

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Wednesday, 19th February, 2014 at The Tatton Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor P Whiteley (Chairman)

Councillors H Davenport and M Hardy

OFFICERS IN ATTENDANCE

Nikki Cadman, Licensing Officer

Fiona Crane, Lawyer

Julie Zientek, Democratic Services Officer

39 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

40 DECLARATIONS OF INTEREST

There were no declarations of interest.

41 APPLICATION FOR A PREMISES LICENCE - THE YARD, 32 SOUTH STREET, ALDERLEY EDGE, SK9 7ES

The Sub-Committee considered a report regarding an application for a Premises Licence for The Yard, 32 South Street, Alderley Edge, SK9 7ES.

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

- a representative of the Environmental Health Service
- the applicant and representatives of the applicant
- a solicitor representing the applicant
- a local resident, who also represented other residents
- Councillor F Keegan, Ward Councillor, representing local residents who had made relevant representations

The Licensing Officer reported that one objector had withdrawn their objection to the application.

It was also noted that, since the publication of the committee report, the application for Live Music had been withdrawn.

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, proposed by the Environmental Health Officer, be attached to the premises licence:
 1. The Termination Hour on any day of the year is 23.00
 2. Regular external monitoring of noise shall be undertaken during evenings/entertainment and a written record kept of the monitoring in a log book including date, time, position of the monitoring and result including any remedial action and the name of the person undertaking the monitoring/action. The log should be made available to officers of the council on request. Monitoring of noise should be undertaken at the boundary of residential properties and should address both music noise and people noise. Steps will be taken to reduce the level of noise where it is likely to cause a disturbance to local residents.
 3. All external windows and doors shall be closed whilst regulated entertainment is taking place, except for normal access and egress.
 4. The outside car park/yard area shall not be used for regulated entertainment.
 5. There shall be no temporary or permanent speakers for the use of amplified music, speech or dance, permitted within the outside car park/yard area.
 6. Noise from patrons outside the premise building shall be monitored and controlled by a responsible person during evening periods.
 7. 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 thirty minutes of the terminal hour of the Licence, and that proper supervision of all persons leaving the car park or otherwise leaving the Premises is provided. Customers should be asked to leave the area quickly and quietly.

8. There shall be notices located at the exit(s) requesting that customers leaving the premises do so quietly and with consideration to neighbours.
 9. There shall be no disposal of glass bottles or other “noise generative“ waste outside the premises between the hours of 21.00 and 09.00.
- (c) That the following further conditions be attached to the premises licence:
- Smoking area to be placed at the rear of the building and to be designed to the satisfaction of the Environmental Health Department
 - A scheme of sound insulation shall be submitted to the Authority for approval and subsequent implementation to the satisfaction of the Environmental Health team before any recorded music is played in accordance with this licence.
 - No alcohol in open containers or glasses to be taken or drunk outside on the premises after 21.00

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.

42 APPLICATION FOR A PREMISES LICENCE - SASSO RESTAURANT, 7 MARKET STREET, DISLEY, SK12 2AA

The Sub-Committee considered a report regarding an application for a Premises Licence for Sasso Restaurant, 7 Market Street, Disley.

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

- the applicant
- a solicitor representing the applicant

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.

The meeting commenced at 10.00 am and concluded at 1.40 pm

Councillor P Whiteley (Chairman)