

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Friday, 30th October, 2020 as Virtual Meeting.

PRESENT

Councillors M Benson, M Goldsmith and A Harewood

OFFICERS IN ATTENDANCE

Kim Evans- Licensing Officer
Alison Burquest- Legal/Litigation Solicitor
Helen Davies- Democratic Services Officer

ALSO PRESENT

Dominic Gottelier Manager and Applicant,
Rebecca Ingram, Solicitor for the Applicant,
Nick Kelly Environmental Health, Objector
Councillor Paul Findlow, Objector,
Prestbury Parish Council, Objector,
Local Resident, Objector

1 APPOINTMENT OF CHAIRMAN

RESOLVED- That Councillor Mark Goldsmith be appointed as Chairman.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 APPLICATION FOR A NEW PREMISES LICENCE AT THE BRIDGE HOTEL, THE VILLAGE, PRESTBURY, SK10 4DQ

The Sub-Committee considered a report regarding an application by The Bridge Cheshire Limited for a premises licence under the Licensing Act 2003 in respect of The Bridge Hotel, The Village, Prestbury, SK10 4DQ together with objections and support.

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

- the Applicant;
- Solicitor for the Applicant;
- Environmental Health;
- Local Ward Member;
- The Parish Council; and
- an Objector.

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:

A) The Prevention of Crime and Disorder

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both externally and internally.
2. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
4. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
5. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS on an event by event basis.
6. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.
7. Open containers of alcohol shall not be removed from the hotel or its grounds.
8. Staff will be trained in the requirements of the Licensing Act 2003 with regard to the licensing objectives and the laws relating to under age sales and the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals.

9. Any and all instances of crime and disorder will be reported promptly to the police.

10. An incident log shall be kept at the premises and made available for inspection on request to an authorised officer of the Council or Police, which will record the following:

- (i) All crimes reported to the venue
 - (ii) Any complaints received
 - (iii) Any refusal of the sale of alcohol
 - (iv) Any visit by a responsible authority or emergency service
- The incident log shall be reviewed and signed by the DPS on a monthly basis.

B) Public Safety

1. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place by staff.

2. Regular safety checks shall be carried out by staff.

3. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.

4. The premises shall maintain public liability insurance.

5. All exit routes throughout the premises shall be kept unobstructed, free of trip hazards and clearly signed.

6. Public areas will be maintained free from obstruction and trip hazards.

C) The Prevention of Public Nuisance

1. Appropriate and effective measures shall be taken at all times to ensure that any noise from the premises shall not be at a level which could cause a noise nuisance at the nearest residential premises.

2. The grounds of the hotel shall be cleared of litter at regular intervals.

3. Conspicuous notices shall be erected in positions within the Hotel building and at exit doors which are clearly noticeable to patrons – to request customers to be considerate in terms of noise as they leave the premises and to leave the area quickly and quietly. This should be reinforced by staff and any DJ/band as patrons leave the building.

4. All external windows and doors shall be closed whilst amplified music is taking place, except for normal access and egress.

5. No licensable activities shall take place outside after 11pm daily.

6. Outside areas shall not be used, save for smokers, after 11pm Sunday to Thursday and midnight Friday and Saturday (and Bank Holiday Sundays).

7. The premises licence holder shall maintain a tamper proof in house sound system which must be used for all performances of live and recorded music. The

sound system will include a limiter which will be set, in conjunction with the Environmental Health Team at Cheshire East Council, at such a level as to ensure that a nuisance is not caused to nearby noise sensitive properties.

8. The Licence Holder/Designated Premises Supervisor or responsible person nominated by him/her in charge of the premises shall ensure that regular noise assessments are made around the site boundary during the playing of live and amplified music to ensure that any noise emanating from the premises is not likely to cause a noise nuisance at the boundary of the nearest noise sensitive properties. Appropriate action shall be taken to reduce the level of noise where it is likely to cause a disturbance to local residents. A log book shall be maintained which details the date, time, type of entertainment, person undertaking the check, notes as regards the assessment of the noise and action taken if necessary. The log book should be kept at The Bridge Hotel and made available for inspection by an authorised officer of the Council at any time.

9. Live and recorded music shall not take place externally after 10.30pm on any day.

10. A Dispersal Policy and a Smoking and Al-Fresco Dining Policy shall be implemented and adhered to – see attached.

11. Customers shall be permitted to stay inside the premises whilst waiting for taxis.

12. There shall be no disposal of bottles outside the premises between the hours of 20:00 and 09:00.

13. There shall be no disposal of refuse outside the premises or deliveries made to the premises between the hours of 20:00 and 07:30.

14. The Licence Holder/Designated Premises Supervisors or responsible person nominated by him in charge of the Premises shall ensure that the Premises, including the car park, are vacated quietly within 30 minutes of the terminal hour of the Licence, and that proper supervision of all persons leaving the car park and otherwise leaving the premises is provided.

15. Conspicuous notices shall be positioned in the car park requesting patrons to make the minimum amount of noise on leaving.

D) The Protection of Children from Harm

1. A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.

2. Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.

3. Notices advising what forms of ID are acceptable must be displayed.

4. Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in force.

Additionally, the Committee agreed two further conditions, being:

- A noise management plan in respect of any marquee use at the Premises shall be submitted for approval to the licensing authority;
- The Premises Licence Holder shall consult the local authority's environmental health department on how to conduct effective external perimeter checks to safeguard against noise nuisance.

The meeting commenced at 10.00 am and concluded at 12.12 pm

Councillor Mark Goldsmith (Chairman)