

## LICENSING SUB-COMMITTEE (HPBC)

**Meeting: Thursday, 6 August 2020 at 10.00 am in Virtual Meeting**

Present: Councillor R McKeown (Chairman)

Councillors C Farrell and S Young

### **APPOINTMENT OF CHAIRMAN.**

(Agenda Item 1)

RESOLVED:

That Councillor R McKeown be appointed Chair for the meeting.

### **TO RECEIVE DISCLOSURES OF INTEREST ON ANY MATTERS BEFORE THE COMMITTEE**

(Agenda Item 2)

No interests were declared.

### **APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR CLOCKWORK CAFÉ, 30 MARKET STREET, NEW MILLS, HIGH PEAK, SK22 4AE**

(Agenda Item 3)

Applicant: Mr Peter McCulloch on behalf of Ms Joanne Jones for Clockwork Café

Objector(s): Mrs Janet Bannon  
Mr Laurence Kirk

For the Licensing Authority: Mr M Towers, Senior Licensing Officer and Mrs S Bradbury, Licensing Officer.

The meeting was held by way of Microsoft Teams and webcast simultaneously on the Council's website.

The hearing was called to consider an application for the grant of a Premises Licence in respect of Clockwork Café, 30 Market Street, New Mills, High Peak, SK22 4AE.

Mr Peter McCulloch, Mrs Janet Bannon, Mr Laurence Kirk and Mr M Towers addressed the Sub-Committee.

The Sub-Committee also took into account the written report, S182 guidance and High Peak Borough Council's 'Statement of Licensing Policy' before coming to a decision.



## **Decision**

To grant a Premises Licence for the sale of alcohol inside the current café space each day of the week, commencing at 9am and ending at 9.30pm with consumption of alcohol on the premises to end by 10.30pm. This is subject to the conditions suggested by Environmental Health and Trading Standards as set out in the committee report, and subject to the following further condition:

- The supply of alcohol inside the premises will only be permitted to persons as ancillary to food.

To refuse the application to grant a licence to supply alcohol in the rear garden.

## **Reasons for the decision**

The Sub-Committee took into account the oral and written comments of all parties. The Sub-Committee noted that no objections had been submitted by the police.

The Sub-Committee was persuaded that the supply of alcohol within the premises would enhance the current offer and that there was no reason to believe that the supply of alcohol with the internal café area would undermine any of the licensing objectives and it should therefore be approved subject to conditions. The Sub-Committee considered that the conditions put forward by both Environmental Health and Trading Standards were necessary to promote safety of the public, to prevent public nuisance and to aid the prevention of crime. Furthermore, the Sub-Committee agreed that the grant of the licence should be granted subject to the additional condition that had been volunteered by the applicant to further develop their existing business and help to meet the licensing objectives outlined above:

- The supply of alcohol inside the premises will only be permitted to persons as ancillary to food.

The Sub-Committee noted that the current application did not provide time for final consumption of drinks and clearing up after last orders were placed. The Sub-Committee considered that it would be appropriate to set a limit for last orders by 9.30pm with consumption of all alcohol at the premises ending at 10.30pm. The Sub-Committee considered that setting an earlier time limit for consumption of alcohol at the premises compared to public houses in the vicinity would assist in the prevention of public nuisance and crime.

The Sub-Committee were concerned about the noise that would be generated from the proposed outside area and also the safety of the staff and public if food and drinks were to be transported to the garden area via a public right of way. The Sub-Committee noted that this is a well-used footpath, which introduced questions of possible liability if accidents occurred. The Sub-Committee did not consider that these issues could be overcome by imposing conditions and therefore agreed that the proposal to licence the outside area should be refused.



### **Right of Appeal**

The objectors and/or the applicant may appeal against this decision. Any appeal must be made in writing to the Derbyshire Magistrates Court within 21 days from the date of receipt of this Decision Notice.

The meeting concluded at 11.15 am

**CHAIRMAN**