

CHESHIRE EAST COUNCIL

LICENSING ACT SUB-COMMITTEE

Date of Meeting: Thursday 22nd December 2011 at 09.30hrs
Report of: Mrs N Cadman, Licensing Officer
Subject/Title: Application for a Premises Licence:
Best One (Nisa), 65 Bond Street, Macclesfield,
SK11 6QR

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 made by Mr Noaman Malik in respect of Best One (Nisa), 65 Bond Street, Macclesfield, Cheshire, SK11 6QR.

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 Macclesfield Central

5.0 Local Ward Members

Cllr Ken Edwards
Cllr Janet Jackson

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 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 decide (a) to grant the licence subject to conditions; (b) to 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:

Sale and supply of alcohol (for consumption off the premises only).

10.3 The hours applied for are as follows:

Monday to Sunday 07.00 to 22.00

The hours the premises are open to the public

Monday to Sunday 07.00 to 22.00

10.4 Designated Premises Supervisor: Mr Noaman Malik

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

(a) General – All Four Licensing Objectives
All statutory regulations will be observed.

(b) The Prevention of Crime and Disorder
The premises will be equipped with CCTV and recording equipment.

(c) Public Safety
All safety equipment will be regularly checked and maintained; the staff will be trained to deal with emergencies.

(d) The Protection of Children from Harm
All staff will be trained in the law relating to the sale of alcohol and to require, where necessary appropriate proof of age.

10.6 Relevant Representations

Responsible Authorities

10.6.1 The Police state in their response: Application received 2nd November 2011, from Noaman Malik for a Premises Licence at Best One, to be known as Nisa Local, 65 Bond Street, Macclesfield, SK11 6QR. The premises are situated in a built up area on the outskirts of the town. The premises Licence is for the sale and supply of alcohol only from 07:00 to 22:00, hours Monday to Sunday. The proposed Designated Premises Supervisor is Noaman Malik. The operating schedule states the applicant will operate a Challenge 21 Policy. In line with Cheshire East and national Trading Standards, Police would request that a Challenge 25 policy is adopted in relation to the Protection of Children from harm, in order to prevent underage sales of alcohol, this has been agreed with the applicant. There are no other Police representations.

10.6.2 The Environmental Health Officer – No response received.

10.6.3 Cheshire Fire Service – No response received.

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

The Licensing Authority has received a representation from a neighbour objector. Details of this 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: Mrs N Cadman
Designation: Licensing Officer
Tel No: 01270 685957
Email: nikki.cadman@cheshireeast.gov.uk

APPENDICES

Appendix 1 – Representation from neighbour objector

Appendix 2 – Plan of area