

LICENSING, ENVIRONMENT & SAFETY SUB-COMMITTEE A

Meeting: 29 November 2023

At: 6.00 pm

PRESENT

Councillor Dickie Davies (Chair) in the chair; Councillors Dean Fitzpatrick and Will Sharp.

1. MINUTES

The minutes of the meeting held on 29 August 2023 were approved as 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 of interest were made.

3. PUBLIC QUESTION TIME

Members of the public were invited to put questions to the Chair on any matters in the powers or duties of the Sub-Committee, subject to the exclusions set out within the Code of Practice.

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 ‘Application to vary the premises licence at Bask, 20 Railway Road, Stockport, SK1 3SW’, which had been classified as ‘not for publication’ by virtue of it containing material which related to an individual, the Sub Committee was satisfied that in the circumstances it was not necessary for the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. APPLICATION TO VARY THE PREMISES LICENCE AT BASK, 20 RAILWAY ROAD, STOCKPORT, SK1 3SW

A representative of the Director of Place Management submitted a report (copies of which had been circulated) detailing an application from Cafelito Manchester Ltd. for a variation of the premises licence under the Licensing Act 2003 at Bask, 20 Railway Road, Stockport, SK1 3SW, which sought the following licensable activities:

- To increase the supply of alcohol, on and off the premises until 01:00 hours on Thursday; and from 08.00 to 03.00 hours on Friday, Saturday and Sunday.
- The provision of recorded music (indoors) until 01.00 hours on Thursday, and until 03.00 hours on Friday, Saturday and Sunday.

- The provision of late night refreshments (indoors) until 01.00 hours on Thursday and until 03.00 hours on Friday, Saturday and Sunday.

The Sub-Committee noted that two objectors had sent representatives to the hearing, but had failed to notify the Licensing Authority in advance of their intention to do so.

The Sub-Committee considered that it would be in the public interest to seek a short adjournment to allow the objectors to secure the necessary amendment to their hearing notice to allow their representative to speak on their behalf at the hearing.

6. ADJOURNMENT

At 6.18 pm, it was

RESOLVED – That the meeting be adjourned.

The meeting reconvened at 6.38 pm

7. APPLICATION TO VARY THE PREMISES LICENSE AT BASK, 20 RAILWAY ROAD, STOCKPORT, SK1 3SW (continued)

The representative of the Director of Place Management reported that authority had since been secured for one of the representatives to act on behalf of an objector. It was confirmed that authority had not been secured from the remaining objector to be so represented. The Sub-Committee therefore considered that remaining objection on the basis of the written submission alone.

The applicant attended the meeting, presented their application, and answered Councillors' questions in relation to the application.

Three objectors, or their representative, to the proposal, including a representative of Stockport's Environmental Health Service who, 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.

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 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 from harm

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) Prevention of 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:-

- extend the hours of existing noise nuisance from patrons leaving the premises and from the playing of live or recorded music, into the early hours of the morning; and
- the potential for additional anti-social behaviour.

However, the Sub-Committee noted with approval the content of the applicant's operating schedule and supplementary information submitted by the applicant in respect of the prevention of public nuisance licensing objective, specifically that there shall be no admittance to new patrons to the premises after 1.30 am and the maintenance of dispersal arrangements to direct patrons away from the hotel when leaving the premises late at night.

The Sub-Committee therefore determined that no further conditions were appropriate or necessary in order to address the prevention of public nuisance licensing objective.

It was then

RESOLVED – (1) That approval be given to the hours for the supply of alcohol for consumption on and off the premises as follows:-

- 10.00 hours to 00.00 hours, Monday to Wednesday.
- 10.00 hours to 01.00 hours, Thursday
- 08.00 hours to 03.00 hours, Friday, Saturday and Sunday.
- Until 03.00 hours, Easter Thursday, Christmas Eve, Boxing Day and New Year's Eve.

(2) That approval be given to the hours for the playing of recorded music (indoors) as follows:-

- 08.00 hours to 00.00 hours, Monday to Wednesday.
- 08.00 hours to 01.00 hours, Thursday
- 08.00 hours to 03.00 hours, Friday, Saturday and Sunday.

(3) That approval be given to the hours for the provision of late night refreshment (indoors) as follows:-

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- 23.00 hours to 00.00 hours, Monday to Wednesday.
- 23.00 hours to 01.00 hours, Thursday
- 23.00 hours to 03.00 hours, Friday, Saturday and Sunday.
- 23.00 hours to 03.00 hours, Easter Thursday, Christmas Eve, Boxing Day and New Year's Eve.

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

The meeting closed at 7.48 pm.