

LICENSING, ENVIRONMENT & SAFETY SUB-COMMITTEE A

Meeting: 18 September 2019

At: 6.00 pm

PRESENT

Councillor Chris Gordon (Chair) in the chair; Councillors Dickie Davies and Alanna Vine.

1. MINUTES

The Minutes (copies of which had been circulated) of the meeting held on 8 May 2019 were approved as a correct record and signed by the Chair.

2. DECLARATIONS OF INTEREST

Councillors and officers were invited to declare any interests which they had in any of the items on the agenda for the meeting.

No declarations were made.

3. EXCLUSION OF THE PUBLIC AND THE PUBLIC INTEREST TEST

RESOLVED – That notwithstanding the submission of information as part of Agenda Item 5 – ‘Licensing Act 2003: Application to vary the Premises Licence at McDonald's, 260 London Road, Hazel Grove’ which had been classified as ‘Not for Publication’ by virtue of it containing material which related to an individual, the Sub-Committee was satisfied that in the circumstances it was not necessary for the public to be excluded from the meeting.

4. PUBLIC QUESTION TIME

No public questions were submitted.

5. LICENSING ACT 2003: APPLICATION TO VARY THE PREMISES LICENCE AT MCDONALD'S, 260 LONDON ROAD, HAZEL GROVE

A representative of the Corporate Director for Place Management and Regeneration submitted a report (copies of which had been circulated) detailing an application from McDonald's Restaurant Limited for a variation of the premises licence at McDonald's, 260 London Road, Hazel Grove, Stockport to extend the stated, standard opening hours and the hours for the provision of late night refreshment, Mondays to Sundays from the existing hours of 23.00 to 00.00 each day to between 23.00 – 02.00.

Representatives of the applicant attended the meeting and answered Councillors' questions in relation to the application. Six objectors to the proposal, having previously submitted written representations in relation to this application, also attended the meeting, explained their objections to the proposals and answered Councillors' questions in relation to the application.

There were no representations made by any responsible authority.

The Sub-Committee, having heard the interested parties, proceeded to consider the licensing objectives in respect of the application, together with the relevant parts of the Council's Licensing Policy and the guidance from the Department for Digital, Culture, Media and Sport. However, the decision was reached on consideration of all the arguments given in relation to this specific application.

The Sub-Committee found the following:-

(i) Crime and Disorder

The Sub-Committee was satisfied that relevant representations had been raised in respect of this licensing objective, specifically the representations asserted that the proposed variation would result in an extension of the hours that residents suffer nuisance associated with noise, litter and odour from the premises.

(ii) Protection of Children

The Sub-Committee was satisfied that no relevant representations had been raised in respect of this licensing objective.

(iii) Public Safety

The Sub-Committee was satisfied that no relevant representations had been raised in respect of this licensing objective.

(iv) Public Nuisance

The Sub-Committee was satisfied that relevant representations had been raised in respect of this licensing objective, specifically the representations asserted that the proposed variation would exacerbate existing problems with instances of criminal damage and anti-social behaviour in the locality.

The Sub-Committee noted with approval the content of the applicant's operating schedule in respect of the prevention of crime and disorder and prevention of public nuisance licensing objectives, and further noted that the outside of the hearing arrangements, the applicant had already agreed to extend their existing litter cleansing schedules to incorporate Pineapple Street.

Significantly, the Sub-Committee noted that none of the relevant responsible authorities had made any representations in relation to issues of crime and disorder or public nuisance that had been identified in the objections to this variation and nor was there any material evidence offered to substantiate either the grounds of those objections or that the alleged incidents were directly linked to the operation of the premises in question.

While the Sub-Committee had great sympathy with the concerns expressed by local residents, it also needed to take account of the setting of the premises, being within the designated Hazel Grove district centre albeit adjacent to residential premises.

Having considered all of the available evidence, the Sub-Committee was of the view that there were no further conditions that were both necessary and appropriate in order to address the prevention of crime and disorder and prevention of public nuisance licensing objectives.

It was then

RESOLVED – (1) That the hours for the provision of late night refreshment be approved from 23.00 to 02.00 hours, the following day, Monday to Sunday.

(2) That the stated, standard opening hours be noted as being 05.00 to 02.00 hours, the following day, Monday to Sunday.

The meeting closed at 7.38 pm