

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Report to Licensing Sub-Committee

28 November 2017

TITLE:	Application for the Grant of a Premises Licence for Society Bar, 2 -3 Market Place, Leek, Staffordshire, ST13 5HH.
PORTFOLIO:	Councillor A.S. Forrester – Portfolio Holder for Environment
OFFICER:	Mike Towers, Senior Officer (Housing, Public Health & Licensing)
WARD:	Leek East

Attached documents

Appendix 1 – Location Plan of Premises showing the vicinity of the premises and a smaller scale view of the surrounding residential area.

Appendix 2 – Application for the Grant of a Premises Licence.

Appendix 3 – Representation from Environmental Health

Appendix 4 – Representations from Interested Parties.

Recommendations

- 1.1 That members determine the application for the Grant of a Premises Licence for Society, 2-3 Market Place, Leek, Staffordshire, ST13 5HH within the provisions of the Licensing Act 2003. A location plan is attached at Appendix 1 and a plan of the surrounding residential area.

Executive Summary

- 2.1 An application was received on 3 October 2017 from Disco Bar Leek Ltd for the grant of a Premises Licence in respect of Society Bar, 2–3 Market Place, Leek Staffordshire, ST13 5HH. A copy of the application is attached at Appendix 2.

Background:

- 2.2 An application was received on 3 October 2017 from Disco Bar Leek

Ltd, company registered address, 8 Long Meadow, Westbury Park, Newcastle-under-Lyme, Staffordshire, ST5 4HY for the grant of a Premises Licence for Society Bar, 2-3 Market Place, Leek, Staffordshire, ST13 5HH with a requested date of commencement of 1 December 2017.

The licensable activities applied for are:-

- Films, Live and Recorded Music (Indoors) and Supply of Alcohol (for consumption on the premises):-
Sunday to Wednesday:- 10:00 – 02:00
Thursday to Saturday:- 10:00 – 03:00
- Late Night Refreshment (indoors):-
Sunday to Wednesday:- 23:00 – 02:00
Thursday to Saturday:- 23:00 – 03:00

Seasonal Variations for all licensable activities:-

- An additional hour on the day British Summertime commences;
- Christmas Eve and New Year's Eve:- 10:00 – 03:00
- Sundays preceding a Bank Holiday:- 10:00 – 03:00

2.2 In accordance with the requirements of the Licensing Act 2003 consultation on this application was conducted between 4 October 2017 and 2 November 2017 by the displaying of a public notice on the premises and in a local newspaper giving details of the application.

2.3 During the consultation period Staffordshire Police and the applicant agreed the following conditions be added to the operating schedule:-

- The Licence Holder and/or the Designated Premises Supervisor or a person nominated by them shall be a member and regularly attend the meetings of the Leek Pub Watch Scheme and participate in the group's initiative. The Leek Pub Watch Scheme radio system relevant to the area shall be used at all times when the premise is open and regularly monitored by the Designated Premises Supervisor or a person nominated by them. The Licensee shall ensure that all Police instructions and directions are followed and all instances of crime and disorder reported immediately.

- The door leading onto Stockwell Street, Leek will be used for emergency purposes only.

2.5 During the consultation period Staffordshire Fire Service and the applicant agreed the following conditions be added to the operating schedule:-

- Fire extinguishers will be maintained and certified and serviced on a yearly basis;
- A Fire Risk Assessment shall be in place and available for inspection;
- Fire Training shall be undertaken with all new employees and refreshed every 6 months;
- A fire alarm shall be installed and tested at weekly intervals;
- Emergency lighting shall be installed and tested at least monthly to ensure the batteries are in working order.

Relevant Representations

2.6 Responsible Authorities

Planning Officer – None received

Health and Safety Authority – None received

Child Protection Body – None received

Staffordshire County Council Trading Standards - None received

Home Office Immigration – None received

Staffordshire Public Health - None received

Staffordshire Police – Conditions agreed during the consultation period.

Fire Officer – Conditions agreed during the consultation period.

Environmental Health Officer – Objection received which is attached at Appendix 3 with e-mail correspondence between the applicant and the responsible authority.

2.7 Other Persons

Three representations were received from interested parties, two from a local business and one from a local resident. Copies of these representations are attached at Appendix 4.

Local Policy Consideration

2.8 In carrying out its duties under the Act, the Licensing Authority will actively promote the licensing objectives, namely: -

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

2.9 The Licensing Authority will view each objective with equal importance and pay due regard to any guidance issued by the Secretary of State under section 182 of the Act and the Local Statement of Licensing Policy.

2.10 The Licensing Authority has the ability to deviate from both the guidance issued by the Secretary of State and/or this Statement of Licensing Policy where the facts of a case merit it. If such an occasion does arise then full reasons for such deviation will be given as part of the published decision.

2.11 The Sub-Committee must also have regard to all of the representations made and the evidence it hears.

2.12 The Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives:-

- (a) Grant the application as applied for;
- (b) Modify the conditions of the licence, by altering or omitting or adding to them;
- (c) Reject the whole or part of the application.

and for this purpose the conditions of the Licence are modified if any of them are altered or omitted or any new condition is added.

The Sub-Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.

2.13 The Applicant, Environmental Health (Pollution Section), or any of the interested parties have the right of appeal to the Magistrates Court within the period of 21 days beginning with the day on which the Applicant and Premises Licence Holder are notified in writing of the Licensing Sub-Committee's decision.

Options and Analysis

There are no options to consider other than detailed in the report. Applications made within the Licensing Act 2003 (Hearings) Regulations 2005.

Implications

3.1 Community Safety - (Crime and Disorder Act 1998)

None.

3.2 Employees

None.

3.3 Equalities

This report has been prepared in accordance with the Council's Diversity and Equalities Policies.

3.4 Financial Considerations

There are no direct financial implications for the authority from this application, although should Disco Bar Leek Ltd, Environmental Health (Pollution Section) at Staffordshire Moorlands District Council or an interested party exercise their right of appeal against any decision made by the Sub-Committee, then there would be additional costs incurred by the authority in defending the decision in court.

3.5 Legal

All parties have the right of appeal to the Magistrates Court.

3.6 Sustainability.

None.

Alicia Patterson
Operations Manager – Environmental Health

Background Papers

Staffordshire Moorlands District
Council Licensing Policy:-
2016 - 2021
Amended Guidance issued under
Section 182 of the LA2003

Location

Licensing Section

Contact

Mike Towers
Senior Officer (Housing,
Public Health & Licensing)
01538 395400 x4400