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# Licensing Act Sub-Committee Agenda

Date: Thursday, 26th October, 2023

Time: 10.00 am

Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,

Sandbach CW11 1HZ

### PART 1 - MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. Appointment of Chair

To appoint a Chair for the meeting.

2. **Declarations of Interest** 

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda and for Members to declare if they have pre-determined any item on the agenda.

3. Application for a premises license Wharf Inn, 121 Canal Road, Congleton, CW12 3AP (Pages 7 - 68)

To consider the above application.

Membership: Councillors D Edwardes, H Faddes and R Kain

For requests for further information

**Contact**: Sam Jones 01270 686643

E-Mail: samuel.jones@cheshireeast.gov.uk with any apologies



#### CHESHIRE EAST COUNCIL

### **Procedure for Hearings – Licensing Act 2003**

### **The Licensing Committee**

The full Licensing Committee consists of fifteen elected Members of the Council. From this full Committee will be drawn sub-committees of three members to deal with licensing functions under the Licensing Act 2003. The Chairman and Vice Chairman of the Licensing Committee shall have the discretion to refer a matter up to a hearing of the full Licensing Committee.

### Officers at Hearings

- The Committee Officer introduces all parties and records the proceedings
- The Legal Adviser provides independent advice to the Members on legal matters and procedure.
- The Licensing Officer will introduce the matter and outline the application; the officer will also answer any questions Members may have.

### **PROCEDURE**

NOTE: If the Sub-Committee has not already elected a Chairman, that will be the first item of business.

1	Chairman	The Chairman will:  (i) call the matter to be considered  (ii) call for any declarations of interest  (iii) ask all parties to introduce themselves  (iv) summarise the procedure to be followed at the hearing  (v) will consider any request made by a party for another person to appear at the hearing  (v) will advise the parties of any maximum period of time in which it has to present its case (if a maximum is imposed this shall be equal for all parties)
2	Licensing Officer	Will introduce and summarise the application, highlighting areas of contention or dispute.
3	Committee Members	May ask questions of the Licensing Officer
4	Applicant	Will present his/her case, calling witnesses, as appropriate.  (If necessary, applicant will produce any notices required by law. Legal Adviser will draw attention to this if required.)

5	Responsible Authorities	Each in turn may ask <u>questions</u> of the applicant, by way of clarification.
	(who have made representations)	
6	Other Persons (who have made	To be invited to ask <u>questions</u> of the applicant, by way of clarification.
	representations)	It is normal practice for a spokesperson only to speak on behalf of a group of residents.
7	Committee Members	Each in turn may ask questions of the applicant.
8	Applicant	May make a <u>statement</u> or ask his witnesses to clarify any matters which he feels are unclear, or may have been misunderstood.
9	Responsible Authorities	Will make their representations.
10	Applicant	Or his representative or witnesses to ask <u>questions</u> of Responsible Authorities represented at the meeting, by way of clarification.
11	Other Persons (who have made	May ask <u>questions</u> of the Responsible Authorities represented at the meeting, by way of clarification.
	representations)	(Note: This is not the point at which they should be stating their objections.)
12	Committee Members	May ask <u>questions</u> of the Responsible Authorities represented at the meeting
13	Other Persons	Those who have objected to the application will be invited <u>to</u> <u>make observations on the application</u> and present the
	(who have made representations)	bases of their objections.
15	Applicant	Or his representative or witnesses may ask <u>questions</u> of the other persons, by way of clarification.
16	Committee Members	May ask questions of the other persons.
17	Chairman	To invite both <b>Responsible Authorities</b> and <b>Other Persons</b> to make their closing addresses.

18	Applicant	Or his representative will <u>briefly summarise the application</u> and comment on the observations and any suggested conditions.			
19	Committee	Will retire to consider the application. The Committee may request the Legal Advisor to advise on legal issues.			
20	Committee	Will return to give its decision, with reasons, which will be announced by the Chairman and subsequently confirmed in writing to the applicant and to all the parties that made representations.  In cases where a decision cannot be given at the end of the hearing, parties will be advised of the decision within five working days.			

### **Notes**

- The hearing shall normally be held in public. There may be occasions on which the Committee find it necessary to exclude members of the press and public; any such decision will be taken on the basis that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing taking place in public.
- 2. The Chairman may require any person behaving in a disruptive manner to leave the hearing and may (a) refuse to permit that person to return, or (b) permit him/her to return only on such conditions as the authority may specify, but any such person may submit in writing any information which they would have been entitled to provide orally if they had not been required to leave.
- Prior to the hearing each party shall have given notification and served documentation (eg statements of witnesses or reports of experts) as required. Late representations and evidence will only be considered with the agreement of all parties.
- 4. Anyone entitled to be heard may be represented by any person, whether or not that person is legally qualified.
- 5. Hearsay will be permitted but the Sub-Committee will be reminded to give it appropriate weight.
- 6. Due note shall be taken of the provisions of the Hearings Regulations 2005.
- 7. The Chair may, in the interests of expediency or convenience of the parties, vary the procedure from time to time, provided notice is given to the parties and the rules of natural justice are observed.

### **Summary of Procedure**

- 1. Chairman appointed (if this has not been done previously).
- 2. Chairman to call for declarations of interest and request that all parties introduce themselves.
- 3. Chairman summarises the procedure for the hearing
- 4. The Licensing Officer summarises the application
- 5. Applicant to present his/her case.
- 6. Applicant to be questioned by all parties (to clarify points only) following which, he/she can clarify any other matters which he/she feels may have been misunderstood when the application was presented.
- 7. Applicant to be questioned by the Committee.
- 8. Responsible Authorities to make their representations following which they can be questioned by all parties by way of clarification.
- 9. Other Persons will be invited to present the bases of their objections, following which they can be questioned by all parties by way of clarification.
- 10. The applicant will be invited to sum up his/her case
- 11. Committee/Sub-Committee withdraws to make its decision
- 12. Committee/Sub-Committee returns to announce its decision to all present.



#### **OPEN**

By virtue of paragraph(s) X of Part 1 Schedule 1of the Local Government Act 1972.

### **Licensing Act Sub-Committee**

26 October 2023

Application for a Premises Licence – The Wharf Inn, 121 Canal Road, Congleton. CW12 3AP

Report of: Jayne Traverse, Executive Director - Place

Ward(s) Affected: Congleton East

### **Purpose of Report**

To allow Members of the Sub-Committee to determine a contested application for a premises licence made under the Licensing Act 2003 for the following premises:

### The Wharf Inn, 121 Canal Road, Congleton, CW12 3AP

### **Executive Summary**

The report provides details of an application for a Premises Licence, under section 17 of the Licensing Act 2003, sets out the relevant representations made, and outlines the evidence presented by the parties in relation to the application.

#### **RECOMMENDATIONS**

The Licensing Act Sub-Committee is requested to consider the application and any relevant representations and determine what steps, if any, it considers are appropriate to promote the Licensing Objectives.

### **Background**

- On 21<sup>st</sup> August 2023 an application was received by the Licensing Department for a premises licence in respect of a premises known as The Wharf Inn, 121 Canal Road, Congleton. CW12 3AP. The application was sent for consultation on the same day (21<sup>st</sup> August 2023). The last date for representations to be made was 8<sup>th</sup> September 2023. As part of the application process the applicant is required to display for a notice at or near to the premises, for the duration of the consultation period, detailing information relating to the application. On 7<sup>th</sup> September 2023, a Licensing Officer visited the premises to check the notice. At the time of the visit, no notice was present, and the application was deemed to be invalid on 7<sup>th</sup> September 2023. A copy of the full application and plan is attached to this report at **Appendix 1**.
- The application for a premises licence was restarted on 8<sup>th</sup> September 2023 and the last day for representations was 6<sup>th</sup> October 2023. A copy of the full application and plan is attached to this report at **Appendix 2.**
- Licensing records show a premises licence had been in place at the premises. However, the Premises Licence Holder went into liquidation on 25th July 2022 no application was received by Cheshire East Licensing to transfer the licence and therefore the licence lapsed. A copy of the lapsed Premises Licence is attached to this report at **Appendix 3.**
- The current application for a new Premises Licence for The Wharf Inn sets out the same times for licensable activities as the lapsed Premises Licence.

The hours applied for licensable activities are as follows:

Supply of alcohol (for consumption on & off the premises)

Sunday to Thursday - 10.00 to 00.00 hours

Friday and Saturday – 10.00 to 01.00 hours

Performance of Recorded Music

Sunday to Thursday - 10.00 to 00.00 hours

Friday and Saturday – 10.00 to 01.00 hours

A map of the area in which the premises is located is attached to this report at **Appendix 4.** 

### **Consultation and Engagement**

Licensing records show that the Public Notice that is required to be displayed at or near the proposed premises in accordance with the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005. The notice relating to the most current application was inspected by a Licensing Officer on 20<sup>th</sup> September 2023 and confirmed to be present, and met the requirements under the regulations. The Public Notice has also been duly advertised in the Congleton Chronicle, as required.

### 9 Responsible Authorities:

The Licensing Authority has received representations from Cheshire Police who have agreed conditions with the applicant. A copy of the agreed conditions are attached to this report at **Appendix 5.** 

### 10 Other Persons:

The Licensing Authority has received a number of representations from members of the public. A copy of the representations are attached to this report at **Appendix 6.** 

### **Reasons for Recommendations**

- 12 The Licensing Act Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003 and the Council's Constitution.
- Acting in the capacity of the Licensing Authority, Members must seek to promote the Licensing Objectives and where Members consider that matters have engaged one or more of the Objectives, they may exercise their discretion. The Licensing Objectives are:
  - The prevention of crime and disorder
  - Public Safety
  - The prevention of public nuisance
  - The protection of children from harm

### **Other Options Considered**

14 No other options have been considered because the process for determining contested applications is set by legislation.

### **Implications and Comments**

### Monitoring Officer/Legal

- The Sub Committee must determine this application in accordance with section 18 of the Licensing Act 2003. To do so otherwise would render its determination unlawful and invalid.
- In accordance with the provisions of section 18 of the Licensing Act 2003 the Licensing Authority Sub Committee must, having regard to the representations, made in this application take such steps (if any) as it considers appropriate for the promotion of the licensing objectives.
- 17 Section 18 (4) provides that the authority may:
  - a) Grant the licence subject to conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives and any mandatory conditions that much be included on the licence in accordance with the Licensing Act 2003;
  - b) Exclude from the scope of the licence any of the Licensable Activities to which the application relates;
  - c) Refuse to specify a person in the licence as the Premises Supervisor;
  - d) Reject the application.
- Members are reminded that should any conditions be added or amended, they should be practical, enforceable and appropriate to promote the Licensing Objectives.
- 19 Members may not extend the period for which the licence has effect.
- 20 Members may not vary substantially the premises to which the licence relates.
- 21 Members may vary the premises licence so that it has effect subject to different conditions in respect of different parts of the premises or different licensable activities.
- Members are reminded that they are to determine the variation application before them and cannot change parts of the licence that are not part of the application.
- 23 Members are also reminded of the statutory obligation placed on the Local Authority under section 17 of the Crime and Disorder Act 1998 to through all of its various functions, and Licensing is one of those functions

- to do all that it can to prevent Crime and disorder, Anti-social Behaviour, behaviour adversely affecting the environment and reoffending.
- Members of the Licensing Sub-Committee are reminded that they may not exercise discretion in any case, merely because it considers it desirable to do so. Careful consideration should be given to the application and the evidence presented by the parties in relation to the application.
- Members must give reasons for their determination and notice of it must be communicated to the parties to this application. If Members depart from the Statutory Guidance or the Council's Statement of Licensing Policy then their decision notice must set out the reasons for doing so.
- 26 Finally, Members are also reminded that in determining the application, consideration also needs to be given to:
  - The rules of natural justice
  - The provisions of the Human Rights Act 1998

### Section 151 Officer/Finance

27 There are no financial implications.

### **Policy**

- The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.
- The Licensing Authority must also have due regard to the guidance issued under section 182 of the Licensing Act 2003.
- Members should provide reason(s) for any decision taken and should set out the reasoning where they determine to depart in any way from the Policy or Guidance.

### Equality, Diversity and Inclusion

31 There are no equality implications

### **Human Resources**

32 There are no human resources implications.

### Risk Management

The Licensing Sub-Committee will hear representations made on behalf of both the applicant and the 'relevant person' who has submitted their

representation and will make a decision on the basis of the evidence presented to it. The Licensing Act 2003 makes provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority.

### **Rural Communities**

There are no implications for rural communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

35 There are no implications for children and young people.

### **Public Health**

There are no direct implications for public health.

### Climate Change

37 There are no implications for climate change.

Access to Informa	Access to Information				
Contact Officer:	Tracey Billington – Licensing Enforcement Officer				
	Licensing@Cheshireeast.gov.uk				
	0300 123 5015				
Appendices:	Appendix 1 – Application & Plan				
	Appendix 2 – Current Application & Plan				
	Appendix 3 – Lapsed Premises Licence				
	Appendix 4 – Map of General area				
	Appendix 5 –Representations from Responsible Authorities				
	Appendix 6 – Representations from Members of the Public				
Background Papers:	Revised Guidance issued under section 182 of the Licensing Act 2003 (publishing.service.gov.uk)				
	Council's Statement of Licensing Policy published under section 5 of the Licensing Act 2003				
	Licensing Act 2003				
	The Licensing Act 2003 (Hearings) Regulations 2005				

### **APPENDIX 1**



## Cheshire East Application for a premises licence Licensing Act 2003

For help contact licensing@cheshireeast.gov.uk Telephone: 0300 123 5015

\* required information

		required informatio
Section 1 of 21		
You can save the form at any t	ime and resume it later. You do not need to be	logged in when you resume.
System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	WHARFINN1	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on be	• •	Put "no" if you are applying on your own behalf or on behalf of a business you own or
○ Yes	NO	work for.
Applicant Details		
* First name	Emily	
* Family name	Hamand	
* E-mail		
Main telephone number		Include country code.
Other telephone number		
☐ Indicate here if you wou	ld prefer not to be contacted by telephone	_
Are you:		
<ul><li>Applying as a business of</li></ul>	or organisation, including as a sole trader	A sole trader is a business owned by one person without any special legal structure.
<ul> <li>Applying as an individual</li> </ul>	al	Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.
Applicant Business		
Is your business registered in the UK with Companies House?	• Yes No	Note: completing the Applicant Business section is optional in this form.
Registration number	14586309	
Business name	Wharf Projects Ltd	If your business is registered, use its registered name.
VAT number	432600338	Put "none" if you are not registered for VAT.
Legal status	Private Limited Company	
		_

Continued from previous page					
Your position in the business	Licensee				
Home country	United Kingdom	The country where the headquarters of your business is located.			
Registered Address		Address registered with Companies House.			
Building number or name					
Street					
District					
City or town					
County or administrative area					
Postcode					
Country					
Section 2 of 21					
PREMISES DETAILS					
·	ply for a premises licence under section 17 of the premises) and I/we are making this application the Licensing Act 2003.	- · · · · · · · · · · · · · · · · · · ·			
Premises Address					
Are you able to provide a post	al address, OS map reference or description of t	he premises?			
<ul><li>Address</li><li>OS ma</li></ul>	p reference O Description				
Postal Address Of Premises					
Building number or name	121				
Street	Canal Road				
District	Cheshire				
City or town	Congleton				
County or administrative area	Cheshire				
Postcode	CW12 3AP				
Country	United Kingdom				
Further Details					
Telephone number					
Non-domestic rateable value of premises (£)	9,500				

Secti	ion 3 of 21		
APPI	LICATION DETAILS		
In wł	nat capacity are you apply	ring for the premises licence?	
$\boxtimes$	An individual or individu	ıals	
	A limited company / limited	ited liability partnership	
	A partnership (other tha	n limited liability)	
	An unincorporated asso	ciation	
	Other (for example a sta	tutory corporation)	
	A recognised club		
	A charity		
	The proprietor of an edu	icational establishment	
	A health service body		
	•	ed under part 2 of the Care Standards Act an independent hospital in Wales	
	Social Care Act 2008 in re	ed under Chapter 2 of Part 1 of the Health and espect of the carrying on of a regulated ning of that Part) in an independent hospital in	
	The chief officer of police	e of a police force in England and Wales	
Con	firm The Following		
$\boxtimes$	I am carrying on or prop the use of the premises t	osing to carry on a business which involves for licensable activities	
	I am making the applica	tion pursuant to a statutory function	
	I am making the applicativirtue of His Majesty's pr	tion pursuant to a function discharged by erogative	
Secti	ion 4 of 21		
INDI	VIDUAL APPLICANT DET	AILS	
	<b>licant Name</b> e name the same as (or sir	milar to) the details given in section one?	If "Yes" is selected you can re-use the details
•	Yes	○ No	from section one, or amend them as required Select "No" to enter a completely new set of details.
First name		Emily	
Family name		Hamand	
Is the	e applicant 18 years of ag	e or older?	
•	Yes	○ No	

Continued from proving page						
Continued from previous page  Current Residential Address						
Is the address the same as (or similar to) the address given in section one?  If "Yes" is selected you can re-use the deta						
<ul><li>Yes</li></ul>	○ No	from section one, or amend them as required. Select "No" to enter a completely new set of details.				
Building number or name						
Street						
District						
City or town						
County or administrative area						
Postcode						
Country						
<b>Applicant Contact Details</b>						
Are the contact details the san	ne as (or similar to) those given in section one?	If "Yes" is selected you can re-use the details				
Yes	○ No	from section one, or amend them as required. Select "No" to enter a completely new set of details.				
E-mail						
Telephone number						
Other telephone number						
* Date of birth						
w. N		Documents that demonstrate entitlement to				
* Nationality		work in the UK				
Right to work share code		Right to work share code if not submitting scanned documents				
	Add another applicant					
Section 5 of 21						
OPERATING SCHEDULE						
When do you want the premises licence to start?	26 <b>/</b> 09 <b>/</b> 2023 dd mm yyyy					
If you wish the licence to be valid only for a limited period,						
Provide a general description of the premises						

Continued from previous page	
licensing objectives. Where yo	ses, its general situation and layout and any other information which could be relevant to the ur application includes off-supplies of alcohol and you intend to provide a place for plies you must include a description of where the place will be and its proximity to the
Public House	
If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend	
Section 6 of 21	
PROVISION OF PLAYS	
See guidance on regulated en	tertainment
Will you be providing plays?	
○ Yes	<ul><li>No</li></ul>
Section 7 of 21	
PROVISION OF FILMS	
See guidance on regulated en	tertainment
Will you be providing films?	
○ Yes	<ul><li>No</li></ul>
Section 8 of 21	
PROVISION OF INDOOR SPOR	RTING EVENTS
See guidance on regulated en	tertainment
Will you be providing indoor s	porting events?
○ Yes	<ul><li>No</li></ul>
Section 9 of 21	
PROVISION OF BOXING OR W	RESTLING ENTERTAINMENTS
See guidance on regulated en	tertainment
Will you be providing boxing of	or wrestling entertainments?
○ Yes	<ul><li>No</li></ul>
Section 10 of 21	
PROVISION OF LIVE MUSIC	
See guidance on regulated en	tertainment
Will you be providing live mus	ic?
○ Yes	<ul><li>No</li></ul>
Section 11 of 21	
PROVISION OF RECORDED M	USIC
See quidance on regulated en	

Continued from previous	page			
Will you be providing re	ecorded music?			
<ul><li>Yes</li></ul>	○ No			
Standard Days And Ti	mings			
MONDAY				Give timings in 24 hour clock.
	Start 10:00	End	00:00	(e.g., 16:00) and only give details for the days
	Start	End		of the week when you intend the premises to be used for the activity.
TUESDAY				
	Start 10:00	End	00:00	
	Start	End		
WEDNESDAY				
	Start 10:00	End	00:00	
	Start	End		
THURSDAY				
	Start 10:00	End	00:00	
	Start	End		
FRIDAY				
	Start 10:00	End	01:00	
	Start	End		
SATURDAY				
	Start 10:00	End	01:00	
	Start	End		
SUNDAY				
	Start 10:00	End	00:00	
	Start	End		
Will the playing of reco		e indoors or outdoors	or both?	Where taking place in a building or other
<ul><li>Indoors</li></ul>	<ul><li>Outdoor</li></ul>	rs C Both		structure tick as appropriate. Indoors may include a tent.
State type of activity to exclusively) whether or		-		urther details, for example (but not
Music will be amplified	and will be played th	rough a jute box.		
State any coaconal varia	ations for playing rock	orded music		

 $For example \ (but not \ exclusively) \ where \ the \ activity \ will \ occur \ on \ additional \ days \ during \ the \ summer \ months.$ 

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N/A	
Non-standard timings. Wh in the column on the left, I	nere the premises will be used for the playing of recorded music at different times from those listed list below
For example (but not exclu	usively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
Every Friday, Saturday, Sur Boxing Day	nday or Monday of a bank or public holiday. The Thursday before Good Friday, Christmas Eve and
Section 12 of 21	
PROVISION OF PERFORM	ANCES OF DANCE
See guidance on regulated	d entertainment
Will you be providing perfo	ormances of dance?
○ Yes	<ul><li>No</li></ul>
Section 13 of 21	
PROVISION OF ANYTHING DANCE	G OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF
See guidance on regulated	d entertainment
Will you be providing anyt performances of dance?	thing similar to live music, recorded music or
○ Yes	<ul><li>No</li></ul>
Section 14 of 21	
LATE NIGHT REFRESHME	
Will you be providing late	night refreshment?
○ Yes	<ul><li>No</li></ul>
Section 15 of 21	
SUPPLY OF ALCOHOL	
Will you be selling or supp	lying alcohol?
Yes	○ No
Standard Days And Timir	ngs
MONDAY	Give timings in 24 hour clock.
St	tart 10:00 End 00:00 (e.g., 16:00) and only give details for the days
Si	tart End of the week when you intend the premises to be used for the activity.
TUESDAY	to be used to the delivity.
St	tart 10:00 End 00:00
Si	tart End

Continued from previous po	ıge					
WEDNESDAY						
S	Start 10:00		E	End	00:00	
S	Start		E	End		
THURSDAY						
9	Start 10:00		E	End	00:00	
S	Start		E	End		
FRIDAY						
S	Start 10:00		E	End	01:00	
S	Start		E	End		
SATURDAY						
9	Start 10:00		E	End	01:00	
9	Start Start		E	End		
SUNDAY						
	Start 10:00		E	End	00:00	
9	Start		E	End		
Will the sale of alcohol be	for consum	ption:				If the sale of alcohol is for consumption on
<ul><li>On the premises</li></ul>	O C	off the premises	<b>⊙</b> E	Both		the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.
State any seasonal variation	ons					
For example (but not excl	usively) whe	ere the activity wi	II occur	r on a	additional da	ys during the summer months.
N/A						
Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below  For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.  Every Friday, Saturday, Sunday or Monday of a bank or public holiday. The Thursday before Good Friday, Christmas Eve and						
Boxing Day	nady of Mol	lady of a surik of	pasiic		ady. The Thai	sady before Good Friday, emistrias Eve und
State the name and detail licence as premises super		vidual whom you	ı wish t	o spe	ecify on the	

Continued from previous page			
Name			
First name	Emily		
Family name	Hamand		
Date of birth			
Enter the contact's address			
Building number or name			
Street			
District			
City or town			
County or administrative area			
Postcode			
Country			
Personal Licence number (if known)			
Issuing licensing authority (if known)			
PROPOSED DESIGNATED PRE	MISES SUPERVISOR CONSENT		
How will the consent form of t be supplied to the authority?	he proposed designated premises supervisor		
<ul><li>Electronically, by the pro</li></ul>	posed designated premises supervisor		
<ul><li>As an attachment to this</li></ul>	application		
Reference number for consent form (if known)		If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.	
Section 16 of 21			
ADULT ENTERTAINMENT			
Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children			
Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.			
£100 jackpot fruit machine (Ga	mbling licenses attained)		

Section 17 of 21			
HOURS PREMISES AI	RE OPEN TO THE PUBLIC		
Standard Days And	Timings		
MONDAY			Ci attatanta 24 baraha 1
	Start 10:00	End 00:30	Give timings in 24 hour clock.  (e.g., 16:00) and only give details for the days
	Start	End	of the week when you intend the premises to be used for the activity.
TUESDAY			to be used for the detivity.
10230711	Start 10:00	End 00:30	
	Start	End	
WEDNESDAY	Y		
	Start 10:00	End 00:30	
	Start	End	
THURSDAY			
	Start 10:00	End 00:30	
	Start	End	
FRIDAY			
	Start 10:00	End 01:30	
	Start	End End	
6471100414	Start	Liid	
SATURDAY			
	Start 10:00	End 01:30	
	Start	End	
SUNDAY			
	Start 10:00	End 00:30	
	Start	End	
State any seasonal va	riations		
		ty will occur on additior	al days during the summer months.
N/A	<u> </u>	·	, -
, .			

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Every Friday, Saturday, Sunday or Monday of a bank or public holiday. The Thursday before Good Friday, Christmas Eve and

**Boxing Day** 

#### Section 18 of 21

### **LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

- Licensee to always be contactable
- Licensing Act to always be followed
- All staff to be fully trained
- Must follow relevant legislations
- Must ask for proof of age to anyone who appears under 18

### b) The prevention of crime and disorder

- Don't sell alcohol to underage children
- Do not sell alcohol to anyone drunk or under the influence or drugs
- Contact the relevant authorities when needed.
- CCTV must be installed both inside and outside the pub
- Security staff to be present for busier times.

### c) Public safety

- No overcrowding inside or outside of the pub
- Fire alarms and extinguishers to be regularly checked
- Must follow a up to date fire safety plan
- Must have first aid kit present and accessible

### d) The prevention of public nuisance

- No use of the garden after 11pm
- Closure of all windows and doors
- All lights to be turned of at the appropriate times
- Prevent noise using sound proofing walls
- Place noise notices at all entrances and exits

### e) The protection of children from harm

- No children to be in the pub after 9pm
- All children to be accompanied by a guardian
- No alcohol to be served to underage children
- No adult entertainment to be displayed in the pub

### Section 19 of 21

#### NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

### Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

#### Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an
  official document giving the person's permanent National Insurance number and their name issued by a
  Government agency or a previous employer.

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK
  with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or
  reasonable evidence that the person has an appeal or administrative review pending on an immigration
  decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity such as a passport,
  - evidence of their relationship with the European Economic Area family member e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

#### Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

### Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <a href="https://www.gov.uk/prove-right-to-work">https://www.gov.uk/prove-right-to-work</a>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

#### Section 20 of 21

#### **NOTES ON REGULATED ENTERTAINMENT**

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

### Section 21 of 21

#### **PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business\_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

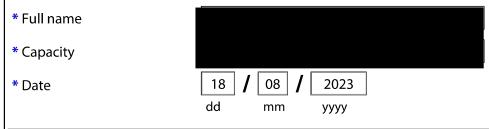
\* Fee amount (£)

190.00

#### **DECLARATION**

- \* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.
- Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I
- understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
- The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or
- \* her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).
- ☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"



Add another signatory

Once you're finished you need to do the following:

- 1. Save this form to your computer by clicking file/save as...
- 2. Go back to <a href="https://www.gov.uk/apply-for-a-licence/premises-licence/cheshire-east/apply-1">https://www.gov.uk/apply-for-a-licence/premises-licence/cheshire-east/apply-1</a> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY		
Applicant reference number	WHARFINN1	
Fee paid		
Payment provider reference		
ELMS Payment Reference		
Payment status		
Payment authorisation code		
Payment authorisation date		
Date and time submitted		
Approval deadline		
Error message		
Is Digitally signed		
<b>1</b> <u>2</u> <u>3</u> <u>4</u>	5 6 7 8 9 10 11 12 13 14 15	<u>16</u> <u>17</u> <u>18</u> <u>19</u> <u>20</u> <u>21</u> Next >

### APPENDIX 2



### **Cheshire East** Application for a premises licence **Licensing Act 2003**

For help contact licensing@cheshireeast.gov.uk

Telephone: 0300 123 5015

Section 1 of 21		
You can save the form at any t	time and resume it later. You do not need to	be logged in when you resume.
System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	WHARFINN1	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on be	ehalf of the applicant? No	Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
Applicant Details		
* First name	Emily	
* Family name	Hamand	
* E-mail		
Main telephone number		Include country code.
Other telephone number  Indicate here if you wou  Are you:	uld prefer not to be contacted by telephone	
<ul><li>Applying as a business of Applying as an individu</li></ul>	or organisation, including as a sole trader al	A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.
Applicant Business		
Is your business registered in the UK with Companies House?	• Yes    No	Note: completing the Applicant Business section is optional in this form.
Registration number	14586309	
Business name	Wharf Projects Ltd	If your business is registered, use its registered name.
VAT number _	432600338	Put "none" if you are not registered for VAT.
Legal status Private Limited Company		

Continued from previous page			
Your position in the business	Licensee		
Home country	United Kingdom	The country where the headquarters of your business is located.	
Registered Address		Address registered with Companies House.	
Building number or name			
Street			
District			
City or town			
County or administrative area			
Postcode			
Country			
Section 2 of 21			
PREMISES DETAILS			
I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.			
Premises Address			
Are you able to provide a post	al address, OS map reference or description of t	he premises?	
<ul><li>Address</li><li>OS ma</li></ul>	p reference O Description		
Postal Address Of Premises			
Building number or name	121		
Street	Canal Road		
District	Cheshire		
City or town	Congleton		
County or administrative area	Cheshire		
Postcode	CW12 3AP		
Country	United Kingdom		
Further Details			
Telephone number			
Non-domestic rateable value of premises (£)	9,500		

Secti	on 3 of 21		
APPI	ICATION DETAILS		
In wh	nat capacity are you applyi	ng for the premises licence?	
$\boxtimes$	An individual or individu	als	
	A limited company / limit	ted liability partnership	
	A partnership (other than	n limited liability)	
	An unincorporated assoc	iation	
	Other (for example a stat	utory corporation)	
	A recognised club		
	A charity		
	The proprietor of an educ	cational establishment	
	A health service body		
	A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		
	A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England		
	The chief officer of police of a police force in England and Wales		
Conf	firm The Following		
I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities			
	☐ I am making the application pursuant to a statutory function		
	I am making the applicat virtue of His Majesty's pre	ion pursuant to a function discharged by erogative	
Secti	on 4 of 21		
INDI	VIDUAL APPLICANT DET	AILS	
	<b>licant Name</b> e name the same as (or sin	nilar to) the details given in section one?	If "Yes" is selected you can re-use the details from section one, or amend them as required
Yes		○ No	Select "No" to enter a completely new set of details.
First name		Emily	
Family name		Hamand	
Is the	e applicant 18 years of age	e or older?	
•	Yes	○ No	

Continued from previous page			
<b>Current Residential Address</b>			
Is the address the same as (or s	similar to) the address given in section one?	If "Yes" is selected you can re-use the details	
<ul><li>Yes</li></ul>	○ No	from section one, or amend them as required. Select "No" to enter a completely new set of details.	
Building number or name			
Street			
District			
City or town			
County or administrative area			
Postcode			
Country			
<b>Applicant Contact Details</b>			
Are the contact details the san	ne as (or similar to) those given in section one?	If "Yes" is selected you can re-use the details	
<ul><li>Yes</li></ul>	○ No	from section one, or amend them as required. Select "No" to enter a completely new set of details.	
E-mail			
Telephone number			
Other telephone number			
* Date of birth			
* Nationality		Documents that demonstrate entitlement to work in the UK	
Right to work share code		Right to work share code if not submitting scanned documents	
	Add another applicant		
Section 5 of 21			
OPERATING SCHEDULE			
When do you want the premises licence to start?	26 / 09 / 2023 dd mm yyyy		
If you wish the licence to be valid only for a limited period, when do you want it to end	dd mm yyyy		
Provide a general description of the premises			

Continued from previous page	
licensing objectives. Where yo	ses, its general situation and layout and any other information which could be relevant to the ur application includes off-supplies of alcohol and you intend to provide a place for plies you must include a description of where the place will be and its proximity to the
Public House	
If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend	
Section 6 of 21	
PROVISION OF PLAYS	
See guidance on regulated en	tertainment
Will you be providing plays?	
○ Yes	<ul><li>No</li></ul>
Section 7 of 21	
PROVISION OF FILMS	
See guidance on regulated en	tertainment
Will you be providing films?	
○ Yes	<ul><li>No</li></ul>
Section 8 of 21	
PROVISION OF INDOOR SPOR	RTING EVENTS
See guidance on regulated en	tertainment
Will you be providing indoor s	porting events?
○ Yes	<ul><li>No</li></ul>
Section 9 of 21	
PROVISION OF BOXING OR W	RESTLING ENTERTAINMENTS
See guidance on regulated en	tertainment
Will you be providing boxing of	or wrestling entertainments?
○ Yes	<ul><li>No</li></ul>
Section 10 of 21	
PROVISION OF LIVE MUSIC	
See guidance on regulated en	tertainment
Will you be providing live mus	ic?
○ Yes	<ul><li>No</li></ul>
Section 11 of 21	
PROVISION OF RECORDED M	USIC
See quidance on regulated en	tertainment

Continued from previous	page		
Will you be providing re	ecorded music?		
<ul><li>Yes</li></ul>	○ No		
Standard Days And Ti	mings		
MONDAY			Give timings in 24 hour clock.
	Start 10:00	End 00:00	(e.g., 16:00) and only give details for the days
	Start	End	of the week when you intend the premises to be used for the activity.
TUESDAY			
	Start 10:00	End 00:00	
	Start	End	
WEDNESDAY			
	Start 10:00	End 00:00	
	Start	End	
THURSDAY			
	Start 10:00	End 00:00	
	Start	End	
FRIDAY			
	Start 10:00	End 01:00	
	Start	End	
SATURDAY			
	Start 10:00	End 01:00	
	Start	End	
SUNDAY			
	Start 10:00	End 00:00	
	Start	End	
Will the playing of reco	rded music take place inc	doors or outdoors or both?	Where taking place in a building or other structure tick as appropriate. Indoors may
<ul><li>Indoors</li></ul>	<ul><li>Outdoors</li></ul>	O Both	include a tent.
	be authorised, if not alre not music will be amplifi		t further details, for example (but not
Music will be amplified	and will be played through	gh a jute box.	
State any seasonal varia	ations for playing recorde	ad music	

 $For example \ (but not \ exclusively) \ where \ the \ activity \ will \ occur \ on \ additional \ days \ during \ the \ summer \ months.$ 

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Continued from previous page	
N/A	
Non-standard timings. Where t   in the column on the left, list b	the premises will be used for the playing of recorded music at different times from those listed elow
For example (but not exclusive	ely), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
Every Friday, Saturday, Sunday Boxing Day	or Monday of a bank or public holiday. The Thursday before Good Friday, Christmas Eve and
Section 12 of 21	
PROVISION OF PERFORMANC	
See guidance on regulated ent	
Will you be providing performa	ances of dance?
○ Yes	<ul><li>No</li></ul>
Section 13 of 21	
PROVISION OF ANYTHING OF DANCE	A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF
See guidance on regulated ent	
Will you be providing anything performances of dance?	similar to live music, recorded music or
○ Yes	<ul><li>No</li></ul>
Section 14 of 21	
LATE NIGHT REFRESHMENT	
Will you be providing late nigh	t refreshment?
○ Yes	<ul><li>No</li></ul>
Section 15 of 21	
SUPPLY OF ALCOHOL	
Will you be selling or supplying	g alcohol?
• Yes	○ No
Standard Days And Timings	
MONDAY	Give timings in 24 hour clock.
Start	10:00 End 00:00 (e.g., 16:00) and only give details for the days
Start	of the week when you intend the premises to be used for the activity.
TUESDAY	
Start	10:00 End 00:00
Start	End

Continued from previous	page						
WEDNESDAY							
	Start	10:00			End	00:00	
	Start				End		
THURSDAY							
	Start	10:00			End	00:00	
	Start		]		End		
FRIDAY						,	
	Start	10:00	]		End	01:00	
	Start		]		End		
CATUDDAY	Start		J		LIIG		
SATURDAY	c	10.00	1			01.00	
	Start	10:00	] 1		End	01:00	
	Start				End		
SUNDAY			1				
	Start	10:00			End	00:00	
	Start				End		
Will the sale of alcohol b	oe for c	consumption	:				If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol
On the premises		Off the	premises	•	Both		is for consumption away from the premises select off. If the sale of alcohol is for
							consumption on the premises and away
							from the premises select both.
State any seasonal varia	ations						
For example (but not ex	clusive	ely) where th	e activity w	ill occ	ur on a	additional da	ays during the summer months.
N/A							
Non standard timings	Mhara	the promiser	r will be use	d for t	ho cui	anly of alcoh	ol at different times from those listed in the
column on the left, list k		the premises	s will be use	u 101 t	iie su <sub>l</sub>	opiy or alcorr	or at different times from those listed in the
For example (but not ex	clusive	ely), where yo	ou wish the	activi	ty to g	o on longer	on a particular day e.g. Christmas Eve.
Every Friday, Saturday, S	 Sunday	or Monday	of a bank or	publi	c holic	day. The Thu	rsday before Good Friday, Christmas Eve and
Boxing Day							
State the name and det licence as premises sup			al whom you	ı wish	to spe	ecify on the	
же р эмр							

Continued from previous page		
Name		
First name	Emily	
Family name	Hamand	
Date of birth		
Enter the contact's address		
Building number or name		
Street		
District		
City or town		
County or administrative area		
Postcode		
Country		
Personal Licence number (if known)		
Issuing licensing authority (if known)		
PROPOSED DESIGNATED PRE	MISES SUPERVISOR CONSENT	
How will the consent form of the supplied to the authority?	ne proposed designated premises supervisor	
• • • • • • • • • • • • • • • • • • • •	posed designated premises supervisor	
As an attachment to this a	application	
Reference number for consent form (if known)		If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.
Section 16 of 21		
ADULT ENTERTAINMENT		
Highlight any adult entertainm premises that may give rise to	nent or services, activities, or other entertainmen concern in respect of children	nt or matters ancillary to the use of the
rise to concern in respect of ch	ng intended to occur at the premises or ancillary ildren, regardless of whether you intend childrer semi-nudity, films for restricted age groups etc g	n to have access to the premises, for example
£100 jackpot fruit machine (Ga	mbling licenses attained)	

Continued from previo			
Section 17 of 21			
	RE OPEN TO THE PUBLIC		
Standard Days And	Timings		
MONDAY		Give timings in 24 hour clock.	
	Start 10:00	End 00:30 (e.g., 16:00) and only give details for the of the week when you intend the premise.	
	Start	End to be used for the activity.	,c <sub>2</sub>
TUESDAY			
	Start 10:00	End 00:30	
	Start	End	
WEDNESDA	Υ		
	Start 10:00	End 00:30	
	Start	End	
THIREDAY	Start		
THURSDAY	5	5 J 2000	
	Start 10:00	End 00:30	
	Start	End	
FRIDAY			
	Start 10:00	End 01:30	
	Start	End	
SATURDAY			
	Start 10:00	End 01:30	
	Start	End	
SUNDAY			
	Start 10:00	End 00:30	
	Start	End	
State any seasonal v	ariations		
		vity will occur on additional days during the summer months.	
N/A			
14//1			

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Every Friday, Saturday, Sunday or Monday of a bank or public holiday. The Thursday before Good Friday, Christmas Eve and

## Continued from previous page...

**Boxing Day** 

#### Section 18 of 21

## LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

- Licensee to always be contactable
- Licensing Act to always be followed
- All staff to be fully trained
- Must follow relevant legislations
- Must ask for proof of age to anyone who appears under 18

## b) The prevention of crime and disorder

- Don't sell alcohol to underage children
- Do not sell alcohol to anyone drunk or under the influence or drugs
- Contact the relevant authorities when needed.
- CCTV must be installed both inside and outside the pub
- Security staff to be present for busier times.

## c) Public safety

- No overcrowding inside or outside of the pub
- Fire alarms and extinguishers to be regularly checked
- Must follow a up to date fire safety plan
- Must have first aid kit present and accessible

## d) The prevention of public nuisance

- No use of the garden after 11pm
- Closure of all windows and doors
- All lights to be turned of at the appropriate times
- Prevent noise using sound proofing walls
- Place noise notices at all entrances and exits

#### e) The protection of children from harm

- No children to be in the pub after 9pm
- All children to be accompanied by a guardian
- No alcohol to be served to underage children
- No adult entertainment to be displayed in the pub

#### Section 19 of 21

#### NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

#### Continued from previous page...

## Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

#### Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the
  holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their
  stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in
  combination with an official document giving the person's permanent National Insurance number and their
  name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

#### Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK
  with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or
  reasonable evidence that the person has an appeal or administrative review pending on an immigration
  decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity such as a passport,
  - evidence of their relationship with the European Economic Area family member e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

#### Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <a href="https://www.gov.uk/prove-right-to-work">https://www.gov.uk/prove-right-to-work</a>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

#### Section 20 of 21

#### **NOTES ON REGULATED ENTERTAINMENT**

#### Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

#### Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided 0 by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the 0 entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or 0 on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling 0 circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

#### Section 21 of 21

#### **PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/ business rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00 Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

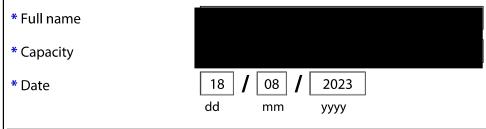
190.00

#### **DECLARATION**

#### Continued from previous page...

- \* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.
- Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I
- understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
- The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or
- \* her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).
- ☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"



Add another signatory

Once you're finished you need to do the following:

- 1. Save this form to your computer by clicking file/save as...
- 2. Go back to <a href="https://www.gov.uk/apply-for-a-licence/premises-licence/cheshire-east/apply-1">https://www.gov.uk/apply-for-a-licence/premises-licence/cheshire-east/apply-1</a> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY		
Applicant reference number	WHARFINN1	
Fee paid		
Payment provider reference		
ELMS Payment Reference		
Payment status		
Payment authorisation code		
Payment authorisation date		
Date and time submitted		
Approval deadline		
Error message		
Is Digitally signed		
<b>1</b> <u>2</u> <u>3</u> <u>4</u>	<u>5 6 7 8 9 10 11 12 13 14 15 16</u>	<u>17 18 19 20 21</u> Next >

## **APPENDIX 3**



Premises Licence Number:	LAPRE/0782/05
Premises Details	
Postal address of Premises or, if none, ordnance	survey map reference or description:
The Wharf Inn Canal Road	
Post Town: Congleton	Post Code: CW12 3AP
Telephone Number: 01260 281733	
Where the Licence is time limited, the dates:	
Not applicable.	
Licensable activities authorised by the Licence:	
Sale and supply of alcohol	
Recorded Music	
The time the Licence authorises the carrying out	of licensable activities:
Supply of Alcohol, Performance of Recorded Mus	sic
Sunday to Thursday 10:00 – 00:00	
Friday and Saturday 10:00 – 01:00	
A further additional hour into the morning following Bank or Public Holidays, Thursday before Good F	ng every Friday, Saturday, Sunday and Monday of Friday, Christmas Eve and Boxing Day.
The opening hours of the Premises:	

Sunday - Thursday 10:00 - 00:30

Friday – Saturday 10:00 – 01:30

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday of Bank or Public Holidays, Thursday before Good Friday, Christmas Eve and Boxing Day.

Where the Licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the premises.

Name, (registered) address of holder of Premises Licence:



Registered number of holder, for example company number, charity number (where applicable):



Name of designated Premises Supervisor where the Premises Licence authorises for the supply of alcohol:



State whether access to the Premises by children is restricted or prohibited:

Restricted

Licence Issued: 27th August 2020

Tony Haskell

Signed By: Mr Tony Haskell

On Behalf of Cheshire East Borough Council

## Annex 2 - Conditions consistent with the Operating Schedule

- 1 A staff member will regularly attend a local pubwatch scheme
- 2 Pub will adhere to the smoking charter
- 3 Children under 14 years of age must be accompanied by an adult.

## Annex 3 - Conditions attached after a hearing by the Licensing Authority

Not applicable

## Annex 4 - Plans

The Plan 0782/05 can be viewed at the Licensing Authority









Appendix 4
The Wharf Inn, Congleton



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LICENSING OBJECTIVE:

residential premises, therefore:

# LICENSING ACT 2003 Environmental Health Consultation Response



Working for a brighter future together

EP Ref: ELL/

Date R	eceived:	21st August	2023				EP Rei. ELL/
Name	of Applicant:	Emily Hama	and				
Addres 3AP	s to which app	olication relat	es: The	Wharf Inn, 121	Canal Road,	Congleton Ch	neshire, CW12
Conv	ersion:	Vai	riation:		New:	х	
х	Approve						
	Approve with	h Conditions	S				
	Object to Se	ection(s)					

In order to protect the interest of local residents and ensure that the licensing objective of public nuisance prevention is upheld: all necessary steps shall be taken to ensure that any noise from the premises shall not be at a level which could cause a noise nuisance at the boundary of the nearest

PREVENTION OF PUBLIC NUISANCE

No music to be played in the outside drinking area except for events covered by a separate TEN's (temporary event notice) which will stipulate times for regulated entertainment.

When amplified musical entertainment is taking place inside the premises after 21.00 windows and doors, save for entrance and exit purposes, shall be kept shut.

The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the Premises shall ensure that any noise emanating from the Premises is not audible at the boundary of noise sensitive properties.

Thirty minutes before the end of the time permitted for the provision of entertainment the music levels shall be gradually reduced to a lower volume and tempo.

There shall be notices located at the exit(s) requesting that customers leaving the premises do so quietly and with consideration to neighbours.

There shall be no disposal of bottles outside the premises between the hours of 21.00 and 09.00.

#### **INFORMATIVES**

#### **PLANNING PERMISSION**

- It is your responsibility to obtain other consent/planning permission/approvals which may be required in addition to the necessary Premises Licence.
- There are sometimes circumstances where planning conditions have been set which may
  impact on your activities. If the Planning Permission and the Premises Licence differ; for
  example where the Planning Authority have set a terminal hour which is earlier than those
  conditioned by the Premises Licence; you must abide by the earlier time otherwise you leave
  yourself open to enforcement action.

#### **FOOD BUSINESS OEPERATIONS**

Anyone starting a new food business must register with the Council at least 28 days before
you start any food operations. You can register your food business online via GOV.UK. If you
have premises in more than one local authority area, you must register with each authority
separately.

Signed: Mark Vyse | Environmental Health Officer | Environmental Protection

Dated: 4<sup>th</sup> September 2023

Direct Dial: 07943 811185

Email: Mark.vysel@cheshireeast.gov.uk

## Page 57 CHESHIRE EAST COUNCIL

## **APPENDIX 5**

## Representation Form.

## Responsible Authority. Police

Your Name	Peter	Goring
Job Title	Police Licensing Officer	
Postal and email address	Crewe	e Police Station e Police Station Civic Centre Crewe Cheshire CW1 2DW goring@cheshire.police.uk
Contact telephone number	07538	019771
Name of the premises you are making a representation about.  Address of the premises you are		/harf Inn. anal Road, Congleton, CW12 3AP.
making a representation about.	.2.0	and read, congretor, creek a
Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
The Prevention of Crime and Disorder.	Yes	To request the inclusion of additional conditions as listed below.
Public Safety.		
The Prevention of Public Nuisance.		
The Protection of Children from Harm.	Yes	To request the inclusion of additional conditions as listed below.

The applicant has made mention of some of the points below within their application however for the purpose of clarity and to promote the Licensing Objectives in particular The prevention of Crime and Disorder and the Protection of Children from Harm, the Police seek the below worded conditions to be included on the licence

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	<ul> <li>1 - An effective CCTV system should be installed at the Premises and the images recorded by the CCTV system shall be retained in unedited form for a period of not less than 31 days and made available to the Police on request.</li> <li>2- There shall be in place for the premises a Challenge 25 proof of age scheme to prevent the sale or supply of alcohol to persons under 18 years of age. The policy shall require any person who appears to be under the age of 25 years to produce a recognised proof of age card, accredited under the Proof of Age Standards (Pass), or, if a proof of age card is not available, a photo driving licence or passport, to prove that they are over the age of 18 years.</li> <li>3 - An incident book shall be kept at the premises. This shall be</li> </ul>
	completed by management and staff to note down any incident of crime and disorder that takes place at the premises. This book shall be maintained and made readily available for inspection by Authorised Officers of the Police and Licensing Authority.
	4 - No open vessels containing alcohol shall be removed from the premises other than to any designated area that has been set aside for the consumption of alcohol
	5 - The outdoor areas shall be monitored by staff when it is in use and regularly cleared of glassware.

Signed: Peter Goring Date: 22.8.23.

## Relevant Representations - Wharf Inn, Congleton

	Received on	From
	24th August 2023	Objector 1
	⊔;	

Hi,

I have seen that the Wharf Inn pub has applied for a license to play amplified music:

Sunday to Thursday 10-12pm Friday to Saturday 10pm-1am

I am very very concerned and worried living so close to the pub. Please do contact environmental health as I have also raised concerns there. Every since the end of last month it has been like living next to a nightclub in the evenings as they have been playing amplified music as early as 4pm on a Friday and well into 1-2am in the mornings from the pub. This is currently under investigation with environmental health.

This is already impacting me:

My job and ability to work from home.

My mental health.

Issues with drunks.

Not being able to watch Tv without the constant thud of music and loud shouting outside.

This is so loud it makes you feel sick and not able to relax at home.

Serious impact on house value.

Cost to put up security devices like cameras for protection.

Feeling very agitated and sick.

Please I cannot live here if they are to be granted a license to make this even worse. It's like living next to a nightclub every weekend since the end of July. It's totally awful and I am dreading every single weekend!

I absolutely contest the license to play that loud music and they play it outside on amplified speakers! It's making life here totally miserable. Please can this license not be granted.

Please do contact me at your earliest convenience;

Received on	From
25 <sup>th</sup> August 2023	Objector 2
Sir, I live at XXXXXXXXXXX a	and I am writing on behalf of a lot of my neighbours, we
are very concerned with th	e application by Emily Hammond in respect of the
premises known as The Wh	narf Pub for a license to provide Recorded Music and
Supply of Alcohol until mid	night on Sunday to Thursday then until 1a.m. Friday and
Saturday! We very much object to this license! This is a very built up area, plus	
having discussed this reque	est for a license with the XXXXXXXXXXXX at the Laurels

Nursing Home she is also very concerned as the Laurels is a listed building so hasn't got double glazing! The possibility of this noise will upset some of her residents! I trust you will listen to all the concerns with this request for a very unsuitable license and trust you will refuse it!

Received on	From		
29 <sup>th</sup> August 2023	Objector 3		
Hello, we live at number X	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX		
We would like to register of	our objection to the application for licensing, for alcohol		
and music at The Wharf In	n on Canal street Congleton.		
The location is in a residential area, and there is already excessive noise from			
patrons leaving the premises, usually after midnight already.			
Additionally when there is live music on this can be heard at a considerable distan			
from the premises.			
As an example this past weekend there was music audible after 11.30pm.			
This regularly disturbs loca	l residents		

Also due to inadequate parking facilities this causes considerable congestion on surrounding roads, and considerable noise as patrons are leaving The Wharf, late at night/the early hours of the morning.

**Yours Sincerely** 

Received on	From
30 <sup>th</sup> August 2023	Objector 4

Dear Sirs,

I write in connection to the above matter and wish to make a formal objection to the proposed variation in the Licence of the above premises for an extension to the opening hours with additional music.

I am a resident at XXXXXXXXXXXXXXX which is very close to the above premises.

My objection concerns, parking on Daven Road as I already can't get in and out of the drive because of the customers who park the vehicle and go to the pub.

They also block the road because they are drunk and leave their vehicles for days on end blocking the road.

We can already hear quite clearly the noise from the customers both inside and outside of the pub during the day and night.

I am continually taking objects which have been taken by drunks from various properties back to their owners which have been dragged up Daven Road and dumped on the adopted verge.

Just last Sunday I folded up the very large "Slimming World" Banner including four big wooden posts, that was taken from the Church on Canal Road and dumped on the verge opposite my house.

I have on many occasions taken back the Roadwork Cones which have even been put on the roof of my car, and recently I have taken back the large traffic cone from the bus works on Canal Road.

Therefore, I am absolutely sick of the troubles the pub causes already, the way it is now!

Please register my formal objection to any extension to the existing Licence.

Your faithfully

Received on	From
31st August 2023	Objector 5

Dear Sir/Madam

I have received representations from a number of neighbours of Wharf Inn who are very concerned about the apparent attempt to turn it from a local pub to a night club with <u>extended licencing hours</u>. The neighbours already suffer from noise, disruption, obstructive parking and antisocial behaviour. It is completely unacceptable to extend this late into the night.

I draw your attention to the fact that the Wharf Inn is (I believe) single-glazed and also often plays music with the doors open or with speakers outside, which adds to the disruption.

The Laurels Care Home is just across the road, as is the War Memorial Hospital Aston Ward. Both of these house vulnerable older people who should not be disturbed into the small hours with loud music. This sort of facility shouldn't be in a residential area and I hope that you will refuse this extended licence.

Thanks very much Kind regards

Received on	From
1 <sup>st</sup> September 2023	Objector 6

Hello,

We live sufficiently far along XXXXXXXXXX for any noise nuisance from this proposal (see attached PDF file) to be minimal; however, I object to the proposal because of parking issues.

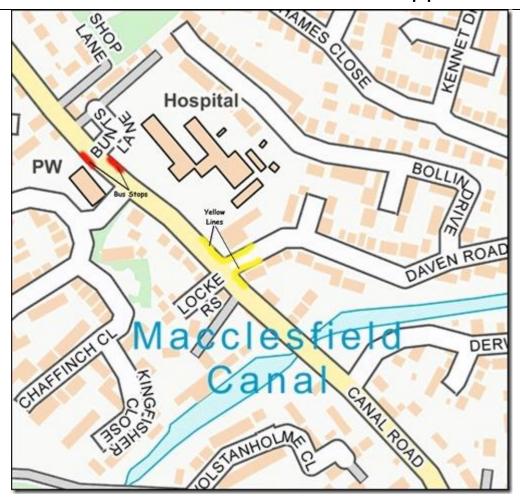
Some years ago, the Wharf Inn car park was repurposed for a housing development on what is now a road called Locke Rise. This has lead to patrons of the Wharf Inn parking on the end section of Daven Road at the junction with Canal Road. Frequently there are vehicles parked here, often overnight, contrary to rules 242 and 243 of the Highway Code (within 10 metres of the junction and facing oncoming traffic at night).

Cars coming out of Congleton along Canal Road often cannot see illegally parked vehicles until they are actually making a turn into Daven Road. When there are cars coming along Daven Road towards Canal Road, parked vehicles mean it is not possible to complete the turn into Daven Road safely and vehicles may be stuck with their rear portion protruding into Canal Road creating the risk of being rear end shunted.

The situation is made worse by the location of a bus stop immediately before the entrance to Daven Road. Sometimes a bus will be parked there for several minutes especially if there are a number of passengers getting on or off the bus. Cars may attempt to go passed the bus and then find they cannot enter Daven Road because of badly parked vehicles with other vehicles waiting to turn right out of Daven Road to go towards town. This causes a dead-lock situation, which means that vehicles either have to reverse to unlock the situation or drivers have to abandon the turn into Daven Road and waste time and fuel finding somewhere to turn round and to complete the entry to Daven Road from the other direction. If an emergency vehicle was caught up in such a deadlock, this could have potential serious consequences.

I would not support the licence application unless:

- 1. The bus stop is moved towards the town centre to be closer to or opposite the bus stop for passengers going into town. At that point Canal Road is significantly wider and deadlock situations should be far less likely.
- 2. There are double yellow lines from Canal Road as far as the first speed bump on Daven Road.
- 3. Overnight street parking is banned on the north-west side of Daven Road from the junction with Canal Road as far as the close where addresses 1 to 17 are located.



These steps should reduce the congestion and potential for accidents at the junction of Daven Road and Canal Road.

As a suggestion, but only if it can be arranged, perhaps the Wharf Inn could make use of some of the parking space for the War Memorial Hospital for use between perhaps 7:00 PM and 2:00 AM possibly with some financial contribution to the hospital.

It appears to me that the junction of Daven Road and Canal Road, the position of the bus stop and the removal of the Wharf Inn's own car park was carried out with very little consideration for safety and the smooth flowing of traffic. These issues should be rectified before the licence for extended hours and any increase in poor or dangerous parking occurs.

Regards,

Received on	From
9 <sup>th</sup> September 2023	Objector 7
Ref: Application for Premises Licence for the Wharf Inn, 121 Canal Road, Congleton	
We oppose the Application for A Premises Licence for The Wharf Inn,	

121 Canal Road, Congleton having an extended Premises Licence for Recorded Music and Supply of Alcohol Monday to Thursday 10:00 to 00:00 and Friday and Saturday 10:00 to 01:00 am.

There is a huge amount of trepidation regarding the impact on the local residents if The Council allows the licence to be given.

Parking is a big issue as The Wharf Inn appears to have parking for only two vehicles. Customers of The Wharf Inn very often park their vehicles in Daven Road, and put the kerb side wheels on the footpath. It is important to uphold the law which states vehicles cannot drive on the pavement so this means they cannot park on the pavement.

The Wharf Inn is near The Laurels Care Home on the junction of Daren Road and Canal Road. There is also The Memorial Hospital nearby. It is very important that the noise issues are thoroughly assessed.

We recognise that The Wharf Inn is already Licensed but does not have the increased hours and music conditions currently applied for. We request that the existing licence continues but is not extended as described above.

Received on	From
10 <sup>th</sup> September 2023	Objector 8

To Whom It May Concern,

It has come to my attention that the Public House above has submitted an application for licensable activities up to midnight on weekdays and to 01:00 on Fridays and Saturdays, and as a resident at the XXXXXXXXXXX residential apartments XXXXXXXXXXX, I feel very strongly against this application as the subsequent noise and disturbance will be intolerable should this be granted.

The Wharf Inn is situated amongst a residential area with houses and living quarters on both sides as well as opposite. It has very limited parking facilities and vehicles are often parked across the road at a junction where it can be very dangerous for drivers either turning into or coming out of Daven Road. There is also the possibility of vehicles being left overnight and again this would be an inconvenience to pedestrians, cyclists, and other road users.

The XXXXXXXXXXXXXXX resides many elderly residents and crowds gathering on their doorsteps would be most unwelcome late into the night and early morning, and the younger residents would struggle with their sleeping patterns for either work or schools.

I am in the hospitality industry myself and fully understand the need to maximise the turnover in these challenging times, but to do so by impacting others in a negative way is irresponsible. I hope my concerns will be taken into consideration when this application is being reviewed as I feel mine will be just one of many objections as to why it should not be granted.

Thank you for reading this email.
Yours sincerely,

Receive	ed on	From	
10 <sup>th</sup> Sep	otember 2023	Objector 9	
The Wha	arf Inn,		
121 Cana	al Road, Congleton	, CW12 3AP	
Applicati	ion for a Premises	Licence Extension, Licensing Act 2003	
We obje	We object to the above Application for the following reasons:		
	1. The premises will be open after 11pm when it is reasonable to expect quiet in a residential area to get a good nights sleep.		
to p	<ol> <li>Previous experience has shown that the car park at the premises is too small to accommodate all the customers cars. Therefore there is extensive car parking in surrounding residential roads with consequential noise from banging car doors late at night.</li> </ol>		

Received on	From
10 <sup>th</sup> September 2023	Objector 10

Dear Sirs,

We are aware of an application to extend the licensing hours of the Wharf Inn on Canal Road, CW12 3AP to Midnight from Sunday to Thursday and 1am Friday and Saturdays, to provide recorded music and alcohol during these hours.

Whilst we do not wish to stop people enjoying themselves, we feel that if this is granted it will have a detrimental effect on the quality of the lives of the people that reside in the area. Apart from the noise pollution It will Increase the public nuisance, and safety of the public and devalue property in the area.

We feel that Congleton town centre, which is half a mile away has enough on offer to accommodate late night hours with recorded and live music.

	Received on	From
	11 <sup>th</sup> September 2023	Objector 11
We are writing to object to playing music at the above premises.		playing music at the above premises.

Whilst the music won't directly affect us, I do feel the music would cause a noise disturbance to the properties surrounding The Wharf especially if they are playing until 1am.

What disturbs me is the lack of car parking, the car park was sold to a developer some years ago, who built houses next to the pub, now there are properties on all sides of The Wharf.

As The Wharf no longer has a car park, this is another problem; cars/vans park at the beginning of Daven Road, this is usually worse when they have something on I.e. football matches on tv. These cars can be parked half way up the road making it difficult for residents or people in vehicles using the road, as you cannot not see what on coming traffic is coming. People are not only parking on the road but most park on the pavement making it difficult for walking past which isn't good for prams, blind or the disabled, who have to walk around the vehicles on the road, it is an accident waiting to happen especially as these cars park close to the Daven/Canal Rd junction and some can be there for 24/48 hours.

This will only get worse should more events be put on.

From	
Objector 12	
extension proposed for the wharf inn in Congleton. Canal	
road. I am opposing it due to anti social behaviour in the flat car parks behind the	
pub XXXXXXXXXXXX. Loud music after 11 which should be a breach goes on till 11.30	
till 12. Private car parking at wharf mill and customers seem to be parking on the	
oise pollution at obscene times of the day.	

Received on	From
12 <sup>th</sup> September 2023	Objector 13

To whom it may concern,

We are writing with regards to the most recent licence application by Emily Hamand for the above public house in Congleton, which has been highlighted to us by a neighbour.

We are a family of five (myself, my husband, two teenagers and a baby) living at XXXXXXXXXXXXXXXXX overlooks the pub beer garden and is built on what was originally the pub car park.

When purchasing the house in October 2016 the pub was a well-known sports pub, it showed the football, had darts and pool teams, and 'regulars' who would drink early doors. XXXXXXXXXXXXXXXXXXXXXX and we personally enjoy popping in for a drink from time to time, especially over the festive period.

Since the pub has changed management, the clientele has changed for the worse, and noise levels have increased significantly.

The crowd is much younger and there is loud music (recorded and live) played until the early hours of the morning. Quite often a DJ, live singer or karaoke on a Friday,

Saturday and Sunday night. We have had to request that the volume be turned down on a number of occasions.

The disruption has a considerable effect on our family time at home. We can hear the music over our TV's in the house (one of which is in the lounge at the rear of the property) and we can no longer enjoy family time in our garden without the interruption of loud music and feeling bass from their speakers.

They close the doors at 11pm to the beer garden which partially masks the noise, but we can still hear/feel it. It has been particularly loud over the recent summer months with having to have our windows open due to the warmer evenings.

We have a 4 month old baby who we are unable to put down in our bedside crib at the front of the house until the music goes off and/or people vacate the beer garden due to the noise.

The pub regularly has food trailers parked out the front on the car park which encourages people to linger at the bottom of our driveway, and they also use our PRIVATE driveway to turn around when parking or being dropped off/picked up. They literally have to do a 3 point turn by our cars.

We know the Hamands personally, and we have absolutely no objection to there being a pub on our doorstep. However, if the pub is to be granted the new licence it will cause continued and further disruption to our lives at home. This is a residential area, and we are both professionals with stressful jobs, so our home needs to be our sanctuary.

Thank you for your consideration.

R	Received on	From
1:	3 <sup>th</sup> September 2023	Objector 14

RE: The Wharf Inn, 121 Canal Road, Congleton, CW12 3AP

Recorded Music & Supply of Alcohol – Sunday – Thursday – 10:00 – 00:00, Friday – Saturday – 10:00 – 01:00 AM

As a resident in XXXXXXXXXX of The Wharf Inn, I would like to register my objection to the above application and request that the application be refused.

The area is a quiet, friendly residential neighbourhood with a mixture of young families through to retired residents. Should this application be granted, the resulting noise will have a significant impact on neighbouring streets.

Furthermore, there is only a very small parking area at the Wharf Inn and aside from increased noise, any increased traffic volume will inevitably lead to parking pressures on surrounding residential roads.

There is concern that increased licensing hours and subsequent increased alcohol consumption will lead to noise pollution at closing time, possible vandalism for private gardens, the potential for public urination & increased littering that local residents do not wish to deal with.

Kind regards,

	Received on	From
	14 <sup>th</sup> September 2023	Objector 15
	While it is good to see refurbishments and an active pub, the proposed extended	

While it is good to see refurbishments and an active pub, the proposed extended hours will have a negative impact on the local community. I do not support proposed changes.

Negative impacts include noise in a built-up dwelling-area and further issues with parking.

Mitigations for noise might include sound proofing (not sure if possible?) and having a music cut-off before say 11.30 – and restricted to say 2 days/wk. Regards,

Received on	From
15 <sup>th</sup> September 2023	Objector 16

Dear Cheshire East Council,

My partner and I moved to Congleton at XXXXXXXXXXXXX a few months ago, which is about a minute's walk to the Wharf Inn. We moved from an urban area where we used to live near a different pub.

The pub we used to live near had late opening times and our road had frequent anti-social behaviour such as shouting, littering and people urinating near our house - this happened during the week not just at weekends. One of the reasons we moved to Congleton was to get away from the urban city and enjoy the peace that XXXXXXXXXXX brings. Extending the opening hours would affect the nearby residents' quiet enjoyment of the area.

It is not appropriate for the Wharf Inn to extend its opening hours as the pub is located in a residential area. The pub isn't near Congleton town centre where it would make more sense to extend their opening times.

Regards,