

LICENSING, ENVIRONMENT & SAFETY SUB-COMMITTEE B

Meeting: 1 September 2021
At: 6.00 pm

PRESENT

Councillor Matt Wynne (Chair) in the chair; Councillors Shan Alexander and Adrian Nottingham.

1. MINUTES

The Minutes (copies of which had been circulated) of the meeting held on 12 August 2021 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Application for a New Premises Licence to be granted at 15 Lower Hillgate, Stockport’ which had been classified as ‘Not for Publication’ by virtue of it containing material which related to an individual, the Sub-Committee was satisfied that in the circumstances it was not necessary for the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 FOR A NEW PREMISES LICENCE TO BE GRANTED AT 15 LOWER HILLGATE, STOCKPORT

A representative of the Corporate Director (Place) and Deputy Chief Executive submitted a report (copies of which had been circulated) detailing an application from Mr Samuel Buckley for a new premises licence to be granted under the Licensing Act 2003 at 15 Lower Hillgate, Stockport to permit the sale of alcohol both on and off the premises; the playing of recorded music; and late night refreshment.

It was noted that in advance of the meeting, the applicant had proposed schedule of amendments to their application to reduce the proposed hours for licensable activity which had resulted in the withdrawal of four or the representations that had been made in respect of the application, including that submitted on behalf of the Council’s Environmental Health service.

The applicant attended the meeting and answered Councillors' questions in relation to the application. The Sub-Committee was informed that the remaining objector to the proposal had not confirmed to the Licensing Authority in advance whether they intended to be present at the hearing and had subsequently not attended. Accordingly, the Sub-Committee proceeded to consider the objection 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 representation asserted that the granting of a premises licence at this location would exacerbate existing issues within the locality with specific regard to anti-social behaviour such as public drunkenness and noise nuisance associated with patrons leaving the area late at night.

The Sub-Committee noted with approval the content of the operating schedule in relation to this licensing objective and specifically highlighted the proposal that windows and doors be closed from 21.00 hours and that customers would be asked to leave the premises quietly. The Sub-Committee further noted that the applicant had offered to reduce the hours for licensable activity which had resulted in the withdrawal of a number of the objections.

However, the Sub-Committee noted the concern expressed in the remaining representation that the closure of the premises coincided with the terminal hour for the sale of alcohol which would contribute to the potential for public nuisance by way of all patrons leaving the premises at the same time, late at night. The Sub-Committee therefore

determined that that in order to properly address the prevention of public nuisance licensing objective it would be appropriate and necessary to reduce the hours for the sale of alcohol on a Friday and Saturday to 23.30 hours.

It was then

RESOLVED – (1) That the hours for the sale of alcohol for consumption on and off the premises be approved from:-

- 09.00 to 19.00 hours, Wednesday.
- 09.00 to 23.00 hours, Thursday.
- 09.00 to 23.30 hours, Friday and Saturday.
- 09.00 to 21.00 hours, Sunday.

(2) That the hours of the playing recorded music, indoors, be approved from:-

- 09.00 to 19.00 hours, Tuesday and Wednesday.
- 09.00 to 23.00 hours, Thursday to Saturday.
- 09.00 to 20.00 hours, Sunday.

(3) That it be noted that the amendments to the application in respect of the proposed hours for the provision of late night refreshment (being before or ending at 23.00 hours) no longer required the granting of a licence from the authority.

(4) That approval be given to the stated, standard opening hours of the premises from:-

- 09.00 to 19.00 hours, Tuesday and Wednesday.
- 09.00 to 23.00 hours, Thursday.
- 09.00 to 00.00 hours, Friday and Saturday.
- 09.00 to 21.00 hours, Sunday.

(5) That approval be given to the imposition of those conditions proposed by the applicant as part of their operating schedule to appear on the premises licence in addition to the mandatory conditions.

The meeting closed at 6.59 pm