

CHESHIRE EAST COUNCIL

LICENSING ACT SUB-COMMITTEE

Date of meeting **Thursday 8th September 2011** **11:00 a.m.**

Report of: **Jane Cornes, Licensing Administration Officer**
Title: **Application for Premises Licence -**
 Milton Park, Alsager, Stoke on Trent ST7 2YS

1.0 Report Summary

- 1.1 The purpose of the report is to provide details of an application for a Premises Licence under section 17 of the Licensing Act 2003 ('the 2003 Act'). It outlines the application and representations received from interested parties in relation to the application.

2.0 Recommendations

- 2.1 The Licensing Committee is requested to:
- 2.1.1 consider the application and any relevant representations received; and
- 2.1.2 determine what steps, if any it considers are necessary for the promotion of the licensing objectives.

3.0 Reasons for Recommendations

- 3.1 The Licensing Act Sub-Committee has the power to determine this application in accordance with the provisions of the 2003 Act.

4.0 Wards Affected

- 4.1 Alsager

5.0 Local Ward Members

- 5.1 Councillor Rod Fletcher
 Councillor Derek Hough
 Councillor Shirley Jones

6.0 Policy Implications

- 6.1 The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the 2003 Act and Guidance issued under section 182 of the 2003 Act.

7.0 Financial Implications 2011/12 and beyond

7.1 None

8.0 Legal Implications

8.1 In accordance with the provisions of section 18 of the Licensing Act 2003 the Licensing Authority must, having regard to the representations, take such of the steps mentioned in sub-section 18(4) (if any) as it considers necessary for the promotion of the licensing objectives. Section 18 (4) provides that the authority may (a) grant the licence subject to conditions; (b) exclude from the scope of the licence any of the licensable activities to which the application relates; (c) refuse to specify a person in the licence as the premises supervisor; or (d) reject the application.

9.0 Risk Assessment

9.1 Section 181 and Schedule 5 of the 2003 Act make provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority.

10.0 Background and Options

10.1 On 15th July 2011 Cheshire East Borough Council applied for a Premises Licence in relation to Milton Park, Alsager to authorise the provision of Regulated Entertainment (consisting of plays (outdoors); indoor sporting events; live music (outdoors); recorded music (outdoors); performance of dance (outdoors); anything of a similar description to live music, recorded music and dance (outdoors); provision of facilities for making music (outdoors); provision of facilities for dancing (outdoors); provision of facilities for entertainment similar to music and dancing (outdoors)) on Wednesdays, Fridays, Saturdays and Sundays from 09:00 – 22:00.

A copy of the application is attached to the report (**appendix A**)

10.2 During the consultation period representations were made by persons living in the vicinity of the premises. The objections concern the potential for public nuisance, rowdy and anti-social behaviour and property damage being increased due to the granting of this licence application. Copies of the representations are attached at **Appendix B**.

A location plan is attached at **Appendix C**.

10.3 The Licensing Authority has received no representations from any of the responsible authorities in relation to this application.

10.4 In determining the application the Licensing Act Sub-Committee must have regard to representations made by the applicant and the representations received from the interested parties. The Sub-Committee is required to take

such steps (if any) as it considers necessary for the promotion of the licensing objectives.

11.0 Access to Information

There are no background papers associated with this report.

For further information:

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