

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Thursday, 17th March, 2011 at The Silk Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillor P Whiteley (Chairman)

Councillors B H Dykes and C Andrew

OFFICERS PRESENT

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

1 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

2 DECLARATIONS OF INTEREST

In respect of minute no. 42, Mo's Store, 28 Plumley Road, Handforth, Cheshire, Councillor P P Whiteley declared that whilst he knew some of the members of the Spath Lane Residents Association he did not consider this declaration to be either a personal or prejudicial interest.

3 APPLICATION FOR A PREMISES LICENCE - MO'S STORE, 28 PLUMLEY ROAD, HANDFORTH, CHESHIRE

The Sub Committee considered a report regarding an application by Mr Yasar Hussain for the grant of a Premises Licence for in respect of Mo's Store, 28 Plumley Road, Handforth, Cheshire under Section 17 of the Licensing Act 2003.

The applicant, the applicant's representative, the current owner together with a number of objectors 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 reported that, having taken 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 representations made at the meeting, the written representations of the objectors and the agreement reached with the Police

the following course of action had been agreed:

RESOLVED

That the application to grant a Premises Licence for Mo's Store, 28 Plumley Road, Handforth, Cheshire be granted as follows:

Sale and supply of alcohol

Monday to Sunday 08.00 to 21.00

The sale of alcohol will be for consumption off the premises.

There was an amendment to the Licence applied for as follows:-

(i) the amendment of the terminal hour for the sale of alcohol to 21.00; and

(ii) the addition of the following condition:

A CCTV system shall be installed at the Premises to the satisfaction of the Chief Officer of Police and recording shall be kept for a minimum of 28 days and made available on request to an officer of the Police.

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 could call for a review of the licence at any time.

Both parties were informed of the right to appeal the decision to the Magistrates Court within 21 days of the date of the meeting.

4 VARIATION OF PREMISES LICENCE - BLUE BELL INN, SMALLWOOD, SANDBACH CW11 2XA

The Sub-Committee considered a report regarding an application from Mr Karl D'Annunzio-Bruns to vary the Premises Licence for Blue Bell Inn, Spen Green, Smallwood, Sandbach, Cheshire CW11 2XA under section 34 of the Licensing Act 2003.

The applicant and two objectors 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 reported that, having taken 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 representations made at the meeting and the written representations of the objectors

the following course of action had been agreed:

RESOLVED

That the variation to the Premises Licence for Blue Bell Inn, Spen Green, Smallwood, Sandbach, Cheshire CW11 2XA be approved, as follows:

Extension to Property Planning Application No. 10/3927C to allow larger dining kitchen and associated amenities to Blue Bell Inn, Smallwood.

The objectors were informed of the right to appeal the decision to the Magistrates Court within 21 days of the date of the meeting.

5 EXCLUSION OF THE PUBLIC AND PRESS

The Exclusion resolution was not required as the following application had been withdrawn prior to the meeting.

6 APPLICATION FOR A PERSONAL LICENCE

This application was withdrawn prior to the meeting.

The meeting commenced at 9.30 am and concluded at 12.50 pm

Councillor P Whiteley (Chairman)