

# **Licensing Act Sub-Committee**

## **Agenda**

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**Date:** Friday, 26th November, 2010  
**Time:** 9.30 am  
**Venue:** West Committee Room - Municipal Buildings, Earle Street, Crewe, CW1 2BJ

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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.

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

1. **Appointment of Chairman**

To appoint a Chairman for the meeting.

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for Members to declare if they have pre-determined any item on the agenda.

3. **Variation of Premises Licence - Jax Country Produce, Yew Tree House, Wrexham Road, Bulkeley, Malpas, SY14 8BX** (Pages 5 - 22)

To consider an application to vary the Premises Licence for Jax Country Produce, Yew Tree House, Wrexham Road, Bulkeley, Malpas, SY14 8BX.

4. **Review of Premises Licence - Wilbraham Arms, 58 Welsh Row, Nantwich, CW5 5EJ** (Pages 23 - 120)

To consider an application for a review of the Premises Licence for the Wilbraham Arms, 58 Welsh Row, Nantwich, CW5 5EJ.

### **PART 2 – THERE ARE NO PART 2 ITEMS**

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For requests for further information

**Contact:** Julie Zientek  
**Tel:** 01270 686466  
**E-Mail:** [julie.zientek@cheshireeast.gov.uk](mailto:julie.zientek@cheshireeast.gov.uk)

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## 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	<b>Chairman</b>	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	<b>Licensing Officer</b>	Will introduce and summarise the application, highlighting areas of contention or dispute.
3	<b>Committee Members</b>	May ask questions of the Licensing Officer
4	<b>Applicant</b>	Will present his/her case, calling witnesses, as appropriate.  <i>(If necessary, applicant will produce any notices required by law. Legal Adviser will draw attention to this if required.)</i>
5	<b>Responsible Authorities (who have made representations)</b>	Each in turn may ask <u>questions</u> of the applicant, by way of clarification.

6	<b>Local residents</b> (ie. defined as “interested parties”)	To be invited to ask <u>questions</u> of the applicant, by way of clarification.  <i>It is normal practice for a spokesperson only to speak on behalf of a group of residents.</i>
7	<b>Committee Members</b>	Each in turn may ask <u>questions</u> of the applicant.
8	<b>Applicant</b>	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	<b>Responsible Authorities</b>	Will make their representations.
10	<b>Applicant</b>	Or his representative or witnesses to ask <u>questions</u> of Responsible Authorities represented at the meeting, by way of clarification.
11	<b>Local residents</b> (ie. defined as “interested parties”)	May ask <u>questions</u> of the Responsible Authorities represented at the meeting, by way of clarification.  <b>(Note: This is not the point at which local residents should be stating their objections.)</b>
12	<b>Committee Members</b>	May ask <u>questions</u> of the Responsible Authorities represented at the meeting
13	<b>Local residents</b> (ie. defined as “interested parties”)	The local residents who are objecting to the application will be invited <b><u>to make observations on the application</u></b> and present the bases of their objections.
15	<b>Applicant</b>	Or his representative or witnesses may ask <u>questions</u> of the Local Residents, by way of clarification.
16	<b>Committee Members</b>	May ask <u>questions</u> of the Local Residents.
17	<b>Chairman</b>	To invite both <b>Responsible Authorities</b> and <b>Local Residents</b> to make their closing addresses.
18	<b>Applicant</b>	Or his representative will <u>briefly summarise the application</u> and comment on the observations and any suggested conditions.
19	<b>Committee</b>	<u>Will retire</u> to consider the application. The Committee may request the Legal Advisor to advise on legal issues.
20	<b>Committee</b>	Will return to <u>give its decision</u> , 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.
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**Notes**

1. 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.
3. 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 **Local residents** (defined as interested parties) 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 ACT SUB-COMMITTEE

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**Date of meeting:** 26 November 2010  
**Report of:** Peter Simester, Licensing Officer  
**Title:** Application to vary a Premises licence  
Jax Country Produce, Yew Tree House, Wrexham Road,  
Bulkeley, Malpas, SY14 8BX

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#### **1.0 Report Summary**

- 1.1 The purpose of the report is to request that the Licensing Act Sub-Committee consider an application by Mrs Jacqueline Foster to vary the Premises licence at Jax Country Produce, Yew Tree House, Wrexham Road, Bulkeley, Malpas, SY14 8BX. The Council has received a letter of objection signed by eight local residents (four households).

#### **2.0 Recommendations**

- 2.1 The Licensing Act Sub-Committee is requested to determine the application for the variation of the Premises licence.

#### **3.0 Reasons for Recommendations**

- 3.1 The Licensing Act Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003.

#### **4.0 Wards Affected**

- 4.1 Cholmondeley

#### **5.0 Local Ward Members**

- 5.1 Cllr R Bailey  
Cllr S Davies  
Cllr M Hollins

#### **6.0 Policy Implications**

- 6.1 The Council has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003 and guidance issued under section 182 of the Act.

**7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)**

7.1 Not applicable.

**8.0 Financial Implications 2010/11 and beyond (Authorised by the Borough Treasurer)**

8.1 Not applicable.

**9.0 Legal Implications (Authorised by the Borough Solicitor)**

9.1 Where relevant representations are received in relation to an application for the variation of a Premises licence under section 34 of the Licensing Act 2003, the licensing authority must hold a hearing within 20 working days (of the end of the consultation period) to consider the application and relevant representations.

9.2 Section 35 of the Licensing Act 2003 states that, before determining the application, the licensing authority must hold a hearing to consider the application and any relevant representations. In accordance with the provisions of section 35 of the Act, the authority must, having regard to the application and any relevant representations, take such of the steps mentioned in sub-section (4), if any, it considers necessary for the promotion of the licensing objectives. Sub-section 35(4) provides that the authority may (a) modify the conditions of the licence; or (b) reject the whole or part of the application.

**10.0 Risk Management**

10.1 Section 181 and Schedule 5 of the Licensing Act 2003 make provision for appeal to the Magistrates' Court of any decision made by the licensing authority.

**11.0 Background and Options**

11.1 The application is for the variation of an existing Premises licence under section 34 of the Licensing Act 2003. A copy of the existing licence is attached as Appendix 1.

11.2 Summary of proposed changes:

- (i) To add the 'Live Music' (indoors) activity to the licence;
- (ii) to add the 'Provision of late night refreshment' activity;
- (iii) to extend the times for the sale of alcohol.; and
- (iv) to extend the opening times of the premises.

Live music - indoors only

The hours applied for are:

Sunday to Thursday: 18:00 to 23:00

Friday and Saturday: 18:00 to 24:00

Provision of late night refreshment - indoors only

The hours applied for are:

Friday and Saturday: 23:00 to 24:00

Sale of alcohol

The hours applied for are:

Sunday to Thursday: 08:00 to 23:00

Friday and Saturday: 08:00 to 24:00

Christmas Eve: 08:00 to 24:00

New Years Eve: 08:00 to 02:00

Opening times

The hours applied for are:

Monday to Thursday: 08:00 to 23:00

Friday and Saturday: 08:00 to 24:00

Sunday: 11:00 to 23:00

Christmas Eve: 08:00 to 00:30

New Years Eve: 08:00 to 02:30

11.3 Response from Responsible Authorities

In addition to the conditions on the existing licence, the Environmental Health team at Cheshire East Council have asked for the following condition to be added:

‘When regulated entertainment takes place, all windows and doors shall be kept closed except to allow access and egress.’

The licence holder, Jacqueline Foster, has agreed to this condition.

No representations have been received from any of the other responsible authority.

11.4 Responses from Interested Parties

The licensing authority has received a letter of objection from eight residents (four households) in Yew Tree Close, Bulkeley. Details are attached to this report as Appendix 2.

The locations of objector’s homes in relation to the licensed premises are shown in Appendix 3.

**12.0 Overview of Year One and Term One Issues**

12.1 Not applicable.

### **13.0 Access to information**

The background papers relating to this report can be inspected by contacting the writer:

Name: Peter Simester

Designation: Licensing Officer

Tel. no: 01270 537114

E-mail: [peter.simester@cheshireeast.gov.uk](mailto:peter.simester@cheshireeast.gov.uk)

### **Appendices:**

Appendix 1: Existing Premises licence.

Appendix 2: Letter of objection from interested parties.

Appendix 3: Location plan.

## Part A

**PREMISES LICENCE****Cheshire East Borough Council**

Premises licence number	<b>485</b>
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## Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
<b>Jax Country Produce</b> <b>Yew Tree House</b> <b>Wrexham Road</b> <b>Bulkeley</b>	
Post town	<b>Malpas</b>
Post code	<b>SY14 8BX</b>
Telephone number	<b>01829 720851</b>

Where the licence is time limited the dates

**Not applicable**

Licensable activities authorised by the licence

**Sale by retail of alcohol**

The times the licence authorises the carrying out of licensable activities

<b>Monday</b>	<b>08:00</b>	<b>to</b>	<b>22:00</b>
<b>Tuesday</b>	<b>08:00</b>	<b>to</b>	<b>22:00</b>
<b>Wednesday</b>	<b>08:00</b>	<b>to</b>	<b>22:00</b>
<b>Thursday</b>	<b>08:00</b>	<b>to</b>	<b>22:00</b>
<b>Friday</b>	<b>08:00</b>	<b>to</b>	<b>22:00</b>
<b>Saturday</b>	<b>08:00</b>	<b>to</b>	<b>22:00</b>
<b>Sunday</b>	<b>11:00</b>	<b>to</b>	<b>21:00</b>

The opening hours of the premises

<b>Monday</b>	<b>08:00</b>	<b>to</b>	<b>22:30</b>
<b>Tuesday</b>	<b>08:00</b>	<b>to</b>	<b>22:30</b>
<b>Wednesday</b>	<b>08:00</b>	<b>to</b>	<b>22:30</b>
<b>Thursday</b>	<b>08:00</b>	<b>to</b>	<b>22:30</b>
<b>Friday</b>	<b>08:00</b>	<b>to</b>	<b>22:30</b>
<b>Saturday</b>	<b>08:00</b>	<b>to</b>	<b>22:30</b>
<b>Sunday</b>	<b>11:00</b>	<b>to</b>	<b>21:30</b>

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

**On and off**

Part 2

Name, (registered) address, telephone number and email (where relevant) of the holder of the premises licence

**Jacqueline Foster  
Yew Tree House  
Wrexham Road  
Bulkeley  
Malpas  
SY14 8BX**

**Tel: 01829 720851**

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

**Not applicable**

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

**Jacqueline Foster  
Yew Tree House  
Wrexham Road  
Bulkeley  
Malpas  
SY14 8BX**

**Tel: 01829 720851**

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**Personal licence number: 09-12-934  
Issued by: Cheshire East Borough Council**

Issued on: 01 May 2010

Signed by Mr A Potts

On behalf of Cheshire East Borough Council  
Licensing Section, Municipal Buildings, Earle Street, Crewe, CW1 2BJ

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the 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/her Personal licence is suspended.
2. Every supply of alcohol under the Premises licence must be made or authorised by a person who holds a Personal licence.

Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010  
The following conditions are effective from 06 April 2010:

3. The responsible person shall take all reasonable steps to ensure that staff do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-

- 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 price or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal , as defined in section 159 of the Licensing Act);
- 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 of 24 hours or less;
- d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where the provision is dependent on-
  - i. the outcome of a race, competition or other event or process, or

(Continued on page 4)

- ii. the likelihood of anything occurring or not occurring;
  - e) 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.
- 4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that person is unable to drink without assistance by reason of a disability).
- 5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

The following conditions are effective from 01 October 2010:

- 6.
  - a) The premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
  - b) 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 a holographic mark.
- 7. The responsible person shall 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: half pint;
    - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - iii. still wine in a glass: 125 ml; and
  - b) customers are made aware of the availability of these measures.

## Annex 2 - Conditions consistent with Operating Schedule

1. No nuisance shall be caused by noise coming from the premises.
2. Refuse such as bottles shall be disposed of from the premises at a time (i.e. between 8:00 and 20:00 when it is not likely to cause a disturbance to residents in the vicinity of the premises).
3. There shall be placed at all exits from the premises, in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.
4. No music to be played in the outside seating area.
5. The Premises licence holder will ensure that the proof of age scheme Challenge 25 is operated for all sales of alcohol and must also ensure all individuals authorised to sell alcohol are trained in its operation.
6. The hours for sale of alcohol and opening hours may be extended as follows:

### **New Year's Eve**

Sale of alcohol: 08:00 to 02:00 on New Year's Day.

Opening hours: 08:00 to 02:30 on New Year's Day.

Annex 3 - Conditions attached after a hearing by the licensing authority

None

Annex 4 - Plan

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Peter Simister  
The Licensing Department,  
Cheshire East Council,  
Municipal Buildings,  
Earle Street,  
Crewe  
CW1 2BJ

Dear Mr Simister,

**Application for extension of hours at Jax Restaurant, Wrexham Road, Bulkeley**

We understand that the applicants Mr and Mrs Brian Foster are applying for an extension of opening hours on the above premise over and beyond what was originally approved when planning permission was granted for the opening of a Farm Shop and Tea Room.

We the undersigned oppose the granting of such an extension on the basis that the serving of alcohol is associated with the Restaurant for which no planning permission has been granted.

The planning authority specifically restricted the opening hours of the original Tea Room/Farm Shop on the grounds of noise and disturbance of local residents etc.

We would ask that the above factors and the supporting evidence attached herewith are taken into account when the application is considered.

For the Attention Mr P Simester

**Licence Application for Extended Hours at Jax Restaurant, Bulkeley, Cheshire**

**We would raise the following concerns:**

1. There is an increased possibility of late night disturbance much to the detriment of the local residents, due to large numbers of people arriving for music events.

It was a condition of the granting of planning permission for the Farm Shop that the site should not operate between the hours of 6pm and 10pm to protect the living conditions of local residents. Nothing has changed within that area to remove that requirement.

2. There is an increased possibility of disturbance from loud music. There has already been a live music event at the site which led to numerous complaints including calls to the Police.

We understand that future events are to be held within the house with doors and windows closed.

The premises are situated in a very quiet country area where sound travels at night, the building is old and not purpose built and unless there is air conditioning present it will become, very quickly, necessary for doors and windows to be opened for ventilation.

It will be nearly impossible to police whether the doors and windows are open at the premises as the building is situated back from the, unlit, main road.

There is already a facility for music and a bar at the Bickerton Village Hall and a public house which has music events just up the road.

3. There is an increased risk of traffic accidents as access to the site is poor onto a busy 'A' road which is unlit and the problem will be exacerbated by the potential numbers of vehicles entering and leaving the site. There is also limited parking available and any parking on the unlit main road would constitute a serious danger.

## STATEMENT OF HARM

**1. Activities:** There has been a fundamental change of use from a tea room/farm shop to a Country Restaurant and Wine Bar with associated live music.

- The planning conditions attached to the tea shop and farm shop in 2008, indicated that the site should not operate or be open to the public between the hours of 6pm and 10am, to protect the living conditions of the occupants of nearby residential property, of which a number are in close proximity.
- Notwithstanding this concern for local residents, the unauthorised restaurant is operating in the evenings and is advertised openly. A copy of the most recent advertisement is attached herewith.
- An extremely loud live music event, associated with the restaurant, was held on the site on 9<sup>th</sup> September 2010, immediately generating local community representations (including calls to the police) opposing this totally unacceptable activity not only in terms of
  - noise disturbance which precluded normal conversation in homes across the village,
  - danger from traffic generated using the unauthorised access.
  - Similar events are now being advertised as a programme of live music events on this site.
 This event caused upset and distress to a number of people within the village community.

**2. Vehicular Access onto A534:** This unauthorised development in open space has been compounded by an unauthorised vehicular access being formed, from a pedestrian garden gate. We would like to draw your attention to the following:-

- Access was previously rejected by the local authority and a planning inspector as "dangerous for access to a single dwelling".
- Without reference to this history, the local authority granted consent in 2008 for a "farm shop and tea room", generating more traffic than would have been generated by the single dwelling previously considered unacceptable.
- The highway authority in commenting on this 2008 "farm shop and tea room" application indicated that the access was poor, but raised no objection because of an erroneous (unchecked) assumption that the "existing" vehicular access and business on the site had consent.
- The unauthorised access is not only generating traffic from the commercial activities, but the original single dwelling complex has been split, with a converted barn now having exclusive use of the original historic access (the only one approved), with Yew Tree House using the unauthorised access.

**Planning History – Yew Tree House, Wretham Road, Bulkeley SY14 8BX**

**Unauthorised development in the Open Countryside:**

It is a matter of great concern to the members of the local community that the Local Authorities have failed to take planning enforcement action.

Cumulative developments have taken place in the garden of Yew Tree House without planning permission. These developments include buildings, hard areas, signs, vehicular access, and commercial activities including a restaurant and associated events. These developments have taken place, without planning consent, on a residential garden on which planning applications for a single dwelling have been refused, by the local authority and planning inspectors on appeal, to protect this land from development as open countryside and an integral part of the Area of Special County Value. Vital statements include:

**Application P98/0057 – Dwelling refused on appeal on 9 December 1998. The Inspector concluded:**

“...even though the appeal site forms part of the garden of Yew Tree House, it still lies within the open countryside and in the ASCV where it provides an important element of openness in the landscape which would be lost if your client’s proposal were to be allowed. Many gardens contribute to the openness of the countryside and as such I consider that it should also be protected from development.”

“Development on the appeal site would result in the urbanisation of the open gap through the provision of a dwelling on the site which would also be exacerbated by the need for an access onto the A534 road.”

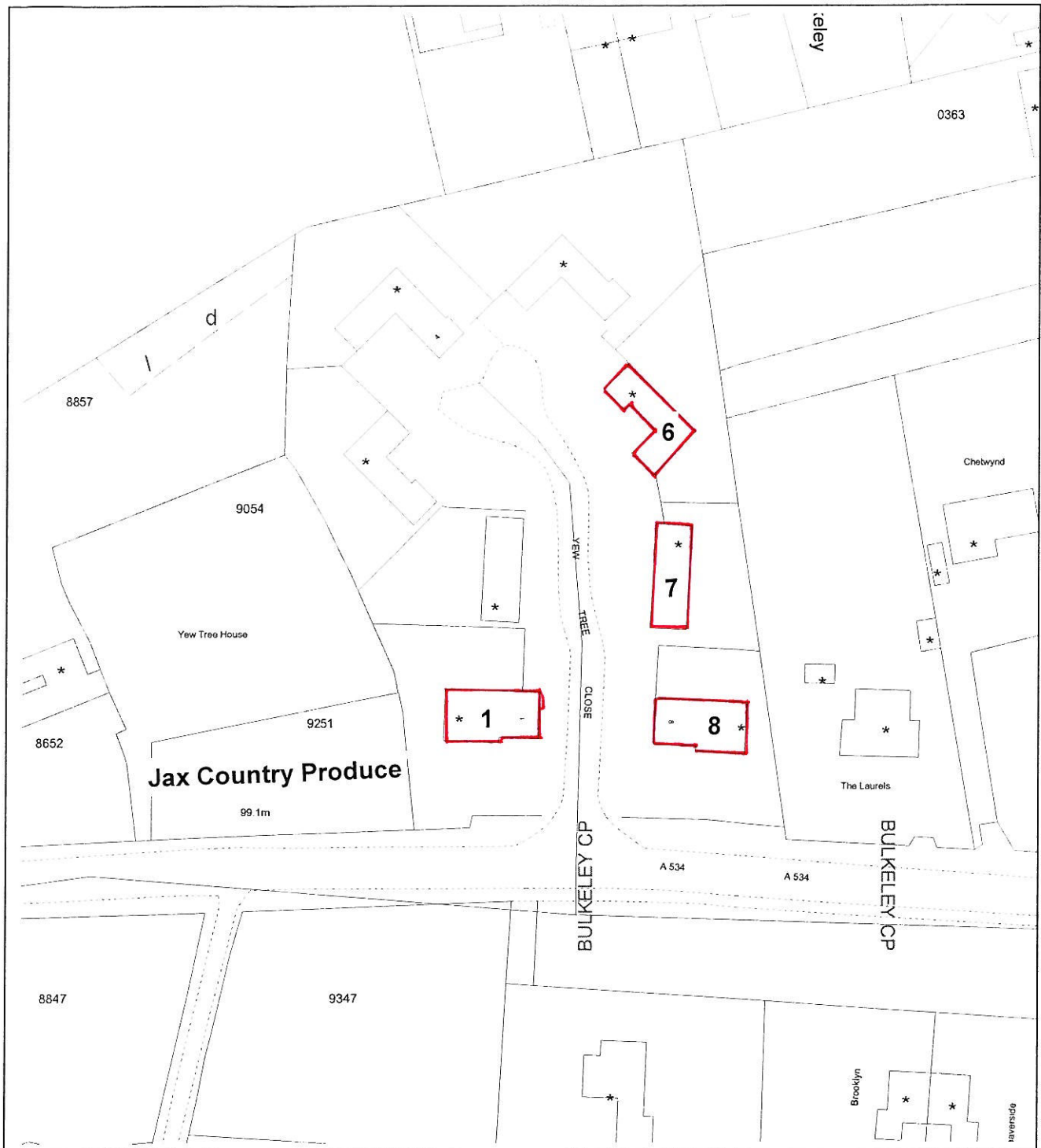
**Application P06/0496 – Dwelling refused on appeal on 26 October 2007. The Inspector concluded:**

“I accept that the appeal site forms part of the garden of Yew Tree House and can be considered as previously developed land but it lies within the open countryside and in my opinion forms an important space along the Wretham Road. If it were to be developed it would reduce the open nature of the landscape that contributes to the form and character of the settlement and its setting beneath Bulkeley Hill.”

“In conclusion therefore I consider that the proposal would extend the built up frontage and fill an important space to the detriment of the landscape of the open countryside and the character of the ASCV.”

**Reinforcing the currency of the above decisions, on 9 June 2010, Greg Clark MP, Minister of State at the Department for Communities and Local Government, unveiled plans to take gardens out of the brownfield category, strengthening the power of councils to prevent unwanted development on gardens where local people object in order to protect the character of their neighbourhoods.**

JAX, WREXHAM ROAD, BULKELEY



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## CHESHIRE EAST COUNCIL

### LICENSING ACT SUB-COMMITTEE

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**Date of meeting:** 26 November 2010  
**Report of:** Peter Simester, Licensing Officer  
**Title:** Application for the review of a Premises licence  
Wilbraham Arms, 58 Welsh Row, Nantwich, CW5 5EJ

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#### **1.0 Report Summary**

- 1.1 The purpose of the report is to request that the Licensing Act Sub-Committee consider an application for review of a Premises licence at the Wilbraham Arms, 58 Welsh Row, Nantwich, CW5 5EJ. The review has been requested by the Environmental Health team at Cheshire East Borough Council.

#### **2.0 Recommendations**

- 2.1 The Licensing Act Sub-Committee is requested to:
- 2.1.1 consider the application to review the Premises licence and the relevant representations;
- 2.1.2 determine what steps, if any, are considered necessary for the promotion of the licensing objectives.

#### **3.0 Reasons for Recommendations**

- 3.1 The Licensing Act Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003.

#### **4.0 Wards Affected**

- 4.1 Nantwich

#### **5.0 Local Ward Members**

- 5.1 Cllr B Dykes  
Cllr A Martin  
Cllr A Moran

#### **6.0 Policy Implications**

- 6.1 The Council has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003 and guidance issued under section 182 of the Act.

**7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)**

7.1 Not applicable.

**8.0 Financial Implications 2010/11 and beyond (Authorised by the Borough Treasurer)**

8.1 Not applicable.

**9.0 Legal Implications (Authorised by the Borough Solicitor)**

9.1 Where application for a review under section 51 of the Licensing Act 2003 is made, the licensing authority must hold a hearing within 20 working days (from the end of the consultation period) to consider the application and any relevant representations.

9.2 Section 52 of the Licensing Act 2003 states that, before determining the application, the licensing authority must hold a hearing to consider the application and any relevant representations. Sub-section 52(3) provides that the authority must, having regard to the application and any representations, take such steps detailed in sub-section (4), if any, as it considers necessary for the promotion of the licensing objectives. The steps referred to in sub-section 52(4) are:

- To modify the conditions of the licence;
- To exclude a licensable activity from the scope of the licence;
- To remove the Designated Premises Supervisor;
- To suspend the licence for a period not exceeding three months;
- To revoke the licence.

**10.0 Risk Management**

10.1 Section 181 and Schedule 5 of the Licensing Act 2003 make provision for appeal to the Magistrates' Court of any decision made by the licensing authority.

**11.0 Background and Options**

11.1 Mr Gavin John Chamberlain became the licence holder at the Wilbraham Arms on 14 September 2009. He is also the Designated Premises Supervisor.

11.2 A copy of the Premises licence is attached as Appendix 1.

11.3 The Premises licence allows the public house to remain open until 01:30 each day. The sale of alcohol is permitted until 01:00 each day.

The following licensable activities are also permitted until 01:00 each day of the week: Live music, Recorded music, Films, Indoor sporting events, Performances of dance, Provision of facilities for making music, provision of facilities for dancing and late night refreshment.

11.4 On 14th October 2010 the licensing authority received an application from the Environmental Health team at Cheshire East Borough Council for the review of the

Premises licence. The review application states that the Environmental Health Service have received complaints from a number of residents regarding amplified music emanating from the premises and individuals within the rear yard creating excessive noise until the early hours of the morning.

A copy of the review application form is attached as Appendix 2.

- 11.5 In response to the notification of the proposed review, representations have been received from the Chief Officer of Police and from 15 interested parties residing in the vicinity of the premises. Details are attached as Appendix 3 (Police) and Appendix 4 (interested parties).

## **12.0 Overview of Year One and Term One Issues**

- 12.1 Not applicable.

## **13.0 Access to information**

The background papers relating to this report can be inspected by contacting the writer:

Name: Peter Simester  
Designation: Licensing Officer  
Tel. no: 01270 537114  
E-mail: [peter.simester@cheshireeast.gov.uk](mailto:peter.simester@cheshireeast.gov.uk)

## **Appendices:**

- Appendix 1: Premises licence.  
Appendix 2: 'Application for the review of a Premises licence' form.  
Appendix 3: Representations from Chief Officer of Police.  
Appendix 4: Representations from interested parties.

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**PREMISES LICENCE****Cheshire East Borough Council**

Premises licence number	<b>336</b>
-------------------------	------------

**Part 1 - Premises details**

Postal address of premises, or if none, ordnance survey map reference or description

**Wilbraham Arms**  
**58 Welsh Row**

Post town	<b>Nantwich</b>	Post code	<b>CW5 5EJ</b>
-----------	-----------------	-----------	----------------

Telephone number	<b>01270 626419</b>
------------------	---------------------

Where the licence is time limited the dates

**Not applicable**

Licensable activities authorised by the licence

**Sale by retail of alcohol**  
**Provision of regulated entertainment**  
**Provision of late night refreshment**

The times the licence authorises the carrying out of licensable activities

<b>Monday</b>	)	<b>Please see tables in Annex 2.</b>
<b>Tuesday</b>	)	
<b>Wednesday</b>	)	
<b>Thursday</b>	)	
<b>Friday</b>	)	
<b>Saturday</b>	)	
<b>Sunday</b>	)	

The opening hours of the premises

<b>Monday</b>	<b>10:00</b>	<b>to</b>	<b>01:30</b>
<b>Tuesday</b>	<b>10:00</b>	<b>to</b>	<b>01:30</b>
<b>Wednesday</b>	<b>10:00</b>	<b>to</b>	<b>01:30</b>
<b>Thursday</b>	<b>10:00</b>	<b>to</b>	<b>01:30</b>
<b>Friday</b>	<b>10:00</b>	<b>to</b>	<b>01:30</b>
<b>Saturday</b>	<b>10:00</b>	<b>to</b>	<b>01:30</b>
<b>Sunday</b>	<b>10:00</b>	<b>to</b>	<b>01:30</b>

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

**On and off**

Part 2

Name, (registered) address, telephone number and email (where relevant) of the holder of the premises licence

**Gavin John Chamberlain  
Wilbraham Arms  
58 Welsh Row  
Nantwich  
Cheshire  
CW5 5EJ**

**Tel: 07590 265669**

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

**Not applicable**

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

**Gavin John Chamberlain  
Wilbraham Arms  
58 Welsh Row  
Nantwich  
Cheshire  
CW5 5EJ**

**Tel: 01270 626419**

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**Personal licence number: 09-10-921  
Issued by: Cheshire East Borough Council**

Issued on: 13 July 2010

Signed by Mr A Potts

On behalf of Cheshire East Borough Council  
Licensing Section, Municipal Buildings, Earle Street, Crewe, CW1 2BJ

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the Premises licence:
  - At a time when there is no Designated Premises Supervisor in respect of the Premises licence, or
  - At a time when the Designated Premises Supervisor does not hold a Personal licence, or his/her Personal licence is suspended.
2. Every supply of alcohol under the Premises licence must be made or authorised by a person who holds a Personal licence.
3. The admission of children (i.e. persons under 18 years old) to the exhibition of a film is restricted in accordance with the recommendations given to the film by the British Board of Film Censors.

Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

The following conditions are effective from 06 April 2010:

4. The responsible person shall take all reasonable steps to ensure that staff do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-

- 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 price or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Licensing Act);
- 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 of 24 hours or less;

(Continued on page 4)

- d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where the provision is dependent on-
    - i. the outcome of a race, competition or other event or process, or
    - ii. the likelihood of anything occurring or not occurring;
  - e) 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.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

The following conditions are effective from 01 October 2010:

7. a) The premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- b) 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 a holographic mark.
8. The responsible person shall 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: half pint;
    - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - iii. still wine in a glass: 125 ml; and
  - b) customers are made aware of the availability of these measures.

## Annex 2 - Conditions consistent with Operating Schedule

1. No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.
2. Refuse such as bottles shall be disposed of from the premises at a time when it is not likely to cause a disturbance to residents in the vicinity of the premises.
3. There shall be placed at all exits from the premises, in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.
4. Children under the age of 16 are not permitted on the premises after 20:00.

5. **Hotel residents:**

The supply of alcohol and provision of hot food & drinks are available to residents of the hotel and their guests for 24 hours a day.

<b>A</b>	<b>Plays</b>			
	Will the performance of a play take place indoors or outdoors or both.		Indoors	
			Outdoors	
			Both	
Day	Start	Finish	Details	
Mon				
Tue				
Wed			Seasonal variations	
Thur				
Fri				Non standard timings
Sat				
Sun				

<b>B</b>	<b>Films</b>			
	Will the exhibition of a film take place indoors or outdoors or both.		Indoors	<b>x</b>
			Outdoors	
			Both	
Day	Start	Finish	Details	
Mon	10:00	01:00		
Tue	10:00	01:00		
Wed	10:00	01:00	Seasonal variations	
Thur	10:00	01:00		
Fri	10:00	01:00		Non standard timings
			New Year's Eve: 10:00 to normal start time on New Year's Day.	
Sat	10:00	01:00		
Sun	10:00	01:00		

<b>C</b>		<b>Indoor sporting events</b>	
Day	Start	Finish	Details
Mon	10:00	01:00	
Tue	10:00	01:00	
Wed	10:00	01:00	Seasonal variations
Thur	10:00	01:00	
Fri	10:00	01:00	
			Non standard timings
Sat	10:00	01:00	New Year's Eve: 10:00 to normal start time on New Year's Day.
Sun	10:00	01:00	

<b>D</b>		<b>Boxing or wrestling entertainment</b>	
Will the boxing or wrestling entertainment take place indoors or outdoors or both.		Indoors	
		Outdoors	
		Both	
Day	Start	Finish	Details
Mon			
Tue			
Wed			Seasonal variations
Thur			
Fri			
			Non standard timings
Sat			
Sun			

<b>E</b>	<b>Live Music</b>			
	Will the performance of live music take place indoors or outdoors or both.		Indoors	<b>x</b>
			Outdoors	
			Both	
Day	Start	Finish	Details	
Mon	10:00	01:00	Live music and amplified voice.	
Tue	10:00	01:00		
Wed	10:00	01:00	Seasonal variations	
Thur	10:00	01:00		
Fri	10:00	01:00	Non standard timings	
Sat	10:00	01:00	New Year's Eve: 10:00 to normal start time on New Year's Day.	
Sun	10:00	01:00		

<b>F</b>	<b>Recorded music</b>			
	Will the playing of recorded music take place indoors or outdoors or both.		Indoors	<b>x</b>
			Outdoors	
			Both	
Day	Start	Finish	Details	
Mon	10:00	01:00	Recorded music, including jukebox, with or without a DJ, during normal business hours or as part of functions and including audience participation.	
Tue	10:00	01:00		
Wed	10:00	01:00		
Thur	10:00	01:00		
Fri	10:00	01:00		
			Non standard timings	
Sat	10:00	01:00	New Year's Eve: 10:00 to normal start time on New Year's Day.	
Sun	10:00	01:00		

<b>G</b>	<b>Performances of dance</b>					
	Will the performance of dance take place indoors or outdoors or both.		Indoors	<b>x</b>		
			Outdoors			
			Both			
Day	Start	Finish	Details			
Mon	10:00	01:00				
Tue	10:00	01:00				
Wed	10:00	01:00	Seasonal variations			
Thur	10:00	01:00				
Fri	10:00	01:00				
Sat	10:00	01:00	New Year's Eve: 10:00 to normal start time on New Year's Day.			
Sun	10:00	01:00				

<b>H</b>	<b>Anything of a similar description to (E), (F) or (G)</b>					
	Will this entertainment take place indoors or outdoors or both.		Indoors			
			Outdoors			
			Both			
Day	Start	Finish	Details			
Mon						
Tue						
Wed			Seasonal variations			
Thur						
Fri						
Sat						
Sun						

<b>I</b>	<b>Provision of facilities for making music</b>			
	Will facilities for making music be indoors or outdoors or both.		Indoors	<b>x</b>
			Outdoors	
			Both	
Day	Start	Finish	Details	
Mon	10:00	01:00		
Tue	10:00	01:00		
Wed	10:00	01:00	Seasonal variations	
Thur	10:00	01:00		
Fri	10:00	01:00	Non standard timings	
Sat	10:00	01:00	New Year's Eve: 10:00 to normal start time on New Year's Day.	
Sun	10:00	01:00		

<b>J</b>	<b>Provision of facilities for dancing</b>			
	Will the facilities for dancing be indoors or outdoors or both.		Indoors	<b>x</b>
			Outdoors	
			Both	
Day	Start	Finish	Details	
Mon	10:00	01:00		
Tue	10:00	01:00		
Wed	10:00	01:00	Seasonal variations	
Thur	10:00	01:00		
Fri	10:00	01:00	Non standard timings	
Sat	10:00	01:00	New Year's Eve: 10:00 to normal start time on New Year's Day.	
Sun	10:00	01:00		

<b>K</b>	<b>Provision of facilities for entertainment of a similar description to that falling within (I) or (J)</b>			
	Will the entertainment facility be indoors or outdoors or both.		Indoors	
			Outdoors	
			Both	
Day	Start	Finish	Details	
Mon				
Tue				
Wed			Seasonal variations	
Thur				
Fri			Non standard timings	
Sat				
Sun				

<b>L</b>	<b>Late night refreshment</b>			
	Will the provision of late night refreshment take place indoors or outdoors or both.		Indoors	<b>x</b>
			Outdoors	
			Both	
Day	Start	Finish	Details	
Mon	23:00	01:00		
Tue	23:00	01:00		
Wed	23:00	01:00	Seasonal variations	
Thur	23:00	01:00		
Fri	23:00	01:00	Non standard timings	
			New Year's Eve: 23:00 to normal start time on New Year's Day.	
Sat	23:00	01:00		
Sun	23:00	01:00		

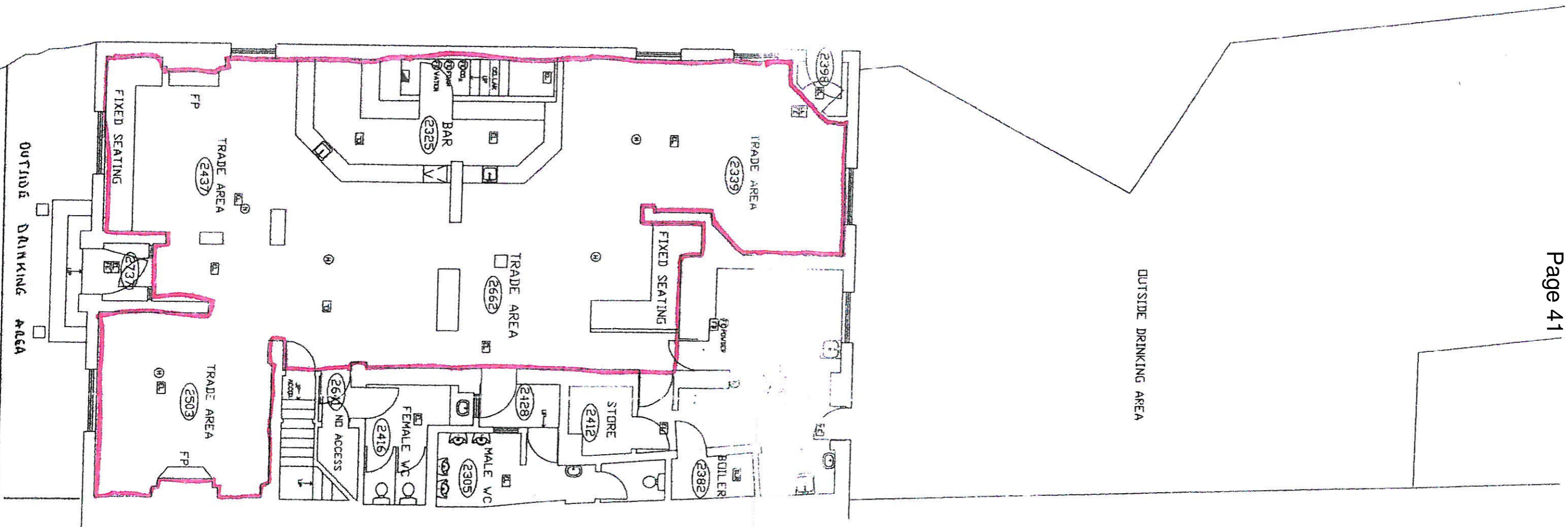
<b>M</b>	<b>Supply of alcohol</b>		
	Will the supply of alcohol be for consumption	On the premises	
		Off the premises	
		Both	<b>x</b>
Day	Start	Finish	Details
Mon	10:00	01:00	
Tue	10:00	01:00	
Wed	10:00	01:00	Seasonal variations
Thur	10:00	01:00	
Fri	10:00	01:00	
			New Year's Eve: 10:00 to normal start time on New Year's Day.
Sat	10:00	01:00	
Sun	10:00	01:00	

<b>Hours premises are open to the public</b>			
Day	Start	Finish	<b>Seasonal variations:</b>
Mon	10:00	01:30	
Tue	10:00	01:30	
Wed	10:00	01:30	<b>Non standard timings:</b>
Thur	10:00	01:30	
Fri	10:00	01:30	New Year's Eve: 10:00 to normal start time on New Year's Day.
Sat	10:00	01:30	
Sun	10:00	01:30	

Annex 3 - Conditions attached after a hearing by the licensing authority

None

Annex 4 - Plan



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**Application for the review of a premises licence or club  
premises certificate under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Margaret Hopley

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> The Wilbraham Arms 58 Welsh Row Nantwich Cheshire	
<b>Post town</b> Nantwich	<b>Post code (if known)</b> CW5 5EJ

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Mr Gavin Chamberlain
---

<b>Number of premises licence or club premises certificate (if known)</b> 336
--

**Part 2 - Applicant details**

I am

**Please tick yes**

1) an interested party (please complete (A) or (B) below)

- |   |                          |
|---|--------------------------|
| a) a person living in the vicinity of the premises                                  | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises               | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises                    | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

2) a responsible authority (please complete (C) below) ☒

- 3) a member of the club to which this application relates (please complete (A) ☐ below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

**Please tick**

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title  
(for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

**Please tick yes**

☐

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

**Name and address**

**Telephone number (if any)**

**E-mail address (optional)**

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Margaret Hopley Environmental Health Officer Cheshire East Council Westfields Middlewich Road Sandbach Cheshire CW11 1HZ
Telephone number (if any) 01270 686603
E-mail address (optional) margaret.hopley@cheshireeast.gov.uk

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

- |   |                                     |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/>            |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/>            |

**Please state the ground(s) for review** (please read guidance note 1)

The Wilbraham Arms has been the subject to an investigation by the Environmental Health Division following complaints from a number of residents regarding amplified music emanating from the premises and individuals within the rear yard creating excessive noise until the early hours of the morning.

Noise monitoring by the Division has clearly indicated a statutory nuisance existed with regards to both the amplified music and customers within the rear yard; both of which are causing a noise nuisance to other peoples enjoyment of their properties. Due to the management not taking responsibility for the conduct of the premises and the customers both in and out of the premises this Division has served two abatement notices on the premises in order for the issues to be addressed and resolved.

**Please provide as much information as possible to support the application**  
(please read guidance note 2)

A number of complaints have been received from local residents with regards to amplified music and the conduct of customers within the rear yard of the premises till the early hours of the morning. This in turn raised concern with local residents in relation to the conduct of the management at the premises. Complaint received on 22/05/2010. Letter sent to the premises informing them of the complaint on 26/05/2010.

No response was received from the DPS/premises licence holder or any other member of staff from the premises in order to discuss the content of the letter.

Noise monitoring equipment was installed in one of the complainant's properties on 01/08/2010. The evidence gathered indicated that a statutory nuisance was present from individuals within the rear yard till the early hours of the morning. (The DAT recordings can be found attached to this form - DAT1). Amplified music was also clearly identifiable. A visit was made to the premises on Thursday 15th September 2010 accompanied by Allison Jackson (Licensing Officer) to discuss the evidence and the proposed changes that could be made. Mr Chamberlain stated that he wished for 2 weeks to prove he could manage the premises in an orderly manner.

Following on from listening to the results of the noise monitoring results the evidence clearly indicates that the noise from individuals within the smoking area is certainly a statutory nuisance as conversations can be heard word for word, laughing, shouting, cheering all of which is transcribed and attached to this file.

On one of the evenings music can be heard from the premises, every song could be identified and was able to identify the words in every song. The individual singing could be heard on the mic talking to the crowd encouraging them to sing along and can even be heard saying that he is going to have a break.

Following on from this the noise monitoring equipment being reinstalled into the complainants properties. One of the complainants properties captures the noise from the rear of the premises and other at the front. The evidence gathered as stated does indicate that a Statutory Nuisance is present.

A visit was made to see Gavin Chamberlain the licence holder and DPS of the Wilbraham Arms. Allison Jackson also attended to provide licensing information and assistance. Mr Chamberlain was informed that this Division is still continuing to receive complaints from local residents with regards to noise nuisance. His immediate reaction was that it was one household and that they had got it in for him. I informed Mr Chamberlain that there was more than one complainant and that we had got evidence of a noise nuisance emanating from his premises and therefore action was required to be taken.

Mr Chamberlain explained that he has on occasions been sat upstairs and heard the noise for himself to the point that it has made him cringe. I informed Mr Chamberlain that if individuals outside shouting and talking etc is having that effect then he needs to be taking action. He seemed to be dismissive of this and felt as though the nature of some of the individuals would not be cooperative. I informed Mr Chamberlain that as the DPS and licence holder it is his responsibility to address the issue. He was questioned as to whether he has a refusals book and whether he challenges individuals for proof of ID. We were informed that he didn't and didn't need to have one.

Having looked around the premises, the front door was followed by another single

door creating a double door system in order to control noise. We were informed by Mr Chamberlain that the fire service had been to the premises and informed him that he need to make the current second door system into double doors for safe means of escape. At the rear of the premises was a single door right on the back wall which opened into the rear yard where benches were present for people to sit. The door had recently been damaged slightly around the lock following a break in. On the left of the rear door was another single door which led through a small lobby to another single door on the side of the premises. I informed Mr Chamberlain that the current single door on the rear of the premises was adequate as when the door opens there would be straight transmission of noise. He informed me that he had recently spoken to the brewery who owns the premises and they had suggested there was the potential for the little lobby to be extended in order to make a double door system.

Mr Chamberlain explained that on a Friday and Saturday night he has a live band set up across the rear of the pub which raised concerns for myself as this was right across the rear entrance. On Sunday night he operates an open mic night.

I informed Mr Chamberlain that he needed to take more action and that he needed to take some actions these being:

1. Place signs at all exits asking for the customers to leave quietly and respect the neighbours.
2. Patrol the premises both at the front and rear and disperse large groups accordingly.
3. The rear gate to be closed at 10 pm as Mr Chamberlain alleged that people come through the alley and sit in the back yard.
4. No drinks to be taken outside after 9.30 pm and certainly for no vessels to be taken out of the front and on to the highway.
5. Informed Mr Chamberlain that it may be beneficial to have door staff in order to control individuals at the front and rear.
6. A diary to be maintained with regards to the actions he has taken to address any potential noise nuisance that is occurring.

I informed Mr Chamberlain that my current thoughts were to serve an Abatement Notice on him for the rear yard restricting the use. He requested that he be given a fortnight to show that he could control the noise and ensure that he doesn't cause a nuisance to the neighbouring properties. This was agreed however the noise monitoring equipment that has been installed into the properties will indicate if this has happened or not.

Since this visit this Division continued to receive complaints. Noise monitoring equipment was installed in complainant's properties one being at the front and the other at the rear. Having reviewed the evidence it is quite evident no controls have been implemented and a statutory nuisance is present from amplified music emanating from the premises, and customers within the rear yard till the early hours (Referece - DAT 2)

Therefore due to the lack of co-operation and the continuing disregard for the neighbouring residential properties, two abatement notices have been served on the premises.

1. Amplified music – This notice has been served requiring that amplified music be abated in such a manner as to not cause a nuisance to neighbouring residential properties. This notice gives the premises 28 days to comply with the notice. The timescale for compliance in order for them to truly address the issue, structural work may/will be required and therefore due to financial implications they are allowed an appeal period to appeal against the notice.
2. Rear Yard – An additional issue has been noise nuisance from customers

within the rear yard therefore an abatement notice has also been served to address this issue. This abatement notice states that within one hour of the notice being served the licence holder is required to close the rear yard from 9 pm till 8 am, 7 days a week. Being mindful of the requirement for smoke provisions an additional condition on the notice is that no food or drink is to be taken out on to the front of the premises from 9 pm till 8 am, 7 days a week. The intention of detailing this requirement is so then customers don't group on the front of the premises whilst smoking.

The Environmental Health Division have wished to call the premises for review as stated for their disregard for local residential properties and lack of strength in the management to control both regulated entertainment from the premises and the conduct of the customers whilst present at the premises both internally and externally.

**Please tick yes**

Have you made an application for review relating to this premises before ☐

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--

**If you have made representations before relating to this premises please state what they were and when you made them**

**Please tick yes**

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

**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**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date 13<sup>th</sup> October 2010

.....

Capacity Environmental Health Officer

.....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 5)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

DATE	TIME START	TIME STOP	DESCRIPTION	S/N
21/08/10	22:39:52	22:44:15	<p>           Blokes voices can be heard            Females 'Come on we've got drinking to do'            Man starts singing 'I've got women as mean as she can be, repeated, sometimes I think she's mean to me!            Continue to sing in an Elvis impression voice, full verse again            He then asks if that was good &amp; then begins to sing Elvis "One for the money"            Starts singing same verse again – "I've got a woman"  <b>22:42:10</b> – Voices Fade  <b>22:43:14</b> – Voices slightly faulty but still heard talking  <b>22:43:40</b> – Gentleman singing still outside, starts singing again, then stops, voices heard talking         </p>	4.23 Mins
21/08/10	22:47:50	22:52:30	<p>           Male singing "I will love you....", Female then heard talking, male still heard singing Elvis songs or making songs up with an Elvis theme to them  <b>22:49:00</b> – Males laughing  <b>22:49:21</b> – Silent            22:49:33 – Male shouts, says something ".....that was". Male – Grrr, Grrr, then low talking  <b>22:50:48</b> – Male singing "I've got a woman as mean as she" Slightly quiet &amp; only for a brief period         </p>	4.40 Mins
21/08/10	22:58:08	23:03:18	<p>           Female talking            Male laughing            "Yeah, Yeah"            Female – "No, no, no"            Males &amp; Females heard talking and laughing "Can you imagine, on the field, can you imagine, come here...."            People sat outside, they start singing Mel &amp; Kim – Respectable, just the chorus  <b>22:59:01</b> – Glasses can be heard being collected. Male &amp; Female voice talking, can't identify what is being said but certainly audible  <b>23:02:25</b> - Has gone slightly quiet but music can be heard slightly         </p>	5.10 mins
21/08/10	23:22:37	23:29:20	<p>           Male talking about being on Face book and saying "What does she know checking my Fb?"            Females can be heard laughing "Well what does she know"            More talking – Male voice more predominant "Oh I can't carry on"         </p>	

M3/FLARE REF:  
WK/021001493

REF: DAT1

Transcript of The Wilbraham Arms, 58 Welsh Row, Nantwich

			<p>Male continuing to talk, Female heard saying "See you later"</p> <p>Females and Males talking all at once</p> <p>Female "No Jack, no, no!"</p> <p><b>23:27:48</b> – "I never felt, soo....by anyone? else ever they were so beautiful. No, no being serious, I'll never ever, I'll always shout up.....saying he would never say a bad word &amp; something is Brilliant, Brilliant"</p>	6.43 Mins
21/08/10	23:53:17	23:59:27	<p>Males voices heard</p> <p>Female "Stay away" loudly at people heard laughing</p> <p>Male – "Like it a lot....I will"</p> <p>Individuals laughing &amp; joking</p> <p>Female – "Yeah, why didn't ya"</p> <p>Something said about the wii</p> <p>Male – "46 is the number"</p> <p>Conversation being held with regards to a female between the blokes, females heard eventually saying I know who you mean.</p> <p>Conversation changes to another premises saying that there is a new operational manager"</p> <p>Males &amp; Females continuing to talk but even though their voices are audible can not identify the content of the conversation"</p>	6.10 Mins
22/08/10	00:16:23	00:24:09	<p>Males laughing &amp; talking "Hang on a minute, I'll play it" – No, no, you do this and I'll do that, hit me hard enough" "Can instructions be given"</p> <p>Female – "what we doing learning some moves"</p> <p>Male – "were doing boxing moves"</p> <p>Female – "will you teach me"</p> <p>Male – "no!" Followed by laughing and giggling</p> <p>One male telling a story about two blokes walking in somewhere</p> <p>Male – "I shit you not!"</p> <p>Faint female voice</p> <p>Male continues with his story</p> <p><b>00:21:02</b> – Mixture of males and females talking and laughing still, still the same male voice being predominant talking</p> <p>Male – "She knows, she knows, she knows"</p>	7.46 Mins
22/08/10	00:41:40	00:51:06	<p>Male – "No"</p> <p>Males &amp; Females talking, clearly audible, unable to identify the full conversation</p>	

Transcript of The Wilbraham Arms, 58 Welsh Row, Nantwich

			<p>but occasional words or sentences identified "Do you know what, I will always....."</p> <p><b>00:42:26</b> – Male talking still, shouting and cheering heard from inside of the property Male – "What?" "you know what!"</p> <p><b>00:44:30</b> - Female voice heard, unidentifiable Male – "am I right, I am"</p> <p><b>00:44:41</b> – Males can be heard swearing "you can remember the fucking women but can't remember". Loud male laugh</p> <p>Male – "I know you fucking have" Another Male – "I haven't seen you with her recently though" Male – "yeah I spoke to her"</p> <p>Some male voices keep talking but not clear on what's said <b>00:45:35</b> – Someone whistling/singing in the rain, male voice still talking Conversation starts, regarding a female and the topic is how many she is seeing – following part of the conversation he is heard saying "scary mother fuckers" "I remember, I remember my mum working.....you came in, you were like man about town, man about town, fucking huge....." Another male apologises and the male that can mainly be heard says "no,no,no,no you weren't"</p> <p><b>00:48:19</b> – Individuals heard laughing and talking at a more reduced level <b>00:49:50</b> – Voices still at a lower level, sounded as though a fan/extractor was operating somewhere, then different bloke <b>00:50:45</b> – "do you know what I mean"</p>	9.26 Mins
22/08/10	<b>01:04:03</b>	<b>01:17:18</b>	<p>Male talking about a restaurant Male voice is certainly heard clearly in the complainants property however conversation not totally clear, sounds at one point as though the male individuals is on the phone</p> <p><b>01:08:21</b> – Females heard laughing and joking, male can slightly be heard talking, females have now joined him as they are responding to each Female – "you don't believe me do you" Male &amp; Females still talking Female – "you enjoy it" Male – Cant tell words "Normally you what"</p>	13.15 Mins

Transcript of The Wilbraham Arms, 58 Welsh Row, Nantwich

REF: DAT1

			<p>"tell you what, it was funny last week" Walked round the corner near travel agents.....</p> <p>Female – Talking about someone called Jordan – Laying somewhere Male responds</p> <p>Male starts talking about The Unicorn &amp; "one of his blokes"</p> <p><b>01:14:20</b> – Male and Female still sat chatting/talking – again some of the conversation is clear i.e. "Yes" &amp; "No"</p> <p>Female – Repeatedly saying yes at one point</p> <p><b>01:15:55</b> – Sounds as though both individuals have gone inside</p> <p><b>01:17:00</b> – Bell heard ringing</p>	
22/08/10	<b>01:38:39</b>	<b>01:49:30</b>	<p>Males and Females outside laughing and cheering</p> <p>Number of Males talking, one particular Female voice talking, on an occasion heard saying "Why not?" does sound as though there is more Female and a number of Males</p> <p>She can be heard saying "Hiyaa, are you alright?" they continue to talk but can't tell what's being said</p> <p><b>01:46:18</b> – Female "I don't want to play"</p> <p><b>01:46:50</b> – Female heard twice saying "Are you coming in?"</p> <p>From this point people cannot be heard outside</p>	10.51 Mins
22/08/10	<b>02:24:42</b>	<b>02:31:44</b>	<p><b>02:25:12</b> – Males heard laughing and talking</p> <p><b>02:26:09</b> – Male "I was just pissed off..."</p> <p>Males heard talking, cannot identify what is being said though</p> <p><b>02:30:00</b> – Individuals saying goodbye, some going back and door then closed</p>	7.02 mins
22/08/10	<b>22:19:56</b>	<b>23:20:00</b>	<p>Female shouting "Yeah"</p> <p>Male – "im going to"</p> <p>Music can be heard in the form of a singer singing "Take me home, country roads"</p> <p><b>22:21:26</b> – song finishes, followed by people cheering</p> <p><b>22:21:50</b> – Guitar being plucked and talking in a Mic from inside and people occasionally cheering</p> <p><b>22:22:26</b> – Burning bridge of fire – starts singing, singer is encouraging those present in the pub to join in</p> <p>This songs is followed by a song by the Boomtown Rats – I don't like Mondays, people can be heard singing along both inside and out, however at <b>22:26:50</b> people outside are clearly singing along</p>	

		<p>22:28:20 – The song finishes, again people heard clapping inside</p> <p>22:28:40 – Singer starts singing Brown eyed gin by Van Morrison</p> <p>22:31:48 – Finishes song, group of people can be heard outside talking</p> <p>22:33:33 singer starts singing “going up to the spirit in the sky”.</p> <p>People heard talking outside and the individual singer can be heard over a group of individuals talking loudly. Song can be heard word for word</p> <p>22:35:50 – Finishes song</p> <p>blokes outside laughing and talking loudly – One heard saying “yeah I’ll see you tomorrow”</p> <p>22:37:28 – Music starts again, don’t recognise the song but the amount of people outside is masking the music slightly therefore unable to identify the song</p> <p>22:41:00 – People outside, was Blokes now joined by Females, all laughing and talking very loudly. Music playing in the background again</p> <p>22:43:00 – Song stops, lot of people laughing and joking extremely loud</p> <p>22:43:44 – Another songs starts, people talking loudly outside masking exactly what the song is</p> <p>22:45:55 – Female laughs repeatedly very loud, bordering on a cackle</p> <p>22:47:04 – Music stops, singer heard talking on the Mic and people clapping inside</p> <p>Female – “so we’ll see you tomorrow then” one part of the conversation heard amongst a number of individuals</p> <p>22:49:13 – Blokes laughing – “He’s dead” One bloke heard swearing</p> <p>22:49:58 – Music is slightly quieter but sounds as though the singer is on a break</p> <p>22:51:00 – Something said by the singer about 2 sets and not paying at the minute, people in the pub cheer and then he starts singing again</p> <p>22:57:48 – “Sell your soul – a brief line from the singer</p> <p>22:58:41 – Song finishes, claps and cheers</p> <p>23:00:50 – Song – “My baby shot me down, bang, bang.</p> <p>People stood outside again – someone talking about someone’s house</p> <p>23:04:40 – Music playing again. Female heard shouting “come on”x2.</p> <p>Singer now singing “with or without you” can hear for word to word. Numerous people talking, bloke heard shouting Ollie. Numerous Male &amp; Females outside, the music is still heard over them &amp; word for word</p> <p>23:09:00 – That song finishes, can be heard just stringing on a guitar, the goes straight into singing Pink Floyd – Another Brick in the Wall</p>	1Hr 4 Seconds
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			<p><b>23:12:08</b> – Music heard from people outside, but those outside sing loudly “Another brick in the wall”</p> <p><b>23:12:43</b> – One bloke saying something is “Fucking Disgusting”</p> <p><b>23:14:30</b> – Round of applause</p> <p>Those in the yard extremely audible and quite clear conversations</p> <p><b>23:15:00</b> – Another song being played, don’t recognise it, sounds like more people outside shouting and talking and laughing – People saying Bye, What time is it</p> <p>Male – “Yeah, yeah, see you Wednesday Morning, see you at about 7:30, Yeah, yeah, about 7.30”</p> <p><b>23:19:30</b> – Music Still playing, can’t identify the song</p>		
22/08/10	<b>23:24:59</b>	<b>23:28:19</b>	<p>Male – “We’re all here, we’re all here” People talking loudly again. Music is audible, sounds like a female singing</p> <p><b>23:27:59</b> – Singer “you should have known better....”</p>	3.20 Mins	
22/08/10	<b>23:48:11</b>	<b>00:04:38</b>	<p>Music clearly playing, numerous individuals talking and laughing. Individuals present, I can pick out a large majority of their conversations but not al. there is a conversation being held between some blokes regarding someone who’s come of their bike.</p> <p><b>23:50:25</b> – Singer “I want to break free” by queen, these words are extremely clear</p> <p><b>23:53:17</b> – “wild thing” – People heard singing along, again heard word for word</p> <p><b>23:54:20</b> – A bloke in the yard heard shouting rather than sing “Wild thing”</p> <p><b>23:55:54</b> – Clapping and cheering form inside</p> <p><b>23:56:18</b> – “Lola” by the kinks is being sung – Heard word for word</p> <p><b>00:04:00</b> – no further songs, individuals outside talking loudly again</p>	16.27 Mins	
23/08/10	<b>00:06:12</b>	<b>00:22:40</b>	<p>Individuals laughing, group of females, one of which shouts “stop laughing”</p> <p><b>00:07:16</b> – Laugh loudly again</p> <p>Female – “I got picked up”</p> <p>Can hear all individuals laughing</p> <p><b>00:09:27</b> – Female “you stood there did you see him....”]</p> <p><b>00:09:50</b> – The group of girls still laughing loudly</p> <p><b>00:15:00</b> – Conversations being held between Males &amp; Females regarding Lilly Allen &amp; Paul Weller</p> <p><b>00:19:30</b> – Conversations has turned into a huge debate which is still continuing</p> <p><b>00:20:00</b> – Someone shouting, people laughing</p>	16.28 Mins	

			<p>"1, 2, 3 GO"</p> <p>"Come back give her a hand"</p> <p>Shouting at each other that someone is cheating, asking if someone is crying now</p> <p><b>00:22:38</b> – Sounds as though there is some kind of play fighting competition going on</p>		
23/08/10	<b>00:27:34</b>	<b>00:35:06</b>	<p>Sounds as though someone shouts "Katie"</p> <p>Female "you couldn't live without us now...."</p> <p>Male "do the voice of a pirate"</p> <p>Female – Saying she wants a parrot, and is sure about asking her dad, as she says "Dad, I really want a parrot"</p> <p><b>00:30:54</b> – Conversation about pirates, parrots and who can do a pirates face along with the noises</p> <p><b>00:32:50</b> – Up roar of laughter</p> <p><b>00:33:27</b> – More sound effects of a parrot</p>	7.32 mins	
23/08/10	<b>00:45:35</b>	<b>00:57:23</b>	<p>Same group of people sat outside talking</p> <p><b>00:51:30</b> – Blokes are talking football as Rooney is mentioned a number of times.</p> <p>The males have discussed football throughout the duration of the recording</p> <p>Females saying something about calling someone and the male is asking why he would want to contact the individual</p>	11.48 Mins	
23/08/10	<b>00:58:58</b>	<b>01:04:26</b>	<p>Male "you tell me when"</p> <p>Females and males talking</p> <p>Male "Tell me when then"</p> <p>All talking at once</p> <p>Male "I'll be back, I will be back"</p> <p><b>01:02:00</b> – Slightly reduced</p> <p><b>01:02:27</b> – Someone laughs really loud 3 times</p> <p><b>01:03:44</b> – Laughs loudly again, conversations still happening as well</p>	5.28 Mins	
23/08/10	<b>01:13:18</b>	<b>01:29:56</b>	<p>Males and Females talking and laughing, one predominant Female voice.</p> <p>Male "Trying to save his life man"</p> <p><b>01:14:47</b> – Bell being rung inside possibly last orders. Another Female is present – saying "Hello"</p> <p>Male "This Friday?" followed by a conversation relating to Saturday</p> <p><b>01:18:14</b> – Voices of both Males &amp; Females have considerably increased,</p>		

			<p>Females heard laughing.</p> <p><b>01:19:47</b> – Female “That’s Phil”</p> <p><b>01:20:00</b> – Fan turned off, making the voices even clearer</p> <p>Female – Laughing, talking, whooping – “is it hardcore for you”</p> <p>Female – “Id love to yeah”</p> <p><b>01:26:28</b> – All talking loudly still, sounds as though it has started raining, however people are still outside</p>		
23/08/10	<b>01:33:25</b>	<b>01:49:59</b>	<p>Still raining, people still outside talking and laughing, the conversations isn’t clear due to the rain but even though it is raining the talking is clear.</p> <p>2/3 blokes start shouting “Alan” (11Times)</p> <p><b>01:40:07</b> – Male “Don’t worry about it”</p> <p>Rain is really heavy and individuals are still sat chatting and laughing</p> <p><b>01:46:25</b> – Still no change</p>	16.34 Mins	
25/08/10	<b>01:30:14</b>	<b>01:33:47</b>	<p>Female heard talking but cannot identify what is being said. Male is then heard laughing.</p> <p>Can’t be heard for a short while then a females voice is heard again followed by a faint Male voice</p>	3.33 Mins	
25/08/10	<b>01:36:05</b>	<b>01:53:33</b>	<p>Female heard talking initially, then a couple blokes also speak</p> <p><b>01:42:00</b> – Female “that’s great”</p> <p>Conversations between those present is slightly clearer with words being more identifiable</p> <p><b>01:45:25</b> – Male starts singing. Male voice “run along now”</p> <p><b>01:46:19</b> – Female laughs, followed by a Male doing a very high pitched laugh, all of the groups then laugh</p> <p><b>01:47:29</b> – Female “arhh do you want to go home?”</p> <p>Male “Yes”</p> <p>Males present are called Dan &amp; Nick</p> <p>Female “it’s a beauty”</p> <p>Male “it’s a beauty” more of a high pitched voice</p> <p>Male “ill go over here”</p> <p>Female “ready”</p> <p>Male “Right, ill go over here, hold it...”</p> <p>Followed by a few seconds of silence and then laughter</p> <p><b>01:49:50</b> – Ha ha – Male very loudly, someone in the group is telling them to be quiet</p>	17.28 Mins	

			<p><b>01:57:07</b> – “Stay each other x2, each other up like roar, yeah more, more, oh my god this is getting really good” Male and Female continue talking Male – “don’t worry” Voices reduce slightly towards the end</p>	
25/08/10		<b>23:42:56</b>	<p>Female – “Batman, Batman” Male and Female humming and singing tunes Female – “finally....” Group starts laughing Male – “no” Male – Starts singing Andy Loupe ‘Girls just want to have fun’ <b>23:38:45</b> – Door closes, area sounds as though it has gone quiet</p>	
26/08/10	<b>00:06:50</b>	<b>00:23:18</b>	<p>Females laughing, talking. Female heard saying you’re alright. Male – “im not one legged” Females laughed Male – continues telling his story calling someone “A fucking numpty” and details going to someone’s house <b>00:08:58</b> – Male “can you correct that” Females break out in laughter again, they all continue to talk Female – “that was, yeah, yeah” Talking about something they have never done and then break out in laughter again <b>00:11:11</b> – something being said about a carrier bus showed <b>00:13:16</b> – Quiet. Individuals must have gone in <b>00:22:34</b> – Blokes heard laughing</p>	16.28 Mins

DATE	TIME START	TIME STOP	DESCRIPTION	S/N
16/09/10	11:22:54	00:01:55	<p>Male heard talking</p> <p>Female whoops</p> <p>A number of Male &amp; Females heard laughing</p> <p>"See ya later brys"</p> <p>Female talking saying she had offered am "Olive Branch"</p> <p>Female talking about offering advise &amp; discussing closing at 12</p> <p><b>23:49:53</b> – Continuous discussions being held mainly a female talking however can only keep catching snippets</p> <p><b>23:50:21</b> - Female stating that she has been at premises for 5 years but when I took over the premises I approached the previous management</p> <p>Male talking can't identify what said. "I'm not blowing my own trumpet, and I turned around and said is that right.....and what time was it, how many more followed, how many more followed?.....and it took that chance to say, I aint being bullied into you telling me how run my business and do my job and that is what I've done.....and I might be chatting shit but ive had a few drinks, im not arguing with you &amp; everyone said I couldn't do it, I thought you know what.....your not telling me how to run my business"</p> <p>"Not you telling me, I run this pub"</p> <p><b>23:52:43</b> – Door closes</p> <p>Female shouting aid aid, then more join in, then someone whistles so guessing a dog</p> <p><b>23:53:27</b> – Female "good boy, good boy"</p> <p>Fan just gone off</p> <p>Same female talking and also calling the dog</p> <p><b>23:54:00</b> – Male heard talking</p> <p><b>23:55:05</b> – Door closes</p> <p><b>23:55:17</b> – "aid, aid, aid, aid" then barking at times, sounds like the dog other times &amp; someone winding him up</p> <p>"Good boy, good boy" – Sounds as though someone is giving the dog a kiss</p> <p>"No, no"</p>	39 Minutes 1 Second

17/09/10	00:31:39	01:07:34	<p>23:57:27 – “Good boy, good boy, good boy”  23:59:09 – “Good boy, good boy”  23:59:13 – “Good boy x3”, “Sit x2”  00:00:14 – Dog barks a couple of times, owners saying “No, no”</p> <p>Numerous people heard talking, someone saying about something being hard work  Dog still present – yapping  Males &amp; Females talking within backyard  00:37:00 – Louder more vocal  Female “So what you saying”  Male “Not really gin?”  00:39:00 – A discussion is being held with regards to the visit from Environmental Health on what could or couldn’t of been said  Female then proceeds to shout Aid x 10  00:41:00 – Talking again  00:42:31 – <i>Chillies</i> come on, loud bang, voices faintly heard  Number of people talking, im going to murder  00:44:27 – Dog whines, Male “ I’ll kill that dog”  Female “No your not”  Female “Fucking hope so”  Slightly quieter, still talking, fan on  00:45:00 – “What you don’t want is business going down.....female is offering advise again with regards to running the business  Male voices mask some of what they say  Female “You apologise.... You’re in the business, im in the business”  Number of people talk  Female “At the end of the say you’re my regular”  Male “Cant hear what he says  Female “Apparently this.....”  Female “Come on tell me, is it that bad?”  Male - .....</p>	35 Minutes 55 Seconds
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			<p>Female "Ahhh" Male "You'll be hear all day you will" Female &amp; Male talking at once Female "Is it bad, I don't know Nantwich, I come from Winsford Unable to identify conversation <b>00:57:08</b> – Raining and voices still heard above, rain and fan to a chiller unit <b>00:57:35</b>: - Chiller fan goes off Female – 1 on Monday starts singing Happy Birthday to herself <b>00:57:30</b> – Finished with people still talking but not as loud <b>01:04:02</b> – Male heard shouting "Mother, Mother, Sarah" Door closes Phone rings, female answer "Hello, where are you? Where are you? "Right go round the side" Conversation on phone is still continuing</p>	
17/09/10	<b>01:07:58</b>	<b>01:19:29</b>	<p>Talking amongst many Female "Oh Hello" quite loudly A number of conversations taking place i.e. to many people talking at once to be able to identify <b>01:17:57</b> – People still sat outside talking, not audible but certainly clear within the recording property Voices heard, sounds as though they could be coming from inside. Still raining Voices soon fade</p>	11 Minutes 31 Seconds
17/09/10	<b>01:34:26</b>	<b>01:40:21</b>		5 Minutes 55 Seconds
17/09/10	<b>22:01:05</b>	<b>22:32:48</b>	<p>Band on singing – <u><b>Ocean Colour Scene – The Day We Caught The Train</b></u> <b>22:02:50</b> – singer heard talking to the crowd, then sings <u><b>Muse – Time is running out.</b></u> Door opened towards the end of the song making the volume 10x worse Individuals stood outside talking Band starts playing – <u><b>Free – All right Now</b></u> Male "I will make it my duty" – in rear yard <b>22:10:33</b> – Door opens again, music is extremely loud, people also heard in</p>	31 Minutes 43 Seconds

			<p>rear yard.</p> <p>All songs heard word for word</p> <p><b>22:12:12</b> – Next song starts can't identify straight away, drummer and singer extremely loud though</p> <p>Individuals stood outside aswell talking</p> <p>Male "Can you do me a favour please?"</p> <p>Male "No I didn't get a text"</p> <p>Something about getting a train</p> <p>Singer shouting come on to the crowd</p> <p><b>22:15:17</b> – Singer "Thank you, thank you very much" over the Mic. Still heard talking,, not clear on what is said. The crowd is whooping, Cheering and Clapping</p> <p><b>22:16:00</b> – Singer "1,2,3, then happy birthday is sang, which is followed by 3 Hip Hips"</p> <p><b>22:16:51</b> – Boo's followed by move, move.</p> <p>Male outside talking – saying something would be controversial</p> <p><b>22:17:35</b> – <u>The Strokes – Last Night</u></p> <p><b>22:21:00</b> – Singer is giving loads of encouragement to the crowd to join in with him singing then starts singing <u>Blur – Song 2</u></p> <p><b>22:23:02</b> – Crowd singing and whooping</p> <p>Singer – "Thank you very much" he says</p> <p>Something about part 2</p> <p><b>22:24:58</b> – Something said over Mic which is unclear, crowd cheers and whoops</p> <p>Male "Three pints and I've got a pain in my back" says something about Sambucas and a bad back</p> <p><b>22:26:11</b> – Male "Love you, love you move, my Mrs's is on the way she owes me a favour</p> <p><b>22:27:50</b> – Whilst the band isn't on, recorded music is being played – <u>Jackson 5 – I want You Back</u></p> <p><b>22:31:00</b> – <u>Jimmy Ruffin – What Becomes Of The Broken Hearted</u></p> <p>People stood outside are extremely loud, no consideration given to the local residents, no control being instigated.</p>
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17/09/10	22:33:47	22:50:16	<p>People in rear yard talking loudly  <b>22:35:00</b> – Music is louder, it isn't the band  <b>22:37:40</b> – Door opened - <u>Lionel Ritchie</u> – <u>All Night Long</u> could be heard playing  People constantly talking  <b>22:38:52</b> – Still playing song  <b>22:40:10</b> – "Lindsay, Helloooo....."  <b>22:42:07</b> – <u>Lionel Ritchie</u> – <u>You're my Destiny</u>  <b>22:45:00</b> – <u>Diana King</u> – <u>I'll say a little prayer</u> people can be heard singing along  <b>22:45:50</b> – Number of blokes outside talking, every time the door is opened music is very clear, otherwise constant beat, with the track identified  <b>22:48:09</b> – Had gone slightly quieter, a number of women come out and you can hear - <u>Marvin Gaye</u> – <u>Heard if through the Grapevine</u>  <b>22:48:52</b> – Song clear  <b>22:49:38</b> – Can hear song word for word even though the door is closed and people talking outside, in which there is more than 1 or 2</p>	16 Minutes 29 Seconds
17/09/10	23:04:31		<p>Males and Females talking, door opens – <u>Michael Jackson</u> – <u>Want you back</u> Playing again. Again people talking  <b>23:06:41</b> – Door opens, music is very loud, people talking again, conversation is clear but followed by parts of not being able to identify. Beat of music identifiable over those talking at time. <u>Jimmy Ruffin</u> – <u>What becomes of the broken hearted</u> playing again.  Male "I've got some fucking fags, but your fucking problem is you want more"  <b>23:10:30</b> – Male shouting "Lights, lights, lights"  <b>23:10:59</b> – A large number of customers are outside causing considerable noise, beat and music heard as well  <b>23:12:58</b> – Laeq – Reaching as high as 86db  <b>23:13:30</b> – Number of blokes cheer  no control demonstrated over rear yard, levels of people talking and laughing is quite high</p>	

			<p><b>23:15:30</b> – Two males shouting Ben/Dan numerous times. Whistles can be heard being blown</p> <p><b>23:16:20</b> – <u><b>Lionel Ritchie – All night long</b></u></p> <p><b>23:18:10</b> – Males shouting, screaming, cheering, - Laeq91db</p> <p><b>23:18:33</b> – Band sound as though they have started again</p> <p><b>23:19:27</b> – Singer talking over Mic</p> <p><b>23:19:56</b> – Music alone 89laeq – <u><b>Ocean colour Scene – River Boat</b></u></p> <p><b>23:23:49</b> – Individuals are stood outside being loud and the lyrics of the song are heard over the top</p> <p><b>23:25:46</b> – <u><b>Kings of Leon – Sex on fire</b></u></p> <p>door being opened and closed however also being held in an open position, not for a long time but enough to be excessive.</p> <p><b>23:27:07</b> – Everybody party. Singer encouraging individuals to sing along.</p> <p><b>23:28:30</b> – Track finishes</p> <p><b>23:29:17</b> – <u><b>U2 – Vertigo</b></u> – identify song from very beginning, lyrics are clear, door being held open again</p> <p><b>23:31:00</b> – Female stood outside talking to a Male, they can be heard word for word along with the song</p> <p>The beat of the music can actually be heard bouncing</p> <p><b>23:32:50</b> – <u><b>Queen – Crazy little thing called love</b></u> this is heard word for word</p> <p><b>23:36:02</b> – <u><b>Lady Gaga – Poker Face</b></u></p> <p><b>23:37:00</b> – at this particular time no one outside. Song that follows is <u><b>Foo Fighters – All my life</b></u></p> <p><b>23:44:19</b> – <u><b>Chuck Barry – Johnny &amp; Goode</b></u></p> <p><b>23:47:30</b> – Singer again winding the crowd up getting them to shout and scream</p> <p><b>23:48:00</b> – <u><b>The Killers – Mr Brightside</b></u> – Heard word for word, even whilst an Emergency Vehicle was going by</p> <p><b>23:50:55</b> – Singer saying thank you to the crows, still heard over another Emergency Vehicle: Siren</p> <p><b>23:52:05</b> – “One More?” singer asking if the crowd would like another song</p> <p><b>23:53:26</b> – <u><b>Foo Fighters – Times Like These</b></u> every word again is heard perfectly</p>
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Transcript of The Wilbraham Arms, Nantwich

[illegible]

[illegible]

<u>DATE</u>	<u>TIME START</u>	<u>TIME STOP</u>	<u>DESCRIPTION</u>	<u>S/N</u>
16/09/10	11:22:54	00:01:55	<p>Male heard talking</p> <p>Female whoops</p> <p>A number of Male &amp; Females heard laughing</p> <p>"See ya later brys"</p> <p>Female talking saying she had offered am "Olive Branch"</p> <p>Female talking about offering advise &amp; discussing closing at 12</p> <p><b>23:49:53</b> – Continuous discussions being held mainly a female talking however can only keep catching snippets</p> <p><b>23:50:21</b> - Female stating that she has been at premises for 5 years but when I took over the premises I approached the previous management</p> <p>Male talking can't identify what said. "I'm not blowing my own trumpet, and I turned around and said is that right.....and what time was it, how many more followed, how many more followed?.....and it took that chance to say, I aint being bullied into you telling me how run my business and do my job and that is what I've done.....and I might be chatting shit but ive had a few drinks, im not arguing with you &amp; everyone said I couldn't do it, I thought you know what.....your not telling me how to run my business"</p> <p>"Not you telling me, I run this pub"</p> <p><b>23:52:43</b> – Door closes</p> <p>Female shouting aid aid, then more join in, then someone whistles so guessing a dog</p> <p><b>23:53:27</b> – Female "good boy, good boy"</p> <p>Fan just gone off</p> <p>Same female talking and also calling the dog</p> <p><b>23:54:00</b> – Male heard talking</p> <p><b>23:55:05</b> – Door closes</p> <p><b>23:55:17</b> – "aid, aid, aid, aid" then barking at times, sounds like the dog other times &amp; someone winding him up</p> <p>"Good boy, good boy" – Sounds as though someone is giving the dog a kiss</p> <p>"No, no"</p>	39 Minutes 1 Second

17/09/10	00:31:39	01:07:34	<p>23:57:27 – “Good boy, good boy, good boy”  23:59:09 – “Good boy, good boy”  23:59:13 – “Good boy x3”, “Sit x2”  00:00:14 – Dog barks a couple of times, owners saying “No, no”</p> <p>Numerous people heard talking, someone saying about something being hard work</p> <p>Dog still present – yapping</p> <p>Males &amp; Females talking within backyard</p> <p>00:37:00 – Louder more vocal</p> <p>Female “So what you saying”</p> <p>Male “Not really gin?”</p> <p>00:39:00 – A discussion is being held with regards to the visit from Environmental Health on what could or couldn’t of been said</p> <p>Female then proceeds to shout Aid x 10</p> <p>00:41:00 – Talking again</p> <p>00:42:31 – chiller comes on, loud bang, voices faintly heard</p> <p>Number of people talking, im going to murder</p> <p>00:44:27 – Dog whines, Male “ I’ll kill that dog”</p> <p>Female “No your not”</p> <p>Female “Fucking hope so”</p> <p>Slightly quieter, still talking, fan on</p> <p>00:45:00 – “What you don’t want is business going down.....female is offering advise again with regards to running the business</p> <p>Male voices mask some of what they say</p> <p>Female “You apologise.... You’re in the business, im in the business”</p> <p>Number of people talk</p> <p>Female “At the end of the day you’re my regular”</p> <p>Male “Cant hear what he says</p> <p>Female “Apparently this.....”</p> <p>Female “Come on tell me, is it that bad?”</p> <p>Male - .....</p>	35 Minutes 55 Seconds
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			<p>Female "Ahhh"</p> <p>Male "You'll be hear all day you will"</p> <p>Female &amp; Male talking at once</p> <p>Female "Is it bad, I don't know Nantwich, I come from Winsford</p> <p>Unable to identify conversation</p> <p><b>00:57:08</b> – Raining and voices still heard above, rain and fan to a chiller unit</p> <p><b>00:57:35:</b> - Chiller fan goes off</p> <p>Female – 1 on Monday starts singing Happy Birthday to herself</p> <p><b>00:57:30</b> – Finished with people still talking but not as loud</p> <p><b>01:04:02</b> – Male heard shouting "Mother, Mother, Sarah"</p> <p>Door closes</p> <p>Phone rings, female answer "Hello, where are you? Where are you?"</p> <p>"Right go round the side"</p> <p>Conversation on phone is still continuing</p>	
17/09/10	<b>01:07:58</b>	<b>01:19:29</b>	<p>Talking amongst many</p> <p>Female "Oh Hello" quite loudly</p> <p>A number of conversations taking place i.e. to many people talking at once to be able to identify</p> <p><b>01:17:57</b> – People still sat outside talking, not audible but certainly clear within the recording property</p> <p>Voices heard, sounds as though they could be coming from inside.</p> <p>Still raining</p> <p>Voices soon fade</p>	11 Minutes 31 Seconds
17/09/10	<b>01:34:26</b>	<b>01:40:21</b>		5 Minutes 55 Seconds
17/09/10	<b>22:01:05</b>	<b>22:32:48</b>	<p>Band on singing – <u><b>Ocean Colour Scene – The Day We Caught The Train</b></u></p> <p><b>22:02:50</b> – singer heard talking to the crowd, then sings <u><b>Muse – Time is running out.</b></u></p> <p>Door opened towards the end of the song making the volume 10x worse</p> <p>Individuals stood outside talking</p> <p>Band starts playing – <u><b>Free – All right Now</b></u></p> <p>Male "I will make it my duty" – in rear yard</p> <p><b>22:10:33</b> – Door opens again, music is extremely loud, people also heard in</p>	31 Minutes 43 Seconds

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				<p>23:57:15 – singer saying thank you to everyone  23:57:35 – Starting another song – <u><b>Muse – Hysteria</b></u>  23:57:57 – Door opens, extremely loud  00:02:07 – Singer heard on the Mic  00:02:20 – <u><b>Queen/David Bowie – Under Pressure</b></u>  00:02:32 – Door opens – music increases more even though clear already  00:02:44 – Door opens, bloke heard talking to Gary  00:03:09 – Door opens  00:04:30 – Door opens – Music unbelievably loud, bloke heard swearing in the rear yard. Music clear word for word, additional to this bloke talking  00:05:40 – Singing saying thank you to the customers  00:06:15 – Customers cheering  00:06:20 – Background music back on – <u><b>Jackson 5 – I Want you back</b></u></p>	

Our ref: 07/C3/7541

Your ref:

Date: 20th October 2010



Licensing Authority  
Cheshire East Borough Council  
Municipal Buildings  
Earle Street  
Crewe  
CW1 2BJ

*In reply address correspondence to:*  
David Smethurst - Licensing Officer

*Telephone:* 01244 613580

*Mobile:* 07796 440534

Re: Wilbraham Arms, 58 Welsh Row, Nantwich, CW5 5EJ

Dear Sir,

I have received on behalf of the Chief Officer of Police an application from Margaret Hopley to review the premises licence at the Wilbraham Arms, 58 Welsh Row, Nantwich, CW5 5EJ.

The police have in the last few months received at least 13 complaints from members of the public, who live in the vicinity of the premises and, which relate to the licensing objectives and details of these are attached.

I visited the premises at 4.00pm on Wednesday 14<sup>th</sup> July 2010 after complaints of unreasonable noise emanating from the premises very late at night, spoke with the mother of Gavin John Chamberlain and asked her to let him know that I had visited and why. Uniformed Police officers have also attended at the premises a number of times in the last few months as a result of noise complaints from members of the public and drawn the attention of the management to these matters.

Please note that I do intend attending the review hearing on behalf of the Chief Officer of Police in order to amplify my representation and I look forward to hearing from you with details of when and where that hearing will be held.

Yours faithfully,

**David Smethurst**  
*Licensing Officer*



*David Smethurst MLO, Police Licensing Officer, Sandbach Police Office,  
Middlewich Road, Sandbach, Cheshire, CW11 1HU.*

*Tel: (01244) 613580, Fax: (01244) 613571*

**Wilbraham Arms, 58 Welsh Row, Nantwich**

Day	Date	Time	Complaint	Caller	Police Attendance
Sunday	27/06/2010	02:26:00	Caller reporting that there is still people drinking and very loud music. This is not the first time, caller states that it is every night. Adv caller with number for local authority but adv this information will be passed over to our licensing department.	Caller 'A' (approx 80 feet from the pub)	No
Monday	05/07/2010	01:43:00	CAN HEAR A FEMALE SHOUTING/SCREAMING AT THE BACK OF THE PUB.	Caller 'B' (Welsh Row)	Yes (EB37 - nothing going here, has been a lock in and a few were getting a bit loud outside. No problems.)
Monday	12/07/2010	01:58:00	PH is still full with patrons at 02.00hrs - licenced until 01.00hrs. This seems to be a regular occurrence at the weekends. Caller has several videos of previous incidents, showing time & noise levels - has been reported to licencing & environmental health at the council.	Caller 'A' (approx 80 feet from the pub)	Yes (EB04 the licensee has been spoken to, he has had a number of friends and family stay behind this evening, the music has been playing too loudly and he has been advised about this. He is aware that a neighbour has contacted the police and licensing).
Saturday	24/07/2010	00:18:00	The licence at below allows them to serve alcohol until 0100, but not for it to be consumed outside. There are people round the back of the pub who are loud and shouting. This is ongoing, they normally keep drinking until 0230. Caller has been told by the council they will be paying a visit, ongoing over past few weeks.	Caller 'A' (approx 80 feet from the pub)	Yes (EB17 - BEEN INTO PREM AND SPOKEN TO LANDLORD - NO MONEY IN THE TILLS AT THIS STAGE AND NO ALCOHOL BEEN EXCHANGED - HE WILL ASK PEOPLE TO LEAVE SHORTLY).
Monday	26/07/2010	01:14:00	Back of the premises some sort of disturbance caller stating they are breaking there license regulations and people drinking everywhere.	Caller 'A' (approx 80 feet from the pub)	Yes (EB38 - AIO - PEOPLE JUST LEAVING - WILL EMAIL LICENCING OFFICER).
Pc Mark Hurley commented - I had cause to visit The Wilbraham Arms at 01:40 hours on Monday 26/07/10 following another report of a disturbance at the rear of the premises. Incident 58 (26/07/10) refers. Upon my arrival there were approx 10 intoxicated person in the rear yard of the pub all talking loudly and one male having a bit of a domestic with his girlfriend. There was no disturbance but I could understand the person reporting contacting the Police as the people in the yard were loud and would easily disturb your sleep on a Sunday Night. The landlord was spoken to on this occasion and stated that the persons in the yard were in the process of leaving the pub which they did whilst I was there.					

**Wilbraham Arms, 58 Welsh Row, Nantwich**

Day	Date	Time	Complaint	Caller	Police Attendance
Monday	02/08/2010	01:34:00	Caller reporting there are people out the back of below pub drinking outside - caller has been in touch with the council who state that their license is until 1am and their license doesn't cover people drinking outside. Caller states there are about 5-10 people drinking outside, states it is an ongoing problem and that they are keeping the residents awake - states they usually carry on until about 2:30am.	Caller 'A' (approx 80 feet from the pub)	No
Monday	02/08/2010	02:26:00	reporting group of people outside back of pub drinking and speaking very loudly- reported incident earlier but its still going on- caller concerned lots of drinking and the bar is only licensed until 01:00- caller has tried to call pub but phone is constantly engaged-- caller thinks things may escalate- caller is not happy and wants people moved on as now 02:30	Caller 'A' (approx 80 feet from the pub)	Yes (EB52 - Spoken to pub - seems like it is a private party - lights are still on the pub, however the pub is closed. They have been advised and spoken to. Please make sure that all incidents are sent through to the licensing officer).
Saturday	07/08/2010	22:03:00	rules have been put in place that the pub when playing music should have it at a certain volume and the windows and curtains should be shut however this evening the windows are wide open and the curtains and the music is very loud. Caller also states that persons are sitting outside the pub	Caller 'C' (approx 80 feet from the pub)	No
Friday	27/08/2010	23:05:00	Caller complaining of noise from outside the below pub. Caller thinks they are in breach of their licence as the band are actually playing outside of the premises. Council aware and dealing, ongoing for 4/5 months, caller has incident number to pass to council.	Caller 'D' (approx 80 feet from the pub)	Yes (EB37 - There is no licence breach I will update the informant).
Friday	27/08/2010	23:17:00	CALLER REPORTING THAT THERE IS A LOT OF NOISE COMING FROM WILBRAHAM ARMS THEY HAVE A BAND ON -- THIS IS AN ONGOING PROBLEM. CALLER HAS REPORTED THIS TO THE LOCAL COUNCIL, DETAILS TAKEN DOWN FOR LICENSING OFFICER. ADV CALLER WITH INC NUMBER AND INFORMED CALLER WE WOULD NOT ATTEND.	Caller 'E' (approx 80 feet from the pub)	No

**Wilbraham Arms, 58 Welsh Row, Nantwich**

Day	Date	Time	Complaint	Caller	Police Attendance
Monday (Bank Holiday)	30/08/2010	01:58:00	Caller reporting that there is alot of people out the back of the pub making lots of noise, and drinking at the back outside, Caller states that they do not have a license past 0100 and they do not have a license after 0100. Caller has called the pub and asked them to move the people on and they hung up.	Caller 'A' (approx 80 feet from the pub)	No
Monday	06/09/2010	00:12:00	local resident reporting at 0010 on 06/09 the regular problem of noise & shouting coming from the rear of this pub.....caller says the windows and doors are open despite the pub having no licence for drinking outdoors.....caller can hear shouting and general loud noise.	Caller 'D' (approx 80 feet from the pub)	No
Saturday	18/09/2010	01:52:00	10 to 15 persons are outside below, in the back garden - being noisy and are still going in and out of the PH. Caller says that their licence is only until 1.00 am and as the pub is under investigation by the council at the moment (caller allegedly has noise recording equipment in caller's house) caller states that they will not have been granted an extension.	Caller 'A' (approx 80 feet from the pub)	Yes (EB24: Private party, a few people coming outside for a cigarette, advised to keep the noise down. NOD.)
Monday	04/10/2010	02:09:00	Gavin John Chamberlain assaulted		Yes

Peter Simester  
Municipal Buildings  
Earle Street  
Crewe

Dear Mr. Simester,

I am writing to express my concern over the level of noise at The Wilbraham Arms. I have lived on Welsh Row for the past 12 years, and I have noticed a significant difference in both the level and the type of noise associated with the pub over the past 8 months. Loud music- especially on Sunday nights- prevent us from sleeping, and loud talking, singing, rowdy behaviour and fights outside the pub create a very a disturbing element to our street.

I am the home watch coordinator for our neighbourhood. Several of the elderly people on our street have told me that they feel vulnerable and threatened by the behaviour at the pub, yet also frightened to write in to complain.

I am asking that the landlord respect the tone of the neighbourhood - a residential part of town with many impressionable and vulnerable young people – by minimizing the loud music on week nights and maintaining a more commanding presence to control the rowdiness – carding young people, cutting off customers when they have had too much to drink and closing the pub on time. I would like the committee to recommend closing time of 11 pm on weeknights.

I believe that the situation has improved over the past couple of weeks – the music is currently played at a more acceptable level. It is also heading towards winter, and gatherings outside the pub are less frequent as the weather turns. My concern is that once the current attention to the pub has faded, that the condition will return – that of after-hours drinking and drunken behaviour. (In fact, Friday night (5 Nov) the pub was still open – with loud and argumentative people outside at 2:30 am. and on Sunday night the 7<sup>th</sup>, 3 women began a loud argument which escalated into pushing and shoving and involving 4 or 5 others – from 12:45 until 1:25am.) Several weeks ago, after 2:00 am on a Sunday night, it sounded like a woman was being beat up by a man and they were running and shouting back and forth across the street. The police arrived shortly after.

The picnic tables outside the pub exacerbate the problem, in my opinion. When the pub is open, people gather outside late at night, talking loudly. Even these past weeks while the pub has been operating under abatement notices requiring people to leave their drinks inside – and in spite of signs asking customers to do so – customers continue to drink outside (14 gathering and drinking at 1am on Sunday the 24<sup>th</sup> of Oct , 7 young people drinking outside on Sunday the 31<sup>st</sup> of Oct , again at 1 am. On Friday night the 5<sup>th</sup> of Nov, I noticed the landlord out on the steps of the pub having a cigarette. He completely ignored the 2 young men and a girl standing outside with cans of lager in their hands (11:15 pm).

When the pub is closed, people returning home from town often stop at the tables, at 2, 3, or 4 am – eating, talking loudly, singing, fighting, climbing on them, vomiting etc. My understanding from the highways department is that the tables are placed on highways land (in spite of their being placed on black bricks. Highways tell me that the entire pavement all the way up to the building belongs to their department.) Rob Welch, formally in highways, has told me that he had intended to have the

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tables removed. Clearly, in the current climate, tables on the pavement is not a high priority for the highways department. The committee's recommendation to have them removed would be welcomed.

I believe that one of the reasons why the pub was viewed positively in the neighbourhood in the past, was the strong presence of the landlord. He spent a large portion of the weekend nights out on the steps of the pub – gaining the respect of neighbours, and keeping customers on their best behaviour. He seemed to neutralize disagreements before they escalated, and he maintained excellent control over the environment. I suspect that he didn't serve young people, and that he stopped serving customers who were clearly drunk. There are clearly a lot more young people at the pub now, and more drunken disorderly behaviour these past months.

I recognise that the Wilbraham Arms is a popular spot, and appreciate that weekends are great nights for relaxing. I think that the landlord works hard in catering to many different tastes, and is clearly running a successful pub. My intention in writing is not to harm a good business, but to ask that the landlord recognise that being part of a community means respecting neighbours and acting accordingly in creating a creating a positive culture for drinking and entertainment in Nantwich.

Regards,

- 8 NOV 2010

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om]**Subject:** Wilbraham Arms Licence Review

I am in receipt of a letter that has been distributed along Welsh Row, it is the equivalent of a witch hunt on the Wilbraham Arms. The letter has foisted all the excesses of anti social behavior, fighting, arguments, that occur along Welsh Row on the Wilbraham Arms.

The Wilbraham Arms by character has always been busy lively meeting place with music at the weekend the same as the old pub further along they have music too, it generates a good atmosphere.

I wish to highlight is that there are other 'New' pubs on Welsh Row which stay open much later and because the Wilbraham Arms have tables and chairs outside, they are used to rest on by young drunken revellers from other pubs on their way home and to eat food from one of the seven or eight take-away outlets on the Welsh Row. Red Lion Lane which runs alongside the Wilbraham Arms is the thoroughfare to the new big housing estate where the majority of the revellers live. It is my opinion that the Wilbraham Arms are being penalised for other publicans who may restrict who go into their pubs, but do not care what state the customers are in on their way out. Many of their customers are almost unable to walk, it is these revellers that cause all the anti social problems. The regulars that use the Wilbraham Pub are not revellers, they are a mixed age group of local people having a relaxing evening who are now being victimised by a few local residents.

The Welsh Row was a busy mixed commercial and residential community when my husband and I chose to live here 22 years ago. The businesses may have changed but the pubs and the essence of Welsh Row has not. I am now a widow and teetotal, in my unbiased opinion feel the Wilbraham Arms and the other traditional pubs in Welsh Row play an important part in our local community, culture and atmosphere.

The Dabbers of Nantwich are proud of Welsh Row, listed in the Domesday Book, with its traditional Inns, it has seen battles and plague it is steeped in history and has steeped in beer for over 400 years. Long let it continue!

I believe the protest letters were distributed by an incomer to the town, who on arrival into the town lived at number 79 Welsh Row so they were aware of the pub and its venue when they later purchased the house opposite the Wilbraham Arms.

I do not wish to publish my name but would be willing if requested Please email me if it is required.

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7 November 2010

Dear Sirs

Wilbraham Arms

I understand that a licensing review is to take place relating to the above premises.

As a near neighbour I must urge that tighter restrictions are imposed on these premises.

My concerns relate to intimidating behaviour from patrons drinking in front of the premises, my wife will no longer go past the pub at night time to post a letter because of the lewd and suggestive behaviour of drinkers outside the pub.

In addition since the new tenants arrived, general noise levels and anti social behaviour have escalated. Graffiti has been chalked outside my home, our car has had its paintwork 'keyed' and an aerial bent. Can surveillance cameras not be directed to the area outside the pub to survey clients as they leave? Why is there no control on the door, as is the case for properties further down Welsh Row? Patrons are drinking to excess as evidenced by vomit and urination in the vicinity of the premises, excess drinking appears not to be curtailed by the landlord

I would suggest that, in this residential area, a strict 11pm closing time and restriction of music to one or two days a week would be more appropriate than the present freedoms that have been and **continue** to be abused.

Please ensure that confidentiality as to my name and address is not released in relation to this matter as I am concerned about potential reprisal for speaking out.

Yours faithfully

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I have lived next door but one to the pub for 26 years and there have been many problems regarding anti-social behaviour here during all these years. But for the past few months things have got steadily worse. The music and live entertainment over the weekend nights is always too loud, and goes on too long, and during the summer months it was impossible to have my windows open at night.

Because of the smoking ban, many customers are outside at the rear of the pub, as well as at the front on Welsh Row, and the noise of shouting, singing etc is unacceptable. Now that the weather is so much colder, maybe this will deter people from being outside as much as during the summer. I know that at least 4 of my neighbours have made official complaints to the police and/or council but things have not improved. One neighbour has 4 young children and has had trouble with the excessive noise from the rear of the pub, as the children sleep at the back of their property. Some people live even nearer to the pub than I do, and it must be worse for them. Perhaps they are heavy sleepers!

I have not complained until now, as I am not against people having fun. Many nights during my youth in 70s and 80s we had lock-ins at local pubs (no names mentioned) but we always were inside the pub with the doors and windows shut, and I am sure no noise was heard from outside.

2 nights ago on Saturday I was kept awake again until after 2.30am (some nights it's later than this) with the noise, yelling, singing etc on Welsh Row from customers who had been in the pub. This is the same every weekend. Also there is also the nuisance of people urinating and vomiting under the archway outside my property, which is pretty revolting on your own doorstep, and has to be cleaned up by me or one of the neighbours. The situation has been ongoing since the new landlord arrived.

I am not aware how long the drinks are available after 1am, but some customers seem reluctant to leave the area even if they no longer have drinks to consume.

I feel that things would improve if the closing time was 11pm during the week and midnight on Saturdays. I am not sure if other pubs in the town close at the same time, but surely if problems arise something can be done by the council.

This is the first letter of complaint I have sent for years, and although I feel very strongly about this, something tells me that nothing much will be done, and the majority have to suffer because of a minority who cannot control themselves. Many a night I have got out of bed and looked through my window to see what was going on, and seen drunken people fighting, yelling and weaving their way along the road, having first stopped to relieve themselves of their beer in one way or another outside my front door. I feel sure that if a local

09/11/2010

councillor lived in my property, something would have been done about this long ago, but us ordinary mortals don't have much of a say in these matters.

I hope many of the local residents make a complaint, and soon we shall have relatively peaceful nights again. Welsh Row is a good place to live, and I am lucky to live in such a nice area, but the pub is definitely spoiling things for those of us unlucky enough to be near it. I am posting the form as well as emailing, so a double complaint from me!

Yours in hope

Appendix 4 (4)

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My Name and Address : \_\_\_\_\_

**RE: LICENCE REVIEW FOR THE WILBRHAM ARMS PUB, WELSH ROW NANTWICH**

For the attention of the Licensing Committee, Cheshire East Council.

I wish to ask for my comments to be taken into consideration in your review and for the licence for the pub's licence to be changed.

~~IN~~ On the last few months I have suffered from the pub in the following way:

- ☐ Property damaged
- ☐ Vehicle damaged
- ☒ Lack of sleep due to excessive noise in the evening and/or early hours of the morning
- ☒ Intimidation through anti-social behaviour by customers at the pub
- ☒ Other (please state) :

REVOLTING MESS AS DESCRIBED IN MY EMAIL.

As a result of these issues and to address them, I believe that the pub's licence should change for the well being and good of all in the community. Personally, I would like to see a new

landlord!

- ☒ The pub's **closing time** changed to
  - ☒ 11pm Sunday to Friday, 12am Saturday
  - ☐ Other (please state) :

- ☒ **Music and live entertainment** to be controlled and only played on
  - ☒ Friday/Saturday nights
  - ☐ Other (please state) :

- ☒ Proper **door management** employed to prevent groups of individuals being a public nuisance and drinking outside. BUT TO MAKE SURE EVERYONE LEAVES WHEN THE PUB CLOSES.
- ☐ Other (please state) :

Due to the anti-social behaviour of the pub in recent months, I respectfully ask that ~~my~~ my name and address remain confidential ☐  
 Additional comments I wish to make can be found on the back of this letter ☐

Yours faithfully,  
 Signed, A A

Date 8/11/10

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Appendix 4 (s)

**Subject:** Wilbraham Arms, Welsh Row licensing review

For the attention of the Licensing Committee, Cheshire East Council

I am writing to ask that the comments I make below are considered during the review of the license for the above named establishment.

During the past few months the situation with anti-social behaviour has reach totally unacceptable levels on Welsh Row. During this time I have been awoken on many occasions (2-3 time a week) in the early hour of the morning by exceptionally noisy and rowdy behaviour. This includes running on the roofs of cars, shouting aggressively, disturbing bins and on one occasion attempting to break into a car. The behaviour of certain individuals is quite clearly due to their state on inebriation. On more than one occasion I have challenge these people only to be verbally abused and my car spat on. I have also had to report incidences to the police (Nantwich Station) on more than one occasion and also had to telephone call the police again in the early hours when a group of drunken men/boys were causing disturbance and destruction. In addition to this I have had half-eaten kebabs pushed through my letter box and have woken to urine on my door step and on another occasion had obscene words daubed all over the pavements. This is not what I expect to have to put up with, in what is ostensibly a residential area. It does appear that the police are either powerless to act or do not bother- either way, it is time that the residents of Welsh Row being listened to.

My further concern is with the loud music which appears to be uncontrolled. Even though I live more than 50m away from the Wilbraham Arms I can often hear music playing when I am in bed. Again, this is unacceptable, especially when the music continues into the late evening and early hours.

One further issue I would wish to bring to your attention is the practice of customers of this establishment drinking in the street. There are one or two tables outside where many customers congregate to drink (often excessively) and smoke. The end results is that the area is littered with cigarette ends and pedestrians are forced to walk through plumes of smelly tobacco smoke. I also have to say that my wife finds this quite intimidating and uncomfortable. Is it not an offence to drink on the street? Even if it is legal, one would have thought that a more appropriate place to congregate outside would be in the area at the rear on the public house, not on the public highway!

In closing I have to say that I am strongly opposed to the current licensing conditions and would respectfully ask that the licence be changed to what would once be considered 'normal licensing hours'- that is closure at 11 pm rather than gone midnight. I would also seek that the landlord is instructed to remove tables from the pavement and discourage his patrons from loitering at the front entrance.

As I have been subject to verbal abuse/intimidation during the past months I would ask that my name and address are kept confidential, as I am concerned about the welfare/safety of both my family and my property.

Kindest regards,

10/11/2010

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My Name and Address :

**RE: LICENCE REVIEW FOR THE WILBRHAM ARMS PUB, WELSH ROW NANTWICH**

For the attention of the Licensing Committee, Cheshire East Council.

I wish to ask for my comments to be taken into consideration in your review and for the licence for the pub's licence to be changed.

Or the last few months I have suffered from the pub in the following way:

- ☒ Property damaged window panes broken
- ☐ Vehicle damaged
- ☒ Lack of sleep due to excessive noise in the evening and/or early hours of the morning
- ☐ Intimidation through anti-social behaviour by customers at the pub
- ☐ Other (please state) :

As a result of these issues and to address them, I believe that the pub's licence should change for the well being and good of all in the community. Personally, I would like to see

☐ The pub's **closing time** changed to

- ☒ 11pm Sunday to Friday, 12am Saturday
- ☐ Other (please state) :

☐ **Music and live entertainment** to be controlled and only played on

- ☒ Friday/Saturday nights
- ☐ Other (please state) :

☒ Proper **door management** employed to prevent groups of individuals being a public nuisance and drinking outside.

☐ Other (please state) :

Due to the anti-social behaviour of the pub in recent months, I respectfully ask that my my name and address remain confidential ☒  
Additional comments I wish to make can be found on the back of this letter ☐

Yours faithfully,  
Signed,

Date 8-11-10

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10<sup>th</sup> November, 2010**FAO : LICENSING COMMITTEE – WILBRHAM ARMS, WELSH ROW, NANTWICH  
REVIEW**

I am writing to request a change to the licence for the Wilbraham Arms, Welsh Row, Nantwich.

I am writing on behalf of my family and in particular for my four children aged only 4-13 whose lives and well being have been adversely affected by the excessive noise, drunken revelry, obscene language, anti-social behaviour and complete disregard the pub has shown for its neighbours for several months now.

My four boys - who up until recently had to regularly sleep downstairs in our living room in an (often vain) attempt to get away from the incredibly loud music, particularly at weekends and especially on Sunday night/Monday morning – when they most needed their sleep before school the next day. For my youngest, just 4 years old, who started school in September, a time which should have been special, but was turned into a stressful and exhausting experience for him due to constant disruptions to his sleep – evidenced by his Reception teacher commenting on “how tired he always was”. For the elder two of my sons who were forced to try to go to sleep with iPods in their ears in an *attempt* to drown out the noise coming from the pub. For all of them, in order not to have to listen to drunken singing, boisterousness, obscene language and extremely graphic sexual conversations. For all of them so they do not have to repeatedly wake up crying about the disturbances and noise coming from the pub.

To not have to resort on more than one occasion to taking them to relatives at weekends in an effort for them to get some rest and peace; such is the level of noise through live entertainment and the masses of drinkers that congregate at the rear (where it has conveniently been out of sight) and front of the pub, peace they have a fundamental entitlement to, peace disturbed by the constant and unrelenting noise until well *after* the pub's official closing time of 1am. Indeed, the record will show that I have been forced to call the police on numerous occasions between 1:30am and often later in an effort to move people on - a duty I thought was the landlords responsibility.

Indeed the evidence from noise logs, sound recordings and my own personal video recordings, (which I am happy to make available for the committee to fully appreciate the level of anti-social behaviour and noise pollution we have reported) will clearly demonstrate how the licensees have in fact shown a continual disregard for their neighbours and the community. Further evidence of this can be cited by the numerous visits both council enforcement officers and police officers have made over the months to try to get the licensees to respect their licence terms and the well being of its neighbours – which I might add have been greeted by a plethora of excuses (such as “they are family and friends” - in response to after hours drinking observed by PC Shaw of Nantwich police station, “It's the air vent, I'll have to do something about it” - Police visit c11pm August Bank Holiday in response by several neighbour complaints about music noise levels), sob stories and pleading for second chances – the last of which in response to a threat to serve a noise abatement notice asked for a fortnight's grace to sort things out but was demonstrated to be nothing more than lip service as proven by the ensuing raucous “beach party” *that very evening* when the licensees true colours and opinions on authority were revealed by some unsavoury remarks about the visiting officers that day – as caught on sound recording equipment.

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As a governor of Malbank school, further down Welsh Row, I also have to express my grave concerns regarding the influence of the pub on the young in our community. I have personally witnessed ex-pupils (under 18) frequenting the premises on several occasions. Whether they have consumed alcohol on the premises I cannot say but the fact that they are unsupervised and evidently unchallenged (or at the very least the pub's checks are not rigorous enough) is very troubling. Perhaps more worrying is it is common knowledge amongst many pupils that the Wilbraham Arms "is the place to be" - I will let the committee decide what they might mean by that. I would also add that the sight of drinkers, often inebriated, on the pavement outside the pub all day including when pupils walk home not only sets entirely the wrong example for them but is both intimidating and of course entirely unnecessary. I am only relieved that I do not have any daughters that have to pass the pub at this time! This "al fresco" drinking is certainly not seen in any other pub I can recall throughout Nantwich - certainly not on Welsh Row in the middle of a residential area and certainly not at 3:30 in the afternoon.

Consequently, I wish to cite that the pub has not upheld, met or complied with the objectives under the Licence Act 2003(5) specifically objective #3 : "The prevention of public nuisance" nor objective #4 : "The protection of children from harm"

In the interests of fairness, the pub's conduct has seemingly improved since the serving of the not one but *two* abatement notices by the council. I can at least comment on the fact that the rear of the premises is mercifully quiet now after 9pm (the notice requiring it to be closed) so that residents like myself, in Red Lion Lane, Welsh Row and beyond can at last enjoy their basic human right to peace and quiet in the evening and in the small hours.

However, it is important to recognise the reason why this review has been instigated - this modest improvement is not down to the licensees' respect to their neighbours or I would suggest any change of heart from them. It is simply that *the law* has obliged them to. Indeed it has taken *the law*, and only the law, to consider the community and their responsibilities towards it and if I might be cynical for a moment, perhaps the impending prospect of the license review itself?

As stated earlier, all attempts by the police, council and neighbours such as myself (I have phoned on several occasions only to have the phone go unanswered or put down on me - then again the fact I was calling at 2am might have led the pub to guess I intended complaining) at getting the pub to be reasonable and considerate to local residents over months of trying has been responded with a demonstration of defiance to the authorities and residents. This is the true nature therefore of the licensees and I would implore the committee to recognise this and put an end to our misery.

I consider myself a reasonable person who respects that the pub is a business - I would not have moved in had I not. I have lived now at the same property for 13 years. The record will show that I have never once in that time ever needed to complain about the pub. Previous landlords/owners/licensees have all respected their neighbours - not one has sought nor indeed thought it appropriate to open the pub to 1am before. The last landlord, both popular and respected, never let anyone drink outside in the evenings let alone do so in large groups. He exerted a very strong influence and control over clientele and was ever present. He had live entertainment, sometimes Fridays but every Saturday. *Never* that I can recall though on a *Sunday*. Moreover the entertainment et al always ended at the stroke of midnight (or before) at which point the pub fell totally silent and customers left the premises in a expedient manner. Likewise no-one was ever allowed to drink outside during this time. Sadly, this is simply not the case any more. Until the abatement notices were served - and sound and video evidence will substantiate this - customers were free to come and go as they pleased repeatedly returning in and out of the pub at the back *well passed* the official 1am closing time. Moreover, they were unsupervised and uncontrolled.

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I would therefore suggest that the licensing committee return the pub's licence to that used on a voluntary basis by previous landlords viz. a closure time of 11pm every weekday night, music to be confined to Saturdays, and to ensure no-one suffers sleep deprivation for their forthcoming working or school week, a ban on music on Sunday evenings/Monday mornings coupled with a closing time of 11pm. I would further recommend, as the landlord clearly cannot or does not seem the need to control his customers ( I understand for example there is no record kept of anyone who has been barred or not allowed to drink there which I further understand is common and good practice in other pubs), there be some kind of door control instigated. If possible, I would also recommend, to assist the police and neighbours, there be a 20 minute time limit for customers to leave the premises. Again I believe this is nothing less than reasonable and whilst no longer a remit of the current Licensing Act, it is nevertheless seen as good practice and used throughout all other pubs in the area. Indeed, one would beg the question, *why* would you want your customers to be on the premises any longer than that? Unless of course there was some kind of incentive for them to stay?

The “al fresco” licensing laws introduced by the last government have been widely criticised. The new Home Secretary Theresa May on 5<sup>th</sup> October 2010 announced “We have just completed a consultation on the Licensing Act, and I can today confirm that we will give local people more control over pubs, clubs and other licensed venues”

This being the case I hope that irrespective of the political persuasions of the committee members, the principles behind this will be recognised and a positive change to the licence terms for the pub will be made. I would also like to add that whilst no-one wishes to see anyone's livelihood affected, it must be remembered that it is the licence holders, through their flagrant defiance of authority and the law over *several months* of being offered chances to change, would be the sole architects of any such detriment a change in licence terms would result in. To this end, and most importantly of all, I hope the committee considers the welfare of the children and youth in the community when it reaches its conclusions and given the evidence, makes this its top priority.

Yours faithfully,

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To whom it may concern,

I am a resident of Red Lion Lane, which is situated directly behind the Wilbraham Arms on Welsh Row, Nantwich.

Since moving in to this area, I have noticed a lot of anti social behaviour associated with this pub, including excessive noise – late into the morning; fighting outside my house and littering of beer glasses/bottles etc.

I personally would like the music/entertainment licence to be limited to Friday/Saturday nights only and for proper door management to be employed as is done at the other busy bars along this street.

Due to anti-social behaviour of the pub in the recent months, I respectfully ask that my name and address remain confidential.

Yours Faithfully

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My Name and Address :

Appendix 4 (9) p1

**RE: LICENCE REVIEW FOR THE WILBRHAM ARMS PUB, WELSH ROW NANTWICH**

For the attention of the Licensing Committee, Cheshire East Council.

I wish to ask for my comments to be taken into consideration in your review and for the licence for the pub's licence to be changed.

Or the last few months I have suffered from the pub in the following way:

- ☐ Property damaged
- ☐ Vehicle damaged
- ☒ Lack of sleep due to excessive noise in the evening and/or early hours of the morning
- ☒ Intimidation through anti-social behaviour by customers at the pub
- ☐ Other (please state) :

As a result of these issues and to address them, I believe that the pub's licence should change for the well being and good of all in the community. Personally, I would like to see

- ☒ The pub's **closing time** changed to
  - ☒ 11pm Sunday to Friday, 12am Saturday
  - ☐ Other (please state) :
- ☒ **Music and live entertainment** to be controlled and only played on
  - ☒ Friday/Saturday nights *12am Max.*
  - ☐ Other (please state) :

☒ Proper **door management** employed to prevent groups of individuals being a public nuisance and drinking outside.

☐ Other (please state) :

Due to the anti-social behaviour of the pub in recent months, I respectfully ask that my my name and address remain confidential ☒  
 Additional comments I wish to make can be found on the back of this letter ☒

Yours faithfully,  
 Signed,

Date 09-11-2010.

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DEAR SIRs

WHilst WE UNDERSTAND THE NEW OWNERS OF THE PUBLIC HOUSE ARE ONLY TRYING TO RUN A BUSINESS THEY SHOULD UNDERSTAND ~~THE~~ & APPRECIATE THE RESIDENTIAL ENVIRONMENT THE PUBLIC HOUSE IS IN

UNLIKE OTHER BARS IN NANTWICH THE WILKINSON ARMS IS COMPLETELY SURROUNDED BY RESIDENTIAL PROPERTIES.

WHEN WE PURCHASED / CHOSE TO LIVE IN ~~NANTWICH~~ WASH ROW WE CONSIDERED POTENTIAL NOISE FROM THE PUB BUT WERE REASONABLY HAPPY IT WAS A LOCAL PUB & NOT A NIGHT SPOT.

I FEEL MY COMMENTS OVER WOULD BE A COMPROMISE

KIND REGARDS

11 NOV 2010

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My Name and Address :

Appendix 4 (10)

**RE: LICENCE REVIEW FOR THE WILBRHAM ARMS PUB, WELSH ROW NANTWICH**

For the attention of the Licensing Committee, Cheshire East Council.

I wish to ask for my comments to be taken into consideration in your review and for the licence for the pub's licence to be changed.

Or the last few months I have suffered from the pub in the following way:

- ☐ Property damaged
- ☐ Vehicle damaged
- ☒ Lack of sleep due to excessive noise in the evening and/or early hours of the morning
- ☐ Intimidation through anti-social behaviour by customers at the pub
- ☐ Other (please state) :

urinating in the archway. generally using obscene  
and sick language.

As a result of these issues and to address them, I believe that the pub's licence should change for the well being and good of all in the community. Personally, I would like to see

- ☐ The pub's **closing time** changed to
  - ☒ 11pm Sunday to Friday, 12am Saturday
  - ☐ Other (please state) :
- ☐ **Music and live entertainment** to be controlled and only played on
  - ☒ Friday/Saturday nights
  - ☐ Other (please state) :

☒ Proper **door management** employed to prevent groups of individuals being a public nuisance and drinking outside.

☐ Other (please state) :

Due to the anti-social behaviour of the pub in recent months, I respectfully ask that my my name and address remain confidential ☒

Additional comments I wish to make can be found on the back of this letter ☐

Yours faithfully,  
Signed,

Date 9th Nov 2010

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My Name and Address :

Appendix 4 (11) pl

**RE: LICENCE REVIEW FOR THE WILBRHAM ARMS PUB, WELSH ROW NANTWICH**

For the attention of the Licensing Committee, Cheshire East Council.

I wish to ask for my comments to be taken into consideration in your review and for the licence for the pub's licence to be changed.

Or the last few months I have suffered from the pub in the following way:

- ☐ Property damaged
- ☐ Vehicle damaged
- ☒ Lack of sleep due to excessive noise in the evening and/or early hours of the morning
- ☒ Intimidation through anti-social behaviour by customers at the pub
- ☐ Other (please state) :

*Easter Sunday a special day in my garden in the afternoon  
all I could hear was very loud Jazz*

As a result of these issues and to address them, I believe that the pub's licence should change for the well being and good of all in the community. Personally, I would like to see

- ☐ The pub's **closing time** changed to *11.0am*
- ☒ 11pm Sunday to Friday, *12am* Saturday
- ☐ Other (please state) :

- ☐ **Music and live entertainment** to be controlled and only played on
  - ☐ Friday/Saturday nights
  - ☐ Other (please state) :

☒ Proper **door management** employed to prevent groups of individuals being a public nuisance and drinking outside.

- ☐ Other (please state) : *pto*

Due to the anti-social behaviour of the pub in recent months, I respectfully ask that my my name and address remain confidential ☒  
Additional comments I wish to make can be found on the back of this letter ☒

Yours faithfully,  
Signed,

Date \_\_\_\_\_

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I think there has been from the pub childish behaviour to annoy because of people complaining e.g. - turning up music after 11.0pm so that it is obvious.

Also the noise from the back of the pub, which the upper rooms of my house can see, after closing gets worse - Also I have observed fighting along

the row of houses in the lane.

I think the building should have to keep windows and doors closed because surely the Pincere applies to inside ~~to~~ not to outside

The outside seating makes walking past uncomfortable and Welsh Row is special to Nantwich and the towns income as a tourist venue and visitors especially walking from the canal have to walk past rough, tough folk outside and it spoils the beauty we are trying to sell to visitors to our lovely but endangered town

The pub may say they have changed but what about the customers I fear the style they create will not change overnight, maybe someone when they decide these things could visit the people most affected !!!

11 NOV 2010

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My Name and Address : \_\_\_\_\_

Appendix 4 (12)

**RE: LICENCE REVIEW FOR THE WILBRHAM ARMS PUB, WELSH ROW NANTWICH**

For the attention of the Licensing Committee, Cheshire East Council.

I wish to ask for my comments to be taken into consideration in your review and for the licence for the pub's licence to be changed.

Or the last few months I have suffered from the pub in the following way:

- ☒ Property damaged
- ☒ Vehicle damaged
- ☒ Lack of sleep due to excessive noise in the evening and/or early hours of the morning
- ☐ Intimidation through anti-social behaviour by customers at the pub
- ☐ Other (please state) :

*Vomiting outside front door*

As a result of these issues and to address them, I believe that the pub's licence should change for the well being and good of all in the community. Personally, I would like to see

- ☐ The pub's **closing time** changed to
  - ☒ 11pm Sunday to Friday, 12am Saturday
  - ☐ Other (please state) :
- ☐ **Music and live entertainment** to be controlled and only played on
  - ☒ Friday/Saturday nights
  - ☐ Other (please state) :

☒ Proper **door management** employed to prevent groups of individuals being a public nuisance and drinking outside.

☐ Other (please state) :

Due to the anti-social behaviour of the pub in recent months, I respectfully ask that my my name and address remain confidential ☒

Additional comments I wish to make can be found on the back of this letter ☒

Yours faithfully,  
Signed,

Date 8/11/10

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My Name and Address :

Appendix 4 (13)

**RE: LICENCE REVIEW FOR THE WILBRHAM ARMS PUB, WELSH ROW NANTWICH**

For the attention of the Licensing Committee, Cheshire East Council.

I wish to ask for my comments to be taken into consideration in your review and for the licence for the pub's licence to be changed.

Or the last few months I have suffered from the pub in the following way:

- ☐ Property damaged
- ☐ Vehicle damaged
- ☒ Lack of sleep due to excessive noise in the evening and/or early hours of the morning
- ☐ Intimidation through anti-social behaviour by customers at the pub
- ☒ Other (please state) :

*litter/glass waste - on way to park just outside pub  
vanity (Red Lion Lane)*

As a result of these issues and to address them, I believe that the pub's licence should change for the well being and good of all in the community. Personally, I would like to see

- ☒ The pub's **closing time** changed to
  - ☒ 11pm Sunday to Friday, 12am Saturday
  - ☐ Other (please state) :

- ☒ **Music and live entertainment** to be controlled and only played on
  - ☒ Friday/Saturday nights
  - ☐ Other (please state) :

- ☒ Proper **door management** employed to prevent groups of individuals being a public nuisance and drinking outside.

- ☒ Other (please state) : *clean up after customers mess outside*

Due to the anti-social behaviour of the pub in recent months, I respectfully ask that my my name and address remain confidential ☒  
Additional comments I wish to make can be found on the back of this letter ☒

Yours faithfully,  
Signed,

Date 9/11/2010

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My Name and Address : - Appendix 4 (14)

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**RE: LICENCE REVIEW FOR THE WILBRHAM ARMS PUB, WELSH ROW NANTWICH**

For the attention of the Licensing Committee, Cheshire East Council.

I wish to ask for my comments to be taken into consideration in your review and for the licence for the pub's licence to be changed.

Or the last few months I have suffered from the pub in the following way:

- ☐ Property damaged
- ☐ Vehicle damaged
- ☐ Lack of sleep due to excessive noise in the evening and/or early hours of the morning
- ☐ Intimidation through anti-social behaviour by customers at the pub
- ☐ Other (please state) :

PLEASE REFER TO PREVIOUS AND ONGOING CORRESPONDENCE  
WITH MARGARET HOPLEY - ENVIRONMENTAL DEPT.

As a result of these issues and to address them, I believe that the pub's licence should change for the well being and good of all in the community. Personally, I would like to see

- ☒ The pub's **closing time** changed to
  - ☒ 11pm Sunday to Friday, 12am Saturday
  - ☐ Other (please state) :
- ☒ **Music and live entertainment** to be controlled and only played on
  - ☒ Friday/Saturday nights
  - ☐ Other (please state) :
- ☒ Proper **door management** employed to prevent groups of individuals being a public nuisance and drinking outside.
- ☐ Other (please state) :

Due to the anti-social behaviour of the pub in recent months, I respectfully ask that my my name and address remain confidential ☒  
Additional comments I wish to make can be found on the back of this letter ☐

Yours faithfully,  
Signed,

Date 09/11/2010

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My Name and Address

Appendix 4 (15)

**RE: LICENCE REVIEW FOR THE WILBRHAM ARMS PUB, WELSH ROW NANTWICH**

For the attention of the Licensing Committee, Cheshire East Council.

I wish to ask for my comments to be taken into consideration in your review and for the licence for the pub's licence to be changed.

Or the last few months I have suffered from the pub in the following way:

- ☐ Property damaged
- ☐ Vehicle damaged
- ☒ Lack of sleep due to excessive noise in the evening and/or early hours of the morning ✓
- ☐ Intimidation through anti-social behaviour by customers at the pub
- ☐ Other (please state) :

✓ Terrible deposits of cigarette butts on frontage & litter which blow everywhere. Drinking on pavement noisy

As a result of these issues and to address them, I believe that the pub's licence should change for the well being and good of all in the community. Personally, I would like to see

- ✓ ☒ The pub's **closing time** changed to
  - ☐ 11pm Sunday to Friday, 12am Saturday
  - ☐ Other (please state) :

- ✓ ☒ **Music and live entertainment** to be controlled and only played on - definitely
  - ☐ Friday/Saturday nights
  - ☐ Other (please state) :

- ✓ ☒ Proper **door management** employed to prevent groups of individuals being a public nuisance and drinking outside.

☐ Other (please state) :

Due to the anti-social behaviour of the pub in recent months, I respectfully ask that my my name and address remain confidential ☒ Additional comments I wish to make can be found on the back of this letter ☐

Yours faithfully.  
Signed.

Date 9.11.10

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