

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Wednesday, 11th May, 2022 in the Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillors D Edwardes, L Smetham and I Macfarlane

OFFICERS IN ATTENDANCE

Helen Davies- Democratic Services
Kim Evans- Licensing
Phil Jennings- Licensing
Jennifer Rowney- Licensing

ALSO PRESENT

Daniel Hesketh- Applicant
John Schofield- Premises Owner
Hazel Wilcock- Local Resident with relevant representation
Charlotte Wilcock- Local Resident with relevant representation
Rebecca Wilcock- Local Resident with relevant representation

7 APPOINTMENT OF CHAIR

RESOLVED: That Councillor David Edwardes be appointed as Chair.

8 DECLARATIONS OF INTEREST

In the interests of openness and transparency, Councillor Ian MacFarlane declared that he had visited the Royal Oak Pub and engaged with the staff, although he couldn't be sure he spoke to the applicant. He did not discuss the application and was not predetermined to hear the application.

9 APPLICATION FOR A VARIATION TO A PREMISES LICENCE AT THE ROYAL OAK, 94 MAIN ROAD, WORLESTON, NANTWICH, CW5 6DN

The Sub-Committee considered a report regarding a variation to a Premise Licence, under the Licensing Act 2003 in respect of, The Royal Oak, 94 Main Road, Worleston, Nantwich, CW5 6DN together with objections and support.

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

- The Applicant;
- The Premises Owner; and
- Three residents making relevant representation.

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 Premises Licence be GRANTED as outlined in the application with some modifications.

In Annex 3 of Premises Licence PREM1270 "Conditions attached after a hearing by the Licensing Authority" there is added the following:

- There shall be notices located around the Premises to advise patrons to be considerate regarding noise levels particularly at sensitive times in respect of nearby residential neighbours.
- The Children's play area at the Premises shall not to be available for use by patrons after 21.00hrs on any day the Premises is open to the public.
- The open walled shelter, terrace and garden at the rear of the Premises shall not be available for use by patrons after 21.00hrs on any day the Premises is open to the public.
- The CCTV 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 and Condition 1 in Annex 2 of the Premises Licence is amended accordingly.
- 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 licensing authority data or footage upon request. All requests for footage are to be provided within a reasonable time scale.

- Designated supervisors 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 the equipment/training.
 - Management records are kept,
 - Maintenance agreements and records are maintained,
 - Data Protection principles and signage are in place.

- The Designated Premises Supervisor or Premises Licence Holder shall operate and maintain an up-to-date Register of Refusals of Sale of Alcohol, indicating the date, time and reason for refusal which shall be made available for inspection by Local Authority Officers and the Police.

- The DPS or other responsible person shall check and sign the register once a week. Alternatively, an electronic point of sale refusals log shall be kept.

- A documented training programme shall be introduced for all staff in a position to sell, serve or deliver alcohol. A written record for each member of staff shall be kept of the content of such training and shall be made available for inspection at the request of Local Authority Officers and Police.

- The DPS or Premises Licence Holder shall conduct regular training reviews with all members of staff authorised to sell, serve or deliver alcohol in order to reinforce the training and to promote best practice. A written record for each member of staff shall be kept of the content of such reviews and shall be made available for inspection at the request of Local Authority Officers and Police.

- An incident log/book shall be kept at the premises for at least 12 months and made available on request to an authorised officer of the licensing authority of the Cheshire Police Licensing Unit.

The meeting commenced at 2.00 pm and concluded at 4.10 pm

Councillor David Edwardes (Chair)