

Decisions taken by the Licensing Panel (Premises) on Tuesday, 21 June 2022

Agenda Item No	Topic	Decision
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Part A – Items considered in public

<p>A4</p>	<p>Licensing Act 2003 - Application for a variation of the existing premises licence - The Delph Restaurant And Bar, 4B Worsley Road, Worsley, M28 2PD</p>	<p>LICENSING ACT 2003 COMMITTEE</p> <p>Tuesday, 21st June 2022</p> <p>APPLICATION FOR A VARIATION OF THE EXISTING PREMISES LICENCE – THE DELPH RESTAURANT AND BAR, 4B WORSLEY ROAD, WORSLEY, M28 2PD</p> <p>Decision</p> <p>Grant the Application subject to the following: -</p> <p>Performance of Live music</p> <p>Monday to Sunday 10:00 to 23:00</p> <p>(Permissible under provisions of Live Music Act 2012)</p> <p>Playing of Recorded Music</p> <p>Monday to Sunday 10:00 to 23:00</p> <p>Supply of Alcohol</p>
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		<p>Monday to Sunday 10:00 to 23:00</p> <p>Plus, conditions agreed with EH subject to the following amendments: -</p> <p><u>Prevention of Public Nuisance</u></p> <p><u>Condition 1</u></p> <p>Replace “Noise from amplified music and speech as measured, at or within 1 metre of the site boundary of the premises shall not exceed 55Db(A) Leq 5 min between the hours of 10:00 hours and 23:00 hours, 50Db (A) Leq 5 min between the hours of 23:00 and 00:00 hours and 45Db (A) Leq 5 min between 00:00 hours and 10:00 hours Monday to Sunday inclusive.”</p> <p>With “No noise from electronically amplified music shall emanate from the premises nor vibration be transmitted through the structure of the premises that give rise to a nuisance “</p> <p>Replace “Noise from the external speaker in the rear courtyard shall be turned off at 23:30 hours “</p> <p>With “Noise from the external speaker in the rear courtyard shall be turned off at 22:00 hours Sunday to Wednesday and at 23:00 hours Thursday to Saturday.</p> <p><u>Condition 4</u></p> <p>“The use of any outdoor space to which you are entitled to use to the front of the premises shall be restricted to a maximum of 50 persons at any time “</p> <p>“Drinks shall not be allowed in the outside areas after 22:00 hours Sunday to Wednesday and after 23:00 hours Thursday to Saturday</p>

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		<p>The Panel, noted the very genuine concerns of the residents, but felt on balance that it would be appropriate to allow a maximum of 50 persons in the seated area and would make a condition to this effect to be placed upon the premises licence.</p> <p>It also determined that restrictions should be placed upon the hours when drinks could be allowed in the outside area, and this was limited to 10pm Sunday to Wednesday and 11pm Thursday to Saturday.</p> <p>In addition, the noise from the external speaker in the rear courtyard shall be turned off at 10pm Sunday to Wednesday and at 11pm Thursday to Saturday.</p> <p>The Panel felt that the premises was well managed, and it was confident that it would be capable of upholding the licensing objectives and respect the concerns of neighbouring residents by taking appropriate action to ensure that it always complied with the conditions on its licence.</p> <p>In arriving at its decision, the Panel considered both the written and verbal representations made at the hearing, the licensing objectives, Licensing Act 2003, the Council’s Statement of Licensing Policy, the Regulations made thereunder, and the Guidance issued by the Secretary of State under Section 182 of that Act and the licensing objectives.</p>
A1		

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Agenda Item No	Topic	Decision
A2		