

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Friday, 24th October, 2014 at Committee Suite 2/3 - Westfields,
Middlewich Road, Sandbach, CW11 1HZ

PRESENT

Councillor P Whiteley (Chairman)

Councillors D Bebbington and D Mahon

OFFICERS IN ATTENDANCE

Nikki Cadman, Licensing Officer

Sheela Dutton, Lawyer

Julie Zientek, Democratic Services Officer

17 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

18 DECLARATIONS OF INTEREST

There were no declarations of interest.

19 APPLICATION FOR A PREMISES LICENCE - BARGAIN BOOZE, 33 HUNGERFORD ROAD, CREWE CW1 5EQ

The Sub-Committee considered a report regarding an application for a Premises Licence for Bargain Booze, 33 Hungerford Road, Crewe CW1 5EQ.

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

- the applicant
- a solicitor representing the applicant
- a local resident
- two representatives of a nearby dental practice

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

- (a) That the application for a premises licence be granted as applied for, subject to the start time for opening and sale of alcohol being amended to 08.00 hours daily, as volunteered by the applicant at the hearing and subject to conditions arising from the Operating Schedule.
- (b) That the following agreed conditions, proposed by the Police, be attached to the premises licence:
 1. A comprehensive CCTV system will be fitted and maintained at the premises and will continuously record images during all times that the premises are open to the public.
 2. Unedited CCTV images will be securely stored for not less than 28 days and copies made freely available to a constable or an employee of the Police upon receipt of a reasonable request.
 3. Any person who appears to be under the age of 25 will be asked to provide photographic ID to prove that they are over 18 when buying alcohol and only a photo card driving licence, passport or proof of age card bearing a 'PASS' hologram will be accepted.

The Applicant and Parties who had made relevant representations were reminded of their right to appeal this decision to the Magistrates Court within 21 days.

20 **APPLICATION FOR A PREMISES LICENCE - RUMBA, 18 LAWTON STREET, CONGLETON, CW12 1RP**

The Sub-Committee considered a report regarding an application for a Premises Licence for Rumba, 18 Lawton Street, Congleton, CW12 1RP.

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

- the applicant
- a representative of the applicant
- a local resident

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

- (a) That the application for a premises licence be granted as applied for subject to the conditions arising from the Operating Schedule and subject also to the following amendments:
 1. Recorded music to take place indoors only
 2. The terminal hour for the sale of alcohol on Sunday night to be 00:00; Sunday nights preceding a Bank Holiday to be 03.00
 3. The hours premises are open to the public on Sunday night to be 00:00; Sunday nights preceding a Bank Holiday to be 03.00
 4. The terminal hour for all licensable activities on Christmas Eve and New Year's Eve to be 03.00
- (b) That the following agreed conditions, proposed by the Police and as amended by agreement at the hearing, be attached to the premises licence:
 1. The premises will operate a maximum capacity of 90 people in order to promote the Crime and Disorder licensing objective.
 2. A CCTV system consisting of not less than 8 cameras will be fitted and maintained at the premises and will continuously record whenever the premises are open to the public.
 3. Unedited images will be securely stored for a period of not less than 14 days and copies made freely available upon request to a constable or employee of the police or officer of the Licensing Authority.
 4. Every Friday, Saturday, Christmas Eve, New Year's Eve and on each Sunday which precedes a Bank Holiday Monday there will be two door supervisors on duty at the premises from 9pm and they will remain until the premises are closed and the public have cleared.
- (c) That the following agreed conditions, proposed by Environmental Health, be attached to the premises licence:
 1. Double glazing shall be installed at the Lawton Street façade.
 2. A double door lobby system shall be installed at the Lawton Street façade.
 3. Noise emanating from the premises as a result of regulated entertainment shall not be clearly audible at the boundary of any adjacent residential premises.
 4. Whilst regulated entertainment takes place a double door system shall be in place to allow customers to access the outdoor drinking area and these doors should not be propped open.

5. All external windows and doors shall be closed whilst regulated entertainment is taking place, except for normal access and egress.
6. The use of beer gardens and outside drinking areas shall not be used for regulated entertainment.
7. There shall be no temporary or permanent speakers for the use of amplified music, speech or dance, permitted within the outside area or beer garden.
8. Thirty minutes before the end of the time permitted for the provision of regulated entertainment the, music levels shall be gradually reduced to a lower volume and tempo.
9. Customers shall be permitted to stay inside the premises whilst waiting for taxis.
10. There shall be no disposal of bottles outside the premises between the hours of 21.00 and 09.00.
11. The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the Premises shall ensure that any noise emanating from the Premises is not audible at the boundary of noise sensitive properties.
12. For that purpose, regular noise assessments shall be undertaken by a competent person (either the Licensee or Manager) and steps shall be taken to reduce the level of noise where it is likely to cause a disturbance to local residents.
13. The noise assessments shall be undertaken during opening hours of the premises and when entertainment or music is occurring. A written record shall be made of those assessments in a log book, kept for that purpose and shall include: the time and date of the checks, the person making them and the results including any remedial action in order to reduce the level of noise where it is likely to cause a disturbance to local residents.
14. The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the Premises shall ensure that the Premises are vacated quietly within thirty minutes of the terminal hour of the Licence, and that proper supervision of all persons leaving the Premises is provided.
15. Conspicuous notices shall be positioned at all exits from the Premises requesting patrons to make minimum noise / consideration to neighbours on leaving the premises.

The Applicant and Parties who had made relevant representations were reminded of their right to appeal this decision to the Magistrates Court within 21 days.

The meeting commenced at 1.30 pm and concluded at 4.05 pm

Councillor P Whiteley (Chairman)