

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Monday, 6th June, 2011 at The Tatton Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillor P Whiteley (Chairman)

Councillors C Andrew and W S Davies

IN ATTENDANCE

Councillor D Mahon

OFFICERS IN ATTENDANCE

Mrs N Cadman (Licensing Officer) and Mrs K Khan (Licensing Solicitor)

1 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

2 DECLARATIONS OF INTEREST

None.

3 APPLICATION FOR THE VARIATION OF A PREMISES LICENCE: THE FARMERS ARMS, 71 CHAPEL LANE, WILMSLOW SK9 5JH

The Sub Committee considered a report regarding an application by J W Lees & Co (Brewers) Ltd for the variation of a Premises Licence in respect of The Farmers Arms, 71 Chapel Lane, Wilmslow Cheshire under Section 34 of the Licensing Act 2003.

The Designated Premises Supervisor, the Area Manager from J W Lees & Co (Brewers) and an objector 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 reported that, having taken 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 representations made at the meeting and the written representations of the objectors and Environmental Health

the following course of action had been agreed:

RESOLVED

The Sub-Committee granted the application for the variation of the Premises Licence as applied for subject to the following conditions agreed by Environmental Health and the applicant:-

1. There shall be no additional lighting or heating to the front of the premises.
2. There shall be no external entertainment allowed to the front of the premises;
3. There shall be no external speakers;
4. There shall be a 21.00 hours curfew to the front of the premises;
5. The J.W. Lees Operating Plan shall be included as a condition.

In addition to this the above agreed conditions were amended by the Sub Committee as follows:-

1. To amend reference to “to the front of the premises” in Agreed Conditions 1, 2 and 4 to “in the area to the front of the public house building;” and
2. To add the word ‘regulated’ in condition 2, so that it reads, “no external regulated entertainment....”

Furthermore the Sub Committee imposed three additional conditions as follows:-

1. CCTV coverage at the premises will include the area to the front of the public house building;
2. Tables and chairs shall be removed from the area to the front of the public house building by no later than 21.00;
3. The area to the front of the public house building will be checked by the Designated Premises Supervisor, or a member of staff nominated by him, on a regular basis.

The Sub Committee wished 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 could call for a review of the licence at any time.

The applicant and parties who had made relevant representations were reminded of the right to appeal the decision to the Magistrates Court.

4 APPLICATION FOR A PREMISES LICENCE: MORRISONS, 51 WHITECROFT HOUSE, WATER LANE, WILMSLOW

The Sub Committee considered a report regarding an application by W M Morrison Supermarkets Plc for the grant of a Premises Licence in respect of Morrisons, 51 Whitecroft House, Water Lane, Wilmslow, Cheshire under Section 17 of the Licensing Act 2003.

The Solicitor for the applicant, the Licensing Manager for the applicant, the Area Manager for the applicant and two objectors 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 reported that, having taken 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 representations made at the meeting, the written representations of the objectors and the Police

the following course of action had been agreed:

RESOLVED

That the application to grant a Premises Licence for Morrisons, 51 Whitecroft House, Water Lane, Wilmslow, Cheshire be granted as follows:

Supply of alcohol (for consumption off the premises)

Monday to Sunday 06.00 to 24.00

The Sub-Committee wished 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 could call for a review of the licence at any time.

Parties who had made relevant representations had the right to appeal the decision to the Magistrates Court within 21 days.

5 APPLICATION FOR A PREMISES LICENCE: CAFE AMMA, 26-28 GREEN LANE, WILMSLOW

The matter was not dealt with by the Sub Committee as the objection to the application had been withdrawn prior to the meeting.

The meeting commenced at 9.30 am and concluded at 12.30 pm

Councillor P Whiteley (Chairman)