

LICENSING, ENVIRONMENT & SAFETY SUB-COMMITTEE A

Meeting: 2 September 2021

At: 6.00 pm

PRESENT

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

1. MINUTES

The Minutes of the meeting held on 27 January 2021 (copies of which had been circulated) 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to review the Premises Licence at the Last Post, 95-97 Stockport Road, Marple’ which had been classified as ‘Not for Publication’ by virtue of it containing material which related to an individual, the Sub-Committee was satisfied that in the circumstances it was not necessary for the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.

4. PUBLIC QUESTION TIME

No public questions were submitted.

5. LICENSING ACT 2003: APPLICATION TO REVIEW THE PREMISES LICENCE AT THE LAST POST, 95-97 STOCKPORT ROAD, MARPLE

A representative of the Corporate Director (Place) & Deputy Chief Executive submitted a report (copies of which had been circulated) detailing an application from Stockport Metropolitan Borough Council (Licensing Authority) being a responsible authority under the Licensing Act 2003 and exercising its statutory function to promote the prevention of crime and disorder, public safety, public nuisance and the protection of children from harm licensing objectives, to review the Premises Licence for Red and Black Ltd trading as The Last Post 95-97 Stockport Road, Marple SK6 6AA.

A representative of the Stockport Licensing Authority supported in their application for a review by Greater Manchester Police, Environmental Health and four residents, all having made valid representations, attended the meeting and answered Councillors’ questions in relation to the application

The Premises Licence Holder also attended the meeting and answered Councillors' questions in relation to the application.

The Sub-Committee, having heard the interested parties, proceeded to consider the prevention of crime and disorder licensing objective 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 arguments given in relation to this specific application.

It was then

RESOLVED – That having heard the application for a review of the premises licence at Red and Black Ltd trading as The Last Post 95-97 Stockport Road, Marple made by the Licensing Authority and having considered all the evidence presented, the Sub-Committee was satisfied that the premises had demonstrated its inability to satisfactorily address the prevention of crime and disorder, public safety, public nuisance and the protection of children from harm licensing objectives on the following grounds:-

- Repeated incidents of noise nuisance and anti-social behaviour;
- A failure to comply with restrictions imposed under the Coronavirus Restrictions Regulations;
- A failure to provide CCTV footage as required under condition on the existing premises licence;
- The use of unlicensed door staff at the premises;
- A failure to provide effective management and control of patrons on the premises; and
- Allegations that the premises supplied alcohol to underage patrons.

In arriving at this view, the Sub-Committee considered the evidence included within the application for the Review of the Premises Licence submitted by the Licensing Authority; written and oral representations made by members of the public and the representations in support of the review submitted by the responsible authorities, namely Greater Manchester Police and Environmental Health; and balanced this against the written and oral evidence submitted by the premises licence holder.

The Sub-Committee was of the view that there had been significant and repeated failures by the premises to comply with the conditions of its premises licence, which demonstrated a sustained disregard for the licensing objectives.

However, it also noted that the premises had subsequently operated successfully and compliantly since the application for a Review of the licence had been made which demonstrated that it was possible for the premises to operate in accordance with the licensing objectives.

The Sub-Committee considered the additional submission made on behalf of the licensing authority outlining a series of amendments and supplementary conditions they would seek to have imposed on the premises licence and the Sub-Committee agreed firstly that these were both appropriate and necessary to satisfactorily address the licensing objectives subject to the amendment of Condition 5 such that the supply of alcohol in the external terraced area only shall only be ancillary to the taking of a table meal. It was noted that

this would have the effect of permitting the sale of alcohol without a meal inside the premises.

The Sub-Committee also agreed that it would be further appropriate and necessary to impose an additional condition such that a Challenge 25 policy be introduced at the premises.

Accordingly, the Sub-Committee has given approval to the imposition of these amendments to and conditions on the premises licence.

The meeting closed at 8.03 pm