

CHESHIRE EAST COUNCIL

LICENSING SUB-COMMITTEE

Date of meeting: 16 September 2009
Report of: Peter Simester, Licensing Officer
Title: Application for a Premises licence
Limelight Club, 1-7 Hightown, Crewe, CW1 3BP

1.0 Report Summary

- 1.1 The purpose of the report is to request that the Licensing Sub-Committee consider an application for a Premises licence at the Limelight Club, 1-7 Hightown, Crewe, CW1 3BP. The Council has received a letter of objection from a local resident who lives in the vicinity of the premises.

2.0 Recommendations

- 2.1 The Licensing Sub-Committee is requested to determine the application by Mrs Nicola Cope for a Premises licence at the Limelight Club.

3.0 Reasons for Recommendations

- 3.1 The Licensing 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 Crewe North

5.0 Local Ward Members

- 5.1 Cllr T Beard
Cllr D Bebbington
Cllr J Jones

6.0 Policy Implications

- 6.1 The Council 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 for Transition Costs (Authorised by the Borough Treasurer)

- 7.1 Not applicable.

8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

8.1 Not applicable.

9.0 Legal Implications (Authorised by the Borough Solicitor)

9.1 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 (a) grant the licence subject to conditions; (b) exclude from the scope of the licence any of the licensable activities to which the application relates; (c) refuse to specify a person in the licence as the premises supervisor; or (d) reject the application.

10.0 Risk Management

10.1 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.

11.0 Background and Options

11.1 The Limelight Club has held a Premises licence since the Licensing Act 2003 came into effect on 24th November 2005. Prior to this, a Justices Certificate was issued by South Cheshire Magistrates' Court. The Premises licence was transferred to Paul Anthony Cope on 3rd May 2007.

11.2 On 23 July 2009 the Council's Licensing section became aware that the licence holder, Paul Cope, was declared bankrupt on 18th May 2009. Section 27 of the Licensing Act 2003 states that a Premises licence shall lapse with immediate effect when the licence holder is declared bankrupt. Mr Cope and his staff were made aware of this and the club was closed immediately on 23rd July.

11.3 An application for a new Premises licence was submitted by Mrs Nicola Cope on 24th July 2009.

11.4 The operating schedule indicates that the relevant licensable activities applied for are:

- (a) Live music;
- (b) Recorded music;
- (c) Performances of dance;
- (d) Anything of a similar description to (a), (b) or (c);
- (e) Provision of facilities for making music;
- (f) Provision of facilities for dancing;
- (g) Provision of facilities for entertainment similar to (e) and (f);
- (h) Late night refreshment; and
- (i) Sale of alcohol.

All activities to take place indoors only.

11.5 The hours applied for are as follows:

Regulated entertainment (a) to (g):
Monday to Saturday: 12:00 to 01:00
Sunday: 12:00 to 00:30

Late night refreshment:
Monday to Saturday: 23:00 to 01:00
Sunday: 23:00 to 00:30

Sale of alcohol for consumption on and off the premises:
Monday to Saturday: 12:00 to 01:00
Sunday: 12:00 to 00:30

Hours premises are open to the public:
Monday to Saturday: 12:00 to 01:30
Sunday: 12:00 to 01:00

Apart from the addition of 'Late Night Refreshment' and an additional ten minutes at the end of the opening times, these times do not represent any increase in the activities/times allowed by the original Premises licence which lapsed on 18th May 2009.

11.6 Designated Premises Supervisor: Mrs Nicola Cope.

11.7 Relevant Representations:

Responsible Authorities

11.7.1 The applicant, Nicola Cope, has agreed to ten conditions requested by the Police Licensing Officer. These are listed in Appendix 1.

11.7.2 The applicant has also agreed to four conditions requested by the Council's Environmental Health team. These are listed in Appendix 1.

Interested Party

11.7.3 One letter of objection has been received from a resident who lives in the vicinity of the club. The text of his letter is reproduced in full as Appendix 2.

12.0 Overview of Year One and Term One Issues

12.1 Not applicable.

13.0 Access to information

The background papers relating to this report can be inspected by contacting the writer:

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Appendices:

Appendix 1: List of conditions agreed by applicant and Police Licensing Officer/
Environmental Health team.

Appendix 2: Letter of objection from interested party.