

CHESHIRE EAST COUNCIL

REPORT TO: LICENSING ACT SUB-COMMITTEE

Date of Meeting:	20 December 2010
Report of:	Mr J Hopper, Licensing Officer
Subject/Title:	Application for a Premises Licence – Capesthorne Pavilion, Capesthorne Hall, Congleton Road, Siddington, Macclesfield, Cheshire

1.0 Report Summary

- 1.1 The report provides details of an application for a premises licence together with information as to representations received in relation to the application.

2.0 Recommendations

The Licensing Act Sub-Committee is requested to determine the application for a Premises Licence by Mrs Natasha Jane Dodds and Ms Vicki Lee Thompson in respect of Capesthorne Pavilion, Capesthorne Hall, Congleton Road, Siddington, Macclesfield, Cheshire.

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 Licensing Act 2003.

4.0 Wards Affected

- 4.1 Alderley

5.0 Local Ward Members

Councillor C Andrew, Councillor F Keegan and Councillor M Lloyd

6.0 Policy Implications

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

7.0 Financial Implications 2010/11 and beyond (Authorised by the Borough Treasurer)

- 7.1 Not applicable.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 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 steps (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) to refuse to specify a person in the licence as the premises supervisor; or (d) to reject the application.

9.0 Risk Management

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

10.0 Background and Options

- 10.1 The application is for Premises Licence granted under Section 17 of the Licensing Act 2003.

- 10.2 The operating schedule indicates that the relevant licensable activities applied for are:

Indoor sporting events

Boxing or wrestling

Live music

Recorded Music

Performance of dance

Anything of a similar description to live, recorded music and dance

Provision of facilities for making music

Provision of facilities for dancing

Entertainment of a similar description to that falling within making music and dance

Late Night Refreshment

Sale of alcohol

- 10.3 The hours applied for are as follows:

Indoor sporting events

Monday to Sunday 12.00 to 01.00

Boxing or wrestling

Monday to Sunday 12.00 to 01.00

To take place indoors

Live music

Monday to Sunday 12.00 to 01.00

The performance of live music will take place both indoors and outdoors.

Non Standard timings. New Year till 02.00

Recorded Music

Monday to Sunday 12.00 to 01.00

The playing of recorded music will take place both indoors and outdoors.

Non Standard timings. New Year till 02.00

Performance of dance

Monday to Sunday 12.00 to 01.00

The performance of dance will take place both indoors and outdoors.

Non Standard timings. New Year till 02.00

Anything of a similar description to that falling within live, recorded music and dance

Monday to Sunday 12.00 to 01.00

This entertainment will take place indoors.

Provision of facilities for making music

Monday to Sunday 12.00 to 01.00

The facilities for making music will take place both indoors and outdoors.

Non Standard timings. New Year till 02.00

Provision of facilities for dancing

Monday to Sunday 12.00 to 01.00

The facilities for dancing will take place indoors.

Non Standard timings. New Year till 02.00

Provision of facilities for entertainment of a similar description to that falling within making music and dance

Monday to Sunday 12.00 to 01.00

The entertainment facility will take place both indoors and outdoors.

Non Standard timings. New Year till 02.00

Late Night Refreshment

Monday to Sunday 23.00 to 01.00

The provision of late night refreshment will take place both indoors and outdoors.

Non Standard timings. New Year till 02.00

Sale and supply of alcohol

Monday to Sunday 12.00 to 01.00

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

Non Standard timings. New Year till 02.00

10.4 Designated Premises Supervisor: Mrs Natasha Jane Dodds

10.5 Hours Premises are open to the public

Monday to Sunday 09.00 to 01.30

Non Standard Timings. New Year till 02.30

10.6 The operating schedule includes the following steps to promote the licensing objectives:

(a) Prevention of crime and disorder

Every event is attended by our own security firm.

We have close relations with the local Police..

(b) Public safety

Every event is attended by our own security firm.

Every event is overseen by 1 Event Manager.

Fire exits are maintained.

Health and Safety policy in place.

(c) Prevention of public nuisance

Every event is overseen by a dedicated event Manager.
The pavilion is manned.

(d) Protection of children from harm

Parents will be responsible for their children.
Challenge 25 shall be adopted.

(e) General

SIA Registered Security in attendance

10.7 Relevant Representations:

Responsible Authorities

10.7.1 The Police state in their response:

Application received 15 October 2010 for the Grant of a Premises Licence for Capesthorne Pavilion. The Pavilion is situated adjacent to Capesthorne Hall and is a semi-permanent structure – effectively a solid sided marquee – for which further Planning Permission will be applied for in 2011.

In the main it will be, and has been under TEN's, used for the likes of weddings and corporate events so far on an occasional basis and the building can cater for up to 450 guests with all the attendant toilet & catering facilities available on site. It will not be open to the general public.

Neither of the applicants has, as yet, obtained a Personal Licence and until they do I have suggested that the DPS should be Allan MORRIS who is presently DPS at Capesthorne Hall and since this application is effectively a 'Joint Venture' I see no problems with that.

At most events there will be registered SIA Security on duty and subject to any observations that may come from Environmental Health Officers there are No Police Representations at this stage.

10.7.2 Environmental Health – No response received.

10.7.3 Cheshire Fire Service – No response received.

10.7.4 Local Planning Authority – No response received.

10.7.5 Local Safeguarding Children Board – As Police response.

10.7.5 Health and Safety Officer – No response received.

10.7.6 Trading Standards – No representation.

Interested Parties

The Licensing Authority has received representation from two neighbour objectors. Details of these representations are appended to this report.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Mr J Hopper
Designation: Licensing Officer
Tel No: 01625 504205
Email: jim.hopper@cheshireeast.gov.uk

APPENDICES

Appendix 1- 2 Neighbour Objections
Appendix 3 Plan of area