

# Licensing Act Sub-Committee

## Supplementary Agenda

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**Date:** Friday, 2nd October, 2020

**Time:** 10.00 am

**Venue:** Virtual

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3. **Application for a variation of a premises licence at Eight Farmers, 104 Parkers Road, Leighton, Cheshire, CW1 4PY (Pages 3 - 38)**

To consider the above application.

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**IN THE MATTER OF :****VARIATION OF PREMISES LICENCE FOR THE EIGHT FARMER, 7 PARKERS HILL,  
ROAD, COPPENHALL, CREWE, CW1 4PY****MARSTON'S PLC****APPLICANT****WRITTEN SUBMISSION ON BEHALF OF THE APPLICANT**

1. This is an application for a variation of an existing premises licence pursuant to Section 34 Licensing Act 2003. The premises has been traded by Marston's for a considerable period of time and is known as the Eight Farmers. It forms part of Marston's Plc retail division. The premises is a large community pub which has a high level of food sales and community engagement.
2. The applicant is Marston's Plc which operates some 1500 licensed premises nationwide. This premises falls within the retail division of which there are some 600 premises.
3. The premises was granted a Licence pursuant to the 1964 legislation which was converted in 2005. The application seeks to vary the Premises Licence. The application does not seek to change the interior of the premises but looks to license the external area adjacent to the premises and to incorporate the car park area within the licensed area on limited terms.
4. The premises stands in significant grounds and has a shared access point with a small Co-operative Supermarket. Additionally, since the premises was constructed, new flats have been built immediately adjacent (where it was proposed the Doctors Surgery should be constructed). To the side and rear of the premises is residential accommodation.

## **The Application**

5. To confirm, the application seeks to licence the area immediately to the front of the premises which is landscaped, the area immediately to side of the premises which forms the beer garden and described as patio and play area. It is anticipated that these areas will be used on a regular basis and will support the operation of the premises, particularly during the period of Covid allowing additional space for customers and facilitating social distancing.
6. Secondly, the application seeks to licence the car park area. It is not anticipated that this will be used on a regular basis and the space is sought to be used on occasions throughout the year but particularly to host Christmas Markets or fairs, Farmers Markets and Car Boot events along with other community events such as those which arise on the occasion of a Royal Wedding or the VE/VJ Day celebrations which had hoped to have been undertaken during the course of this summer.
7. The external area is sought to be licensed only in respect of retail sale of alcohol and late night refreshment. Retail sale of alcohol is to a lesser hour than that permitted under the existing licence being Monday to Saturday, 10:00 to 22:30, and Sunday, 11:00 to 22:30.
8. The application requests the licensable activity of late night refreshment for a period of 30 minutes between 23:00 and 23:30. It is anticipated that this will be used rarely but is there to provide a potential for hot drinks and food externally on winter events such as Bonfire Night, Halloween, Christmas Eve when people may remain outside for the purpose of a celebratory event after the cessation of sales of alcohol.
9. Representations have been received from a number of residents. The representations predominantly focus upon the existence of anti-social behaviour and noise in the area.
10. A bundle of documentation has been produced to support the Applicant's position and this is annexed. Reference will be made to the Bundle during the course of the hearing and within this Written Submission. Early release of the

Written Submission and bundle have been undertaken so as to try and assist the Committee and those making representations during the course of the hearing and to understand the position of Marston's plc in respect of the application.

### **The Applicant**

11. Marston's are a responsible and experienced operator of licenced premises with robust systems in place for the exercise of due diligence to ensure that their premises are properly and responsibly run in accordance with the law and to ensure the avoidance of the commission of regulatory offences and, in particular to guard against anti-social behaviour and the sale of alcohol to persons under the age of 18, on the easing of lockdown Marston's were the first company to develop a QR code in respect of Track and Trace a system now being adopted by the Government in conjunction with the Track & Trace App, the company engaged internally health and safety experts who have prepared COVID secure risk assessments for all premises and have a regime for ensuring the compliance with social distancing requirements and compliance with the Government guidelines.
12. The Designated Premises Supervisor is Lisa Hamlett, she has been the DPS since April 2015 and is an active member of the local community. In addition to being the Designated Premises Supervisor at the Eight Farmers, she is also a Parish Councillor and is known for her work in the community and particularly her charitable works. It is her genuine intention to utilise the extension of the licence to benefit the community. In recent times, the premises has undertaken significant fund raising activities supporting Leightons Hospitals Children Ward, local food bank and numerous local causes of the last year – see page 10 for pictures of food parcels.
13. As a key location within the community, the DPS has used Christmas as an opportunity to assist those that are less privileged providing Christmas lunches for the homeless and has supported the emergency services by providing a Blue Light Christmas dinner for those working over the festive period. (See pages 6 -9) of Bundle for press coverage of these events.

14. The premises has a strong home cooked food offer (see page 11 – 13) of the Bundle enclosing the menu). Food sales represent some 30% of overall trade.
15. The application has not attracted adverse comment from the Police, Trading Standards or Environmental Health, all of which would be quick to raise their concerns should from their objective assessment of the situation believe they exist. It should be noted that the majority of residential representations were raised after a request to do so was made by Councillor Evans.
16. A hearing is required to determine the application.

### **The Licensing Objectives.**

17. Central to the statutory regime are the four licensing objectives which are the only relevant areas for consideration and licensing objectives. They are as follows
- Prevention of crime and disorder.
  - Public safety
  - Prevention of public nuisance.
  - Protection of children from harm.

### **The Guidance**

18. Under Section 182, the Secretary of State is required to issue Guidance to Licensing Authorities on the discharge of their functions under the Act. Section 4(3) requires Licensing Authorities to have regard to the Guidance.
19. So whilst the requirement to have regard to the Guidance is binding on Licensing Authorities, paragraph 1.9 of the Guidance recognises that :

"This Guidance cannot anticipate every possible scenario such as circumstances that may arise and, as long as Licensing Authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an Appeal or Judicial Review and the reasons given will then be a key consideration for the Courts when considering the lawfulness and merits of any decision taken".

## **The Application Process**

20. Section 34 sets out the procedure for making a variation of Premises Licence Application and Section 35 sets out the provisions for determination of that application where representations have been made by the Responsible Authorities or other persons.
21. Section 35 provides that where an application for a variation of a Licence is properly made, following receipt of relevant representations, the Licensing Authority must hold a hearing following which it may, if it thinks it is necessary, take such steps necessary for the promotion of the licensing objectives. The Licensing authority can determine that no steps are required as it should seek to focus on the steps appropriate to promote the particular licensing objective.(9.37)

## **Representations**

22. Those objecting to the grant of the variation raise various matters which the applicant will address during the course of the hearing. However, the Applicant will submit as follows:

### **(i) Anti-social behaviour**

It is acknowledged that there is a level of anti-social behaviour in the area, however it is disputed that the same is manifestly caused or attributable to the Eight Farmers, in particular:

- (a) Allegations are made that disruption occurs late at night. The premises closes at 11p.m. weekdays and 01:00 on weekends, with the car park and external areas cleared. The premises is aware that third parties utilise the car park facility of the premises and the Co-op late at night and have reported the same.
- (b) Use of the Cut – The Applicant acknowledge that issues exist as to use of the Cut by third parties however it disputes that the majority of these are

linked to the operation of the Eight Farmers please see Bundle of documents and request by the DPs in her capacity as Parish Councillor for a gate to be installed. The closure of the footpath or erection of a gate would be a matter for Highways Department of the Local Authority (see pages 16 – 17 of the Bundle as to Parish Council Meeting Minutes).

### **(ii) Noise Nuisance**

It is acknowledged that the beer garden generates a level of noise but this is predominantly used by families and is supervised by the premises. However, evidence can be provided as to noise generated by third parties, in particular video footage of loud parties undertaken along Harris Close and noise generated by the block of flats adjacent to the premises. The applicant and in particular the DPS acknowledge the noise nuisance impact of these and has made complaints directly to Mark Vyse – see Bundle, page 14 - 15.

The premises actively engages with its customers requiring them to remain quiet whilst outside and to leave in an orderly manner. The licensing of the external area will formally bring the space under the regulation afforded by the Licensing Act 2003.

A number of local residents have signed a petition in support of the application and confirming to the level to which the premises is operated – please see Bundle, page 18 to 21.

### **(iii) Crime and Disorder**

When the premises re-opened on 4<sup>th</sup> July, one incident arose, prior to that the premises has been incident free, with no attendance by the Police. Those individuals who caused issue on 4<sup>th</sup> July (the first day pubs were allowed to re-open following lockdown) have been barred from the premises and this is a procedure which is undertaken when necessary in respect of customers who fail to comply with the standard of the premises.



On 16<sup>th</sup> September the premises was visited by the PCSO and Police Officer Byron. Those Offices confirmed they have no objection to the variation and that the callout since re-opening on 4<sup>th</sup> July has been recorded as “unjustified callouts” and have not been adversely noted against the premises.

### **(iv) The Smell of Cannabis**

Various residents recite in their representations the smell of cannabis or what they believe to be a drug. The DPS has experienced the same and on those occasions has checked the garden and those persons within it. It is the view of the Designated Premises Supervisor that the smell emanates from the flats. She has raised this with the Police. She has also raised this with the flats management company.

On the 16<sup>th</sup> September, the DPS spoke with the Police regarding the use of drugs within the adjacent flats, in particular the smoking of cannabis. The Officers confirmed that as far as they are aware there had been no calls to them regarding cannabis use at the premises and noted the concerns raised by the DPs as to potential usage of drugs within the domestic accommodation of the flats.

### **(v) Covid 19**

The premises has the benefit of a comprehensive Covid Risk Assessment to which it has worked since 4<sup>th</sup> July. That Risk Assessment has been adapted with each change in the Government's guidelines. The Assessment was prepared by the Designated Premises Supervisor working with Health & Safety Officer employed by Marston's plc. Our client's Risk Assessment is checked by the Area Manager and also unannounced checks of the In-House Health & Safety Team. No enforcement body has raised issue with the steps undertaken at the premises to make it Covid secure.

### **The Role of the EHO/Police**

23. At paragraph 9.12 of the Guidance it is stated that in their roles as a Responsible Authorities, the Police and Environmental Health Officers are experts in their fields and will be the Licensing Authority's main source of advice. The Licensing Authority must determine on an evidential basis and justified on the evidence before it and taking into account the evidence that is not before it. There are no representations from either Responsible Authority

24. At paragraph 10.8 of the Guidance the Licensing Authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of the hearing it is appropriate to impose conditions to promote one or more of the four licensing objectives. It should be noted that at paragraph 10.9 the Guidance confirms that it is possible in some cases no additional conditions will be appropriate to promote the licensing objectives. It is submitted in this case that no additional conditions are required in view of those already endorsed upon the licence

At paragraph 10.10 of the Guidance it is confirmed that .....the Licensing Authority should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

It is submitted in this case that the potential risk arising has been proportionately addressed by the existing conditions and to add more would be a disproportionate response

### **Applicant's Case**

25. The premises seeks to change the extent to which it is licensed but that change makes no impact on the:

- a. overall operation of the premise,
- b. the customers it attracts
- c. occupancy of the premise
- d. licensable activities

The bundle provides details of the Menu offered.

26. It is not envisaged that there will be a potential increase to noise generated by the premises, the beer garden is already used. By bringing it within the licensed area, it enhances the regulation of the area and will provide increased supervision.
27. The Applicant will rely upon the decision in the case of Daniel Thwaites plc –and- The Wirral Borough Magistrates Court (2008 EWHC 838), in particular paragraph 63.
28. "The fact that the Police did not oppose the hours sought on this basis should have weighed very heavily with them whereas, in fact, they have appeared to have dismissed the Police's view because it did not agree with their own.....they proceeded without proper evidence and gave their own views, excessive weight and their resulting decision, limiting the hours of operation of the premises without it having been established that it was necessary to do so to promote the licensing objectives..... ."
29. In this application there is no evidence to illustrate that the current operation at the premises impacts adversely upon the licensing objective of public nuisance, the evidence put forward by the residents relates predominantly to matters happening in the area over which the premises has no control and often takes place at times when the premises is closed.
30. Changes will allow for greater social distancing of customers.
31. The proposed use of the car park is for an on occasional basis. It is considered that the events proposed will enhance the community by providing local opportunities. Separate risk assessments will be completed for each such event and if required the Applicant will liaise with the Police and Licensing Authority.

**John Gaunt & Partners**

**September 2020**

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**IN THE MATTER OF :**

**VARIATION OF PREMISES LICENCE FOR THE EIGHT FARMER, 7 PARKERS HILL,  
ROAD, COPPENHALL, CREWE, CW1 4PY**

**MARSTON'S PLC**

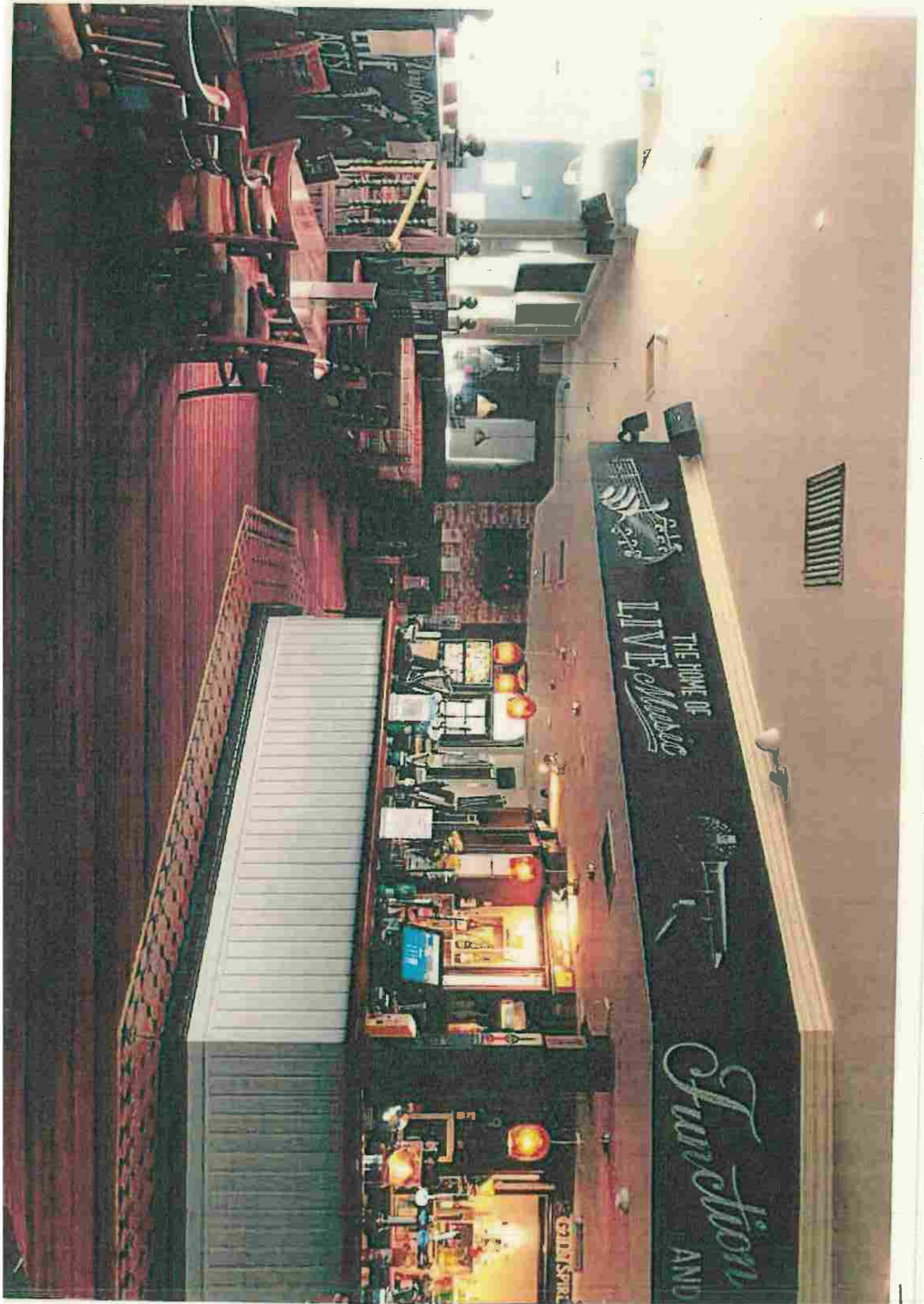
**APPLICANT**

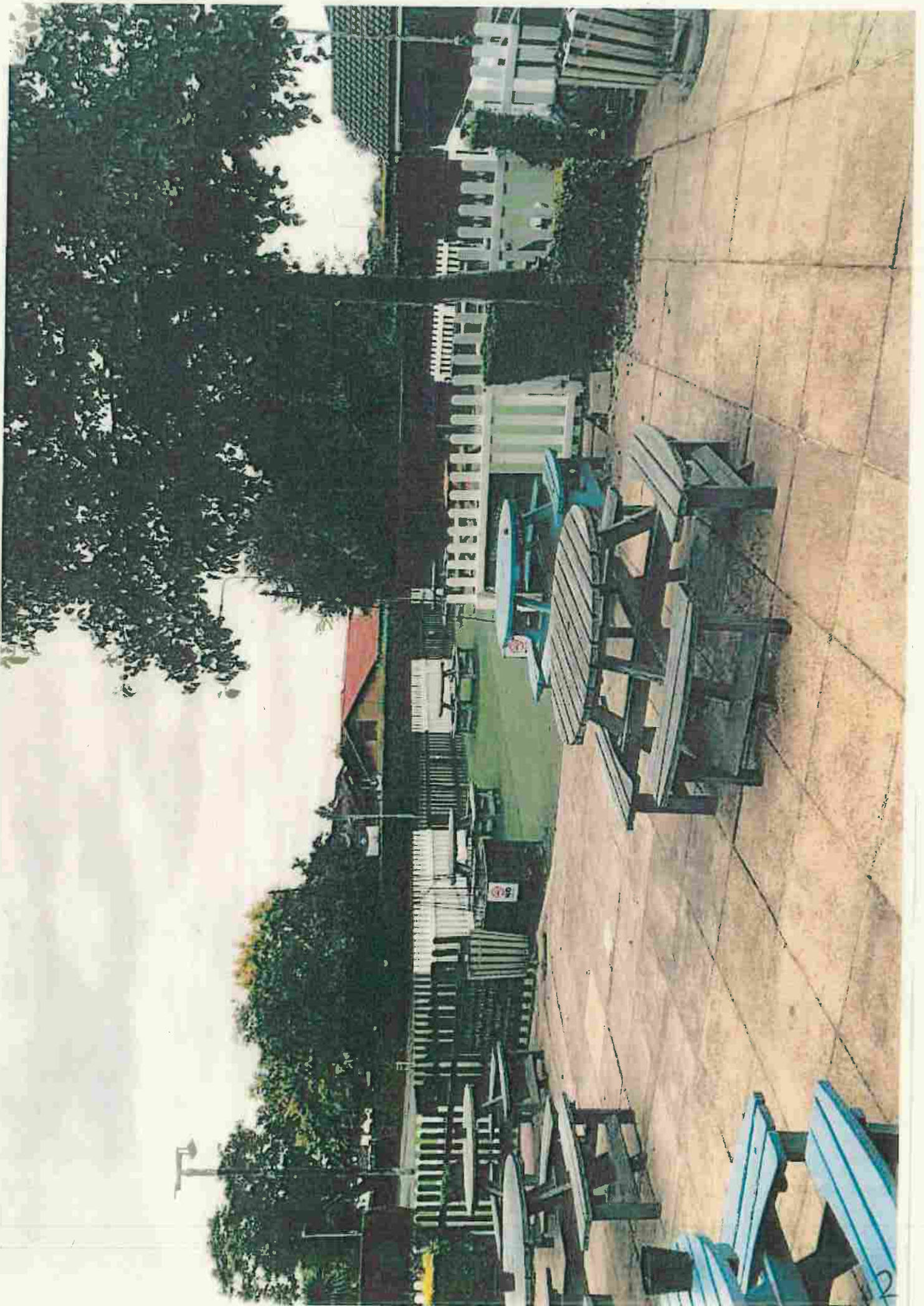
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**APPLICANT'S BUNDLE**

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NEWS

CHESTER NEWS

CREWE NEWS

MACCLESFIELD I

NEWS

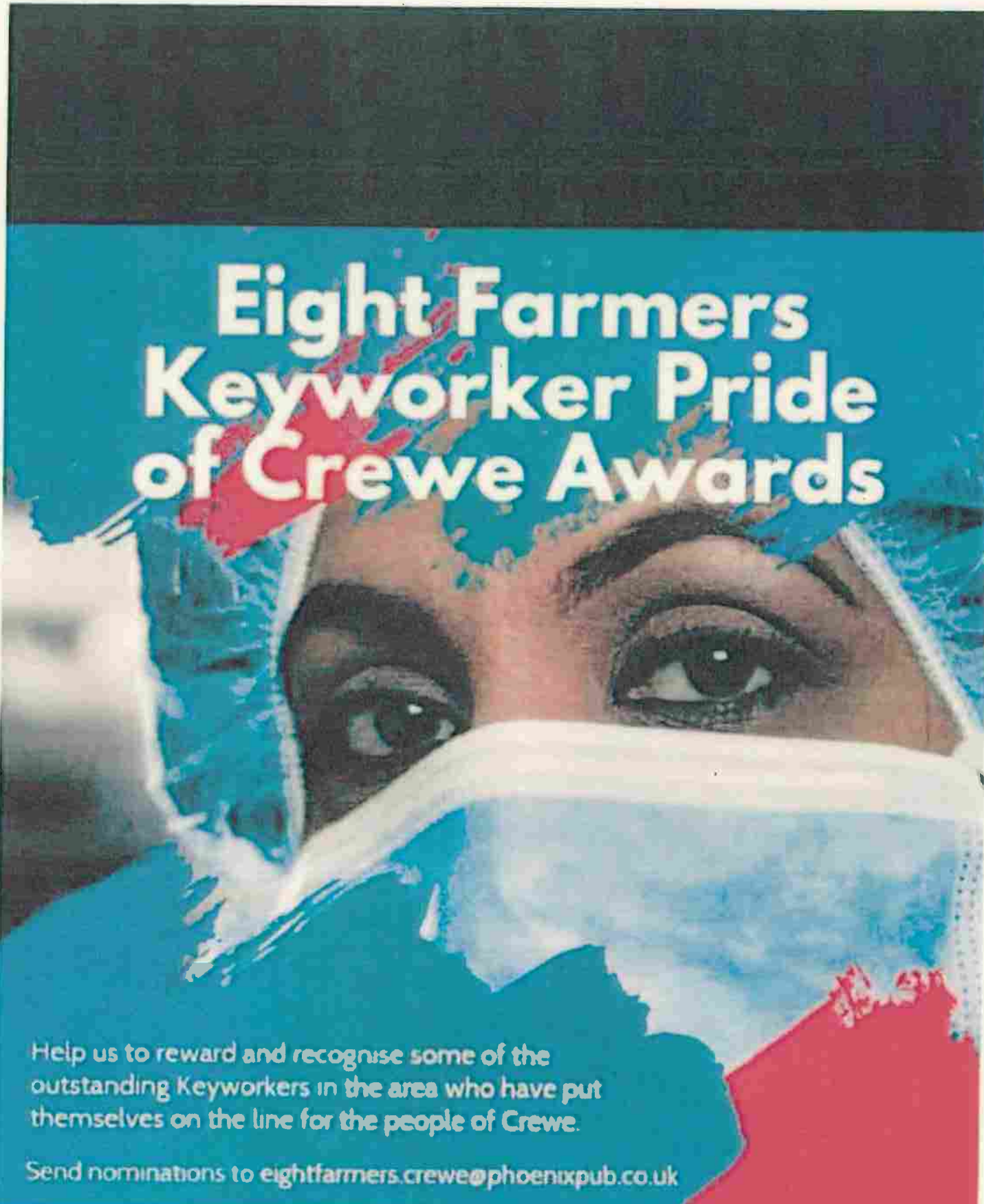
# Crewe pub landlord invites lonely older people for Christmas dinner in heartwarming gesture



The Eight Farmers is offering a free lunch to those facing Christmas Day alone

SHARE





# Eight Farmers Keyworker Pride of Crewe Awards

Help us to reward and recognise some of the outstanding Keyworkers in the area who have put themselves on the line for the people of Crewe.

Send nominations to [eightfarmers.crewe@phoenixpub.co.uk](mailto:eightfarmers.crewe@phoenixpub.co.uk)

SHARE



more about how we use your data, and your rights. You can unsubscribe at any time.

These are the places [in Crewe](#) that are accepting donations and support for the homeless residents of the [Beechmere residential home fire](#).

The community have already been praised for the emergency services for their response, and several centres have now been established where people can drop off clothes, towels, bedding and toiletries.

They are:

Eight Farmers pub, Parkers Road in Crewe



Slater & Gordon



Local Support You Can Trust

OPEN





NEWS

# Crewe pub landlord invites lonely older people for Christmas dinner in heartwarming gesture



The Eight Farmers is offering a free lunch to those facing Christmas Day alone

SHARE







# The Eight Farmers

## Menu

Please order your meals at the Bar quoting your table number and any food intolerances that our staff need to be made aware of. Thank you.

(V) = Suitable for Vegetarians

### Starters & Sharers

<b>Potato Skins</b>	<b>£4.50</b>
<ul style="list-style-type: none"> <li>• Cheese and Bacon</li> <li>• Chorizo and Cheese</li> <li>• Cheese and Onion (V)</li> </ul>	
<b>Prawn Cocktail</b>	<b>£4.00</b>
<ul style="list-style-type: none"> <li>• Served with Lettuce, Tomato &amp; Crusty Roll</li> </ul>	
<b>Breaded Garlic Mushrooms</b>	<b>£3.50</b>
<ul style="list-style-type: none"> <li>• Served with Fresh Side Salad</li> </ul>	
<b>Cheesy Nachos</b>	<b>£3.60</b>
<ul style="list-style-type: none"> <li>• Served with Salsa, Sour Cream or Guacamole</li> </ul>	
<b>Add Fiery Chilli -</b>	<b>£1.50</b>
<b>Loaded Dirty Skin-on-Fries</b>	<b>£8.00</b>
<ul style="list-style-type: none"> <li>• Fiery Chilli and Cheese</li> <li>• Bacon, Cheese and Onion</li> <li>• Cheese and Onion</li> </ul>	

Served with choice of Sour Cream or Salsa

<b>Southern Fried Chicken Platter</b>	<b>£8.00</b>
<ul style="list-style-type: none"> <li>• 3x Buttermilk Chicken Strips</li> <li>• Popcorn Chicken</li> <li>• 6x Chicken Nuggets</li> </ul>	

Served with Fries, Coleslaw and a choice of either Beans or BBQ Beans.

### Grill Menu

<b>8oz Rump Steak</b>	<b>£8.50</b>
<ul style="list-style-type: none"> <li>• Fries or Hand-Cut Chips</li> <li>• Peas or Fresh Salad</li> </ul>	
<b>Mixed Grill</b>	<b>£11.00</b>
Half a Chicken Breast, 4oz Rump Steak, 5oz Gammon Steak, Sausage, Onion Rings, Fried Egg, half a Grilled Tomato and Chips.	
<b>Gammon</b>	<b>£8.50</b>
10oz Gammon Steak topped with a choice of either Pineapple or Egg. Served with Chips, Peas or Fresh Salad.	
<b>Melted Gammon Stack</b>	<b>£12.00</b>
10oz Gammon Steak, topped with BBQ sauce and Melted Cheese, stacked with a Chicken Breast and topped with even more BBQ sauce and Cheddar Cheese. Served with Chips, Peas or Fresh Salad.	
<b>Double the Meat - On Mixed Grill</b>	<b>£3.00</b>
<b>Sides</b>	
Hand-Cut Chips (V)	£3.00
Fries (V)	£2.50
Seasoned Fries (V)	£2.85
Curly Fries (V)	£2.50
Cheesy Chips (V)	£3.50
Onion Rings (V)	£1.85
Garlic Bread (V)	£2.00
Cheesy Garlic Bread (V)	£2.50
Homemade Coleslaw (V)	£2.00



## Mains

### Hunters Chicken £9.25

Chicken Breast smothered in BBQ Sauce wrapped in Smokey Bacon and topped with Cheese, served with Hand-Cut Chips or Fries, Peas or Fresh Salad.

Try our famous special Jack Daniels Sauce for an extra - £1.50

### Cajun Chicken Breast £8.50

Chicken Breast smothered in Cajun Spices, served with Hand-Cut Chips or Fries, Peas or Fresh Salad.

### Beef Chilli £8.00

Fresh Mince marinated in spices, served with Rice and Tortilla Chips topped with Cheese, and a side dish of Sour Cream.

### Veggie Chilli (V) £8.00

Served with Rice and Tortilla Chips topped with Cheese and a side dish of Sour Cream.

### Cosy Cottage Pie £6.80

Home-made Cottage Pie topped with home-made Mashed Potato, served with Seasonal Veg and a pot of Onion Gravy.

### Cosy Cottage Pie (V) £6.80

Home-made Vegetable Pie topped home-made Mashed Potato, served with Seasonal Veg and pot of Onion Gravy.

### Farmers Breakfast £7.00

2x Sausage, 2x Bacon, Beans, Mushrooms, Tomato, Hash Brown, Fried Bread and a Fried Egg. Available 12pm – 5pm

### The Farmers Big Breakfast £9.50

4x Sausage, 4x Bacon, Beans, Mushrooms, Tomato, 2x Hash Brown, 2x Fried Bread and 2x Fried Eggs. Available 12pm – 5pm

### Home-Made Beef Lasagne £8.50

Served with Hand-Cut Chips with a choice of Peas or Fresh Salad.

### Home-Made Quorn Veggie Lasagne (V) £8.50

Served with Hand-Cut Chips with a choice of Peas or Fresh Salad.

### Scampi and Chips £7.00

Served with Hand-Cut Chips, Mushy or Garden Peas and a pot of Tartar Sauce.

### Home-Made Pies £8.00

All Pies served with either Hand-Cut Chips or Mashed Potato and Peas.

- Chicken Pie
- Steak and Guinness Pie
- Cheese and Onion Pie (V)

### Curries £7.50

All Curries come with Rice or Chips and a Naan Bread.

- Chicken Tikka Masala
- Lamb Saag Rogan Josh
- Beef Madras
- Vegetable Jalfrezi (V)

## Hot Dogs and Burgers

All served with Fries or Seasoned Fries, Fresh Salad or Peas.

### Classic Hot Dog £6.50

### Loaded Fiery Chilli Dog £8.00

### Steak Burger £7.50

- Double £9.00
- Triple £10.50
- Quadruple £12.00

### Cheese and Bacon Burger £8.00

### Southern Fried Chicken Burger £6.50

### Fiery Farmer Chicken Burger £6.50

### Loaded Fiery Chilli Cheese Burger £8.00

### Veggie Burger (V) £6.00

All Burgers served on a Toasted Bap with Lettuce, Tomato and Mayonnaise.

Add extra Cheese - 50p

## Kids Menu

All meals come with a choice of Chips, Fries or Mash

	Little Farmers	Big Farmers
Fish Fingers	£3.50	£4.50
Chicken Nuggets	£3.50	£4.50
Popcorn Chicken	£3.50	£4.50
Sausage	£3.50	£4.50
6inch Cheese n Tomato Pizza		£4.50

Add Peas or Beans for extra 50p

Mr Whippy Cone with sauce £1.20

Michelle Hazlewood CBII

From: Phoenix - Eight Farmers - M06974 <EightFarmers.Crewe@phoenixpub.co.uk>  
Sent: 28 September 2020 13:06  
To: Michelle Hazlewood CBII  
Subject: FW: [OFFICIAL] RE: Noise Issues: Email from EHO

From: VYSE, Mark [mailto: [REDACTED]]  
Sent: 24 August 2020 09:00  
To: Phoenix - Eight Farmers - M06974 <EightFarmers.Crewe@phoenixpub.co.uk>  
Subject: [OFFICIAL] RE: Noise Issues

Morning Lisa,

Thanks for the email and information. If you can provide the address for the flat(s) causing the problem I can log it as a noise complaint, which will then stay on record and show that the problem lies elsewhere. I can then investigate - initially by writing to the flat occupiers. Do you know who the flats are owned by? Is it a housing association?

A letter to local residents outlining your plans would at least stop any speculation/rumours.

I will append this email to the current noise complaint so that there is a record of your concerns regarding the flats. Any further incidents let me know.

Regards

Mark

[REDACTED] Council  
tion



Working for a brighter future together

From: Phoenix - Eight Farmers - M06974 [mailto:EightFarmers.Crewe@phoenixpub.co.uk]  
Sent: 23-Aug-2020 12:36  
To: VYSE, Mark  
Subject: Re: Noise Issues

Hi Mark,

I hope you are well.

Its Lisa from the Eight Farmers, I just thought that I would make you aware that we have been having issues from the new flats with noise on the car park and as discussed with you previously, it seems that I am getting a blame for it all rather unfairly.

Friday night there were girls outside on the balcony beyond 2am who I could hear from my bedroom.

Last night someone called the police about a 'disturbance' who arrived at the pub come 1.30/1.40am to no disturbance, However I could still hear girls shouting until the early hours which I am presuming was coming from those flats.

My past history has shown that I have never had as many noise complaints as I have received these last few weeks, whether that be due to my variation or the increased noise that people in the neighbouring houses presume is from my direction and I am now beginning to feel victimised by the locals for this. Due to this, I have from this weekend been completing a noise diary myself and I would like to work with you to help to prove that I am not the only source of noise in the area.

I have not had any kind of entertainment on nor any music above Government guideline level, I am also working on a few things to counteract some of the issues raised regarding the carpark making it pay and display to stop random cars driving on.

Do you think myself distributing a letter to the residents would help at all? I believe that they are under the impression that I am hosting some raves if my variation gets granted which certainly is not the case. It is merely to allow me to build a bar and help maintain social distancing by serving people in the beer garden to save them coming inside.

I welcome a visit from both yourself and licensing at anytime plus viewing of my cctv to dispel any hearsay surrounding my business.

Thanks  
Lisa

\*\*\*\*\*

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**MINSHULL VERNON AND DISTRICT PARISH COUNCIL  
MINUTES OF THE VIRTUAL MEETING HELD ON MONDAY 24 AUGUST 2020**

**PRESENT:**

Cllr Les Horne (Chairman), Cllr Clive Stringer (Vice-Chairman), Cllr Lisa Hamlett, Cllr Linda Horne, Cllr Dawn Kay, Cllr Stuart Kay, Cllr Brian Silvester, Cllr Margaret Smith, Cllr Kathryn Stringer, Cllr Jim Weir and Cllr Phillip Williams

**20/043 APOLOGIES FOR ABSENCE**

20/043.1 Cllrs Evans, McGlone, Naismith and Palin

20/043.2 Absent (no apologies) – Cllrs Baxter and Stanley

**20/044 DECLARATIONS OF INTEREST**

20/044.1 None.

**20/045 MINUTES OF THE ANNUAL MEETING HELD ON 27 JULY 2020**

20/045.1 RESOLVED – that the minutes of the meeting be approved and signed by the Chairman as a true and correct record.

**20/046 BOROUGH COUNCILLORS' REPORTS**

20/046.1 There were no Borough Councillors present. Borough Cllr Evans had submitted a written report which advised that highways had been asked to do a road traffic survey along Parkers Road. In addition, requests for drain cleaning and hedges cutting back along Moss Bridge had been submitted. The hedge along Mablins Lane had now been trimmed.

**20/047 COMMUNITY CLEAN-UP**

20/047.1 Cllr Weir advised that he had been in discussion with representatives of Willaston Parish Council regarding their experience on improving the visual amenity of the area. Cllr Weir and a number of residents had expressed concern at the condition and aesthetics of parts of the Leighton area. It was agreed that a Working Group be established to consider this matter across the whole Parish Council area. The Group would comprise Cllrs Smith, C. Stringer, Weir and Williams.

**20/048 PLANNING MATTERS**

20/048.1 Applications considered by the Council

Application	Description	Decision
20/3210N	Reserved matters approval sought for access, appearance, landscaping, layout and scale, following outline permission for the construction of up to 400 dwellings with garaging; parking; public open space; landscaping; new vehicle and pedestrian accesses; highway works, foul and surface water drainage infrastructure and all ancillary works on Land at Flowers Lane, Leighton	Recommend condition to ensure emergency access onto Moss Lane is locked and kept for emergency access only
20/3545N	Proposed single storey rear extension at 51, Verdin Court, Leighton	No comments
19/5627N	Notification of Appeal against refusal Change of use of disused agricultural site to landscaping/bulk supplies to include materials bunkers, office building trade/retail counter and workshop/stores, access road, car parking and off road lorry parking for up to 4 articulated vehicles with hardstanding & turning areas (re-submission of 18/6163N) on Land north of	The Council reiterates its support for this application

## Minshull Vernon and District Parish Council – 24 August 2020

20/056.2 **Payments**

RESOLVED – that the following payments be authorised:

Payee	Reason	Gross £	VAT £	Net £
Les Horne	SID Batteries	70.00		70.00
JB Gardening Services	Works to Bradfield Green	370.00		370.00
Mark Robinson	Salary	486.37		486.37
Mark Robinson	Zoom subscription	14.39	2.40	11.99
Mark Robinson	Domain name (2 years)	108.00	18.00	90.00
Mark Robinson	Neighbourhood Plan	294.63		294.63

20/057 **NHS ACCIDENT AND EMERGENCY**

20/057.1 Cllr Silvester referred to the Government's proposals to remove the facility to 'walk-in' to A&E departments across the country. Other than arriving by ambulance, patients would have to book an appointment. There had been no public consultation on this, despite this being a legal requirement. It was suggested that this would have an adverse effect on access to GPs and this would require consideration as part of any proposals.

RESOLVED – that the Council strenuously objects to this proposal and conveys this to the Local MPs, the Secretary of State for Health, Chief Executive of NHS England, Chief Executive of Mid Cheshire NHS Trust, the Leader of the Borough Council and the Ward Councillors. The lack of consultation would also be questioned.

20/058 **REPORTS AND SHARED ITEMS**

20/058.1 Councillors discussed the ways in which the residents were made aware of the Council's meetings. It was agreed that this matter would be considered further at the next meeting.

The Chairman and Cllr Linda Horne left the meeting at this point. The Vice-Chairman resumed the Chair.

20/058.2 Cllr K Stringer had questioned the access rights to the play area on Saxon Gate as there seemed to be a difference of opinion between the Management Committee and the planning approval/house deeds. Cllr Stringer would share this information with the Clerk, who would contact the Management Committee to discuss further.

20/058.3 Cllr Hamlett referred to complaints about the area and suggested that a gate across the footpath into Harris Close should be considered. The Clerk would refer this to the Borough Council.

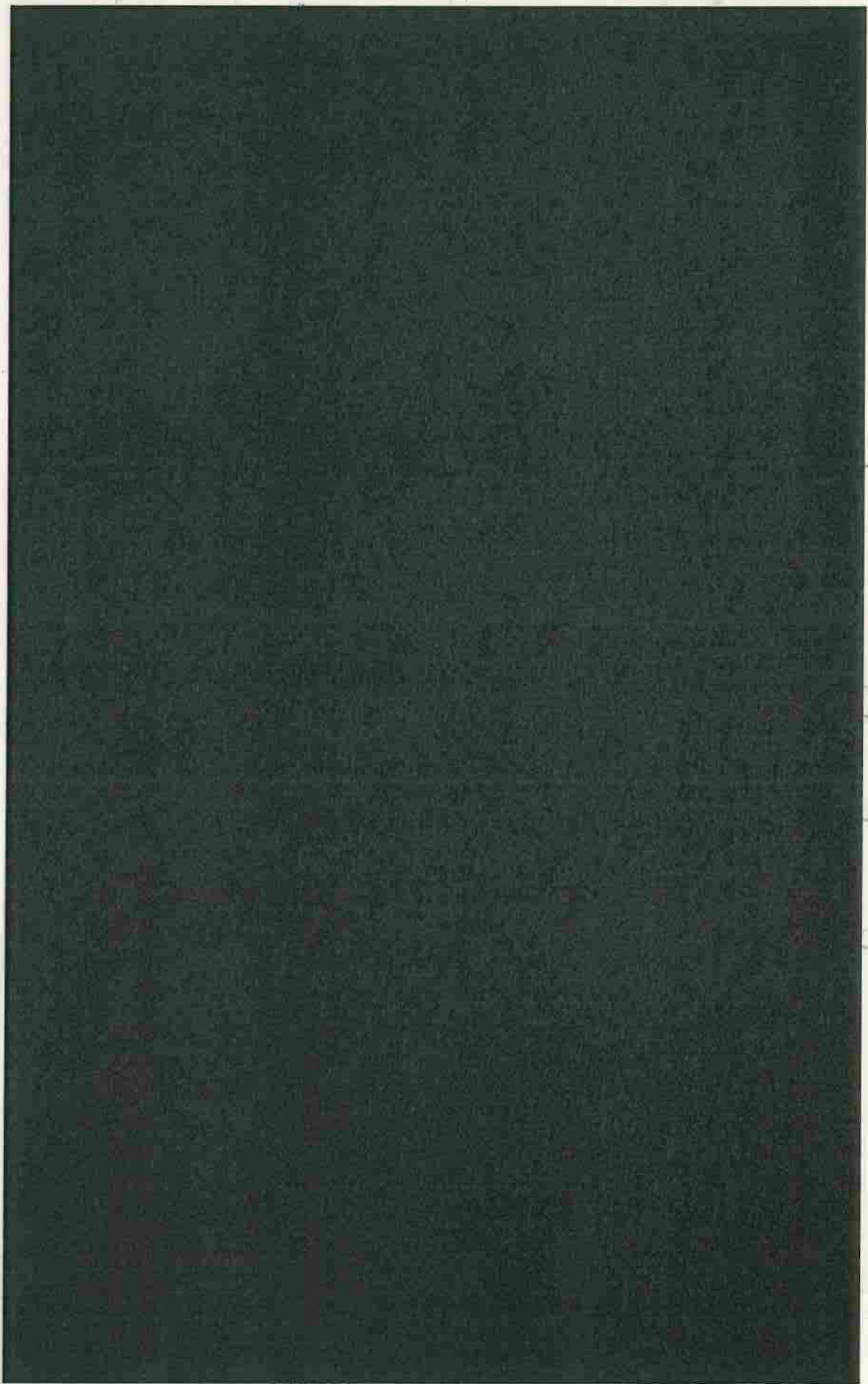
20/058.4 Councillors expressed concern at the quality of the sound and connectivity for elements of the meeting and the effect that this had on the effectiveness of the meeting. The Clerk advised that the guidance from the National Association of Local Councils and Society of Local Council Clerks was still that meetings should be held virtually. Ways to improve connectivity would be considered before the next meeting.

20/059 **DATE OF NEXT MEETING**

20/059.1 28 September 2020

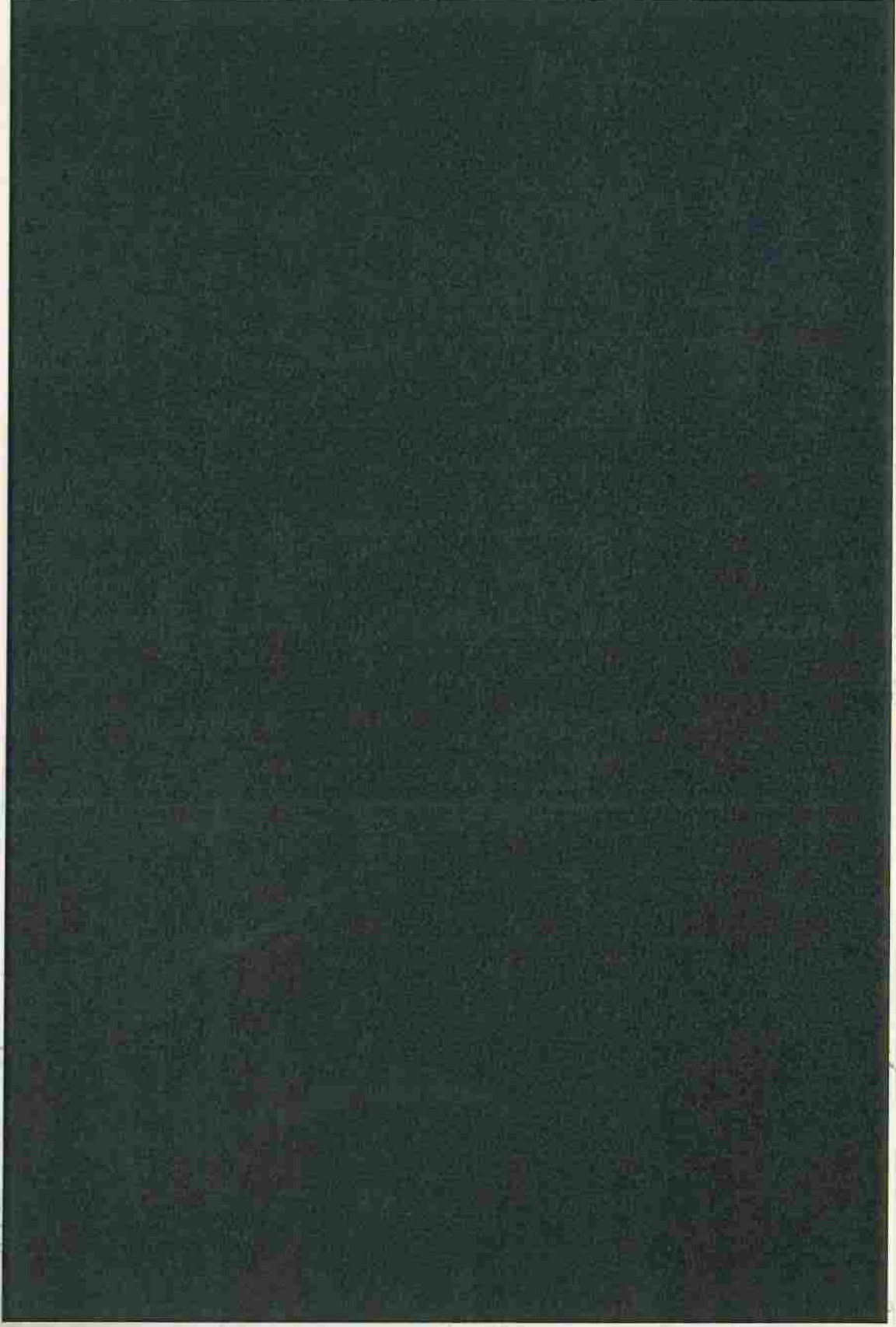
Please sign below if you wish to support this application to allow outdoor bar seating to be granted to help public safety during this Pandemic.

NAME	ADDRESS	EMAIL	SIGNATURE
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Please sign below if you wish to support this application to allow continued bus service to be granted to help public safety during this pandemic.

NAME	ADDRESS	EMAIL	SIGNATURE
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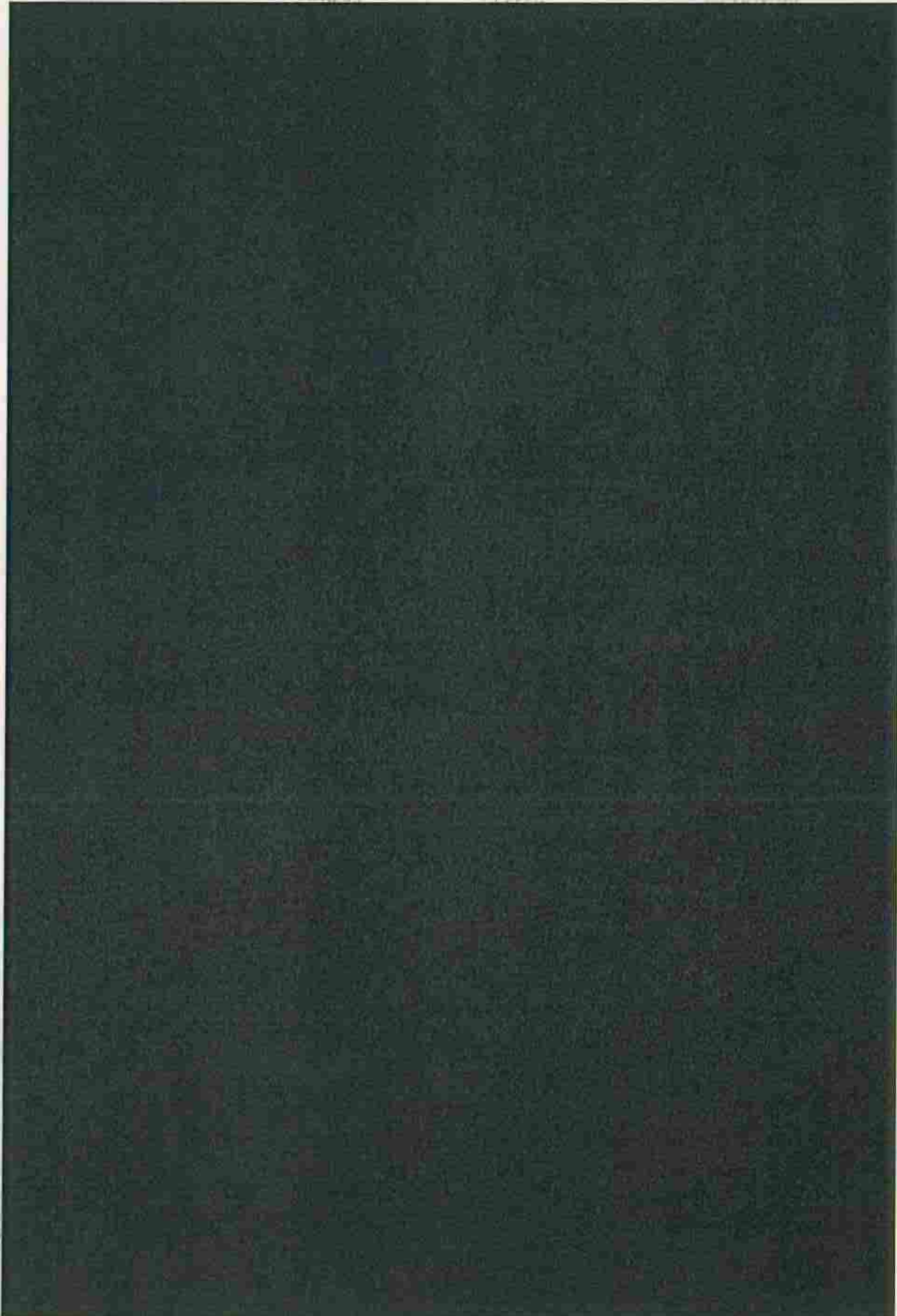




Please sign below if you wish to support the application to allow window air units to be granted to help public safety during this Pandemic.

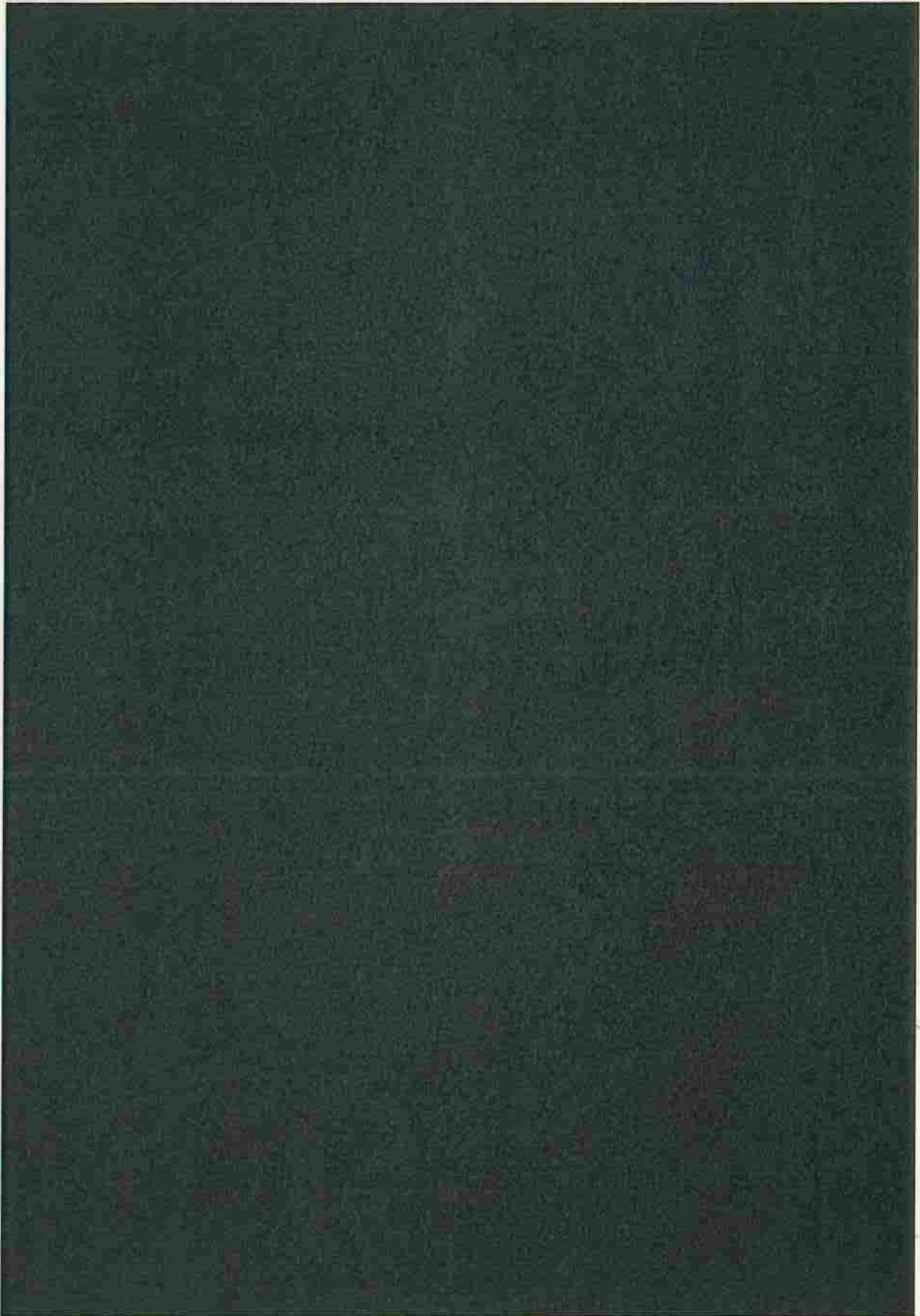
NAME

ADDRESS



Please sign below if you wish to support the application to allow outdoor bar seating to be granted to help public safety during this Pandemic

NAME	ADDRESS	EMAIL	SIGNATURE
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Recently I have been made aware that there are events that apparently could take place on a private car park in an urban area with a Public House attached.

There appears to be 2 main areas possibly involved, licencing and planning but given the broad remit of the council are there other departments that may be involved.

While this does not go into detail, your experience of such events would be helpful.

<b>Outside Event on Car Park</b>	<b>Can this event take place without any external Premises Licence</b>	<b>Is there a Planning requirement?</b>	<b>Is there any other requirement the Council needs?<sup>1</sup></b>	<b>Do you know if there are other Outside bodies that would need to be informed or got approval from? eg Police<sup>2</sup></b>
Farmers Market	If this is a Private car park then the landowner has to give permission. On private land it's a landowner's arrangement. An Alcohol sales license may be required plus inspections may take place by Environmental Health.	GPDO allows temporary use of land for markets for up to 14 days. Recent temporary amendment allows a further 14 days between 1 <sup>st</sup> July 2020 and 31 <sup>st</sup> December 2020.	Alcohol sales License, food traders registered with a local authority. This does not have to be the visiting local authority. Currently Markets can open, they have to risk assess, for Covid-19 secure and their operation generally	Currently the Police are interested in any potential mass gatherings. Government advise and confirmed by Cheshire Police is that all events or mass gatherings over 30 attending must be fully risk assessed and have a Covid-19 secure risk assessment.
Christmas Market	Annual Events, they need the Landowners permission	GPDO allows temporary use of land for markets for up to 14 days. Recent temporary amendment allows a further 14 days between 1 <sup>st</sup> July 2020 and 31 <sup>st</sup> December 2020.	An alcohol sales TEN (Temporary Event Notice) or Alcohol license may be required. Any amplified music played may require a TEN	Organisers are advised to register their event over 499 attending to ESAG the Cheshire East Event Safety Advisory Group, a combination of CEC Officers from the Council, Licensing, Trading Standards, Env. Health, Event Manager, Highways.

<sup>1</sup> There are a number of licences that are required for specific activities. The Councils page on licencing is a good starting point for them.

<sup>2</sup> The pub is best placed to get in contact with ESAG.

				Also included are all the Emergency Services, Cheshire Police, NW Ambulance and Cheshire Fire and Rescue. Access to their web page can be found though the Council's web site.
Car Boot	Yes on Private land. They have to risk assess as previously stated, Covid-19 and the operation. They are more subject to Trading Standards inspections.	GPDO allows temporary use of land for markets for up to 14 days. Recent temporary amendment allows a further 14 days between 1 <sup>st</sup> July 2020 and 31 <sup>st</sup> December 2020.		
Bonfire Night Just fireworks display.	Yes, In principle as the organiser needs to risk assess the whole event including the suitability of the site and now including Covid-19 secure, issues of Social Distancing, Hygiene and welfare.	No. Only the storing of Fireworks is Licensable. Trading Standards certifies. On CEC land we ensure that Fireworks are set off by reputable professionals.	On Private land, the permission is granted by the Landowner. In CEC decisions are made with Assets and The Outdoor Events Manager and ANSA site Manager.	ESAG, informed and application made to ESAG is required. Events mainly with an attendance OVER 499 are considered by ESAG.
Halloween not sure what this would entail but could be a static display of ghouls and ghosts!	Permission to use the site by the Landowner.	One off event no planning permission required for the use	It may need a TEN for amplified music, A risk assessment, Covid-19 secure.	ESAG, if over 499
Fair Ground Rides	Permission to use the site by the Landowner.  Fairgrounds on CEC land have to secure		On Private land all checks are to be made by the Landowner. All Fairgrounds participating on	ESAG are informed by the Outdoor Events Manager when a Fairground is due on CEC land.

	a permission of use, for the land this is known Legally in CEC as a "Licence. "		CEC land must members of the Showmans Guild they make an application to use the land , they are inspected, all certificates and Public Liability Insurance docs. Are inspected.	This may not be the case if the Fairground was on Private land.
Christmas Fair	As above, Christmas Market	GPDO allows temporary use of land for markets for up to 14 days. Recent temporary amendment allows a further 14 days between 1 <sup>st</sup> July 2020 and 31 <sup>st</sup> December 2020.		
Sale of Alcohol Externally	To be clear all alcohol sales albeit "Off sales or on sales" requires a License for the point of sale. Doesn't matter where or who owns the venue or site.			

It is appropriate to guide any event organiser to the Council's ESAG web page. This is set out below. Event organisers should consider having appropriate insurance and risk assessments and practices in place for their event. The role of agencies is also set out on this page as is further advice on organising events and information from the HSE regarding events.

ESAG web page: [https://www.cheshireeast.gov.uk/leisure\\_culture\\_and\\_tourism/events-whats-on-guide/event\\_organisers/event\\_organisers.aspx](https://www.cheshireeast.gov.uk/leisure_culture_and_tourism/events-whats-on-guide/event_organisers/event_organisers.aspx)

Although set out earlier in this document COVID restrictions are placing restrictions on how events work. These are likely to vary over time and event organisers need to review the current guidance from government on this matter, before organising an event.

The Government's Corona Virus pages: <https://www.gov.uk/coronavirus>

Should an event trigger a planning application, then other elements of the Council would be required to input, for example highways would be a consultee for this process.

Please return to Cllr Byron Evans. Many thanks