

LICENSING, ENVIRONMENT & SAFETY SUB-COMMITTEE B

Meeting: 30 November 2020

At: 6.00 pm

PRESENT

Councillor David Sedgwick (Chair) in the chair; Councillors Stuart Corris and Wendy Meikle.

1. MINUTES

The Minutes (copies of which had been circulated) of the meeting held on 8 October 2020 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. PUBLIC QUESTION TIME

No public questions were submitted.

4. 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Act 2003: Application for a new Premises Licence at 95-97 Stockport Road, Marple’ which had been classified as ‘Not for Publication’ by virtue of it containing material which related to an individual, the Sub-Committee was satisfied that in the circumstances it was not necessary for the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.

5. LICENSING ACT 2003: APPLICATION FOR A NEW PREMISES LICENCE AT 95-97 STOCKPORT ROAD, MARPLE

A representative of the Corporate Director (Place) and Deputy Chief Executive submitted a report (copies of which had been circulated) detailing an application from Red n Black Ltd for a premises licence to be granted under the Licensing Act 2003 at 95-97 Stockport Road, Marple to permit the supply of alcohol on and off the premises Monday to Sunday 09:00 to 00:00 hours; the provision of live music (indoors) Friday to Saturday 20:00 – 00:00 hours; the provision of recorded music (indoors and outdoors) Monday to Sunday 09:00 – 00:00 hours; and the provision of late night refreshments (indoors) Friday to Saturday 23:00 – 00:00 hours.

The applicant attended the meeting and answered Councillors’ questions in relation to the application. The Sub-Committee was informed that the objector to the proposal had advised the Licensing Authority that they did not intend to attend the hearing, and requested that their objection be considered on the basis of the written representation.

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 no relevant representations had been raised in respect of this licensing objective.

(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 granting of the licence would result in nuisance by way of noise resulting from the playing of live music and from patrons entering and leaving the premises as well as an increase in litter.

However, the Sub-Committee noted with approval the content of the applicant's operating schedule in addition to those further conditions negotiated with the Council's Environmental Health department, specifically that notices shall be on display asking customers to respect neighbours; that any live or recorded music emanating from the premises shall not be clearly audible at the boundary of the nearest residential property; and all external windows and doors shall be closed whilst entertainment is taking place, except for normal access and egress.

While the Sub-Committee had great sympathy with the concerns expressed by the objector, it was of the view that there were no further conditions that were both necessary and appropriate in order to address the prevention of public nuisance licensing objective

It was then

RESOLVED – (1) That the hours for the supply of alcohol on and off the premises be approved from 09:00 to 00:00 hours, Monday to Sunday.

(2) That the hours for the provision of live music (indoors) be approved from 20:00 to 00:00 hours, Friday to Saturday.

(3) That the hours for the provision of recorded music (indoors and outdoors) be approved from 09:00 to 00:00 hours, Monday to Sunday.

(4) That the hours for the provision of late night refreshments (indoors) be approved from 23:00 to 00:00 hours, Friday to Saturday.

(5) That approval be given to the imposition of those conditions proposed by the applicant as part of the original application, in addition to those negotiated with the Environmental Health service as detailed in the report, to appear on the premises licence in addition to the mandatory conditions.

The meeting closed at 6.30 pm