

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Monday, 20th September, 2021 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillors D Edwardes, L Smetham and J Wray

OFFICERS IN ATTENDANCE

Nashwan Fazlani- Legal Officer
Kim Evans- Licensing Officer
Helen Davies- Democratic Services
19 **APPOINTMENT OF CHAIRMAN**

RESOLVED- That Councillor David Edwardes be appointed as Chairman.

20 DECLARATIONS OF INTEREST

There were no declarations of interest.

21 APPLICATION FOR A FULL VARIATION OF THE PREMISES LICENCE AT NAKATCHA, 20-22 WELSH ROW, NANTWICH, CW5 5ED

The Sub-Committee considered a report to vary a Premises Licence under the section 34 of the Licensing Act 2003 in respect of Nakatcha, 20-22 Welsh Row, Nantwich, CW5 5ED together with objections and support.

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

the Solicitor for the Applicant;
the Operator and Designated Premises Supervisor; and
the Operations Manager for the Premises Licence Holder.

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) and the steps appropriate to promote them; 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 application for a full variation of the Premises Licence be GRANTED as outlined in the application with some modification:

Condition 6

No food or drink shall be taken into or consumed in the smoking area (highlighted in yellow on the enclosed external area plan) after 0230hrs. No food or drink shall be taken into or consumed in the garden area (highlighted in blue on the enclosed external area plan) after 23:00hrs. After 23:00 the smoking area will be suitably managed by way of a smoking area management plan to ensure that customers using the area do so responsibly and do not linger having finished their cigarette. The management plan will be drawn up and disseminated to staff and door staff as required to ensure compliance.

Condition 8

The following number of door supervisors shall be provided from 21:00hrs until the closing time of the premises as follows:

Fridays, Saturdays and Sundays preceding a bank holiday:

- a minimum of 2 supervisors from 21:00;
- a minimum of 4 supervisors from 22:00; and
- a minimum of 6 supervisors from 23:00, until closing time.

When the premises are open Sunday - Thursday or when there is any specific local event, the Premises Licence Holder or Designated Premises Supervisor shall employ door supervisors on a ratio of one door supervisor for every 50 guests present at the premises

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

- The door supervisor's name, date of birth and home address;
- His/her Security Industry Authority licence number;
- The time and date he/she starts and finishes duty;
- The time of any breaks taken whilst on duty;
- Each entry shall be signed by the door supervisor; and
- 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.

Condition 9

There shall be no entry or re-entry after 01:30hrs however, existing customers after this time can use the smoking area.

For the avoidance of doubt the term premises includes the beer garden/outdoor drinking area and the smoking area.

All hours, activities and remaining conditions currently permitted by the premises are to remain unchanged by this application.

The meeting commenced at 2.00 pm and concluded at 2.32 pm

Councillor David Edwardes (Chair)