

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Sub-Committee**
held on Thursday, 28th January, 2010 at The Capesthorne Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillor P Whiteley (Chairman)

Councillors Rhoda Bailey and M Hardy

OFFICERS IN ATTENDANCE

Mrs N Cadman (Licensing Officer) and Mrs K Khan (Licensing Solicitor)

Apologies

None.

1 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

2 DECLARATIONS OF INTEREST

None.

3 APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - NO. 15 WINE BAR, 15 LONDON ROAD, ALDERLEY EDGE, CHESHIRE

(The meeting was adjourned at 10.05am until 10.20am in order to allow the Sub Committee to consider information that the applicant's Solicitor had sent through to the Licensing Authority but which Members had not had the opportunity to see).

The Sub-Committee had been asked to consider the application for the variation of a Premises Licence under section 34 of the Licensing Act 2003.

The applicant, the applicant's Solicitor, three local residents and representatives from Environmental Health 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 written representation of local residents the following course of action had been agreed:

RESOLVED

That the application for a variation of the Licence be granted as follows

Regulated entertainment and sale of alcohol

Thursday to Saturday 11.00 to 02.00

Late night refreshment

Thursday to Saturday 11.00 to 02.30

Hours of opening

Thursday to Saturday 11.00 to 02.30

In addition the following conditions were agreed:-

1. That SIA registered door security staff were to be employed at the premises on those nights when the premises operated until 2 am or 3 am and on other nights when it is deemed practical due to non-standard timings being used.

It was noted that given the amendment to the application reference to 3 am was no longer relevant.

2. CCTV should be installed at the premises and digital records kept for evidential purposes for a minimum of twenty-eight days and made accessible to Police or Local Authority Officers.

3. The use of the rear external licensed garden area and the rear external licensed first floor balcony should only be used between the hours of 09.00 and 22.00 hours.

4. All rear doors and rear windows should be kept closed whilst regulated musical entertainment was being carried out.

Furthermore the applicant volunteered the following condition:-

1. The Licence Holder would implement a dispersal policy, smoking policy and appropriate signage relating to both car parking and people leaving the premises as submitted to the Sub-Committee.
2. The applicant's representative also advised that there was an amendment to the seasonal variations to 02.00 for regulated entertainment and the sale of alcohol. The applicant advised that that the intention would be to have live music until 21.00 or 22.00 and recorded music thereafter.

4 APPLICATION FOR A PREMISES LICENCE - TESCO STORES LTD 17-23 LONDON ROAD, ALDERLEY EDGE, CHESHIRE

The Sub-Committee considered a report regarding an application from Tesco Stores Ltd, 17-23 London Road, Alderley Edge for a Premises Licence under section 17 of the Licensing Act 2003.

The applicant's Solicitor, representatives from Tesco and three residents 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 written representation of a local resident

the following course of action had been agreed:

RESOLVED

That a Premises Licence be granted for the sale of alcohol for consumption off the premises Monday to Sunday from 07.00 to 23.00.

In addition the applicant agreed to amend the operating schedule to include a condition, in the light of the comment from the Police, that, in addition to the DPS, at least one Personal Licence holder was to be employed by the premises.

The meeting commenced at 9.30 am and concluded at 2.00 pm

Councillor P Whiteley (Chairman)