

CHESHIRE EAST COUNCIL

REPORT TO: LICENSING ACT SUB-COMMITTEE

Date of Meeting:	Friday 23 rd September 2011 at 09.30hrs
Report of:	Mrs N Cadman, Licensing Officer
Subject/Title:	Application for a Premises Licence Best One, 4-6 Merriden Road, Macclesfield,

1.0 Report Summary

- 1.1 The report provides details of an application for a premises licence together with information as to representations received in relation to the application.

2.0 Recommendations

The Licensing Act Sub-Committee is requested to determine the application for a Premises Licence by Mr Noaman Malik in respect of Best One, 4-6 Merriden Road, Macclesfield, SK10 3AN.

3.0 Reasons for Recommendations

- 3.1 The Licensing Act Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003.

4.0 Wards Affected

- 4.1 Macclesfield Tytherington

5.0 Local Ward Members

Cllr Brendan Murphy
Cllr Lloyd Roberts

6.0 Policy Implications

- 6.1 The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003 and Guidance issued under section 182 of the Act.

7.0 Financial Implications 2011/12 and beyond (Authorised by the Borough Treasurer)

- 7.1 Not applicable.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 In accordance with the provisions of section 18 of the Licensing Act 2003 the Licensing Authority must, having regard to the representations, take such steps (if any) as it considers necessary for the promotion of the licensing objectives. Section 18(4) provides that the authority may (a) grant the licence subject to conditions; (b) exclude from the scope of the licence any of the licensable activities to which the

application relates; (c) to refuse to specify a person in the licence as the premises supervisor; or (d) to reject the application.

9.0 Risk Management

- 9.1 Section 181 and Schedule 5 of the Licensing Act 2003 make provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority.

10.0 Background and Options

- 10.1 The application is for Premises Licence under section 17 of the Licensing Act 2003.
- 10.2 The operating schedule indicates that the relevant licensable activities applied for are:
Sale and supply of alcohol for consumption off the premises only.
- 10.3 The hours applied for are as follows:
Monday to Saturday 08.00 to 22.00
Sunday 08.00 to 21.00

The opening hours of the premises as as follows:
Monday to Saturday 08.00 to 22.00
Sunday 08.00 to 21.00

- 10.4 Designated Premises Supervisor: Mr Noaman Malik
- 10.5 The operating schedule includes the following steps to promote the licensing objectives:

(a) Prevention of crime and disorder

There shall be CCTV cameras inside and outside the premises.

The Challenge 25 policy shall be adhered to and highlighted by posters.

(a) Public safety

There shall be fire extinguishers on site.

(b) Prevention of public nuisance

2 members of staff shall be available during busy times.

Police assistance shall be sought if required.

(c) Protection of children from harm

There shall be a refusals log in operation at the premises.

(d) General – all four licensing objectives

Staff shall be trained in the Licensing Objectives.

Staff shall be familiarised with the refusals procedure.

10.6 Relevant Representations:

Responsible Authorities

10.6.1 The Police state in their response: Application received 11th August 2011, from Noaman Malik for a Premises Licence at Best One, 4-6 Merridan Road, Macclesfield SK10 3AN.

The premises are situated in a small shopping parade on the outskirts of the town. The premises Licence is for the sale and supply of alcohol only from 08:00 to 22:00 hours Monday to Saturday and 08:00 to 21:00 Sunday

The proposed Designated Premises Supervisor is Noaman Malik b: 26/10/1972.

I visited the premises on Thursday 18th August 2011, and observed the Blue Notices were correctly displayed. I took pictures which I can produce if required.

The operating schedule states the applicant will operate a Challenge 21 Policy. In line with Cheshire East and national Trading Standards policy, would request that a Challenge 25 policy is adopted in relation to the Protection of Children from harm in order to prevent underage sales of alcohol, this has been agreed with the applicant

There are no other Police representations.

10.6.2 The Environmental Health Officer – No response received.

10.6.3 Cheshire Fire Service – No response received.

10.6.4 Local Planning Authority – No response received.

10.6.5 Local Safeguarding Children Board – As Police response.

10.6.5 Health and Safety Officer – No response received.

10.6.6 Trading Standards – No response received.

Interested Parties

The Licensing Authority has received representations from neighbour objectors. Details of these are appended to this report.

11.0 Overview of Year One and Term One Issues

11.1 Not applicable

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Mrs N Cadman
Designation: Licensing Officer
Tel No: 01270 685957
Email: nikki.cadman@cheshireeast.gov.uk

APPENDICES

Appendix 1 – 2 Representations from neighbour objectors.
Appendix 3 – Plan of area.