

# CHESHIRE EAST COUNCIL

## LICENSING ACT SUB-COMMITTEE

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<b>Date of Meeting:</b>	Thursday November 2011 at 10.30am
<b>Report of:</b>	Mrs N Cadman, Licensing Officer
<b>Subject/Title:</b>	Application for a Premises Licence Alderley Edge Golf Club, Brook Lane, Alderley Edge SK9 7RU

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### **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 Alderley Edge Golf Club Ltd in respect of Alderley Edge Golf Club, Brook Lane, Alderley Edge, 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 Wilmslow East

### **5.0 Local Ward Members**

Cllr Rod Menlove

### **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 2011/12 (Authorised by the Director of Finance and Business Services)**

- 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 under section 17 of the Licensing Act 2003.

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

Live Music

Recorded Music

Performance of Dance

Performance of Plays

Film Exhibitions

Sale and supply of alcohol

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

Provision of facilities for making music

Provision of facilities for dancing

Provision of facilities for entertainment similar to music and dance

Late Night Refreshment

10.3 The hours applied for are as follows:

### **Live Music**

(to take place indoors only)

Sunday to Thursday 12.00 to 23.00

Friday and Saturday 12.00 to 24.00

Christmas Eve extend terminal hour by 1 hour.

New Years Eve extend terminal hour by 2 hours.

### **Recorded Music**

(to take place indoors only)

Sunday to Thursday 12.00 to 23.00

Friday and Saturday 12.00 to 01.00

Christmas Eve extend terminal hour by 1 hour.

New Years Eve extend terminal hour by 2 hours.

### **Performance of Dance**

(to take place indoors only)

Sunday to Thursday 12.00 to 23.00

Friday and Saturday 12.00 to 01.00

Christmas Eve extend terminal hour by 1 hour.

New Years Eve extend terminal hour by 2 hours.

### **Performance of Plays**

(to take place indoors only)

Monday to Sunday 12.00 to 22.00

Christmas Eve extend terminal hour by 1 hour.

New Years Eve extend terminal hour by 2 hours.

**Film Exhibitions**

(to take place indoors only)

Monday to Sunday 12.00 to 22.00

Christmas Eve extend terminal hour by 1 hour.

New Years Eve extend terminal hour by 2 hours.

**Sale and supply of alcohol**

(for consumption both on and off the premises)

Sunday to Thursday 11.00 to 23.00

Friday and Saturday 11.00 to 01.00

Christmas Eve extend terminal hour by 1 hour.

New Years Eve extend terminal hour by 2 hours.

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

(to take place indoors only)

Sunday to Thursday 12.00 to 23.00

Friday and Saturday 12.00 to 01.00

Christmas Eve extend terminal hour by 1 hour.

New Years Eve extend terminal hour by 2 hours.

**Provision of facilities for making music**

(to take place indoors only)

Sunday to Thursday 12.00 to 23.00

Friday and Saturday 12.00 to 01.00

Christmas Eve extend terminal hour by 1 hour.

New Years Eve extend terminal hour by 2 hours.

**Provision of facilities for dancing**

(to take place indoors only)

Sunday to Thursday 12.00 to 23.00

Friday and Saturday 12.00 to 01.00

Christmas Eve extend terminal hour by 1 hour.

New Years Eve extend terminal hour by 2 hours.

**Provision of facilities for entertainment similar to music and dance**

(to take place indoors only)

Sunday to Thursday 12.00 to 23.00

Friday and Saturday 12.00 to 01.00

Christmas Eve extend terminal hour by 1 hour.

New Years Eve extend terminal hour by 2 hours.

**Late Night Refreshment**

(to take place indoors only)

Sunday to Thursday 23.00 to 23.30

Friday and Saturday 23.00 to 01.00

Christmas Eve extend terminal hour by 1 hour.

New Years Eve extend terminal hour by 2 hours.

Other times the premises are proposed to be open:

Sunday to Thursday 11.00 to 23.30  
Friday and Saturday 11.00 to 01.30

Christmas Eve extend terminal hour by 1 hour.  
New Years Eve extend terminal hour by 2 hours.

10.4 Designated Premises Supervisor: Jennifer Lynne Hart

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

(a) Prevention of crime and disorder

The premises shall be fully alarmed and security lighting shall be fitted to the exterior of the premises.

All staff shall be trained in the four licensing objectives and the penalties for non-compliance.

In the event of any misbehaviour, those responsible shall be required by the management, to leave the premises.

(a) Public safety

A common sense approach shall be applied to maximum numbers at the premises.

Fire exits shall be clearly sign posted and shall be kept clear at all times.

Fire equipment shall be tested annually.

Health and safety checks shall be carried out annually.

Electrical equipment shall be tested annually.

(b) Prevention of public nuisance

There shall be a steward living on site in the premises.

Notices shall be displayed at exits asking members and visitors to respect neighbours and to leave quietly.

(c) Protection of children from harm

The steward shall ensure that all members of staff are instructed in the offence provisions of the Licensing Act and Challenge 25 shall be adopted.

Proof of age shall be established by driving licence, passport or a proof of age scheme.

(d) General – all four licensing objectives

All staff, contractors and club members shall be informed of the four licensing objectives.

#### 10.6 Relevant Representations:

##### Responsible Authorities

10.6.1 The Police state in their response: Application received 20th September 2011, from Alderley Edge Golf Club Limited for a Premises Licence at Alderley Edge Golf Club, Brook Lane, Alderley Edge, Cheshire, SK9 7RU. The Premises currently operate with a Club Premises Certificate but are finding this increasingly restraining and costly having to cover non-members functions with Temporary Events Notices, so have decided to opt for a Premises Licence. The proposed Designated Premises Supervisor is Jennifer Lynne Hart. I visited the premises on Wednesday 5th October 2011, and observed the Blue Notice was correctly displayed. I took pictures which I can produce if required. This application meets the four licensing objectives to the satisfaction of the Police and providing these are met there are no Police representations. There are no Police objections.

10.6.2 The Environmental Health Department state in their response: I would refer to the application for a premises licence - which has been made by Alderley Edge Golf Club and would wish to make the following comments / recommendations on behalf of the Environmental Health Service under the licensing objective of the prevention of public nuisance:

It is recognised that there are a number of dwellings in relatively close proximity to the application site and that noise from the premises should therefore be controlled at all times – particularly from the playing of amplified music and 'people' noise .

I have made a site visit and viewed the room(s) in which entertainment is proposed to take place and the intervening rooms and discussed the proposal with the steward.

It is my opinion that the intervening locker rooms and the spike bar offer a barrier / protection to residents of the nearest dwellings from the function room(s). The windows to the function room(s) and spike bar are double glazed and in good condition. Whilst there are a number of openable windows, they are all lockable. Ventilation is provided by an existing air conditioning system and therefore this negates the necessity to have windows open during events. The entrance door is a double door lobby area which is located in the furthest position away from the nearest residencies. Notices are to be displayed by the door to request that patrons leave quietly.

I am informed that a number of functions / events have already been held at the Golf Club under the provision of temporary event notices. Such events have included the playing of amplified music in terms of the employment of discos and live bands as entertainment. I have checked the Environmental Health records and have been unable to find that any complaints in respect of noise from such events have been lodged to this Service.

In conclusion, in taking all the above points into consideration, I would not raise an objection to the granting of a Premises Licence. I would, however, recommend that

in the interest of protecting the nearby residents from noise escape, the following conditions should be attached to a Licence.

1. All openable windows to the club lounge, dining room and spike bar should remain closed during the playing of live and recorded music indoors (other than background music) to prevent the escape of noise from the premises.
2. The management should be responsible for making regular checks around the perimeter of the premises during functions to ensure that noise levels are consistently controlled. A record of such monitoring checks should be maintained.
3. Management should be responsible for ensuring that 'people noise' on the outdoor patio area is controlled at all times and that patrons should cease using that area after 22.00 hours during any function / event.

10.6.3 The Cheshire Fire Service state in their response: No objections to the following:  
Alderley Edge Golf Club, Brook Lane, Alderley Edge.

10.6.4 Local Planning Authority – No response received.

10.6.5 Local Safeguarding Children Board – As Police response.

10.6.5 Health and Safety Officer – No response received.

10.6.6 Trading Standards – No response received.

#### Interested Parties

10.7 The Licensing Authority has received a representation from neighbour objectors. Details of this are appended to the report.

#### **11.0 Access to Information**

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

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#### **APPENDICES**

Appendix 1 – Representation from neighbour objectors.

Appendix 2 – Plan of area.