

Public Document Pack

LICENSING, ENVIRONMENT & SAFETY SUB-COMMITTEE A

Meeting: 2 February 2022

At: 6.00 pm

PRESENT

Councillor Chris Gordon (Chair), Councillor Dickie Davies and Adrian Nottingham.

1. MINUTES

The Minutes (copies of which had been circulated) of the meeting 6 October 2021 were approved as correct record and ordered to be 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 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vary the premises licence at The Shady Oak, Redford Drive, Bramhall, Stockport, SK7 3PG' which had been classified as 'not for publication' by virtue of it containing material which related to an individual, the sub-committee was satisfied that in the circumstances it was not necessary for the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 TO VARY THE PREMISES LICENCE AT THE SHADY OAK, REDFORD DRIVE, BRAMHALL, STOCKPORT, SK7 3PG

A representative of the Corporate Director (Place) & Deputy Chief Executive submitted a report (copies of which had been circulated) detailing an application to vary the premises licence at The Shady Oak, Redford Drive, Bramhall, Stockport, SK7 3PG, to extend the opening hours and permitted hours for the sale of alcohol, performance of live music indoors and late night refreshment.

Representatives of the applicant attended the meeting and answered Councillors' questions in relation to the application. At this stage in the proceedings, the representative of the applicant indicated that they would be prepared to amend the application to include the following additional conditions:

- Clear notices displayed at all points where customers leave the building instructing them to respect the needs of local residents and leave the premises and the area quietly.
- The premises supervisor, manager or other competent person shall manage any outdoor area to ensure that customers do not behave in a noisy, rowdy or offensive manner.
- Clear notices must be displayed at prominent points in all outdoor areas requesting that they respect the needs of local residents and behave in a quiet and orderly manner.
- On occasions when the premises are opened beyond 12 midnight, save for those persons who wish to leave the premises temporarily for the purposes of smoking, there shall be no entry or re-entry after 12 midnight.
- If requested to do so by the residents or ward councillor, the premises will host a residents meeting on a monthly basis.
- A contact number for the premises to be made available to local residents.

Two objectors to the proposal, having previously submitted written representations in relation to the application, also attended the meeting, had the opportunity to explain their objections and answered councillors' questions in relation to the application. The sub-committee also considered and were mindful of the further written representations that had been submitted in relation to this application.

There were no representations made by any of the responsible authorities.

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 Home Office. 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 received in respect of the prevention of public nuisance licensing objective – specifically, the representations asserted that the granting of the variation would exacerbate existing issues of noise nuisance associated with amplified music and noise from patrons entering and leaving the premises.

The sub-committee noted that there were a number of conditions imposed on the existing premises licence that served to control issues of public nuisance, with specific regard to the closure of windows and doors during the playing of live or amplified music, and that the outside patio/ drinking area must close at 22.30 hours.

However, it was determined that in order to properly address the prevention of public nuisance licensing objective, it would be necessary to impose a further condition on the licence, namely that a noise limiter shall be fitted and set at levels in agreement with Environmental Health to reduce the extent of public nuisance by virtue of the premises location within close proximity to residential properties.

It was then

RESOLVED – (1) That the hours for the supply of alcohol on and off the premises be approved as follows:

- from 11:00 hours to 00:00 hours, Monday to Thursday.
- from 12:00 hours to 01.00 hours, Friday and Saturday.
- from 12.00 hours to 22.30 hours, Sunday.
- from 11.00 hours to 23.00 hours, Christmas Day.

(2) That the hours for the performance of live music, indoors be approved as follows:

- from 11.00 hours to 00.00 hours, Monday to Thursday.
- from 12.00 hours to 01.00 hours, Friday and Saturday.
- from 12.00 hours to 22.30 hours, Sunday.
- from 11.00 hours to 23.00 hours, Christmas Day.

(3) That the hours for the provision of late night refreshment be approved as follows:

- from 23.00 hours to 00.00 hours, Monday to Thursday.
- from 23.00 hours to 01.00 hours, Friday and Saturday.
- from 23.00 hours to 23.30 hours, Christmas Eve.

(4) That it be noted that the stated, standard opening hours are as follows:

- from 11.00 hours to 00.30 hours, Monday to Thursday.
- from 12.00 hours to 01.30 hours, Friday and Saturday.
- from 12.00 hours to 23.00 hours, Sunday.
- from 11.00 hours to 23.00 hours, Christmas Day.

(5) That a noise limiter shall be fitted and set at levels in agreement with Environmental Health to reduce the extent of public nuisance by virtue of the premises location within close proximity to residential properties.

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

The meeting closed at 7.58 pm