

# DECISION NOTICE

**COMMITTEE:** Licensing Sub-Committee (Licensing Act 2003 and Gambling Act 2005)

**DATE:** Tuesday, 12 November 2019

**Premises:** 9 Church Road, Bishop's Cleeve, Cheltenham, Gloucestershire, GL52 8LR.

**Applicant:** Peter Trowse

Application for a premises licence under the Licensing Act 2003.

**Present:** Councillors E J MacTiernan (Chair), P W Ockelton and M J Williams.

**Representatives of applicant:** Dan Pope – Applicant's business partner.

**Other parties addressing the Sub-Committee:** None.

## SUMMARY OF REPRESENTATIONS

1. No responsible authorities made representations in relation to the application.
2. Five representations were made by other persons, all of whom wished to object to the application.

## THE APPLICATION

Relevant licensable activities and hours applied for:

The sale by retail of alcohol            Every day    10:00-23:00

The opening hours of the premises    Every day    10:00-23:00

Non-standard timings:

On the days of the spring and autumn meetings at Cheltenham racecourse - known as The Showcase (October), the Festival (March) and the November Meeting – the opening hours of the premises will be extended to 08:00 - 23:00. This extension applies only to the opening hours, not the sale of alcohol.

## **DECISION**

Having considered the application; the evidence provided; the representations made by all parties, including those made at the hearing; the four licensing objectives; the national guidance; and the Council's Statement of Licensing Policy, it was resolved that the premises licence be **GRANTED** in accordance with the application set out, subject to the following conditions being added to the licence:

1. All mandatory conditions.
2. Conditions consistent with the operating schedule proposed by the applicant as follows:
  - A staff training scheme will be implemented and records will be updated on a regular basis.
  - CCTV will be maintained in good working order and recordings will be kept for 28 days.
  - The alarm system will be maintained in good working order.
  - Staff will ensure litter generated by the outside seating area is cleared away on a regular basis.
  - Challenge 25 will be operated so that any person who appears to be under 25 will be required to provide a relevant photo ID [to prove that they are over 18].
3. Condition proposed by the applicant and amended by the Sub-Committee as follows:

The management will monitor the situation where the outside tables and chairs are located to decide, on a day-by-day basis, the appropriate glassware/acrylic glassware to be used in that position.

## **REASON**

The Sub-Committee was satisfied that all of the conditions attached to the licence would promote the licensing objectives.

The Sub-Committee had regard to the Human Rights Act 1990 and the European Convention on Human Rights as well as its duty to the Crime and Disorder Act 1998; however, it found that it had heard no evidence that any person's human rights would be infringed by granting the application, nor was it sufficient to convince the Panel that any significant crime and disorder or public nuisance would be caused by granting the application.

All interested parties had a right of appeal to the local Magistrates Court within 21 days of the decision.