

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Tuesday, 22nd February, 2022 in the Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillors D Brown, A Harewood and L Smetham

OFFICERS IN ATTENDANCE

Helen Davies- Democratic Services Officer
Phil Jennings- Legal Officer
Jennifer Rowney- Licensing Officer

ALSO PRESENT

Kadir Anik- Representative for the Applicant
Oz- Representative for the Applicant
Amy Chilvers- Environmental Health Officer
Margaret Hopely- Environmental Health Officer
Sergeant Shaun Hunter- Cheshire Police
Barrie Davies- resident making relevant representation
Denis Brogan- resident making relevant representation

4 APPOINTMENT OF CHAIRMAN

RESOLVED: That Councillor Lesley Smetham be appointed as Chairman

5 DECLARATIONS OF INTEREST

There were no declarations of interest.

The Sub-Committee did ask Mr. Kadir Anik if he would be in agreement with a site visit should the Members decide it was needed ahead of any decision made and Mr. Anik agreed to this request.

6 APPLICATION FOR A PREMISES LICENCE AT SWISH LOUNGE, 31 MILL STREET, CREWE, CHESHIRE, CW2 7AJ

The Sub-Committee considered a report regarding an application for a Premises License, under the Licensing Act 2003 in respect of Swish Lounge, 31 Mill Street, Crewe, Cheshire, CW2 7AJ together with objections and support.

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

- Two representatives for the Applicant;
- Two representatives from Environmental Health;
- A representative from Cheshire Police; 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

The hours applied for are as followed:

- Recorded music
Monday to Sunday 11:00 to 23:00
- Performance of dance
Sunday 20:00 to 21:00
- Anything of a similar description to that falling within live music, recorded music or performance of dance
Monday to Sunday 09:00 to 23:00
- Sale and supply of alcohol
Monday to Sunday 11:00 to 22:45

with some additional conditions:

The following conditions shall apply to the Premises Licence:

Noise emanating from the Premises shall not be clearly audible at the boundary of the nearest residential property.

Noise emanating from the Premises shall not be clearly audible at the boundary of noise sensitive properties.

All external windows and doors at the Premises shall be closed whilst live and recorded music or anything of a similar description to live or recorded music or dance is taking place inside the Premises except for normal access and egress purposes.

Regular noise assessments shall be undertaken by a competent person (either the Licensee or Manager) around the boundary of the Premises when live and recorded music or anything of a similar description to live or recorded music or dance is taking place inside the Premises and steps shall be taken to reduce the level of noise where it is likely to cause a disturbance to local residents.

The noise assessments shall be undertaken during the operating hours of the Premises.

A written record shall be made of those assessments in a log book, kept for that purpose and shall include; the time and date of the checks, the person making them, and in what location and the outcome- including any remedial action in order to reduce the level of noise where it is likely to cause a disturbance to local residents.

There shall be no disposal of bottles outside the premises between the hours of 21.00 and 09.00.

No disposal of refuse outside the premises or deliveries made to the premises between 21.00 and 0700.

A CCTV system shall be in operation at all times licensable activities are taking place at the Premises.

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 licensing authority data or footage upon request.

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.

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.
- A 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 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.

The meeting commenced at 2.00 pm and concluded at 4.59 pm

Councillor Lesley Smetham (none)

