

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Monday, 26th September, 2022 in the Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillors S Akers Smith, D Edwardes and A Harewood

OFFICERS IN ATTENDANCE

Cheryl Birchenough- Environmental Health Officer- observing
Garry Coghlan- Legal Officer
Kim Evans- Licensing Officer
Helen Davies- Democratic Services
Margaret Hopley- Environmental Health Officer
Jen Rowney- Licensing Officer

Ian Donaldson- Director of HD&LD Properties Landlord
Brad Lancaster- Director of the Vault

Sue Helliwell- Made relevant representation
Chris Morgan- Made relevant representation

22 APPOINTMENT OF CHAIRMAN

RESOLVED: That Councillor D Edwardes be appointed Chairman.

23 DECLARATIONS OF INTEREST

In the interests of openness, Councillor D Edwardes declared that he knew Sue Helliwell, who had made relevant representation, through her attendance at Council meetings.

24 APPLICATION FOR A PREMISES LICENCE - THE VAULT, 19 CREWE ROAD, ALSAGER ST7 2EP

The Sub-Committee considered a report regarding for the application of a Premise Licence, under the Licensing Act 2003 in respect of, The Vault, 19 Crewe Road, Alsager ST7 2EP together with objections and support.

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

- The Applicant and Director of the premises;
- The Landlord; and
- Two 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 additional conditions as follows:

Standard days and timings

- Provision live music (indoors)
Thursday to Saturday – 12:00hrs to 00:00hrs
Sunday – 12:00hrs to 23:00hrs
- Provision of recorded music (indoors and outdoors), late night refreshment (indoors)
Thursday to Saturday- 12:00hrs to 00:00hrs
Sunday 12:00hrs to 23:00hrs

Recorded music will be played at background noise level through built-in speakers (controlled by a decibel limiter).

- Supply of alcohol (indoors)
Thursday to Saturday – 12:00hrs to 23:30hrs
Sunday – 12:00hrs to 22:00hrs

Non Standard Timings and Seasonal Variation

- Provision of live music (indoors)
Christmas Eve, Christmas Day or New Years Eve that falls on a Monday, Tuesday or Wednesday live music is requested between 18:00hrs – 00:00hrs
- Provision of recorded music (indoors and outdoors)
Christmas Eve, Christmas Day or New Years Eve that fall on a Monday, Tuesday or Wednesday recorded music is requested between 12:00hrs – 00:00hrs

- Provision of late night refreshment (indoors)
Christmas Eve, Christmas Day or New Years Eve that fall on a Monday, Tuesday or Wednesday late night refreshment is requested between 12:00hrs - 00:00hrs
- Supply of alcohol (indoors)
Christmas Eve, Christmas Day or New Years Eve that fall on a Monday, Tuesday or Wednesday supply of alcohol is requested between 12:00hrs – 23:30hrs

The operating schedule indicates that the hours the premises are open to the public are:

- Thursday to Saturday – 12:00hrs to 00:00hrs.
- Sunday- 12:00 to 23:00hrs
- The outside courtyard area to be closed a 22:00hrs each day.
- Non standard timings and seasonal variations to be those set out above

The outside area will not have any speakers and no music will be played in this area.

Refuse, including bottles, shall not be removed from the building for disposal between the hours of 21:00 hours and 09:00 hours.

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 Licensed 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 28 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 show/provide footage to a police officer or an authorised officer of the licensing authority data or footage upon request.

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 the equipment/training.
- Management records are kept.
- Maintenance agreements and records are maintained.
- Data protection principles and signage are in place.

Risk-Assessed Door Staff

When there is regulated entertainment at the premises or when there is any specific local event, the Premises Licence Holder or Designated Premises Supervisor shall conduct an assessment of the need for door supervisors, taking into account any advice offered by the police. Where the assessment shows that door supervision is required, supervisors shall be engaged at such times and ratios as are assessed to be necessary.

When such door supervision is employed:-

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 for that purpose. That record shall contain the following details:-

- The door supervisor's name, date of birth, contact telephone number 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;
- The Company which employs the door supervisor;
- Each entry shall be signed by the door supervisor;
- Record of all incidents taking place in the venue.

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

Protection of Children from Harm

A "Challenge 25" policy shall be operated at the premises at all times.

The only forms of ID that shall be accepted (at the discretion of the Management) as proof of age are a valid passport, a valid photographic driving licence, a PASS approved proof of age card, HM Services Warrant Card or other reliable photo ID (that has been approved for acceptance by the Police or an Officer of the Local Authority).

Publicity materials notifying customers of the operation of the "Challenge 25" scheme shall be displayed at the premises.

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 Offices 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 Premises Licence Holder shall conduct 6-monthly training reviews with all members of staff authorised to sell, serve or deliver alcohol in order to reinforce the training and 2 promote best practice. A written record for each member of staff shall be kept on the content of such reviews and shall be made available for inspection at the request of Local Authority Officers and Police.

A list of persons authorised to sell alcohol shall be kept on site and made available for inspection at the request of Local Authority Officers and Police.

Clearly visible signage is to be displayed at the entrances and at points of sale indicating it is illegal to sell alcohol to people under the age of 18.

Regulated Entertainment

The DPS or their representative shall conduct regular assessments of noise emanating from the premises and shall take steps to reduce the level of noise where it is likely to cause disturbance to local residents.

A written record of those assessments and the remedial action taken shall be kept and shall include the date, time of checks and the name of the person carrying out the checks.

Records shall be made available to Officers of Cheshire East Council or Cheshire Constabulary immediately upon request.

Prevention of public nuisance

All necessary steps shall be taken to ensure that any noise from the premises shall not be at a level which could cause a noise nuisance at the boundary of the nearest residential premises, therefore:

Noise emanating from the premises as a result of entertainment shall not be clearly audible at the boundary of any adjacent residential premises.

There shall be notices located at the exit(s) requesting customers leaving the premises to do so quietly and with consideration to neighbours.

The meeting commenced at 2.00 pm and concluded at 4.48 pm

Councillor David Edwardes (none)