

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Thursday, 26th September, 2013 in The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor P Whiteley (Chairman)

Councillors Rhoda Bailey and A Harewood.

Officers in attendance:

S Bierwas – Environmental Protection Enforcement Officer

F Crane – Lawyer

J Hopper – Licensing Officer

V Robson – Senior Enforcement Officer

C Foreman – Democratic Services Officer

24 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman of the Sub-Committee for this meeting.

25 DECLARATIONS OF INTEREST

There were no declarations of interest.

26 APPLICATION TO VARY A PREMISES LICENCE - LEGH ARMS, BROOK STREET, KNUTSFORD WA16 8EB

The Sub-Committee considered a report regarding an application to vary the Premises Licence for the Legh Arms, Brook Street, Knutsford. The following attended the hearing and made representations with respect to the application:

- the applicant
- a legal representative on behalf of the applicant
- two local residents who also represented other residents
- a representative 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 granted as applied for subject to the agreed conditions as follows:

1. All necessary steps shall be taken to ensure that any noise from the premises shall not be at a level which would cause a noise nuisance at the boundary of the nearest residential premises, therefore
2. All external windows and doors shall be closed whilst regulated entertainment is taking place, except for normal access and egress.
3. The Licence holder/Designated Premises Supervisor or Responsible Person nominated by him in charge of the premises shall ensure that any noise emanating from the Premises is not audible at the boundary of noise sensitive properties.
4. Customers shall be permitted to stay inside the premises whilst waiting for taxis.
5. There shall be no disposal of bottles outside the premises between the hours of 21:00 and 09:00.
6. No disposal of refuse outside the premises or deliveries made to the premises between 21:00 and 07:00.
7. Assessments of noise from the premises shall be undertaken by a competent person (either the Licensee or Manager) and any necessary remedial action is undertaken to ensure compliance. These assessments shall be undertaken during opening hours of the premises and when entertainment or music is occurring. A written record shall be made of those assessments in a log book, kept for that purpose and shall include; the time and date of the checks, the person making them and the results including any remedial action.
8. The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the premises shall ensure that the Premises, including the car park, are vacated quietly within 30 minutes of the terminal hour of the Licence, and that proper supervision of all persons leaving the car park and otherwise leaving the premises is provided. Conspicuous notices shall be positioned at all exits from the Premises requesting patrons to make the minimum amount of noise on leaving.

And to the following conditions hereby imposed by the Sub-Committee:

1. All regulated entertainment shall only take place indoors after 23:00.
2. No amplified music, speech or dance shall be permitted within the outside area or beer garden after 23:00 hours.

The Applicant and Parties who made relevant representations were advised of their right to appeal this decision to the Magistrates Court within 21 days.

The meeting commenced at 9.30 am and concluded at 12.05 pm

Councillor P Whiteley (Chairman)