

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Friday, 28th October, 2011 at Delamere 2, Floor 6, Delamere House,
Delamere Street, Crewe CW1 2JZ

PRESENT

Councillor P Whiteley (Chairman)

Councillors Rhoda Bailey and D Bebbington

OFFICERS IN ATTENDANCE

Mrs K Khan, Solicitor

Ms C Kerr, Licensing Officer

Mrs J Zientek, Democratic Services Officer

26 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

27 DECLARATIONS OF INTEREST

There were no declarations of interest.

28 APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - WHITE HORSE, PILLORY STREET, NANTWICH

The Sub-Committee considered a report regarding an application to vary the Premises Licence for the White Horse, Pillory Street, Nantwich 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 Environmental Health Service
the designated premises supervisor
a representative of the applicant, Spirit Pub Company Ltd
two local residents

The applicant's representative reported that the element of the application relating to the provision of recorded music outdoors had been withdrawn, and that the applicant had agreed that the terminal hour for late night refreshment would be 02.30 and that the premises would close to the public at 02.30.

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 element of the application relating to the extension of the terminal hours for live and recorded music be refused, as there are no conditions which could be imposed to mitigate the risk of public nuisance were this element of the variation application to be granted.
- (b) That the remaining elements of the application be granted, i.e.:
Sale of alcohol Monday to Sunday 10.00 to 02.00
Late night refreshment Monday to Sunday 23.00 to 02.30
Opening hours of the premises Monday to Sunday 09.00 to 02.30
- (c) That the following condition be added to the Premises Licence:
No glasses, or open bottles or vessels shall be taken outside the premises by patrons after 01.00.

The applicant and parties who had made relevant representations were reminded of the right to appeal the decision to the Magistrates Court within 21 days.

29 APPLICATION FOR A PREMISES LICENCE - AROMA CAFE BAR, UNIT 1, CHATTERTON HOUSE, 7 HOSPITAL STREET, NANTWICH CW5 5RH

The Sub-Committee considered a report regarding an application for a Premises Licence for Aroma Cafe Bar, Unit 1, Chatterton House, 7 Hospital Street, Nantwich.

The applicants attended the hearing and made representations with respect to the application.

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 for a Premises Licence be granted as applied for, subject to the following additional conditions:

- The proof of age scheme Challenge 25 will be operated for all sales of alcohol.
- Alcohol may only be served to customers seated at a table by means of waiter/waitress service.
- A tamper proof 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 14 days and copies made freely available upon request to a constable or an employee of the Police Authority, Local Authority or Security Industry Authority.
- No nuisance shall be caused by noise coming from the premises.
- Refuse such as bottles shall be disposed of from the premises at a time (i.e. between 08:00 to 20:00) when it is not likely to cause a disturbance to residents in the vicinity of the premises.
- There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.

Parties who had made relevant representations were reminded of the right to appeal the decision to the Magistrates Court within 21 days.

The meeting commenced at 9.30 am and concluded at 1.30 pm

Councillor P Whiteley (Chairman)