Public Document Pack



Licensing Sub Committee Agenda

Date: Thursday, 3rd July, 2025

Time: 10.30 am

Venue: Council Chamber - Town Hall, Macclesfield, SK10 1EA

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

It should be noted that Part 1 items of Cheshire East Council decision making meetings are audio recorded and the recordings will be uploaded to the Council's website.

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

1. Appointment of Chair

To appoint a Chair for the meeting.

2. Declaration of Interests

To provide an opportunity for Members and Officers to declare any disclosable pecuniary interests, other registerable interests, and non-registerable 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 the Variation of a Premises Licence - The Kingfisher, London Road South, Poynton, SK12 1NJ (Pages 9 - 40)

To consider the above application.

Membership: Councillors D Edwardes, A Moran and L Smetham

Contact: Jennifer Ashley

E-Mail: jennifer.ashley@cheshireeast.gov.uk

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 (who have made representations)	Each in turn may ask <u>questions</u> of the applicant, by way of clarification.
6	Other Persons (who have made representations)	To be invited to ask <u>questions</u> of the applicant, by way of clarification. 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 representations)	May ask <u>questions</u> of the Responsible Authorities represented at the meeting, by way of clarification. (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 (who have made representations)	Those who have objected to the application will be invited <u>to</u> <u>make observations on the application</u> and present the 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 Responsible Authorities and Other Persons 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.
announced by the writing to the appli 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.

CHESHIRE EAST COUNCIL

LICENSING COMMITTEE PROCEDURE

('General' Licensing matters)

1 Chairman will:

- (a) call the matter forward and confirm whether there are any declarations of interest;
- (b) request the parties to introduce themselves; and
- (c) explain the procedure to be followed.
- 2. The Licensing Officer will present the report introducing the case.
- 3. The applicant and/or representative will be given the opportunity to speak in support of the application.
- 4. The Committee Members will then be given the opportunity to question the applicant on any matter which it is felt requires *clarification* or to ascertain the applicant's suitability to hold the licence.
- 5. The applicant and/or representative will then be given the opportunity to add any further comments in support of the application.
- 6. The applicant and/or representative will then be asked to withdraw from the meeting whilst the committee considers its decision.
- 7. The applicant will finally be asked to re-join the meeting to be informed of the Committee's decision.

The Hackney Carriage and Private Hire Licensing Policy 2022 – 2027 can be viewed by clicking on the following link:

Hackney Carriage and Private Hire licensing policy 2022 - 2027





OPEN

Licensing Act Sub-Committee

3 JULY 2025

Application for a variation to a Premises Licence

THE KINGFISHER, LONDON ROAD SOUTH, POYNTON, SK12 1NJ

Report of: Phil Cresswell, Executive Director - Place

Ward(s) Affected: POYNTON WEST & ADLINGTON

Purpose of Report

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

THE KINGFISHER, LONDON ROAD SOUTH, POYNTON, SK12 1NJ

Executive Summary

The report provides details of an application for a Premises Licence, under section 34 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 7th May 2025 an application was received by the Licensing Department for the variation of a Premises Licence in respect of a premises known as The Kingfisher, London Road South, Poynton, SK12 1NJ.

The application was sent for consultation the same day (7th May 2025). The last date for representations to be made was 4th June 2025. A copy of the full application is attached to this report at **Appendix 1.**

- Licensing records show that a Premises Licence currently exists in relation to The Kingfisher, London Road South, Poynton, SK12 1NJ. The Premises Licence Number PR/0323 refers, and a copy is attached to this report at Appendix 2.
- A map of the area in which the premises is located is attached to this report at **Appendix 3.**
- The operating schedule indicates that the relevant licensable activities that will be subject to change if this application is successful are; the supply of alcohol and the provision of late night refreshment. The application also seeks to amend the opening times for the premises.
- 6 The amended hours applied for are as follows:

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

Thursday to Saturday – 09:00hrs to 01:00hrs

Christmas Eve/Boxing Day/Maundy Thursday/Sundays preceding Bank Holiday Mondays - an additional hour

From the end of permitted hours on New Year's Eve to the commencement of hours on New Year's Day.

Provisions of late night refreshment (Indoors)

Thursday to Saturday - 23:00hrs to 01:00hrs

Christmas Eve/Boxing Day/Maundy Thursday/Sundays preceding Bank Holiday Mondays - an additional hour

From the end of permitted hours on New Year's Eve to the commencement of hours on New Year's Day.

Consultation and Engagement

- The Licensing team consider that the advertising requirements under the Licensing Act 2003 have been met, including a Public Notice that has been duly advertised in the Macclesfield Express, as required.
- 8 Responsible Authorities:

The Council received no representations against the application from any of the Responsible Authorities.

9 Other Persons:

The Council received 12 representations against the application from members of the public, and a copy is attached to this report at **Appendix 4.**

Reasons for Recommendations

- 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

12 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 35 of the Licensing Act 2003. To do so otherwise would render its determination unlawful and invalid.

- In accordance with the provisions of section 35 (3)(b) 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.
- 15 Section 35 (4) provides that the authority may:
 - Modify the conditions of the licence
 - Reject the whole or part of 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.
- 17 Members may not extend the period for which the licence has effect.
- 18 Members may not vary substantially the premises to which the licence relates.
- 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.
- 20 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.
- 21 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 are also reminded of the statutory obligation placed on the Local Authority under section 17 of the Crime and Disorder Act 1998 in 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 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.
- 24 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

25 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

29 There are no equality implications

Human Resources

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

32 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)

There are no implications for children and young people

Public Health

34 There are no direct implications for public health

Climate Change

35 There are no implications for climate change

Access to Informa	ation
Contact Officer:	Martin Kilduff – Licensing Enforcement Officer
	martin.kilduff@cheshireeast.gov.uk
Appendices:	Appendix 1 – Application
	Appendix 2 – Existing Premises Licence
	Appendix 3 – Map of General area
	Appendix 4 – Representations (other persons)
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



Cheshire East Application to vary a premises licence Licensing Act 2003

For help contact licensing@cheshireeast.gov.uk

Telephone: 0300 123 5015

* required information

Section 1 of 18		
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	Pub 6862 - The Kingfisher, Poynton	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	half of the applicant?	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	JD	
* Family name	Wetherspoon plc	
* 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:		
Applying as a business of Applying as an individual	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	1709784	
Business name	JD Wetherspoon plc	If your business is registered, use its registered name.
VAT number	396331433	Put "none" if you are not registered for VAT.
Legal status	Public Limited Company	

Continued from previous page		
Your position in the business	Licensing Administrator	
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	Wetherspoon House	
Street	Reeds Crescent	
District		
City or town	Watford	
County or administrative area		
Postcode	WD24 4QL	
Country	United Kingdom	
Section 2 of 18		
APPLICATION DETAILS		
vary substantially the premis you should make a new prem I/we, as named in section 1, be	sed to vary the licence so as to extend the pe ses to which it relates. If you wish to make th nises licence application under section 17 of ing the premises licence holder, apply to vary a mises described in section 2 below.	at type of change to the premises licence, the Licensing Act 2003.
* Premises Licence Number	PR/0323	ha promisas?
	al address, OS map reference or description of t	ne premises:
	p reference O Description	
Postal Address Of Premises		
Building number or name	The Kingfisher	
Street	London Road South	
District		
City or town	Poynton	
County or administrative area		
Postcode	SK12 1NJ	
Country	United Kingdom	
Premises Contact Details		
Telephone number	01625 870990	

Continued from previous page		
Non-domestic rateable value of premises (£)	83,000	
Section 3 of 18		
VARIATION		
Do you want the proposed variation to have effect as soon as possible?	YesNo	
Do you want the proposed valintroduction of the late night	riation to have effect in relation to the levy?	
○ Yes	No	You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend		
Describe Briefly The Nature	Of The Proposed Variation	
could be relevant to the licens	sing objectives. Where your application	ituation and layout and any other information which includes off-supplies of alcohol and you intend to de a description of where the place will be and its
The application seeks to:		
1. Amend the hours for the lic	ensable activities as follows:	
- Sale of Alcohol and Late Nig	ht Refreshment to terminate at 0100 on	Thursdays, Fridays and Saturdays
2. Include non-standard hours	s for Sale of Alcohol and Late Night Refr	eshment as follows:
Christmas Eve/Boxing Day/Ma Eve to remain unchanged.)	aundy Thursday/Sundays preceding Bar	nk Holiday Mondays - an additional hour. (New Year's
3. Amend the opening times	as follows:	
- Sunday to Wednesday 0700 - Thursday to Saturday 0700 - - Christmas Eve/Boxing Day/N an additional hour. (New Year	0130 Naundy Thursday/Sundays preceding Ba	ank Holiday Mondays/the morning BST commences -
There are no other changes to	o the premises licence.	
Section 4 of 18		
PROVISION OF PLAYS		
See guidance on regulated en	tertainment	

Continued from previous page	
Will the schedule to provide pla vary is successful?	ys be subject to change if this application to
○ Yes	No
Section 5 of 18	
PROVISION OF FILMS	
See guidance on regulated ente	ertainment
Will the schedule to provide film vary is successful?	ns be subject to change if this application to
○ Yes	No
Section 6 of 18	
PROVISION OF INDOOR SPOR	FING EVENTS
See guidance on regulated ente	ertainment
Will the schedule to provide inc	loor sporting events be subject to change if ssful?
○ Yes	No
Section 7 of 18	
PROVISION OF BOXING OR WE	RESTLING ENTERTAINMENTS
See guidance on regulated ente	ertainment
Will the schedule to provide bo to change if this application to	xing or wrestling entertainments be subject vary is successful?
○ Yes	No
Section 8 of 18	
PROVISION OF LIVE MUSIC	
See guidance on regulated ente	ertainment
Will the schedule to provide live application to vary is successful	e music be subject to change if this ?
○ Yes	No
Section 9 of 18	
PROVISION OF RECORDED MU	ISIC
See guidance on regulated ente	ertainment
Will the schedule to provide rec application to vary is successful	corded music be subject to change if this ?
○ Yes	No
Section 10 of 18	
PROVISION OF PERFORMANCE	ES OF DANCE
See guidance on regulated ente	ertainment
Will the schedule to provide per this application to vary is success	rformances of dance be subject to change if ssful?

Continued from previou	ıs page		○ Yes	No
Section 11 of 18				
PROVISION OF ANYTH	HING OF A SIMILAR DESCR	IPTION TO LIVE	MUSIC, RECORDED MUSIC	OR PERFORMANCES OF
See guidance on regu	lated entertainment			
-	rovide anything similar to liv e be subject to change if thi			
○ Yes	No			
Section 12 of 18				
PROVISION OF LATE I	NIGHT REFRESHMENT			
Will the schedule to puthis application to vary	rovide late night refreshmer y is successful?	it be subject to c	hange if	
Yes	○ No			
Standard Days And 1	Гimings			
MONDAY			Provide timine	us in 24 hour clock
	Start 23:00	End	00:00 (e.g., 16:00) an	gs in 24 hour clock d only give details for the days
	Start	End	of the week w	hen you intend the premises the activity.
TUESDAY				,
	Start 23:00	End	00:00	
	Start	End		
WEDNIECDAY		2110		
WEDNESDAY	Start 23:00	End	00:00	
		End	00:00	
	Start	End		
THURSDAY				
	Start 23:00	End	01:00	
	Start	End		
FRIDAY				
	Start 23:00	End	01:00	
	Start	End		
SATURDAY				
	Start 23:00	End	01:00	
	Start	End		
	Jiail	EHU	I	

Continued from previous	page			
SUNDAY				
	Start 23:00	End	00:00	
	Start	End		
Will the provision of lat both?	e night refreshment	take place indoors or	outdoors or	
Indoors	○ Outdoo	rs C Both	ı	Where taking place in a building or other structure select as appropriate. Indoors may include a tent.
State type of activity to exclusively) whether or				urther details, for example (but not
State any seasonal varia	ations.			
•		activity will occur on	additional da	ays during the summer months.
				,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Non standard timings. those listed above, list		will be used for the pr	ovision of late	e night refreshment at different times from
For example (but not e	xclusively), where yo	u wish the activity to	go on longer	on a particular day e.g. Christmas Eve.
_	•		•	/ Mondays - an additional hour hours on New Year's Day.
Section 13 of 18				
SUPPLY OF ALCOHOL				
Will the schedule to sup vary is successful?	pply alcohol be subje	ect to change if this ap	plication to	
Yes	○ No			
Standard Days And Ti	imings			
MONDAY				Provide timings in 24 hour clock
	Start 08:00	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.

Continued from previous p	oage				
TUESDAY					
	Start	08:00	End	00:00	
	Start		End		
WEDNESDAY					
	Start	08:00	End	00:00	
	Start		End		
THURSDAY					
	Start	08:00	End	01:00	
	Start		End		
FRIDAY					
	Start	08:00	End	01:00	
	Start		End		
SATURDAY					
	Start	08:00	End	01:00	
	Start		End		
SUNDAY					
	Start	08:00	End	00:00	
	Start		End		
Will the sale of alcohol b	e for c	consumption?			
On the premises		○ Off the premises •	Both	r	If the sale of alcohol is for consumption on 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 varia	tions.				
For example (but not ex	clusive	ely) where the activity will occ	ur on	additional day	ys during the summer months.
Non-standard timings. V	Vhere [.]	the premises will be used for	the su	pply of alcoho	ol at different times from those listed above,

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

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

Christmas Eve/Boxing Day/Maundy Thursday/Sundays preceding Bank Holiday Mondays - an additional hour From the end of permitted hours on New Year's Eve to the commencement of hours on New Year's Day.

Continued from previous p	age				
 Section 14 of 18					
ADULT ENTERTAINMEN	Т				
Highlight any adult enter premises that may give r				entertainmer	nt or matters ancillary to the use of the
give rise to concern in re-	spect	of children, ı	regardless of whether	you intend ch	llary to the use of the premises which may nildren to have access to the premises, for oups etc gambling machines etc.
None					. 5
Section 15 of 18					
HOURS PREMISES ARE C	OPEN	TO THE PUB	BLIC		
Standard Days And Tim	nings				
MONDAY					Provide timings in 24 hour clock
	Start	07:00] End	00:30	(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	07:00	End	00:30	
	Start		End		
WEDNESDAY			I		
	Start	07:00	End	00:30	
	Start		End		
THURSDAY					
	Start	07:00	End	01:30	
		07.00]	01.50]
	Start		End		
FRIDAY			1		1
	Start	07:00	End	01:30	
	Start] End		
SATURDAY					
	Start	07:00] End	01:30	
	Start] End		

Continued from previous page
SUNDAY
Start 07:00 End 00:30
Start End
State any seasonal variations.
For example (but not exclusively) where the activity will occur on additional days during the summer months.
Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.
For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
Christmas Eve/Boxing Day/Maundy Thursday/Sundays preceding Bank Holiday Mondays/the morning BST commences - ar
additional hour From the end of permitted hours on New Year's Eve to the commencement of permitted hours on New Year's Day.
Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.
□ I have enclosed the premises licence
☐ I have enclosed the relevant part of the premises licence
Reasons why I have failed to enclose the premises licence or relevant part of premises licence.
Section 16 of 18
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.
There will be no changes to the operating style or procedures of the premises as a consequence of the variation sought and therefore existing management practices and premises licence conditions will continue to operate to promote the licensing objectives.

Continued from previous page...

b) The prevention of crime and disorder

There will be no changes to the operating style or procedures of the premises as a consequence of the variation sought and therefore existing management practices and premises licence conditions will continue to operate to promote the licensing objectives.

c) Public safety

There will be no changes to the operating style or procedures of the premises as a consequence of the variation sought and therefore existing management practices and premises licence conditions will continue to operate to promote the licensing objectives.

d) The prevention of public nuisance

There will be no changes to the operating style or procedures of the premises as a consequence of the variation sought and therefore existing management practices and premises licence conditions will continue to operate to promote the licensing objectives.

e) The protection of children from harm

There will be no changes to the operating style or procedures of the premises as a consequence of the variation sought and therefore existing management practices and premises licence conditions will continue to operate to promote the licensing objectives.

Section 17 of 18

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:
 - 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 18 of 18

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.

Variation 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

If you own a large premise 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 60000-69999 £36,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

DECLARATION

 \boxtimes

* 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.

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?"

Continued from previous page			
* Full name	JD Wetherspoon plc		
* Capacity	Applicant		
* Date	07 / 05 / 2025		
	dd mm yyyy		
	Add another signatory		
continue with your application	outer by clicking file/save as v.uk/apply-for-a-licence/premises-licence/cheshire-east/change-1 to upload this file and		
	ECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN PLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY ANY AMOUNT.		
OFFICE USE ONLY			
Applicant reference number	Pub 6862 - The Kingfisher, Poynton		
Fee paid			
Payment provider reference			
ELMS Payment Reference			
Payment status			
Payment authorisation code			
Payment authorisation date	ayment authorisation date		
Date and time submitted			
Approval deadline			
Error message			
Is Digitally signed			
1 <u>2</u> <u>3</u> <u>4</u>	5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next>		





Premises Licence Summary

Premises Licence Number:	PR/0323
Premises Details	
Deate address of Drawings on it was a sudmanage	
Postal address of Premises or, if none, ordnance	survey map reference or description:
Wetherspoons	
London Road South	
Post Town: Poynton	Post Code: SK12 1NJ
Tolombono Number: 04625 970000	
Telephone Number: 01625 870990	
Where the Licence is time limited, the dates:	
Not applicable	
Licensable activities authorised by the Licence:	
·	
Sale and supply of alcohol	
Late Night Refreshment	
The time the Licence authorises the carrying out	of linear chia cativitica.

The time the Licence authorises the carrying out of licensable activities:

Sale and supply of alcohol

Sunday to Thursday 08.00 to 24.00 Friday and Saturday 08.00 to 00.30

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Late Night Refreshment (to take place indoors)

Sunday to Thursday 23.00 to 24.00 Friday and Saturday 23.00 to 00.30

The opening hours of the Premises:

Sunday to Thursday 07.00 to 00.30 Friday and Saturday 07.00 to 01.00

From the end of permitted hours on New Years Eve to the commencement of permitted hours on New Years Day

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

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

For consumption either on or off the premises

J D Wetherspoon plc Wetherspoon House Reeds Crescent Waford Hertfordshire WD24 4QU

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

01709784

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

Mr James Doyle

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

No

Licence Issued: 27th March 2017

Signed by Mrs Vanessa Selfe On Behalf of Cheshire East Borough Council

Annex 2 - Conditions consistent with the Operating Schedule

General – All Four Licensing Objectives

- 1. The premises licence holder shall ensure that all staff at the premises have been trained in accordance with established J D Wetherspoon Plc trading procedures. Specifically the premises licence holder will ensure that all employees are trained in their responsibilities to prevent alcohol being served to anybody who is under the legal age limit or to anyone who appears to be drunk or to anyone who is trying to purchase alcohol on their behalf.
- 2. There shall be no consumption of food and drink in any outside area of the premises after 2200 until close on any day. All glasses and bottles shall be regularly cleared from any outside area with none remaining after 2200. The premises licence holder will ensure that after 2200 until close of the premises there is regular monitoring of any outside area to ensure that public nuisance is not caused.

Prevention of Crime and Disorder

- 3. The premises licence holder shall ensure that there are sufficient staffing levels including managers to encourage responsible behaviour on the premises at all times.
- 4. CCTV shall be installed in the premises in compliance with many reasonable requirements of the Police. Images will be retained for a minimum of 30 days and will be available to the Police upon request. Members of the management team will be trained in the use of the system.
- 5. Non-alcoholic beverages including soft drinks, water, coffee and tea shall be available at all times, sale by retail of alcohol carried out at the premises.

Protection of Children from Harm

- 6. The premises licence holder will operate a "Challenge 21" Policy at all times.
- 7. Suitable food and non-alcoholic beverages shall be available at all times children are allowed on the premises.

Annex 1 - Mandatory Conditions (as applicable)

- 1. No supply of alcohol may be made under this Premises Licence
 - a) at a time when there is no designated premises supervisor in respect of the Premises Licence, or
 - b) at a time when the designated premises supervisor does not hold a Personal Licence or his Personal Licence is suspended.
- 2. Every supply of alcohol under this Premises Licence must be made or authorised by a person who holds a Personal Licence.

Where a Village Hall is exempt from needing DPS under s.19 Licensing Act 2003

Every supply of alcohol under the premises licence must be made or authorised by the Management Committee.

Mandatory condition where the licence authorises the exhibition of films

The admission of children to the exhibition of any film must be restricted in accordance with section 20 of the Licensing Act 2003. Admission of children must be restricted in accordance with any recommendation made by the British Board of Film Classification or the Licensing Authority.

Prohibited conditions: plays

- 1. In relation to a premises licence which authorises the performance of plays, no condition may be attached to the licence as to the nature of the plays which may be performed, or the manner of performing plays, under the licence.
- 2. But subsection (1) does not prevent a licensing authority imposing, in accordance with section 18(2)(a) or (3)(b), 35(3)(b) or 52(3), any condition which it considers necessary on the grounds of public safety.

Mandatory condition: Door supervision

Each individual engaged in security activities at the premises must either:

- a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- b) be entitled to carry out that activity by virtue of Section 4 of the Private Security Industry Act 2001.

LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS)(AMENDMENT) ORDER 2014 MANDATORY CONDITIONS

Condition 1

- 1. The responsible person must ensure that staff on relevant premises no not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- 2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
 - a) Games or other activities which require or encourage, or are designed to require or encourage individuals to
 - i. Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. Drink as much alcohol as possible (whether within a time limit or otherwise);

- b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period fo 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Condition 2

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Condition 3

- 1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- 2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- 3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either
 - a) A holographic mark, or
 - b) An ultraviolet feature

Condition 4

The responsible person must ensure that –

- a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures
 - i. Beer or cider: ½ pint;
 - ii. Gin, rum, vodka or whisky: 25ml or 35ml; and
 - iii. Still wine in a glass: 125ml;
- b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

- 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 2. For the purposes of the condition set out in paragraph 1
 - a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - b) 'permitted price' is the price found by applying the formula—

$$P = D + (D \times V)$$

Where —

i. P is the permitted price,

ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

- c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e) 'valued added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.
- 3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (2)The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.



17/6/2025



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Relevant Representations - The Kingfisher, Poynton

	Received on	From
1	27 th May 2025	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
	Dear Licensing Team The Town Council's Planning & Environment Committee considered the application to vary the licence for the property above. The Town Council believes that as this is a residential area there should be nobody sat on the tables outside after midnight and that after this time doors and windows should be closed to prevent excessive	
	noise. That the Town Council believes that the extension of the hours on a Thursday night/Friday morning is inappropriate as Friday is a working day. Kind regards,	
	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	

	Received on	From
2	29 th May 2025	XXXXXXXXXXXXXXXXXXX
	Re the kingfisher wanting late opening hours. I find this very concerning as it is likely to bring in more youths and under 21s to the local area and increase the amount of anti social behaviour in the village	
	Sent from my iPhone	

	Received on	From	
3	29 th May 2025	XXXXXXXXXXXXXXXXXXXX	
	The pub is in the middle of	application for extended hours at the Kingfisher, Poynton. a residential area and is already noisy at the end of the en later isn't really acceptable.	
	Conclioning in none		

	Received on	From
4	29 th May 2025	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
	Poynton, to extending its of This pub is in the middle of already experience antisoc to property, glasses and be Extending the opening how We objected to a similar extension and at that time, where thrown into gardens,	on sense and turn this down.

Appendix 4

		Received on	From
	5	29 th May 2025	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
ſ		I write in respect of an app	lication by The Kingfisher, London Road South, Poynton,

SK12 1NJ for a full licence variation.

I believe that granting this application would lead to;

Loud music, late-night conversations, and general noise from patrons causing disrupt sleep and peace for nearby residents. Indeed, some residents may find the extension of hours to be akin to a disco in a residential area, particularly if live music is involved.

Extended hours would lead to more customers, resulting in increased traffic and potential parking problems, especially in areas with limited parking.

Further, it would lead to added noise and traffic, late night taxi's, associated with patrons leaving the pub at late hours.

In addition, I worry that there is the potential for increased anti-social behaviour associated with the extension of hours. Some residents will worry about the impact of intoxicated individuals on their neighbourhood and safety.

The extension of hours is likely to increase the in-flow of customers from the wider area and will disrupt the overall character of a residential area in a quiet village centre.

I trust you will take these points seriously and reject this application.

		Received on	From
	6	29 th May 2025	XXXXXXXXXXXXXXXXXXXX
г			•

Hi

I am writing as I strongly oppose

the new suggested opening hours for the kingfisher in POYNTON.

This is already a place I love to attend with my children until a certain hour when the patrons of the establishment become rude, loud and sometimes abusive to other people.

As a neighbour of the bar, I am happy to keep the place as it stands.

Many thanks

XXXXXXXXXXXXXXXXXXXXXXX

	Received on	From
7	29 th May 2025	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
	close to the pub XXXXXXX handing around outside out to stay open later then it w	n extending the licensing hours beyond special occasions ar.

	Received on	From
8	29 th May 2025	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
	I strongly object to allowing the Kingfisher to increase their opening hours, concerns	
	around anti social behaviour, increase in traffic and noise created by traffic	
	alongside the limited parking at venue, the increased hours will encourage those	
	leaving other local establishments with earlier closing times to continue their evening	
	at the kingfisher, further adding to parking / traffic issues.	
	Poynton is after all a village environment and should remain so and not be allowed	
	to become viewed or turned into a large town or city location	
_		

	Received on	From
9	29 th May 2025	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
I live in XXXXXXXXXXXXXXXXXX and worry the impact of the late night will Impact on sleep especially on the Thursdays evening. My son also works a Morrisons and worry about the amount of alcohol that will be consumed for additional hours. The noise and rubbish could also be impacted Regards XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX		sially on the Thursdays evening. My son also works at bout the amount of alcohol that will be consumed for the
		XXXXXXX

	Received on	From
10	30 th May 2025	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

To Whom It May Concern,

I am writing to formally object to the proposed variation of the premises licence for The Kingfisher, London Road South, Poynton, SK12 1NJ, as submitted by JD Wetherspoon PLC on 7th May 2025.

As a local resident living in close proximity to the venue, I am strongly opposed to the extension of operating hours and late-night alcohol sales due to the significant and ongoing issues already experienced in the area. These include:

- Excessive noise from late-night groups leaving the premises, which regularly disturbs residents' sleep and peace.
- Antisocial behaviour including fighting, public intoxication, and groups loitering in the area.
- Public nuisance such as littering and the rolling of metal barrels during the night, which causes loud disturbances.
- Instances of suspected drug dealing and other unacceptable behaviour that threaten the safety and wellbeing of local residents.

This area is home to many long-term residents, including elderly individuals and those, like myself, who are managing serious or lifelong illnesses. The increased noise and disruption caused by extended late-night hours would severely impact our health, safety, and quality of life.

While I fully support people enjoying themselves responsibly, this must be balanced with respect for the surrounding community. Extending the licence into the early hours of the morning multiple days per week is not reasonable in a residential area and would further exacerbate the current problems we face.

I therefore urge the Council to reject this application for a full variation and to consider the welfare of residents who have made this area their home for many years.

Appendix 4

I		Received on	From
	11	3 rd June 2025	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

I wish to register my objection to the proposed change in opening hours for The Kingfisher pub on the corner of London Road and Queensway.

I live on XXXXXXXXXXXXXXXXXXX and have experienced the disturbance caused by people visiting the Kingfisher during the current opening hours. I believe that the proposed change to the opening hours will have a detrimental impact on local amenities. Although the Kingfisher is close to a car park and to local shops it is only metres away from the start of the residential area. Currently people driving to the Kingfisher use Queensway as a dangerous cut though to avoid the Fountain Place roundabouts. Increased opening hours will cause both increased traffic and increased noise and disturbance from people walking through the residential area to get home. This is already a problem, especially in the summer months and on occasions where late opening is in place.

Poynton is already well served by dining and drinking establishments so there is no social or community need for more or for more available hours.

I feel that the nature of the neighbourhood will be adversely affected by the proposed change and local people will not be benefitted in any way.

	Received on	From
12	3 rd June 2025	XXXXXXXXXXXXXXXXXXXX

I am writing to oppose the license application for the below venue.

The Kingfisher, London Road South, Poynton, SK12 1NJ

I feel that this risks an increase in anti-social behaviour. Opening till 1:30am with alcohol served till 1am will promote the excessive consumption of alcohol. This is not desirable for Poynton and risks a negative impact on the police who are already stretched. There will be a negative impact on neighbours also. The current license is already late and I see no need or reason to extend it.