

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Wednesday, 9th September, 2020 as a Virtual Meeting.

PRESENT

Councillors H Faddes and K Flavell and M Goldsmith

OFFICERS IN ATTENDANCE

Kim Evans- Licensing Officer
Alison Burquest- Legal/Litigation Solicitor
Helen Davies- Democratic Services Officer

ALSO PRESENT

Lesley Halliday, Licensing Officer- Cheshire Police
Beth Heavey , Operational Lawyer- Cheshire Police

1 APPOINTMENT OF CHAIRMAN

RESOLVED- That Councillor Mark Goldsmith be appointed as Chairman.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 APPLICATION TO REVIEW A PREMISES LICENCE AT THIRSTY BEAK CAFÉ BAR, UNIT 5C, DUKES COURT, MILL STREET, MACCLESFIELD, CHESHIRE, SK11 6NN

The Sub-Committee considered a report regarding an application by Cheshire Police for a review to a Premises License at the Thirsty Beak Café Bar, Macclesfield, Cheshire under Section 51 of the Licensing Act 2003. The report outlined the evidence presented by the parties in relation to the review.

The following persons attending the hearing and made representations:

- operational lawyer from Cheshire Police, and
- licensing Officer from Cheshire Police.

After a full hearing 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; and
- 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 Premises Licence for the Thirsty Beak Café Bar in Macclesfield, be **SUSPENDED** for a period of four weeks. Additionally the Designed Premises Supervisor, Tracey Warne, be **REMOVED** from post and the License conditions be **MODIFIED** as those proposed by Cheshire Constabulary in relation to the Prevention of Crime and Disorder:

Prevention of crime and disorder

A CCTV system shall be used and shall be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called: 'CCTV in Licence Premises- An Operational Requirement'. This system shall be in operation at all times when licensable activities are taking place.

Recorded CCTV images will be maintained and stored for a period of twenty-eight days.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to provide a Police Officer or an authorised officer of the licencing authority data or footage upon request. All requests for footage ought to be provided within a reasonable time scale.

Designated supervisors will need to demonstrate that their CCTV system complies with their Operational requirements. They will need to be able to demonstrate the following:

- Recordings are fit for their intended purpose;
- Good quality images are presented to the Officer in a format that can be replayed on a standard computer;
- The supervisor has an understanding of equipment/training;
- Maintenance records are kept;
- Maintenance agreements and records are maintained; and
- Data Protection principles and signage are in place.

SIA registered Door Supervisors shall be employed from 22:00 until the close of the premises on both Friday and Saturday evenings, along with bank Holidays, Christmas Eve and New Year's Eve to such a number as the management of the premises consider are sufficient to control the entry of persons to the premises and for the keeping of order in the premises when they are used for a licensable activity

A written record should be kept on the premises by the Designated Premises Supervisor of every person on the premise as a door supervisor in a register kept for that purpose. That recording shall contain the following details:

- The door supervisors name, date of birth and home address;
- His/Her Security Industry Authority licence number;
- The time and date he/she finishes duty;
- The time of any breaks taken whilst on duty;
- Each entry should be signed by the door supervisor; and
- A record of all incidents taking place in the venue.

That register shall be available for inspection on demand by an Authorised Officer of the Council the Security Industry Authority or a Police Constable.

The premises shall maintain an Incident Log Book and will record all incidents in this book, where the Police are called the log entry should also record the incident number.

The incident book shall be available for inspection on demand by an Authorised Officer of the Council or Police Officer.

AND the additional conditions that

1. the Premises cannot reopen without a Designated Premises Supervisor being in place
2. The Premises cannot reopen without a further inspection by officers from Cheshire Constabulary and the police's confirmation that they are satisfied that steps have been taken to comply with the modified conditions.

The meeting commenced at 2.00 pm and concluded at 3.37 pm

Councillor Mark Goldsmith (Chairman)