

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Monday, 14th March, 2011 at Delamere 1 Floor 2, Delamere House,
Delamere Street, Crewe, CW1 2J2

PRESENT

Councillor P Whiteley (Chairman)

Councillors D Bebbington and J Wray

OFFICERS IN ATTENDANCE

Mrs K Khan, Solicitor

Mrs J Cornes, Licensing Officer

Mr P Simester, Licensing Officer

Mrs J Zientek, Democratic Services Officer

36 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

37 DECLARATIONS OF INTEREST

There were no declarations of interest.

38 VARIATION OF PREMISES LICENCE - BAR 33, 33 WHEELLOCK STREET, MIDDLEWICH CW10 9AG

The Sub-Committee considered a report regarding an application from Mr Man Wai Lee to vary the Premises Licence for Bar 33, 33 Wheelock Street, Middlewich CW10 9AG under section 34 of the Licensing Act 2003.

The Solicitor clarified the options open to the Sub-Committee in the absence of the applicant, who had not formally notified the Licensing Authority that he would not be attending the meeting. The Sub-Committee resolved to hold the hearing and determine the application in the applicant's absence.

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

a representative of the Chief Officer of Police
two representatives of the Environmental Health Service

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 following course of action had been agreed:

RESOLVED – That the application be refused on the basis of the prevention of crime and disorder and the prevention of public nuisance.

The Sub-Committee noted that the Applicant would be reminded of the right to appeal this decision to the Magistrates' Court within 21 days.

Following consideration of this application, the meeting was adjourned from 10.50am to 12 noon.

39 VARIATION OF PREMISES LICENCE - THE VICTORIA, 91-93 VICTORIA STREET, CREWE, CW1 2JN

The Sub-Committee considered a report regarding an application from Admiral Taverns (780) Limited to vary the Premises Licence for The Victoria, 91-93 Victoria Street, Crewe, CW1 2JN under section 34 of the Licensing Act 2003.

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

a representative of the Chief Officer of Police
 two representatives of the Environmental Health Service
 two local residents
 the landlord and landlady of a neighbouring property
 the Company Solicitor, Admiral Taverns (780) Limited
 the Area Manager, Admiral Taverns (780) Limited
 the tenant of The Victoria, 91-93 Victoria Street, Crewe

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 following course of action had been agreed:

RESOLVED

(a) That the hours be varied, as follows:

(1) Opening hours

Monday to Wednesday:	09:00 to 00:30
Thursday	09:00 to 01:30
Friday & Saturday	09:00 to 02:00
Sunday	09:00 to 00:30

(2) Sale of alcohol

Monday to Wednesday:	09:00 to 00:00
Thursday	09:00 to 01:00
Friday & Saturday	09:00 to 01:30
Sunday	09:00 to 00:00

(3) Provision of regulated entertainment

Includes: Films, Indoor sporting events, Recorded music, Performances of dance, Anything of a similar description. Indoors only.

Monday to Wednesday:	09:00 to 00:00
Thursday	09:00 to 01:00
Friday & Saturday	09:00 to 02:00
Sunday	09:00 to 00:00

(4) Provision of live music

Indoors only.

Monday to Wednesday:	09:00 to 00:00
Thursday	09:00 to 01:00
Friday & Saturday	09:00 to 01:30
Sunday	09:00 to 00:00

(5) Provision of entertainment facilities

Facilities for Making music, Dancing and Entertainment of a similar description. Indoors only.

Monday to Wednesday:	09:00 to 00:00
Thursday	09:00 to 01:00

Friday & Saturday	09:00 to 02:00
Sunday	09:00 to 00:00

(6) Provision of late night refreshment

Monday to Wednesday:	23:00 to 00:00
Thursday	23:00 to 01:00
Friday & Saturday	23:00 to 02:00
Sunday	23:00 to 00:00

(b) That the following conditions be imposed on the grant of the variation application:

- (1) A minimum of one door supervisor will be on duty at the premises from 21.00, and they shall remain at the premises until they close to the public, on every Friday and Saturday and New Year's Eve.
- (2) There shall be no entry or re-entry allowed into the premises after 00.30 unless as a result of observing the ban on smoking in public places.
- (3) A CCTV system is to be maintained at the premises to the satisfaction of the Police Licensing Officer and it must record at all times the premises are open to the public. Unedited images must be securely retained for at least 28 days and copies made freely available upon request to a constable or employees of the Police Authority, Local Authority or Security Industry Authority.
- (4) Recorded music after 01.30 on Fridays and Saturdays shall be background music only.
- (5) There shall be no entry or exit from the front door to the premises after midnight (except for emergency) and signage will be displayed on site to make this requirement clear to patrons;
- (6) The Designated Premises Supervisor, or a member of staff nominated by him, shall carry out noise monitoring by listening to the level of noise from the premises audible on the opposite side of Victoria Street to the premises;
- (7) Condition 7 within Annex 2 of the Premises Licence is amended to read "Outside drinking area to be closed for the sale/consumption of alcohol at 23.00."

The applicant and the responsible authorities/interested parties who made representations were reminded of the right to appeal this decision to the Magistrates' Court within 21 days.

The meeting commenced at 10.00 am and concluded at 2.25 pm

Councillor P Whiteley (Chairman)