

LICENSING SUB-COMMITTEE

Wednesday, 21st December, 2022
Time of Commencement: 10.00 am

Present: Councillor Barry Panter (Chair)

Councillors: J Williams Heesom

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Officers: Anne-Marie Pollard Solicitor
Julie Moore Licensing Officer

1. **APPOINTMENT OF CHAIR**

Resolved: That Councillor Barry Panter be appointed as Chair.

2. **VARIATION OF A PREMISE LICENCE - CORNER PIN. 67 CHAPEL STREET, TALKE**

In respect of the application for a variation to the premises licence under the Licensing Act 2003 two local resident objections received in relation to the Prevention of Public Nuisance.

The proposed variation application was to amend the hours of operation with an additional hour, to amend annex 3 condition 2 and to add four new conditions in relation to potential external noise as follows;

- Opening hours to be extended by an additional hour from 10:00 until 00:30 Monday to Sunday

- Sale of alcohol for consumption on and off the premises from 10:00 until 00:00 Monday to Sunday

- Amend annex 3, condition 2's wording to; 'Noise from the premises shall be kept to a level where it is unlikely to be considered as public nuisance from the boundary of the nearest noise sensitive premises'.

- Four additional proposed licence conditions;

1. A dispersal policy will be drawn up and implemented to ensure that customers leave the area quickly and quietly

2. An external area management plan will be drawn up and implemented to ensure that customers drinking and smoking outside do not cause undue disturbance to residents

3. A phone number will be available to residents which will allow them to contact the duty manager or designated premises supervisor (DPS) should the need arise

4. A complaints log will be maintained and shall record any complaints by local residents in relation to public nuisance issues reported to the DPS or

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staff at the premises. The log will be made available to officers from the council's environmental protection team on request.

The Licensing Sub-Committee carefully considered the report and heard from the applicant, his legal representation and read the two local resident objections. Having taken into account the Licensing Act 2003, the guidance issued under Section 182 of the Act, the Council's statement of Licensing Policy and the formal resident objections. The Sub-Committees have considered the evidence and the four licensing objectives

Resolved: That the amended application be granted with the proposed four conditions as stated above, with the small amendment to the wording of condition four. The wording will now read; 'A complaints log will be maintained and shall record any complaints by local residents in relation to public nuisance issues reported to the DPS or staff at the premises. The log will be made available to **all responsible authorities on request**'. However, due to the objections received the committee do not grant the request to amended licence condition at annex 3 condition 2 in respect of the noise sensitive premises and request the original condition to remain on the premises licence due to the statutory nuisance falls under the Noise Act and therefore it would be duplicating legislation. The original condition wording to remain is, 'Noise from the premises shall be inaudible at the boundary of the nearest noise sensitive premises'.

**Councillor Barry Panter
Chair**

Meeting concluded at 10.30 am