to his father was a waste of my time and breath. He stated that they have a sign up which asked customers to be quiet when leaving the club, and the sign being placed ended their responsibilities. I pointed out the 'club' had a duty of care to the residents, and that the 'club' should do all it could to keep their neighbours happy and avoid complaints. He told me that once customers were out of their door, they were no longer anything to do with the 'club'. I also put it to him that they were clearly allowing people, young males, but some females as well, to drink far too much alcohol, and many people were coming out of the club absolutely drunk, and that by law they should refuse to serve someone who was drunk, with more alcohol. He stated that they sold as much alcohol as possible, as more sales meant more profit!

I understand that anyone in business needs to make a profit, but this club is doing it at the expense of all its neighbours, the people of Ecclesfield, and even the customers themselves, some of whom must suffer (possibly long term) the effects of drinking large amounts of alcohol. There must also be a cost to the N.H.S., treating people injured during the numerous drunken fights outside the club. Also it is at the cost of Police time with the amount of man-hours the Police spend responding to incidents at the club. (And the tax payer who pays toward the N.H.S./Police).

I have had both my cars damaged recently by drunken youths fighting after coming out of the club in the early hours. One had its bonnet damaged as mentioned above, the other, in January 2013, had its wing mirror broken off. I have also had my garden fence (yet to be repaired) damaged twice.

I see these incidents occur, but am so in fear of my health and safety, that I dare not go out and challenge the offenders myself or make a citizen's arrest, and have to rely on the Police attending. Even if the Police arrive within a couple of minutes, the offenders have done their damage and are either gone or merge back into the crowd. When the car bonnet was damaged, I know that Police viewed CCTV at the club and on Yew Lane, and were unable to identify anyone from it, so whilst there is CCTV, it is limited in what it can do, and does not stop drunks fighting, causing damage or even stabbings!

This last week has been wonderful, with the club closed. Just like the 'old' days! There has been no screaming, shouting, swearing, damage, fighting, abuse, vomiting and urinating in the street, no fear, no traffic problems, no constant slamming of car doors, no cars driving on the footways, no cars parking on paths or grass verges, no having to stop up till 2 a.m. due to noise and fear of damage, no litter, no glass broken in the road, etc.. etc.. etc..

I hear of neighbours with small children, who are woken by all the noise, fighting and Police attending every weekend. Also talking of small children, every weekend women with babes in arms or kiddies in prams can be seen leaving the club and standing around waiting for taxi's till 1 a.m. or so. I have also seen women with babes in arms get involved in fights!

If you allow Johnson to have his licence back, I am sure we will be in for more of the same. He may well tell you the things he thinks you want to hear, but he has done this before, and up

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until March 2013, gotten away with it. He has shown he is not fit to hold a licence to run this club and serve alcohol.

If the licence is restored then serious restrictions need to be put in place please. I think one thing that would help the locals the most would be to restrict opening hours, the club having to close at 11 p.m. This should stop many offences occurring, and make the life of its neighbours more comfortable, as the drunks coming from the club, may not be as drunk!

The main points of a licence being granted are the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children.

This club and Johnston fail on every point. Please don't let him pull the wool over your eyes, when and if he asks for his licence back.

I suspect only a handful of residents may contact you about this club, but I can assure you that there are many more who would like to object, but feel it's a waste of time, as nothing will change.

If you did want to get a true picture of how all the residents felt about this club, say those in a quarter mile or so radius, then could you not commission a survey before making a decision which could have such a big impact on the future of Ecclesfield and its residents?

Yours sincerely,

LICENSING AUTHORITY
 HEAD OF DEVELOPMENT SERVICES
 SHELLEYS CITY COUNCIL

22nd March 2013.

664

LICENSING

25 MAR 2

SECTION

To Whom It May Concern,

Whilst passing the Players Lounge
 New Lane Ecclefield yesterday 21st March 2013.

I noticed someone putting up notices, I stopped
 and read the 2 Notices, one was for an extension
 of the premises and one for the extension of the
 licensing hours.

One notice was dated 8th February 2013,
 it read that anyone could make written representation
 anytime up to the 12th March, how in hell could
 anyone make written representation before 12th March
 if the notice wasn't displayed by the owners of the
 Players Lounge until the 21st March?

The second notice dated 25th February 2013,
 anyone can make a complaint within 21 days after
 the 25th February, 21 days after the 25th is Sunday
 17th March, again if this is not displayed by the
 owners until 21st March how can anyone make a
 complaint in time?

I am also informed that all the extensions
 that have been applied for have already been
 carried out, how can this be if planning consent
 hasn't yet been granted, or is this already cut dried
 before anyone has had the chance to object, there
 seems to be some very serious issues here

As you will see from the address my wife & I live on Penneville Crescent which is a short distance from the Players lounge, on Friday & Saturday nights in particular the front of our house is used as a car park by people visiting the Players lounge, we are woken after in the early hours of the morning by shouting, swearing, car doors slamming shut & engines being revved up.

My wife is a light sleeper & has difficulty in getting back to sleep again. therefore affecting her health.

on a couple of occasions I have ventured outside to ask these noise makers if they would try & leave quietly, then I get swore at, abused & threatened with violence, my wife & I are both in our 70s & at our age we don't need these problems just for the sake of someone making more profit whilst others suffer.

You must be aware of the record the Players lounge has. i.e regular fights, noise, drug dealing, damage to peoples property & a recent stating, "how can you even consider extending the licensing hours or extension to the property in view of all the trouble, what you should be considering is closing the place down."

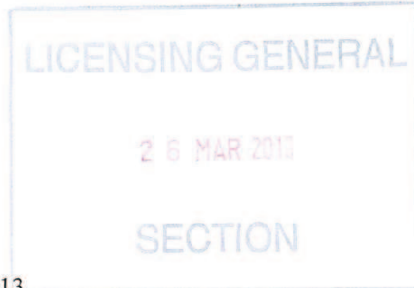
Are you also aware that a large number of elderly residents live in close proximity to the Players lounge, have you considered these peoples concerns?, or does Sheffield Council have a no care attitude towards the elderly.

Not only do private residents have to suffer the noise & abuse associated with the Players lounge, the reputation of this drinking den will reduce the value of our homes.

So if you do grant what the owners of the Players lounge are asking for, myself & a number of other residents in the area will be seeking a reduction in our council tax payment and we could also run a media campaign to highlight the problems we are encountering because of the Players lounge.

Yours sincerely

AT PRESENT, I DO NOT WANT MY DETAILS TO BE GIVEN TO ANYONE OTHER THAN THE PEOPLE ADDRESSED TO IN THIS LETTER.



22nd March 2013

Licensing Section
Sheffield County Council
Block 'C' Staniforth Road Depot
Staniforth Rd
Sheffield
S9 3HD

Dear Sir/Madam

Re: Licensing Objection to The Players Lounge, 20 Yew Lane, Sheffield.

The Players Lounge started out as a Snooker Club known as The 147 Snooker club. During this time there were no problems whatsoever. Over the years it has become a nightmare. It is more like a nightclub with the late night drinking, outside smoking, music, and fighting.

This is or was a very quiet village and I would like to point out that the Players Lounge is situated right in the middle of a residential area – family houses, sheltered accommodation flats for the elderly and a nursery for the under fives.

The residents have to tolerate not only the noise from the people using the club, and on leaving to go home. The taxis peeping their hooters late at night when arriving to collect their fares but from the youngsters who gate crash parties which are being held there. This results in arguments and then the obvious to fighting. The police are called out regularly to attend trouble which has broken out which then spills out onto the public highway. The most recent resulted into a young male getting stabbed.

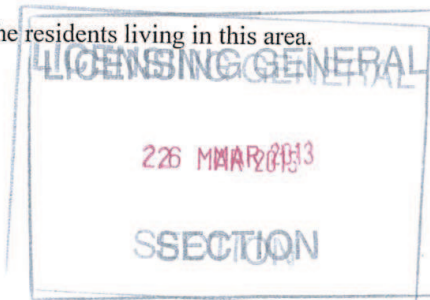
Empty beer bottles and broken glass is a regular weekend picture which can be a danger to the young children attending the nursery on a Monday morning.

The residents dread the warmer and lighter nights as this brings larger crowds to this small area and the visitors tend to sit outside the Players Lounge drinking and smoking which creates more problems as we cannot have our windows open and the people with gardens suffer from the families who bring their children with them and leave them outside unsupervised and they chase all over private property.

I would ask you to visit this site to see for yourselves to judge how inappropriate the area is to accommodate such a business.

I am enclosing a petition signed by some of the residents living in this area.

Yours faithfully



O. FLETCHER
 F.B. CHANDLER
 J.A. SIMMONITE
 PICKERSGILL
 JESSY, LEE
 Maybelle Sharp
 Julie Kerry
 Brenda Culling
 ALLENDER
 JEAN TAYLOR
 DEBTHY STOCKS
 Kate Price
 Eileen Stennett
 P. Saville
 D. Burke
 A SENIOR
 M. WALKER
 Noah Booker
 THORNTON
 CHARLES WORTH
 BILL HOWE
 B SAVILLE

J.P. FLETCHER
 F.B. Chandler
 B.A. Summons
 a Pickersgill
 M. Lee
 M.S.
 M.B. Gattling
 F. Allender
 J. Taylor
 N. Walker
 K. Price
 EILEEN STENNETT
 P. Saville
 D. Burke
 H. Senior
 M. Walker
 Noah Booker
 Thornton
 Charlesworth
 Bill Howe
 B. Saville

February					March							
M	3	10	17	24	M	3	10	17	24	31		
T	4	11	18	25	T	4	11	18	25			
W	5	12	19	26	W	5	12	19	26			
T	6	13	20	27	T	6	13	20	27			
F	7	14	21	28	F	7	14	21	28			
S	1	8	15	22	S	1	8	15	22	29		
S	2	9	16	23	S	2	9	16	23	30		
Wk	5	6	7	8	9	Wk	9	10	11	12	13	14

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 –
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), if given permission by the authority, question any other party; and 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.

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

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

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