

LICENSING ACT 2003 SUB-COMMITTEE

Wednesday, 9 July 2014

Present:

Councillors L Reecejones
H Smith
M Sullivan

7 **APPOINTMENT OF CHAIR**

Resolved – That Councillor H Smith be appointed Chair for this meeting.

8 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members of the Sub-Committee were asked to declare any disclosable pecuniary and non pecuniary interests in connection with any application on the agenda and state the nature of the interest.

Councillor H Smith declared a non pecuniary personal interest by virtue of being a member of CAMRA.

9 **APPLICATION FOR A PREMISES LICENCE - 56 MILL LANE, LISCARD, CH44 5UG**

The Strategic Director of Regeneration and Environment reported upon an application that had been received from Leonard Henry for a Premises Licence in respect of 56 Mill Lane, Liscard, under the provisions of the Licensing Act 2003.

The hours requested were outlined within the report. The applicant had submitted an operating schedule setting out how the business would be conducted/managed in accordance with the four licensing objectives. A copy of the full application was available. Members were advised that the proposals set out in the operating schedule may become conditions of the licence should the licence be granted.

A representation had been received from a local resident who objected to the application being granted. A petition had also been received containing 200 signatures. The representation related to concerns that should the application be granted, anti-social behaviour caused by youths would increase within the vicinity of the premises.

A representation had been received from a Licence Holder of a similar type of premises based in Derby who was in support of the application. He

considered that the Licensing Objectives would not be undermined should the application be granted.

Copies of the representations and petition were available.

The applicant, Mr Henry attended the meeting together with Mr Scott, who had made the representation in support of the application.

The Licensing Manager confirmed that all documentation had been sent and received.

Mr Henry addressed the Sub-Committee and outlined the application. He advised Members that the premises would operate following the principles of the micro pub ethos which was a relatively new concept. He advised that the micro pub was usually set up in an old shop, was small and focussed on the local community. It promoted the sale of cask ales for the more mature drinker and was a place to socialise. He informed Members that the premises would not have any lager, alcopops, cocktails, music, duke box or fruit machines but that a selection of cask ales would be provided together with fine wines, soft drinks and snacks. He also advised that no beers with an ABV above 6.5% would be sold at the premises and that drinking would not be permitted outside the premises. He informed Members that his aim was to provide a pub with a relaxed atmosphere that would attract people from the local community and real ale drinkers where they could sit and chat and read the newspapers. Mr Henry reported that Mr Scott had been operating a similar premises in Derby for 18 months and had received no complaints. He believed that the model on which the premises was based would meet the four licensing objectives.

Mr Henry responded to questions from Members of the Sub-Committee and Mr D K Abraham, Legal Advisor to the Sub-Committee.

In response to questions, Mr Henry informed the Sub-Committee that he would be content for a condition to be attached to the Premises Licence in relation to no drinks being allowed to be taken outside by people wishing to smoke.

Mr Scott advised Members that he was the owner and licensee of the Little Chester Ale House Micro-pub in Derby. He informed Members that further to receiving initial objections to his application which resulted in a Hearing, the Premises Licence was granted and the premises opened on 2 November 2012 and had since won two awards. He advised that many of the original objectors to the application were now regular attendees of the premises and that the premises provided an old style community facility. Mr Scott reported that no complaints had been raised since his premises had opened.

Mr Scott responded to questions from Members of the Sub-Committee and Mr D K Abraham, Legal Advisor to the Sub-Committee.

In determining the application the Licensing Act 2003 Sub-Committee had regard to the Licensing Objectives, the Council's Statement of Licensing Policy, and the Statutory Guidance issued under Section 182 of the Licensing Act 2003.

Members heard representations in support of the application from Mr Henry and Mr Scott. Members considered the representation that had been received from a local resident and the petition containing 200 signatures. Members noted that the petition was not clearly headed on each page.

Members considered the representations made by the applicant in respect of how the premises would be operated and how the licensing objectives would be maintained.

Members had regard to the fact that there were no representations from any of the Responsible Authorities, in particular, Merseyside Police and also had regard to the lack of direct evidence that the licensing objectives would be undermined should the application be granted.

Resolved -

(1) That in accordance with Regulation 14(2) of the Licensing Act 2003, the public be excluded from the meeting during consideration of the application.

(2) That the application for a Premises Licence in respect of 56 Mill Lane, Liscard, be granted with the following hours:

Sale by Retail of Alcohol

Sunday to Saturday 11:00 to 22:00

The applicant has indicated that the sale of alcohol will be for consumption on and off the premises.

Hours Open to the Public

Sunday to Saturday 11:00 to 22:30

(3) That the following condition be attached to the Premises Licence

- There must be no consumption of drink by customers on the outside pavement areas of the premises.**

