

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Friday, 26th August, 2011 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillors D Bebbington, L Gilbert and P Whiteley

Officers

Kate Khan Licensing Solicitor
Jane Cornes, Licensing Officer
Rachel Graves, Democratic Services Officer

15 APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor P Whiteley be appointed Chairman.

16 DECLARATIONS OF INTEREST

There were no declarations of interest.

17 APPLICATION FOR A PREMISES LICENCE - CONGLETON TOWN FOOTBALL CLUB, BOOTH STREET, CONGLETON CW12 4DG

The Sub Committee considered a report regarding an application from Congleton Town Limited for a Premises Licence in relation to Congleton Town Football Club, Booth Street, Congleton.

The Solicitor for the Applicant, two Congleton Town Football Club representatives and five interested parties attended the hearing and made representations with respect to the application.

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)
- 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 Sub-Committee, having taken careful consideration of all the evidence in this matter and having determined that the operating schedule as amended below would be sufficient to prevent harm to the licensing objectives, grants the application on the following basis:

- 1. The hours for forms of regulated entertainment applied for will be as follows:**

Sunday to Thursday 10.00 – 23.00

Friday and Saturday 10.00 – 24.00

Seasonal variations as applied for

- 2. The hours for sale and supply of alcohol will be:**

Monday to Sunday 10.00 – 24.00

Seasonal variations as applied for

- 3. The hours for late night refreshment will be:**

Monday to Sunday 23.00 – 24.00

Seasonal variations as applied for

- 4. The hours the premises are open to the public shall be:**

Monday to Sunday 09.00 – 00.30

Seasonal variations as applied for

The Sub-Committee has determined to impose the terminal hours referred to above in order to prevent harm to the objective of the prevention of public nuisance in the light of the close proximity of residential properties. The Sub-Committee is mindful of the conditions agreed between the Environmental Health Department and the Applicant, however feels that the terminal hour in relation to regulated entertainment is a reasonable and proportionate limitation in the light of the evidence provided about the nature of the area in which the premises is located and the acoustic weakness of the premises.

- 3. The following condition is added to the Premises Licence:**

No alcohol, bottles or glasses shall be taken outside the boundary of the football club site by patrons.

This condition has been imposed in recognition of the fact that off sales are to be permitted to allow consumption outside the clubhouse but within the club site, but not outside the site itself. Additionally, the condition limits the removal of bottles or glasses from the premises to ensure that littering is not caused in the vicinity of the premises.

4. The conditions suggested by the Police and Environmental Health Department, and agreed by the applicant, are imposed on the grant of the licence subject to the amendment of Environmental Health condition 4 by the addition of “with the exception of access and egress.”

The Sub-Committee would wish to highlight the fact that should problems relating to the licensing objectives be linked to the operation of licensable activities at this premises then Responsible Authorities or Interested Parties may call for a review of the licence at any time.

Parties who made relevant representations have the right to appeal this decision to the Magistrates Court within 21 days as does the Applicant.

The meeting commenced at 9.30 am and concluded at 11.40 am

Councillor P Whiteley