

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Tuesday, 15th December, 2020 as a Virtual Meeting

PRESENT

Councillors M Goldsmith, L Smetham and L Gilbert

OFFICERS IN ATTENDANCE

Kim Evans- Licensing Officer
Nashwan Fazlani- Legal Officer
Helen Davies- Democratic Services Officer

ALSO PRESENT

Jamie McDonald- Applicant
Dean Murphy- Applicant
Jane Ozel- Objector
Philip Brotherston- Objector
Nick Bramwell- Objector

1 APPOINTMENT OF CHAIRMAN

RESOLVED- That Councillor Mark Goldsmith be appointed as Chairman.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 APPLICATION FOR A NEW PREMISES LICENCE AT THE TYTHERINGTON CLUB, 90 DORCHESTER WAY, MACCLESFIELD, SK10 2JP

The Sub-Committee considered a report regarding an application by The Club Company for a premises licence under the Licensing Act 2003 in respect of The Tytherington Club, 90 Dorchester Way, Macclesfield, SK10 2JP together with objections and support.

The following attending the hearing and made representations with respect to the application:

- the General Manager;
- the Applicant; and
- 3 local residents and objectors.

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) and the steps appropriate to promote them; and
- All the evidence, including the oral representations made at the meeting and the written representations of interested parties.

The following course of action had been agreed:

RESOLVED-

That the application for a Premises Licence be **GRANTED** as outlined in the application:

1. In granting the application, the Licensing Act Sub-Committee used their power under the Licensing Act 2003 S18(4)(B) to exclude from the scope of the licence the following licensable activities to which the application relates; live music (outdoors) and recorded music (outdoors).
2. The Sub-Committee also used their power under the Licensing Act 2003 S18 (4)(A) to grant the application subject to the conditions agreed between the Applicant and Cheshire Constabulary and the following additional condition;

'On the days of Monday – Saturday, Sale and Supply of Alcohol must cease 30 minutes prior to closure of the hotel bar and in any event no later than 01:00'.

3. The Licensing Act Sub-Committee also used their power under the Licensing Act 2003 S18(4)(A) to grant the application subject to the following modifications:

Sale and Supply of Alcohol

Monday to Saturday 12.00 to 01.00 (Subject to the condition mentioned above)

Sunday and Christmas Day 12.00 to 23.30

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Live Music (INDOORS ONLY)

Monday to Saturday 12.00 to 01.00

Sunday and Christmas Day 12.00 to 00.30

(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Recorded Music (INDOORS ONLY)

For hours premises are open to the public

Performances of Dance (INDOORS ONLY)

Monday to Saturday 12.00 to 01.00

Sunday and Christmas Day 12.00 to 00.30

(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Anything of a similar description to live music, recorded music and performances of dance (INDOORS ONLY)

Monday to Saturday 12.00 to 01.00

Sunday and Christmas Day 12.00 to 00.30

(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years

Late night refreshment

Monday to Saturday 23.00 to 01.30

Sunday and Christmas Day 23.00 to 24.00

From 23.00 on New Years Eve to 05.00 on New Years Day

The meeting commenced at 10.00 am and concluded at 10.45 am

Councillor Mark Goldsmith