

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Thursday, 22nd August, 2013 at Committee Suite 1 & 2, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor P Whiteley (Chairman)

Councillors W S Davies and J Wray

OFFICERS IN ATTENDANCE

Nikki Cadman, Licensing Officer
Fiona Crane, Lawyer
Kim Evans, Licensing Team Leader
Julie Zientek, Democratic Services Officer

17 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

18 DECLARATIONS OF INTEREST

There were no declarations of interest.

19 APPLICATION FOR A PREMISES LICENCE - HOT SPOT, 46 CREWE ROAD, ALSAGER ST7 2ET

The Sub-Committee considered a report regarding an application for a Premises Licence for the Hot Spot, 46 Crewe Road, Alsager ST7 2ET.

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

- the applicant
- a solicitor representing the applicant
- a representative of the objector

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 application for a premises licence be granted as applied for
- (b) That the following agreed conditions, suggested by the Police Licensing Officer, be attached to the premises licence:

An up to date register will be maintained at the premises by the Premises Licence Holder which records the following information for all individuals working at the premises:

1. Full name
2. Date & Place of Birth
3. National Insurance Number
4. Home Address
5. Start date when work commenced at the premises
6. Finish date when work ceases at the premises
7. A record that the individual has received a copy of the summary of the Premises Licence and when. The register will be kept at the premises at all times and will retain the above information for each individual for a period of at least 12 months after they cease to work at the premises.

Any individual providing Late Night Refreshment to members of the public must be provided with a copy of the summary of the current Premises Licence by the Premises Licence Holder before they are allowed to work in the premises. The Premises Licence Holder must at the time he provides the summary of the Premises Licence specifically draw the attention of every individual to the times when Late Night refreshment is authorised.

If the hours when Late Night Refreshment are authorised by the Premises Licence are varied, for any reason, the Premises Licence Holder must provide every individual working at the premises with a copy of the summary of the varied Premises Licence such that the individual receives that summary on the first occasion they work after the variation takes effect and record when that happens for each individual. The Premises Licence Holder must at the time he provides the summary specifically draw the attention of every individual to the times when Late Night Refreshment is authorised.

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.

20 **APPLICATION TO VARY A PREMISES LICENCE - SWAN WITH TWO NECKS, 65 CHESTERGATE, MACCLESFIELD SK11 6DG**

The Sub-Committee considered a report regarding an application to vary the Premises Licence for the Swan With Two Necks, 65 Chestergate, Macclesfield SK11 6DG.

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

- three representatives of the applicant
- a legal representative on behalf of the applicant
- a local resident
- a representative of the Environmental Health Service

It was noted that, since the publication of the committee report, the proposed extension to regulated entertainment hours had been removed from the application and the part of the application relating to Monday and Tuesday had been withdrawn. As a result of this, the Environmental Health Service and one objector had withdrawn their objections 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

- (a) That the application for a variation to the Premises Licence, as amended by the applicant, be granted.
- (b) That the following conditions, volunteered by the Applicant, be attached to the premises Licence:
 - 1. No drinks to be taken outside (including in "The Shed") after 01.00 hours
 - 2. No admittance or re-admittance to the premises 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.

The meeting commenced at 9.30 am and concluded at 12.10 pm

Councillor P Whiteley (Chairman)