

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Monday, 1st November, 2010 at The Capesthorpe Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillor P Whiteley (Chairman)

Councillors W T Beard and J Goddard

OFFICERS PRESENT

Mr J Hopper (Licensing Officer) and Mrs K Khan (Licensing Solicitor)

16 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

17 DECLARATIONS OF INTEREST

There were no declarations of interest.

18 APPLICATION FOR A PREMISES LICENCE - LIVESEY'S DELICATESSEN & COFFEE HOUSE, 15 HIGH STREET, BOLLINGTON, MACCLESFIELD, CHESHIRE

The Sub-Committee considered a report regarding an application by Miss Joanne Weselby for the grant of a Premises Licence for Livesey's Delicatessen and Coffee House under section 17 of the Licensing Act 2003.

The applicant, her partner and an objector attended the hearing and made representations with respect to the application.

After a full hearing of the application and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that, after taking account of:

- The Secretary of State's Guidance under section 182 of the Licensing Act 2003
- Cheshire East Borough Council's Statement of Licensing Policy
- The four licensing objectives (namely the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm)
- All the evidence, including the oral representations made at the meeting and the written representations of an interested party, the Police, the Cheshire Fire Service and Bollington Town Council

the following course of action had been agreed:

RESOLVED – That the application to grant a Premises Licence for Livesey's Delicatessen and Coffee House be granted as follows:

Recorded Music (to take place indoors only)

Monday to Saturday 08.00 to 22.30

Sunday 10.00 to 18.30

Sale and supply of alcohol (for consumption both on and off the premises)

Monday to Saturday 08.00 to 22.00

Sunday 10.00 to 18.00

And subject to the following conditions:-

1. No sale of alcohol shall take place in the rear yard area;

2. No open glasses, vessels or containers of alcohol shall be taken into the rear yard area at any time after 20.00.

The Sub-Committee wished to highlight the fact that should problems relating to the licensing objectives be linked to the operation of licensable activities at this premises then Responsible Authorities or Interested Parties may call for a review of the licence at any time.

Both parties were reminded of the right to appeal decisions to the Magistrates Court within 21 days.

(Prior to consideration of the following item the meeting was adjourned for 5 minutes).

19 APPLICATION FOR A PREMISES LICENCE - POYNTON SPORTS CLUB, LONDON ROAD NORTH, POYNTON

The Sub-Committee considered a report regarding an application by Poynton Sports Club for the grant of a Premises Licence for Poynton Sports Club under section 17 of the Licensing Act 2003.

The Chairman of the Club, the Deputy Chairman of the Club, the Designated Premises Supervisor, Poynton Town Councillor L Clarke, an objector and a representative from the Police attended the hearing and made representations with respect to the application.

After a full hearing of the application and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that, after taking account of:

- The Secretary of State's Guidance under section 182 of the Licensing Act 2003
- Cheshire East Borough Council's Statement of Licensing Policy

- The four licensing objectives (namely the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm)
- All the evidence, including the oral representations made at the meeting and the written representations of interested parties, the Police, the Environmental Health Officer and Trading Standards

the following course of action had been agreed:

RESOLVED – That the application to grant a Premises Licence for Poynton Sports Club be granted as follows:

Live Music (to take place indoors only)

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

From 10.00 on Christmas Eve until 24.00 on Christmas Day.

From 10.00 on New Years Eve until 24.00 on New Years Day.

Recorded Music (to take place indoors only)

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

From 10.00 on Christmas Eve until 24.00 on Christmas Day.

From 10.00 on New Years Eve until 24.00 on New Years Day.

Indoor Sports

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

Sale and supply of alcohol (for consumption on the premises only)

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

From 10.00 on Christmas Eve until 24.00 on Christmas Day.

From 10.00 on New Years Eve until 24.00 on New Years Day.

Provision of facilities for making music (to take place indoors only)

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

From 10.00 on Christmas Eve until 24.00 on Christmas Day.

From 10.00 on New Years Eve until 24.00 on New Years Day.

Provision of facilities for dancing (to take place indoors only)

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

From 10.00 on Christmas Eve until 24.00 on Christmas Day.
From 10.00 on New Years Eve until 24.00 on New Years Day.

Late Night Refreshment (to take place indoors only)

Sunday to Thursday 23.00 to 24.00

Friday and Saturday 23.00 to 01.00

From 23.00 on Christmas Eve until 05.00 on Christmas Day.

From 23.00 on New Years Eve until 05.00 on New Years Day.

And subject to the following conditions:-

1. The conditions suggested by the Environmental Health Department, as outlined below, are imposed on the Premises Licence, subject to the amendment to condition ii to make it clear that doors shall be maintained in a closed position, except for access and egress:-

i. Amplified live music should terminate at 23.30 hours from Sunday to Thursday and at 00.30 on Fridays and Saturdays.

ii. Doors to the function room should be maintained in a closed position at all times that amplified entertainment is taking place – this includes the double doors leading to the outside and also the internal double doors to the lounge/bar area.

iii. Volume control both in relation to the overall volume level and the bass beat volume element shall be controlled at all times by the Club.

iv. Regular patrols shall be made around the perimeter of the Poynton Sports Club site by responsible persons associated with the Club during amplified entertainment to ensure that noise nuisance and disturbance is not caused from the playing of amplified music to the surrounding residents. A 'log' of noise assessments shall be kept at the Club premises and made available for inspection by an Officer of this Authority at any time. The log should detail the type of amplified entertainment at the time, date and time of the assessment, the position of the assessment and a subjective description of the noise heard.

These conditions were imposed, at the recommendation of the Environmental Health Department and in the light of the evidence from local residents, in order to prevent harm to the licensing objective of the prevention of public nuisance.

2. A CCTV system shall be installed at the premises, in accordance with the requirements of the Police. Images shall be retained for a period of time approved by the Police.

This condition was imposed, following the recommendation of the Police, in order to prevent harm to the objective of the prevention of crime and disorder.

3. In cases where events or functions (of a non-sporting nature) are to take place at which alcohol is to be sold or regulated entertainment provided to members of the public generally, i.e. individuals other than members and guests and associate members and guests, then:

(a) no glasses or bottles (with the exception of plastic or polycarbonate glasses) shall be taken outside the clubhouse;

(b) the Designated Premises Supervisor or other nominated member of the Club will notify the Police Licensing Officer of the event/function and will, if required by the Police, employ SIA registered door supervisors.

These conditions were imposed, following the evidence from the Police, in order to prevent crime and disorder.

4. Notices shall be placed at the exits to the premises requiring persons leaving the premises to do so quietly and with respect for neighbours.

The Sub-Committee wished to highlight the fact that should problems relating to the licensing objectives be linked to the operation of licensable activities at this premises then Responsible Authorities or Interested Parties may call for a review of the licence at any time.

Both parties were reminded of the right to appeal decisions to the Magistrates Court within 21 days.

The meeting commenced at 9.30 am and concluded at 12.55 pm

Councillor P Whiteley (Chairman)