

LICENSING SUB-COMMITTEE
1st December, 2020

Present:- Councillor Ellis (in the Chair); Councillors Beaumont and Clark.

14. CONSIDERATION OF AN APPLICATION (MADE IN ACCORDANCE WITH S.17 OF THE LICENSING ACT 2003) FOR THE GRANT OF A PREMISES LICENCE FOR "20 THE PASTURES", 20 THE PASTURES, TODWICK, SHEFFIELD, S26 1JH

The Sub-Committee considered an application for the grant of a premises licence, in accordance with Section 17 of the provisions of the Licensing Act 2003, in respect of "20 The Pastures", 20 The Pastures, Todwick, Sheffield. The premises had most recently operated as a soft furnishings/carpet retailer. The applicant was seeking a licence to permit the provision of regulated entertainment (in the form of recorded music) and the retail sale of alcohol or consumption on the premises only.

In accordance with the procedure, the Licensing Manager, presented the report which set out the application seeking authority for the following licensable activities to take place at the premises:-

- Retail sale of alcohol (for consumption on the premises only) between the hours of 1200 hours and 2300 hours Monday to Sunday.

The applicant has also specified seasonal hours as follows:

– New Year's Eve until 0100 hours

- Provision of Regulated Entertainment (Recorded Music – described in the application as "soft background music") between the hours of 0900 hours and 2300 hours Monday to Sunday
- The applicant had stated that the opening times of the premises were 0900 hours to 2330 hours Monday to Sunday.

The applicant had also specified seasonal hours as follows:

New Year's Eve until 0130 hours

Following the submission of the application paperwork, representations had been received from the Council's Community Protection Unit and 3 other interested parties. In addition, South Yorkshire Police and RMBC Licensing had agreed conditions with the applicant that were intended to address any concerns that the Responsible Authorities may have had in relation to the application. 2 members of Todwick Parish Council and a

representative of the Community Protection Unit attended the meeting and presented their concerns as follows:-

- Noise and other disturbance at night
- Proximity of residential properties and the impact on local residents
- Inadequate soundproofing measures
- Road safety concerns
- Traffic flow and associated safety issues due to narrowing of streets caused by the parking of patrons
- Litter, parking and behaviour

Additional information had been provided by the applicants in the form of supporting comments for the application. The documents had been circulated in advance of the meeting.

Ms. G. Farrington-Lee and Mr. G. Astle, applicants, addressed the concerns raised by the objectors.

In conclusion, the Sub-Committee took due note of the written and oral representations made and the conditions agreed with the applicant and South Yorkshire Police and RMBC Licensing intended to address any concerns that the Responsible Authorities may have had in relation to the application.

The Sub-Committee considered the application for the variation of the Premises Licence and the representations made specifically in the light of the following Licensing objectives (as defined in the 2003 Act):-

- The prevention of crime and disorder.
- Public safety.
- The prevention of public nuisance.
- The protection of children from harm.

Resolved:- That the application for a Premises Licence, under the provisions of the Licensing Act 2003, in respect of “20 The Pastures”, 20 The Pastures, Todwick, Sheffield, be granted as follows:-

Opening Times

Monday-Sunday: 09:00 hours-23:00 hours
New Year’s Eve: 09:00 hours – 01:30 hours

Retail Sale of Alcohol [for consumption on and off premises]

Monday-Sunday: 12:00 hours-22:30 hours
New Year’s Eve: 12:00 hours – 01:00 hours

Regulated Entertainment [Live & Recorded Music]

Monday-Sunday: 09:00 hours-23:00 hours
New Year's Eve: 09:00 hours – 01:00 hours

Note: Live and recorded music is only regulated as a licensable activity between 23:00 hours and 08:00 hours.

and subject to the following conditions:-

(1) That a colour CCTV system to be fitted, maintained and in use at all times whilst the premises are open, to cover both the internal and external area of the premises. The CCTV images will be stored for 30 days and Police and authorised officers of the Council will be given access to images for purposes in connection with the prevention and detection of crime and disorder. CCTV footage shall be downloaded and provided to South Yorkshire Police on request. Members of the management team will be trained in the use of the system.

(2) That an incident register shall be maintained and kept on site at all times to record all incidents involving anti-social behaviour, injury and ejections from the premises. The register shall include consecutively numbered pages in a bound format and include the time, date and location of the incident, and details of the nature of the incident and names of any other staff involved or to whom the incident was reported.

(3) That the register will be checked and signed on a weekly basis by the DPS or, in the absence of the DPS, the manager who shall be nominated in writing.

(4) That this register shall be made available for inspection by South Yorkshire Police or Local Authority Enforcement Officers immediately upon request.

(5) That a refusals register shall be maintained and kept on site at all times to record all occasions where refusal to sell alcohol has taken place. The register shall include consecutively numbered pages in a bound format and include the time, date and location of the refusal, and a description of the person(s) refused. The register shall be checked and signed on a weekly basis by the DPS or, in the absence of the DPS, the manager who shall be nominated in writing.

(6) That the register shall be made available for inspection by South Yorkshire Police or a Local Authority Enforcement Officer on request.

(7) That an incident and refusal registers to be retained for at least 12 months and available for inspection.

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(8) That new staff shall receive induction training prior to the commencement of their employment at the premises, including drug awareness, underage sales training, and serving to persons who are drunk.

(9) That all staff will receive training on matters concerning underage sales, drugs policies, and operating procedures. Staff refresher training shall take place on an annual basis and shall be recorded.

(10) That all staff training records shall be retained on the premises, maintained by the DPS or Premises Licence Holder, and made available immediately for inspection upon request by South Yorkshire Police or Local Authority Enforcement Officers.

(11) That the premises shall adopt a Challenge 25 proof of age scheme. Signage shall be displayed in the premises that Challenge 25 is the age verification policy adopted at the premises.

(12) That notices shall be displayed in the premises where they can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf of a person less than 18 years of age.

(13) That persons under the age of 18 years must be accompanied and supervised by a responsible adult and are not permitted after 21:00 hours unless accompanied by a responsible adult and attending a family type function or dining

(14) That customers shall not be permitted to take vessels containing alcoholic products into the premises, and no open vessels containing alcoholic products shall be allowed to be taken from the premises save for consumption in an external area provided for that purpose whilst the premises are conducting licensable activities.

(15) That it is considered that for the nature of the operation plastic/polycarbonate drinking vessels will not be required, however, a risk assessment will be undertaken should unusual events take place and management deem it necessary.

(16) That customers shall be reminded by way of clear and prominent notices at the entrance/exit door to please leave the premises quietly and have consideration for any neighbouring residential or business properties.

(17) That the licence holder shall undertake a risk assessment of the premises to determine whether door supervisors shall be required.

(18) That whenever there are anticipated changes to the normal operating framework of the premises, where it is reasonable to assume there will be an increase in customers, for example a home football game

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or the advertising and promoting of a sporting event, a risk assessment shall be carried out by the premises licence holder to determine whether door supervisors shall be required. The risk assessment shall be documented in a register, kept at the premises and available for inspection by the Police or Council Licensing Enforcement Officer upon request. The risk assessment shall comply with any advice given by South Yorkshire Police or Council Licensing Officers in respect of door supervisors. A written record of the risk assessment be kept at site for 6 months. Where engaged, door staff shall be licensed by the SIA.

(19) That the premises external seating area must be cordoned off with a physical barrier in order to ensure that it is separate from the parking area to the front of the premises.