

LICENSING SUB-COMMITTEE

9 MAY 2019

PRESENT

Councillor A. Duffield (in the Chair),
Councillors J. Holden and D. Jarman.

In attendance

J. Spence	Solicitor,
G. Levy	Regulatory Services Manager,
J. Boyle	Licensing Team Leader,
J. Pickup	Licensing Officer,
R. Worsley	Democratic and Scrutiny Officer,

Also present to observe only

A. Haddad	Licensing Officer
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55. QUESTIONS FROM MEMBERS OF THE PUBLIC

No questions from members of the public were received.

56. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - CHESHIRE BARN, SHAY LANE, HALE BARN, WA15 8UD

The Head of Regulatory Services submitted a report informing Members of an application for the grant of a premises licence for Cheshire Barn, Shay Lane, Hale Barns WA15 8UD which had attracted representations from Environmental Health, Trafford Council and local residents against the grant of a licence.

All parties present at the hearing were invited to address the Sub-Committee.

Representations were made in support of the application by Mr M.H.E. Khan, the applicant and Mr. G. Cross, Licensing Consultant. Representations were made against the application by Miss Ali, Environmental Health Officer, Mr Bibi, Environmental Control Team Leader and Mr Gadsby, Local Resident.

RESOLVED –

- (1) That the application by Mr. M.H.E. Khan for a grant of a premises licence for Cheshire Barn, Shay Lane, Hale Barns WA15 8UD be granted subject to compliance with the conditions outlined in the decision notice.
- (2) That the issue of the Licence be delegated to the Head of Regulatory Services.

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9 May 2019**

LICENSING SUB-COMMITTEE DECISION NOTICE

Sub Committee Members: Councillor A Duffield (Chairman)
Councillor D Jarman
Councillor J Holden

Applicant: **Mr Mohammed Haroon Ejaz Khan**

Type of Licence: **Grant of a Premises Licence: The Cheshire Barn, Shay Lane, Hale Barns WA15 8UD**

Representors: Local Residents
Mr D Gadsby – in attendance
Dr D Shlosberg
Mr H Wright

Environmental Protection – in attendance
Miss N Ali – Environmental Health Officer
Mr T Bibi – Environmental Control Team Leader

Parties Present: On behalf of the Applicant – in attendance
Mr Khan – Applicant
Mr G Cross – Licensing Consultant

Also in attendance: Representative from the Manchester Evening News

Officers
Jovane Spence – Solicitor
Graeme Levy – Regulatory Services Manager
Joanne Boyle – Senior Licensing Team Leader
Jade Pickup – Licensing Officer
Anna Haddad – Licensing Officer – to observe only
Ruth Worsley – Democratic and Scrutiny Officer

Date of Hearing: Thursday 9 May 2019
Time Commence: 6.40 p.m.
Time Terminated: 8.50 p.m.

LICENSING SUB-COMMITTEE DECISION

The Sub-Committee decided that the representations received from local residents and Environmental Services are relevant representations.

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To grant a premises licence as follows:-

Licensable Activities

Supply of Alcohol (on and off the premises)

Sunday to Wednesday	10:00 to 23:00
Thursday to Saturday	10:00 to 00:00

Late Night Refreshment (indoors and outdoors)

Thursday to Saturday	23:00 to 00:00
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Live Music (indoors and outdoors)

Sunday to Wednesday	10:00 to 23:00
Thursday to Saturday	10:00 to 00:00

Recorded Music (indoors and outdoors)

Sunday to Wednesday	10:00 to 23:00
Thursday to Saturday	10:00 to 00:00

Performance of Dance (indoors and outdoors)

Sunday to Wednesday	10:00 to 23:00
Thursday to Saturday	10:00 to 00:00

Premises Opening Hours

Sunday to Wednesday	10:00 to 23:00
Thursday to Saturday	10.00 to 00:00

Conditions

Any mandatory conditions which must be included under the Licensing Act 2003.

1. CCTV shall be installed and will cover all public areas inside the premises, immediately outside and any areas where smokers are allowed to congregate.
2. The CCTV unit shall be positioned in a secure part of the licensed premise and not within any private area of the location.
- 2a. Licensable activities must not be undertaken at the Premises when the CCTV is not operational.
3. Access to the system should be allowed immediately by police, trading standards or local authority officers in accordance with the Data Protection Act where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.
4. CCTV images shall be kept for a period of 28 days and to be produced to the police upon request.

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5. The CCTV system must be maintained so as to be fully operational and record images at all times the premises is open for licensable activity and when persons are on the premises. The recorded images shall have sufficient clarity, quality and definition to enable facial recognition to an evidential standard.

5a. Any footage must be in a format that can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

6. The CCTV system should be fully maintained in accordance with the manufacturers/installers instructions and a record kept of the maintenance undertaken.

7. There will be notices displayed throughout the premises stating that CCTV is in operation.

8. The CCTV system clock must be set correctly and maintained.

9. There should be a member of staff available at all times who is trained and capable of operating the CCTV system and also downloading any footage required by the police, local authority officers or trading standards officers.

10. There will be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons.

11. Drugs seized shall be recorded on an incident log, stored securely and handed to the police.

12. The designated premises supervisor shall identify the requirement for door staff at all times by way of a risk assessment.

13. Door staff must remain at the premises until such time the premises are closed, and all members of the public have left the venue.

14. A written or electronic record must be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor.

15. The register shall be kept fully updated at all times and remain at the licenced premise and be available for inspection immediately upon demand by an Authorised Officer of the Council, the police or security industry.

16. Means of escape will be maintained and checked on a regular basis by staff/supervisor and remain unobstructed and clearly identifiable.

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17. Any gas and electrical appliances on the premises will have current safety certificates,
18. The Designated Premises Supervisor Shall ensure that a written log of any accident or incident is kept on the premises with all the details recorded of dates, times, the nature of the incident and the staff involved.
19. Adequate and appropriate first aid equipment will be available and easily accessible.
20. Fire extinguishers to be regularly checked.
21. A fire risk assessment to be completed in accordance with legislation and made available for inspection by an Authorised Officer of the fire and rescue service.
22. All fire alarms, smoke detectors and emergency lighting to be tested regularly.
23. Notices to be displayed which are clearly visible at each entrance and exit of the premises requesting patrons to disperse quietly from the premises.
24. Regular checks by staff of the immediate outside area and to encourage patrons to conduct themselves in an orderly manner.
25. To encourage persons to use the litter bins and conduct a daily litter sweep.
26. No open bottles or containers to leave the grounds of the premises.
27. All area's to be cleared of bottles/glass on a regular basis.
28. Commercial waste shall be removed regularly but considerately to local residents.
29. Noise from music and associated sources(including DJ's and amplified voices) must not be audible to such an extent that it constitutes a nuisance to properties within the locality of the premises.
30. All external doors and windows shall be kept closed after 23:00 each day when regulated entertainment is being provided except in the event of an emergency.
31. The licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause disturbance to local residents. A written record shall be made of those assessments in a log book kept for that purpose and shall include, the time and date of checks, the person making them and the results including any remedial action.

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32. There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, (or member and their guests) notices requiring customers to leave the premises and the area quietly.(note this may also include a reference to vehicles)

33. A noise limiter device or system shall be installed on the premises and used to the satisfaction of the licensing authority and with prior agreement of the licensing authority on the settings to be used on the device.

34. No fireworks or other pyrotechnics shall be used other than with prior consent of the Licensing Authority.

35. The Applicant shall invite local residents to a meeting once a quarter to discuss any issues of concern.

36. The Premises must adopt the challenge 25 scheme to tackle underage sales. All staff must be fully trained in its use before being allowed to sell alcohol and a record is to be kept of staff training in relation to the challenge 25 scheme.

37. The Designated premises supervisor will ensure that all staff training must be refreshed at least every 6 months.

38. Both initial and subsequent refresher training in relation to the sale of alcohol will contain a written or electric test to be undertaken by the staff member and this record must be signed and dated by both the member of staff and the Designated Premises Supervisor.

39. All records of staff training, including written/electronic tests must be kept fully updated at all times and held at the licensed premises. These records must be made available immediately to Police Officers, Police Licensing Officers or Trading Standards Officers upon request.

40. A refusals register must be held at the premises and contain details of the time and date of any sales that are refused in relation to persons that are under age. The refusals register must also contain details of the staff member refusing sale. The refusals register must be checked on a monthly basis by the Designated Premises Supervisor or Duty Manager and endorsed accordingly by the DPS or duty manager with the time and date of the inspection. This register can be written or electronic.

41. Persons purchasing alcoholic drinks who appear to be under the age of 25 must be required to produce proof of age by way of identification. The only acceptable forms of identification permitted to verify proof of age shall be:

- (a) A current and valid Passport;
- (b) A current and valid photo ID Driving Licence; or
- (c) A current and valid proof of age scheme card with the PASS approved hologram.

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42. The refusals register or, when electronic a print out of refusals must be produced and made available for inspection at the time of visit by any Responsible Authority.

43. The premises shall have house rules relating to children and this will be the responsibility of the Designated Premises Supervisor.

Additional Conditions

No amplified music/sound/speakers shall be permitted to any external part of the site.

No food or drink shall be taken into the external areas after 23:00 hours on Thursdays, Fridays and Saturdays and 22:00 hours on Sundays, Mondays, Tuesdays and Wednesdays.

No weddings will be conducted at the premises; including but not limited to, wedding ceremonies, wedding receptions or any other wedding function.

LICENSING SUB-COMMITTEE'S REASONS FOR REACHING ITS DECISION

The Sub-Committee considered the Licensing Act 2003 and regulations, the Guidance and the Council's Licensing Policy and the application.

The Sub-Committee considered the representations received from Environmental Protection and local residents

The Sub-Committee carefully considered the concerns raised regarding public nuisance and balanced those concerns with the interests of the applicant and the licensing objectives.

The meeting commenced at 6.40 pm and finished at 8.50 pm