

Version  
Number: 1.4

Key Decision Y/N

Date First  
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## Select Destination of Report

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**Date of Meeting:** 30<sup>th</sup> October 2020

**Report Title:** Application for a new Premises Licence at The Bridge Hotel, The Village, Prestbury, SK10 4DQ

**Portfolio Holder:** Cllr Mick Warren

**Senior Officer:** Frank Jordan - Executive Director Places

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### 1. Report Summary

1.1. The report provides details of an application made for a Premises Licence under the Licensing Act 2003 together with objections and support.

### 2. Recommendations

2.1. The Licensing Act Sub-Committee is requested to determine the application for a Premises Licence in respect of:

The Bridge Hotel  
The Village  
Prestbury  
SK10 4DQ

2.2. The Licensing Act Sub-Committee is requested to consider the Application and any relevant representations and determine what steps, if any, it considers are appropriate to promote the Licensing Objectives.

2.3. Acting in the capacity of the Licensing Authority, Members must seek to promote the Licensing Objectives. And where Members consider that matters have engaged one or more of the Objectives, they may exercise their discretion. The Licensing Objectives are:

- a) The prevention of crime and disorder

- b) Public Safety
- c) The prevention of public nuisance
- d) The protection of children from harm

### **3. Reasons for Recommendations**

3.1. The Licensing Act Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003 and the Council's Constitution, and provide the key reasons why the recommendation/s has been made. Link your reasons into appropriate council policies and corporate objectives.

### **4. Other Options Considered**

4.1. Not applicable

### **5. Background**

5.1. An application for a new Premises Licence was received by this Authority on 15<sup>th</sup> September 2020 for the following premises:

The Bridge Hotel  
The Village  
Prestbury  
SK10 4DQ

5.2. The premises is a bar and restaurant that also provides accommodation for customers.

5.3. As well as applying for licensable activities, the applicant has also applied to licence the outside area. A copy of the application can be found at **Appendix 1**. An Operating Schedule submitted with the application is at **Appendix 2**.

5.4. The applicant's proposed plan of the outside area that they intend to licence is attached at **Appendix 3**.

5.5. The applicant's internal plans are attached at **Appendix 4**.

5.6. To assist members with the location of the premises further maps are attached at **Appendix 5** and **Appendix 6**.

5.7. Of note, the above premises already operates under the authority of a Premises Licence. A copy of that Premises Licence (PR/0024) is attached at **Appendix 7**. A plan showing the area currently licensed is set out at **Appendix 8**.

5.8. If this new application is approved the applicant has stated their intention to surrender PR/0024.

- 5.9. Statutory Notices at the premises were inspected by a Licensing Officer on 17<sup>th</sup> September 2020.
- 5.10. A Statutory Notice was advertised within a local newspaper on 23<sup>rd</sup> September 2020.
- 5.11. Objections have been received in relation to this application. Those objections relate to the Licensing Objective 'The prevention of public nuisance'. Copies of those objections can be found from **Appendix 9** to **Appendix 31**.
- 5.12. One further objection was received after the statutory period ended and is therefore not included as an Appendix.
- 5.13. Letters of support have also been received. Copies can be found from **Appendix 32** to **Appendix 43**.
- 5.14. Two further letters of support were received after the statutory period ended and are therefore not included as Appendices.
- 5.15. During the statutory consultation period Environmental Protection have made certain recommendations. A copy of those recommendations can be found at **Appendix 44**.
- 5.16. Cheshire Constabulary have stated they have no objection to the application.
- 5.17. With regard to licensable activities applied for and those that are automatically permitted under de-regulation, particular attention should be paid to the content of Section 20 of the Application Form (**Appendix 1**).

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

6.1.1. 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 appropriate for the promotion of the licensing objectives. Section 18(4) provides that the authority may:

- a) Grant the licence subject to conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives and any mandatory conditions that must be included on the licence in accordance with the Licensing Act 2003;
- 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;
- d) Reject the application.

6.1.2. Members are reminded that should any conditions be added, they should be practical, enforceable and appropriate to promote the Licensing Objectives.

6.1.3. Members are also reminded of the statutory obligation placed on the Local Authority under section 17 of the Crime and Disorder Act 1998 to through all of its various functions, and Licensing is one of those functions to do all that it can to prevent Crime and disorder, Anti-social Behaviour, behaviour adversely affecting the environment and re-offending.

## **6.2. Finance Implications**

6.2.1. There are no financial implications

## **6.3. Policy Implications**

6.3.1. The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.

6.3.2. The Licensing Authority must also have due regard to the guidance issued under section 182 of the Licensing Act 2003.

6.3.3. Members should provide reason(s) for any decision taken and should set out the reasoning where they determine to depart in any way from the Policy or Guidance.

## **6.4. Equality Implications**

6.4.1. There are no direct equality implications

## **6.5. Human Resources Implications**

6.5.1. There are no human resources implications

## **6.6. Risk Management Implications**

6.6.1. The Licensing Sub-Committee will hear representations made on behalf of both the applicant and the 'relevant person' who has submitted their representation and will make a decision on the basis of the evidence presented to it. The Licensing Act 2003 makes provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority.

#### **6.7. Rural Communities Implications**

6.7.1. There are no direct implications for rural communities.

#### **6.8. Implications for Children & Young People/Cared for Children**

6.8.1. There are no direct implications for children and young people.

#### **6.9. Public Health Implications**

6.9.1. There are no direct implications for public health.

#### **6.10. Climate Change Implications**

6.11. There are no direct implications for Climate Change

### **7. Ward Members Affected**

7.1. Councillor Paul Findlow

### **8. Consultation & Engagement**

8.1. Consultation in respect of submitting an application for a Premises Licence is prescribed in the Licensing Act 2003 and has been fully complied with.

### **9. Access to Information**

9.1. The background papers relating to this report can be made available by contacting the report writer.

### **10. Contact Information**

10.1. Any questions relating to this report should be directed to the following officer:

Name: Richard Hellon

Job Title: Licensing Enforcement Officer

Email: [Richard.hellon@cheshireeast.gov.uk](mailto:Richard.hellon@cheshireeast.gov.uk)

## **Appendices**

**Appendix 1 – Application**

**Appendix 2 – Operating Schedule**

**Appendix 3 – Premises External Plan**

**Appendix 4 – Premises Internal Plan**

**Appendices 5 and 6 – Location Plans**

**Appendix 7 – Extant Premises Licence (PR/0024)**

**Appendix 8 – Extant Premises Licence Plan**

**Appendices 9 – 31 – Objections from Other Persons**

**Appendices 32 – 43 – Support from Other Persons**

**Appendix 44 – Representation from Responsible Authority – Environmental Health**

**11. Version Control**

Date	Version	Author	Meeting report presented to	Consultees		Summary of amendments made
				Name of officers consulted	Date consulted	
15/10/20	1.0	RH	RS&H	Kim Evans	15/10/20	Final draft for consideration to line manager
15/10/20	1.1	RH	Legal	Alison Burquest	15/10/20	Final draft to legal for consideration, including update to Police response
15/10/20	1.2	RH/KE	-	-	15/10/20	Updates to appendices provided by KE
15/10/20	1.3	RH/AB	-	-	15/10/20	Bold text and appendix list added by AB
16/10/20	1.4	RH	Democratic Services	Helen Davies	16/10/20	Version Control paragraph spaced further down. Forwarded for publishing.