

LICENSING & GAMBLING ACTS SUB-COMMITTEE

MINUTES OF MEETING HELD ON MONDAY, 5 JULY 2021

Present:

Councillor Heather Liggett (Chair)

Councillor Stephen Pickering

Councillor Michael Roe

Also Present:

K Shillitto

Solicitor & Deputy Monitoring Officer

D Stanton

Governance Officer

C Terry

Environmental Health Team Manager (Licensing)

LGS/ Appointment of Chair for the Meeting

1/21-

22

RESOLVED – That Councillor H Liggett be appointed Chair for this meeting.

LGS/ Declarations of Interest

2/21-

22

Members are requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

There were no interests declared.

LGS/ To hear representations made under the Licensing Act 2003

3/21-

22

The Environmental Health Team Manager (Licensing) presented report No LTL/01/2021-22 which outlined representations made against an application for a Premises License for Cocina Familiar, Wingerworth, Chesterfield.

Members were reminded that the legislation provided a clear focus on the promotion of four statutory objectives which must be addressed when regulated activities were undertaken at a premises. The Licensing objectives were:

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

The Sub-Committee heard that each application must be considered on its own merits and in accordance with the Licensing Authority's statement of licensing policy.

The officer confirmed that the Authority had received an application for a Premises License on 25 May 2021 for Cocina Familiar. The applicant was present at the meeting accompanied by a legal representative. Members noted that the applicant had sought a premises license operating to the conditions as set out in the report. A copy of the application had been attached as appendix 1.

The Sub-Committee were informed that four valid representations had been received from members of the public which were attached as appendix 5, 6, 7 and 8. The representations referred to some or all of the Licensing objectives. Members agreed to view late representations from one of the members of the public who had objected to the application.

The Environmental Health Team Manager (Licensing) informed Members that the Licensing Team had received a letter of support for the application from a member of the public. This was outlined in appendix 10. The Sub-Committee agreed to view documentation which outlined the views of over 60 members of the local community supporting the application which was provided by the applicant.

The Sub-Committee enquired about the opening hours and level of background recorded music desired for the premises. The applicant clarified that the restaurant opened until 10pm, but requested a license until 11pm in case of a special event. The applicant also confirmed that there would be low level background music which was pre-recorded from a tablet device.

Those who had made representations were not present at the meeting to give their submissions.

The applicant was then asked to give her submissions. The Sub-Committee heard that the premises was a small family business which operated as a restaurant with a small amount of covers. There would be low level pre-recorded atmospheric music with the premises usually closed by 10pm. The application had received support from the local community, including the nearby nursery.

The applicant's legal representative explained that concerns from the police had been addressed, and their suggestions accepted. Members noted that the Council had received no complaints from when the business operated through a Temporary Events Notice, and that the business would employ local people and provide investment to the local area.

The Sub-Committee then recessed so that Members could consider the application.

RESOLVED – That the application be granted subject to the conditions set out with Trading Standards and the Police, alongside anything else that had been voluntary agreed to.

LGS/ Matters of Urgency

**4/21-
22**

There were no matters of urgency considered at the meeting.