

CHESHIRE EAST COUNCIL

REPORT TO: LICENSING ACT SUB-COMMITTEE

Date of Meeting:	Monday 28 th May at 10.30am
Report of:	Mrs N Cadman, Licensing Officer
Subject/Title:	Application for a Premises Licence Takeaway/Restaurant, 125 Nantwich Road, Crewe, Cheshire.

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 Adobe Management Services Ltd, in respect of Takeaway/Restaurant, 125 Nantwich Road, Crewe, Cheshire.

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 Crewe South

5.0 Local Ward Members

Cllr Dorothy Flude
Cllr Steven Hogben

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 (Authorised by the Director of Finance and Business Services)

- 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 activity applied for is:
Late Night Refreshment

- 10.3 The hours applied for are as follows:

Late Night Refreshment (to take place indoors only)

Monday to Sunday 23.00 to 02.00

The hours of operation of the premises are as follows:

Monday to Sunday 09.00 to 02.00

- 10.4 Designated Premises Supervisor: Not applicable – no sale of alcohol to take place.

- 10.5 The operating schedule includes the following steps to promote the licensing objectives:

(a) Prevention of crime and disorder

There shall be CCTV and staff awareness.

(b) Public safety

There shall be multi language health and safety signage with pictures on display at the premises.

Staff shall be aware of public safety at the premises.

(c) Prevention of public nuisance

There shall be multi language notices relating to the prevention of public nuisance at the premises and staff awareness.

(d) Protection of children from harm

Any person under the age of 16 years shall be accompanied by an adult.

Staff shall be aware of the protection of children from harm at the premises and shall when practical, telephone the parents of any children who come to the premises after 21.00hrs.

10.6 Relevant Representations:

Responsible Authorities

10.6.1 The Police response with agreed conditions is detailed at Appendix 2 of this report.

10.6.2 The Environmental Health response with agreed conditions is detailed at Appendix 3 of this report:

10.6.3 The Cheshire Fire Service – No response.

10.6.4 Local Planning Authority – No response.

10.6.5 Local Safeguarding Children Board – As Police response.

10.6.5 Health and Safety Officer – No response.

10.6.6 Trading Standards – No response.

Interested Parties

The Licensing Authority has received one letter of representation from neighbour objectors as detailed at Appendix 1 of this report.

11.0 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 - Letter from Neighbour Objectors

Appendix 2 – Representation from the Police with agreement from applicant.

Appendix 3 – Representation from the Environmental Health Officer with agreement from applicant.

Appendix 4 – Plan of area.