

# **Licensing Act Sub-Committee**

## **Agenda**

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**Date:** Thursday, 8th September, 2011  
**Time:** 10.00 am  
**Venue:** Council Chamber, 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. **Application to Vary a Premises Licence - Bargain Booze, 131-133 Broad Street, Crewe, CW1 3UD** (Pages 5 - 20)

To consider an application for the variation of a Premises Licence for Bargain Booze, Broad Street, Crewe

4. **Application for Premises Licence - Milton Park, Alsager, Stoke on Trent ST7 2YS** (Pages 21 - 46)

To consider an application for a Premises Licence for Milton Park, Alsager

### **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:** 08 September 2011  
**Report of:** Peter Simester, Licensing Administration Officer  
**Title:** Application to Vary a Premises Licence  
Bargain Booze, 131-133 Broad Street, Crewe, CW1 3UD

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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 P K Thiara to vary the Premises licence at the Bargain Booze store, 131-133 Broad Street, Crewe, CW1 3UD. The Council has received one representation from an interested party.

#### **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 Crewe North

#### **5.0 Local Ward Member**

- 5.1 Councillor M Grant

#### **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**

- 7.1 Not applicable.

## **8.0 Legal Implications (Authorised by the Borough Solicitor)**

- 8.1 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.
- 8.2 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.

## **9.0 Risk Management**

- 9.1 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.

## **10.0 Background and Options**

- 10.1 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.

### **10.2 Summary of proposed changes:**

- (i) To extend the opening hours.
- (ii) To extend the hours for the sale of alcohol.
- (iii) To make an alteration to the layout of the store.

#### **(i) & (ii) Opening hours and hours for the sale of alcohol**

The premises are currently licensed to open and sell alcohol during the following hours:

Monday to Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30
Good Friday:	08:00 to 22:30
Christmas Day	12:00 to 15:00 and 19:00 to 22:30

The applicant has applied to open and sell alcohol during the following hours:

Monday to Sunday:	07:00 to 23:00
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(iii) Alteration to store layout

The applicant has applied to increase the area for licensable activities (off sales of alcohol) by converting a storage area into sales floor. A plan showing the existing and proposed layouts is included as Appendix 2.

10.3 Response from Responsible Authorities

The Chief Officer of Police has asked for two additional conditions to be added to the Premises licence before the variation is granted. These are as follows:

- i. The proof of age scheme Challenge 21 will be operated for all sales of alcohol.
- ii. A CCTV system will be installed at the premises to the satisfaction of the Police Licensing Officer and it must record at all times the premises are open to the public. Unedited images must be securely retained for at least 14 days and copies made freely available upon request to a constable or an employee of the Police Authority, Local Authority or Security Industry Authority.

The applicant has accepted these two conditions.

10.4 Responses from Interested Parties

The licensing authority has received a representation from one local resident. Details of this representation are shown in Appendix 3.

A location plan is included as Appendix 4.

**11.0 Access to information**

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

Name: Peter Simester  
Designation: Licensing Administration Officer  
Tel. no: 01270 371378  
E-mail: peter.simester@cheshireeast.gov.uk

**Appendices:**

- Appendix 1: Existing Premises licence.  
Appendix 2: Plan of existing and proposed store layout.  
Appendix 3: Representations from interested party.  
Appendix 4: Location plan.

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## Part A

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

Premises licence number	<b>007</b>
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## Part 1 - Premises details

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

**Bargain Booze**  
**131-133 Broad Street**

Post town **Crewe**

Post code **CW1 3UD**

Telephone number **01270 214479**

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>23:00</b>
<b>Tuesday</b>	<b>08:00</b>	<b>to</b>	<b>23:00</b>
<b>Wednesday</b>	<b>08:00</b>	<b>to</b>	<b>23:00</b>
<b>Thursday</b>	<b>08:00</b>	<b>to</b>	<b>23:00</b>
<b>Friday</b>	<b>08:00</b>	<b>to</b>	<b>23:00</b>
<b>Saturday</b>	<b>08:00</b>	<b>to</b>	<b>23:00</b>
<b>Sunday</b>	<b>10:00</b>	<b>to</b>	<b>22:30</b>

The opening hours of the premises

<b>Monday</b>	<b>08:00</b>	<b>to</b>	<b>23:00</b>
<b>Tuesday</b>	<b>08:00</b>	<b>to</b>	<b>23:00</b>
<b>Wednesday</b>	<b>08:00</b>	<b>to</b>	<b>23:00</b>
<b>Thursday</b>	<b>08:00</b>	<b>to</b>	<b>23:00</b>
<b>Friday</b>	<b>08:00</b>	<b>to</b>	<b>23:00</b>
<b>Saturday</b>	<b>08:00</b>	<b>to</b>	<b>23:00</b>
<b>Sunday</b>	<b>10:00</b>	<b>to</b>	<b>22:30</b>

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

**Off**

Part 2

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

**P K Thiara  
19 Glencastle Way  
Trentham  
Stoke on Trent  
ST4 8QE**

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

**7577955**

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

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:  
Issued by: Wolverhampton City Council**

Issued on: 05 July 2011

Signed by Peter Simester

On behalf of Cheshire East 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.

Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

The following condition became effective on 01 October 2010:

3.
  - 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.

**Annex 2 - Conditions consistent with Operating Schedule**

None.

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

None.

**Annex 4 - Plan**

See plan enclosed as Appendix 2 in reports pack.

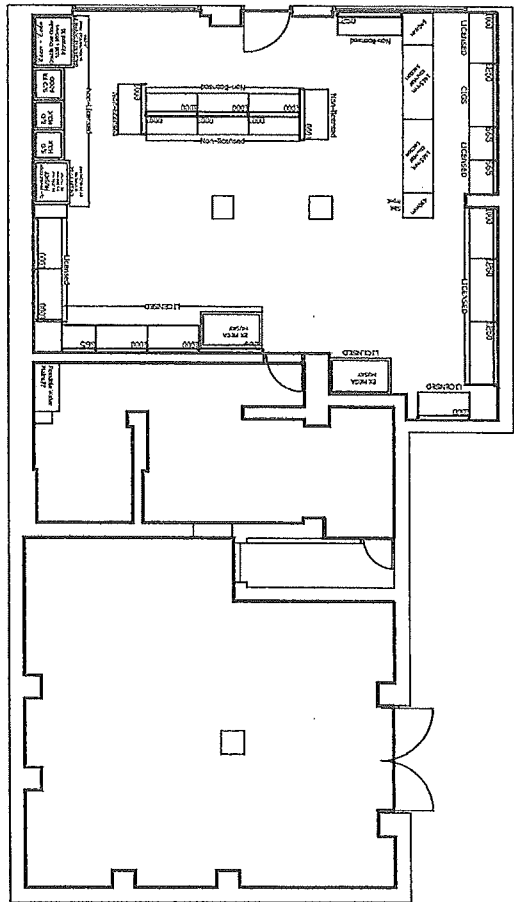
Annex 5 - Existing licence conditions				
NO	SOURCE	TYPES OF PREMISES	TYPE OF RESTRICTION	WORDING OF CONDITION
	S60, 63, 86, LA1964	Off-licences and off sales departments of on-licensed premises	Permitted hours	<p>Alcohol shall not be sold or supplied except during permitted hours In this condition, permitted hours means:</p> <ul style="list-style-type: none"> <li>(a) On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.</li> <li>(b) On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.</li> <li>(c) On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.</li> <li>(d) On Good Friday, 8 a.m. to 10.30 p.m.</li> </ul> <p>The above restrictions do not prohibit:</p> <ul style="list-style-type: none"> <li>(a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;</li> <li>(b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;</li> <li>(c) the sale of alcohol to a trader or club for the purposes of the trade or club;</li> <li>(d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;</li> </ul>
	S164LA 1964	Off-licence	Consumption	Alcohol shall not be sold in an open container or be consumed in the licensed premises



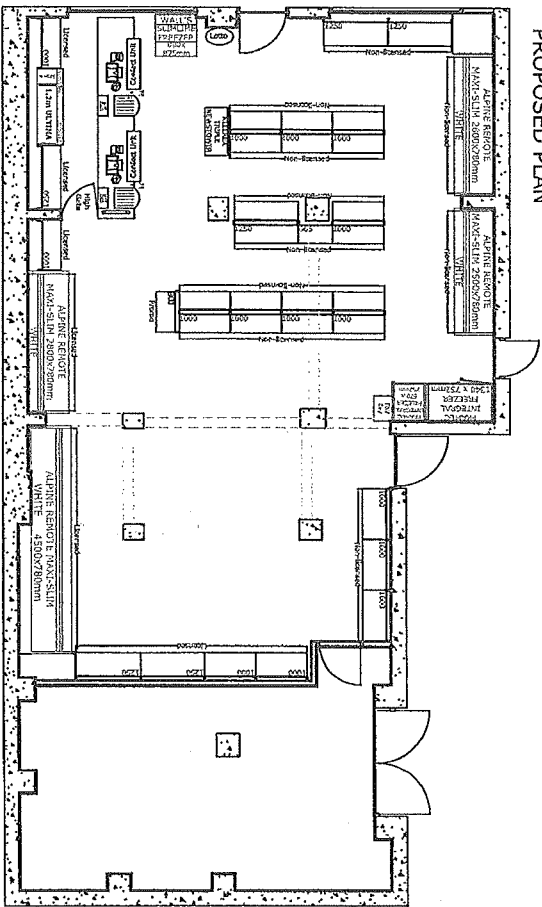


Appendix 2

EXISTING PLAN



PROPOSED PLAN



LEGEND		KEY:	
	EMERGENCY LIGHTING		LICENSEABLE ACTIVITY (OFF SALES OF ALCOHOL)
	POINT		STORAGE AREA
	POINT EXTINGUISHER (OFF POWDER)		POINT OF SALE (ALCOHOL)
	WATER		
	SMOKE DETECTOR		
	ILLUMINATED EXIT SIGN		

IT IS THE RETAILERS RESPONSIBILITY TO ENSURE THAT THE SITE COMPLIES WITH THE DISABILITY DISCRIMINATION ACT 1995 PART 111 AND THAT ALL RELEVANT FIRE SAFETY EQUIPMENT, EMERGENCY LIGHTS AND SMOKE DETECTORS WHERE APPLICABLE ARE INSTALLED PRIOR TO OPENING.

CLIENT:		REVISIONS:		DATE:	
Farnfield Thira Coulter Road Street CIVIL 3UB		A:			
		B:			
		C:			
		D:			
		E:			
DRAWN BY: Dan Taylor		BRANCH NO:			
SCALE: 1:100		SQ FT: 1160			
DATE: 08.07.2011					

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Dear Licensing Team,

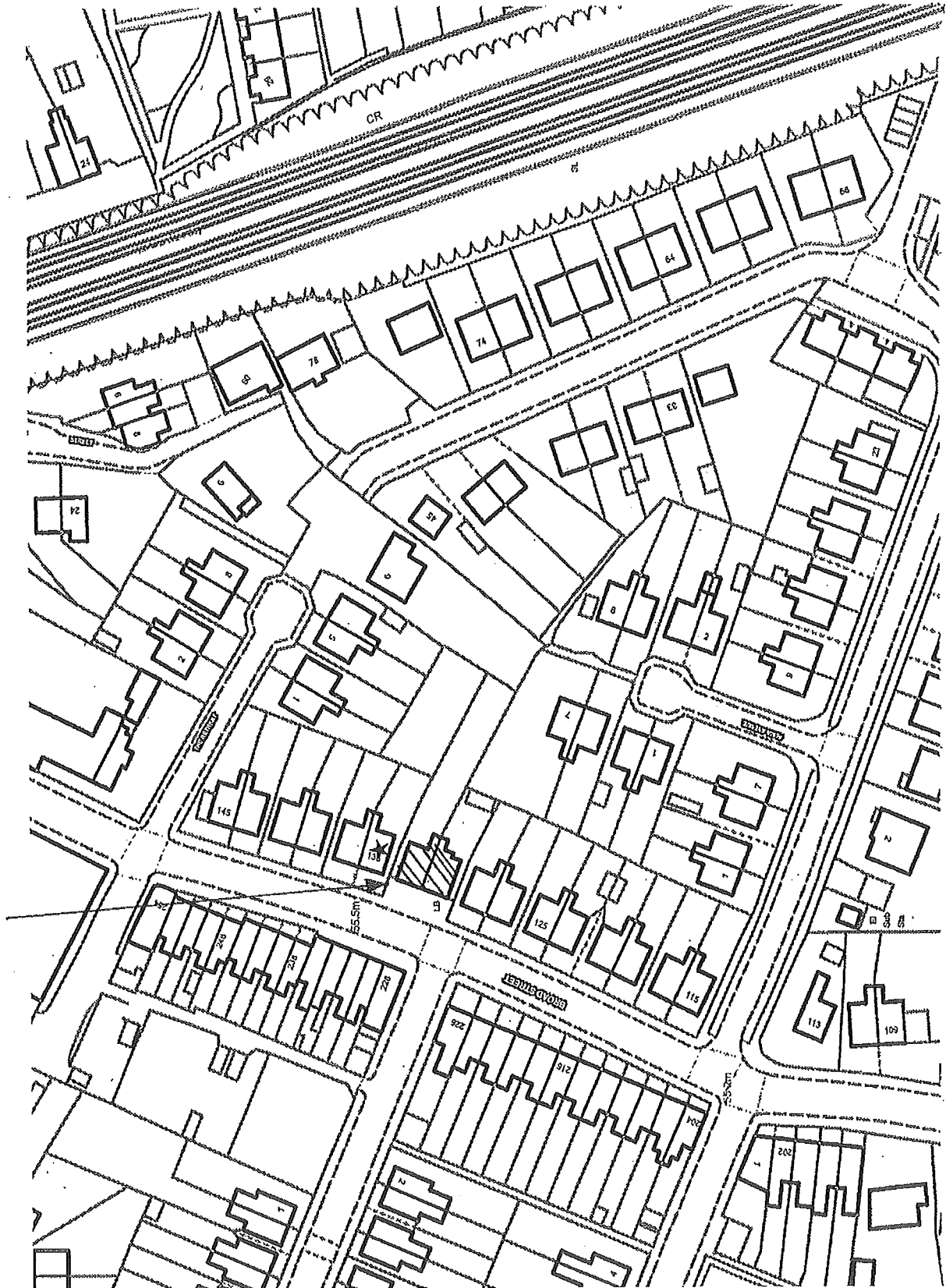
A planning application has been requested by Bargain Booze on Broad St Crewe, i live on the back of these premises and am concerned that we will be subjected to anti social behaviour most nights of the week, the previous owner had the sense to close shop at 9 30 pm he understood, by his own experience, that, opening late into the night to sell alcohol caused himself and the local residents problems. We were subjected to cars pulling up at speed to buy late night alcohol, with noisy music blaring across the neighbourhood from the cars with open windows particularly in the summer months, we were subjected to noise from people walking along Singleton Avenue taking home alcohol being purchased from Bargain Booze. We were subjected to anti social behaviour in that litter bins were constantly uprooted and broken bottles were thrown along the streets and pavements for the council to have to come along and clear up the mess, We were subjected to masses of traffic parked along both sides of the street outside Bargain Booze making it hazardous for pedestrians and school children in particular crossing the road, It is my understanding also that the previous owner had numerous robberies later on in the evenings which must have not helped the police who are already stretched, In an area that is desperately in need of help already this shop is not going to help the image of Coppenhall and will certainly not help social mobility in that people will not want to settle in an area which is going nowhere, Please consider carefully my concerns which are echoed by a lot of residents in the area,

Many thanks

Received via e-mail on 30/7/11

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Bargain Booze, 131-133 Broad Street, Crewe, CW1 3UD  
Location plan



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## CHESHIRE EAST COUNCIL

### LICENSING ACT SUB-COMMITTEE

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**Date of meeting**      **Thursday 8<sup>th</sup> September 2011**      **11:00 a.m.**

**Report of:**              **Jane Cornes, Licensing Administration Officer**  
**Title:**                      **Application for Premises Licence -**  
                                    **Milton Park, Alsager, Stoke on Trent ST7 2YS**

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#### **1.0    Report Summary**

- 1.1    The purpose of the report is to provide details of an application for a Premises Licence under section 17 of the Licensing Act 2003 ('the 2003 Act'). It outlines the application and representations received from interested parties in relation to the application.

#### **2.0    Recommendations**

- 2.1    The Licensing Committee is requested to:
- 2.1.1   consider the application and any relevant representations received; and
- 2.1.2   determine what steps, if any it considers are 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 2003 Act.

#### **4.0    Wards Affected**

- 4.1    Alsager

#### **5.0    Local Ward Members**

- 5.1    Councillor Rod Fletcher  
       Councillor Derek Hough  
       Councillor Shirley Jones

#### **6.0    Policy Implications**

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

## **7.0 Financial Implications 2011/12 and beyond**

7.1 None

## **8.0 Legal Implications**

8.1 In accordance with the provisions of section 18 of the Licensing Act 2003 the Licensing Authority must, having regard to the representations, take such of the steps mentioned in sub-section 18(4) (if any) as it considers necessary for the promotion of the licensing objectives. Section 18 (4) provides that the authority may (a) grant the licence subject to conditions; (b) exclude from the scope of the licence any of the licensable activities to which the application relates; (c) refuse to specify a person in the licence as the premises supervisor; or (d) reject the application.

## **9.0 Risk Assessment**

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

## **10.0 Background and Options**

10.1 On 15<sup>th</sup> July 2011 Cheshire East Borough Council applied for a Premises Licence in relation to Milton Park, Alsager to authorise the provision of Regulated Entertainment (consisting of plays (outdoors); indoor sporting events; live music (outdoors); recorded music (outdoors); performance of dance (outdoors); anything of a similar description to live music, recorded music and dance (outdoors); provision of facilities for making music (outdoors); provision of facilities for dancing (outdoors); provision of facilities for entertainment similar to music and dancing (outdoors)) on Wednesdays, Fridays, Saturdays and Sundays from 09:00 – 22:00.

A copy of the application is attached to the report (**appendix A**)

10.2 During the consultation period representations were made by persons living in the vicinity of the premises. The objections concern the potential for public nuisance, rowdy and anti-social behaviour and property damage being increased due to the granting of this licence application. Copies of the representations are attached at **Appendix B**.

A location plan is attached at **Appendix C**.

10.3 The Licensing Authority has received no representations from any of the responsible authorities in relation to this application.

10.4 In determining the application the Licensing Act Sub-Committee must have regard to representations made by the applicant and the representations received from the interested parties. The Sub-Committee is required to take



such steps (if any) as it considers necessary for the promotion of the licensing objectives.

#### **11.0 Access to Information**

There are no background papers associated with this report.

***For further information:***

<i>Officer:</i>	<i>Mrs Jane Cornes</i>
<i>Designation:</i>	<i>Licensing Administration Officer</i>
<i>Tel No:</i>	<i>0300 123 5015</i>
<i>Email:</i>	<i>jane.cornes@cheshireeast.gov.uk</i>

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Licensing



## Application for a premises licence to be granted 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 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/We Cheshire East Borough Council ..... (insert name(s) of applicant) apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Milton Park, Alsager	
Post town Stoke on Trent	Post code ST7 2YS
Telephone number at premises (if any)	Contact number, 01270 537846
Non domestic rateable value of premises	N/A

### Part 2 – Applicant Details

Please state whether you are applying for a Premises Licence as:

- |   | Please tick ✓   |
|---|---|
| a) an individual or individuals*                | <input type="checkbox"/> please complete section (A)            |
| b) a person other than an individual*           |   |
| i. as a limited company                         | <input type="checkbox"/> please complete section (B)            |
| ii. as a partnership                            | <input type="checkbox"/> please complete section (B)            |
| iii. as an unincorporated association or        | <input type="checkbox"/> please complete section (B)            |
| iv. Other (for example a statutory corporation) | <input checked="" type="checkbox"/> please complete section (B) |
| c) a recognised club                            | <input type="checkbox"/> please complete section (B)            |

- |   |                          |                             |
|---|--------------------------|-----------------------------|
| d) a charity  | <input type="checkbox"/> | please complete section (B) |
| e) The proprietor of an educational establishment   | <input type="checkbox"/> | please complete section (B) |
| f) A health service body  | <input type="checkbox"/> | please complete section (B) |
| g) A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> | please complete section (B) |
| h) The chief officer of police of a police force in England and Wales   | <input type="checkbox"/> | please complete section (B) |

Please tick ✓

\*If you are applying as a person described in (a) or (b) please confirm:

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - Statutory function; or
  - A function discharged by virtue of Her Majesty's prerogative

<input type="checkbox"/>
<input checked="" type="checkbox"/>

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

Surname

First names



Please tick ✓

I am 18 years old or over

☐

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

**SECOND INDIVIDUAL APPLICANT (if applicable)**Mr ☐Mrs ☐Miss ☐Ms ☐Other title  
(for example, Rev) ☐

Surname

First names

Please tick ☒

I am 18 years old or over

☐Current postal address  
if different from  
premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name

Andrew Michael Latham

Address

Cheshire East Council, Westfields, Middlewich Road, Sandbach, Cheshire. CW11 1HZ

Registered number (where applicable)

Description of applicant (for example, partnership, company, unincorporated association etc.)

Local Authority

Telephone number (if any) 01270 537846

E-mail address (optional) Andrew.latham@cheshireeast.gov.uk

### Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year	

If 5000 or more people are expected to attend the premises at any one time, please state the number expected to attend

2,500

Please give a general description of the premises (please read guidance note 1)

This Is a Public Park, used by the Community and for Charity events. It is hoped that by allowing a standard application that includes one mid week day, Friday and weekends that this will encourage more events. This will permit the Community of Alsager more flexibility and opportunities to promote the local area.

#### Applied Licensable Activities

Performance of film, plays, Indoor Sporting Events (Marquee), Live Music, Recorded Music, Performance of Dance, Making Music, boxing and Wrestling and Dancing.

Currently a local charity undertakes an annual Community Music Event in August this promotes local bands and performances. Previously an annual application has been made to incorporate this event. During Summer Months it is envisaged that touring theatres, garden parties and further charity events will be staged in this facility.

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What licensable activities do you intend to carry on from the premises?  
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

Please tick ✓

- |   |                                     |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input checked="" type="checkbox"/> |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performance of dance (if ticking yes, fill in box G)   | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

**Provision of entertainment facilities:**

- |   |                                     |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I)   | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J)  | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

**Provision of late night refreshment (if ticking yes, fill in box L)**

☐

**Sale by retail of alcohol (if ticking yes, fill in box M)**

☐

**In all cases complete boxes N, O and P**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	✓
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3) It may be envisaged that local and national touring theatres could use this facility		
Mon					
Tue					
Wed	09.00	22.00	State any seasonal variations for performing plays (please read guidance note 4) Mainly during the spring and summer periods		
Thur					
Fri	09.00	22.00			
Sat	09.00	22.00	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	09.00	22.00			

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			Will the exhibition of a films take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					



## C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)  Could be within a Marquee. See below.	
Day	Start	Finish	State any seasonal variations for indoor sporting events (please read guidance note 4) All year, mainly spring and summer months	
Mon				
Tue				
Wed	09.00	22.00		
Thur				
Fri	09.00	22.00		
Sat	09.00	22.00		
Sun	09.00	22.00		
Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 5)				

## D

<b>Boxing or wrestling entertainment</b> Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2) Any events of this nature will be in a marquee.		Indoors	
					Outdoors	✓
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						
State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)						
Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list. (please read guidance note 5)						

## E

<b>Live music</b> Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	✓
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3) Live music is a major part of promoting community use, with an August event already planned then this is a major ingredient of this application.		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)  This may be encouraged through out the year, with key dates for Christmas, Easter and the spring and summer months.		
Thur	09.00	22.00			
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 5)		
	09.00	22.00			
Sat					
	09.00	22.00			
Sun					
	09.00	22.00			

## F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	✓
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)  Recorded music is a major part of promoting community use, with an August event already planned then this is a major ingredient of this application.		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)  This may be encouraged through out the year, with key dates for Christmas, Easter and the spring and summer months.		
Thur	09.00	22.00			
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 5)		
	09.00	22.00			
Sat					
	09.00	22.00			
Sun					
	09.00	22.00			

**G**

<b>Performance of dance</b> Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)		Indoors	
					Outdoors	✓
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)  Dance is a major part of promoting community use, with an August event already planned then this is a major ingredient of this application.			
Mon						
Tue			State any seasonal variations for the performance of dance (please read guidance note 4) This may be encouraged through out the year, with key dates for Christmas, Easter and the spring and summer months.			
Wed	09.00	22.00				
Thur			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 5)			
Fri	09.00	22.00				
Sat	09.00	22.00				
Sun	0-9.00	22.00				

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		Will this entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)		Indoors	
							Outdoors	✓
							Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue			State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)					
Wed	09.00	22.00						
Thur			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within e), f) or g) at different times to those listed in the column on the left, please list. (please read guidance note 5)					
Fri	09.00	22.00						
Sat	09.00	22.00						
Sun	09.00	22.00						

<b>Provision of facilities for making music</b> Standard day and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing							
			Will the facilities for making music be indoors or outdoors or both – please tick (✓) (please read guidance note 2)	<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td>✓</td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors	✓	Both	
			Indoors							
Outdoors	✓									
Both										
Day	Start	Finish								
Mon			Please give further details here (please read guidance note 3)  Making Music is a major part of promoting community use, with an August event already planned then this is a major ingredient of this application.							
Tue										
Wed	09.00	22.00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4) This may be encouraged through out the year, with key dates for Christmas, Easter and the spring and summer months.							
Thur										
Fri	09.00	22.00	Non standard timings. Where you intend to use the premises for the provision of facilities for making music at different times to those listed in the column on the left, please list. (please read guidance note 5)							
Sat	09.00	22.00								
Sun										
	09.00	22.00								

J

<b>Provision of facilities for dancing</b> Standard days & timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (please read guidance note 2)	
			Indoors	
			Outdoors	✓
Day	Start	Finish		
Mon			Please give a description of the facilities for dancing you will be providing	
Tue				
Wed	09.00	22.00	Please give further details here (please read guidance note 3)	
Thur				
Fri	09.00	22.00	State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Sat	09.00	22.00		
Sun	09.00	22.00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list. (please read guidance note 5)	

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within (i) or (j)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing				
			Will the entertainment facility be place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td>✓</td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors
Indoors							
Outdoors	✓						
Both							
Day	Start	Finish	Please give further details here (please read guidance note 3)				
Mon							
Tue							
Wed			State any seasonal variations for the provisions of facilities for entertainment of a similar description to that falling within (i) or (j) (please read guidance note 4)				
	09.00	22.00					
Thur							
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within (i) or (j) at different times to those listed in the column on the left, please list. (please read guidance note 5)				
	09.00	22.00					
Sat							
	09.00	22.00					
Sun							
	09.00	22.00					

**L**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)			
					<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors
Indoors						
Outdoors						
Both						
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 5)			
Sat						
Sun						

**M**

<b>Sale of alcohol</b> Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)	On the premises	
				Off the premises	
				Both	
Day	Start	Finish	State any seasonal variations for the sale of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
			Non standard timings. Where you intend to use the premises for the sale of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat					
Sun					

<b>State the name and details of the individual whom you wish to specify on the licence as premises supervisor</b>	
Name	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

**N**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

**O**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)  This is a Public Open Park therefore public opening hours are continuous. For Licensable activities this will be restricted to those hours proposed in this application.
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list.</b> (please read guidance note 5)
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

## P

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

**a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9)**

This application for Milton Park is supported by the Alsager Partnership, local community groups and Charities. The Park has held a number of events under Temporary Event notices and the objective of this application is to permit more community activities to take place. Creating flexibility and giving Cheshire East Council the opportunity to support the local community. The Council as landlords will operate a booking system for the events and the Parks use, officers will be able to advise on event management, undertaking risk assessments, calculating first aid requirements, all events will carry suitable Public Liability Insurance (PLI) cover for their particular event circumstances.

Cheshire East Council does not hold any licences in their formal Parks that contain alcohol or late refreshment submissions. Where a request for an alcohol licence is made, it is under a Temporary Event Notice (TEN) submitted by the proposed Designated Premises Supervisor (DPS). There are Strict controls on the area being used, the sales area is clearly designated and restricted. The DPS must operate challenge 25. Stewards or security are to be in place on the entries and exits.

All events in Cheshire East Council with an attendance over 499 are logged on to the Events Safety Advisory Group, web site. This permits all the emergency services to be notified of events, control measures and the group meet once a month to discuss event issues.

The Cheshire East Outdoor Events Manager discusses with the event organiser all aspect of stewarding, security, and police if required. Each event has a risk assessment, PLI, an event plan containing emergency procedures and first aid requirements and crowd management.

**b) The prevention of crime and disorder**

When the premises is provided to a third party, as part of the terms and conditions of hire an assessment will take place to address the potential security needs and where the Council deems it appropriate, the hirer will be required to employ SIA registered security staff or Police and in some cases both.

The potential hirer is advised to consult with Cheshire Police events officer and the local police to discuss potential issues and secure support for the event.



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**c) Public safety**

The Cheshire East Council takes public safety very seriously, most events are undertaken at outside venues by third parties therefore safety and prevention measures are very important. When Milton Park is hired to a third party, an individual risk assessment is prepared by the event organiser, covering crowd management, security to the public and emergency procedures. Alcohol is restricted to sales on the premises made under a TEN.

First Aid is always clearly assessed under the HSE Purple Guide.

Contractors and concessionaires are monitored; all organisers are to collect PLI and relevant certification from the individuals.

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**d) The prevention of public nuisance**

In the event of public events containing music, noise will be monitored by the event organisers. A third party hirer will be advised to discuss with Cheshire East Council any local public nuisance issues.

Fair Grounds and Circuses will be contracted to set up and dismantle no earlier than 7am or no later than 11pm. All music will cease no later than 10pm. Any fireworks will be set off within the closure time of the application.

All waste resulting from events is collected specifically and litter picks are undertaken from the Event Organiser.

Events will not be planned outside the periods stipulated within the application.

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

All organisers are aware that they have to provide a risk assessment to deal with lost and potential vulnerable children. Stewards are to be briefed on reporting incidents involving children to the event organiser. Most events are family orientated and areas involving alcohol sales are restricted access. First Aid is normally supplied by Red Cross or St Johns First Aid, officers are CRB certified.

In the event of commercial or larger events admission may be with ticket only.

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Please tick ✓

- I have made or enclosed payment of the fee
- I have enclosed a plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the proposed premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant's solicitor or other duly authorised agent.** (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature .....

Date 15<sup>th</sup> July 2011

Capacity Head of Health & Wellbeing

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent.** (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature .....

Date .....

Capacity .....

**Contact Name (where not previously given) and address for correspondence associated with this application** (please read guidance note 13)

Post town

Post code

Telephone number (if any)

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

2011-08-09

Dear Sir/ Madam

**Licence Application for Milton Park**

I wish to express my concern at the proposed licence application for Milton Park, Alsager.

I feel that the last couple of years have seen a return of the park to a family-friendly place with minimal night – time disturbance and a reduction in anti-social behaviour.

I welcome any initiatives contributing to this trend, and I have grand-children of my own who benefit from the park.

However, the application is a request to hold events potentially on a Wednesday, Friday , Saturday or Sunday. I have concerns about the 'open' nature of the application, should it lead to more than 2 or 3 , especially evening, events per year, given its potential for noise/ traffic/ litter nuisance for local residents and the adjoining Elderly Care Home. In addition, although a 10 pm finish sounds reasonable, there are workers, shift- workers and children 's bedtimes to consider.

Milton Park / Gardens is , unlike Congleton Park, a small area which cannot contain anything other than small-scale, mostly day –time events without having a detrimental effect on the park and the residents in the local area – hence the decision to re- locate the summer Carnival to an alternative site.

Could I suggest that , if this licence is approved, at the least a strict limit is set on the number / nature of events permitted per year.

As a footnote, we see that a beer tent is to be provided at the Bank Holiday Concert. Do you consider , given that the park is an alcohol-free zone, that this gives out mixed messages and does not make the job of the police any easier?

Yours faithfully,

9<sup>th</sup> August 2011  
The Licensing Department  
Cheshire East Council  
Westfields  
Middlewich Road  
Sandbach  
CW11 1HZ

Dear Sir/Madam

Re Milton park application

We are writing to object to the open licence application to hold events in Milton Park Alsager on any Wednesday, Friday, Saturday and Sunday between 10am and 10pm.

We write as residents of Station Road who over a year ago were subject to an attack by more than 20 young people who threw stones at our windows, broke 3 window panes and banged menacingly at our door terrifying us. We had a young baby in the house at the time.

This attack on our home was totally unprovoked and was a result of a young person seeking refuge in our back garden trying to escape from a crowd of young people from Milton Park. They had injured him and were chasing him to commit further violence on him. The young people had been drinking.

This incident is the most extreme but we have had our car windows smashed as well. We are subject from time to time by anti social behaviour by groups of loud and unruly young people who frequent Milton Park on Fridays and Saturday evenings and spill out unto Station Road usually drunk. They shout loudly and throw bottles and cans into our garden.

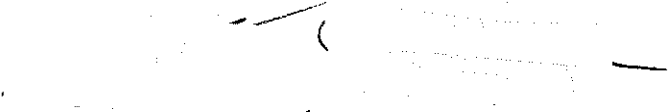
We have not found the police helpful. When we phoned them for help on the night our home was surrounded and attacked they took nearly 30 minutes to arrive. We do not think that they have the manpower to adequately police these events.

In view of our experience we feel that any application to increase the use of Milton Park for evening events will see a rise in anti social behaviour, noise and litter.

We are also concerned about the impact on New Milton House Care Home and its elderly residents. We feel they deserve some peace and quiet in the evenings. We do not object to the park being used for family friendly daytime activities.

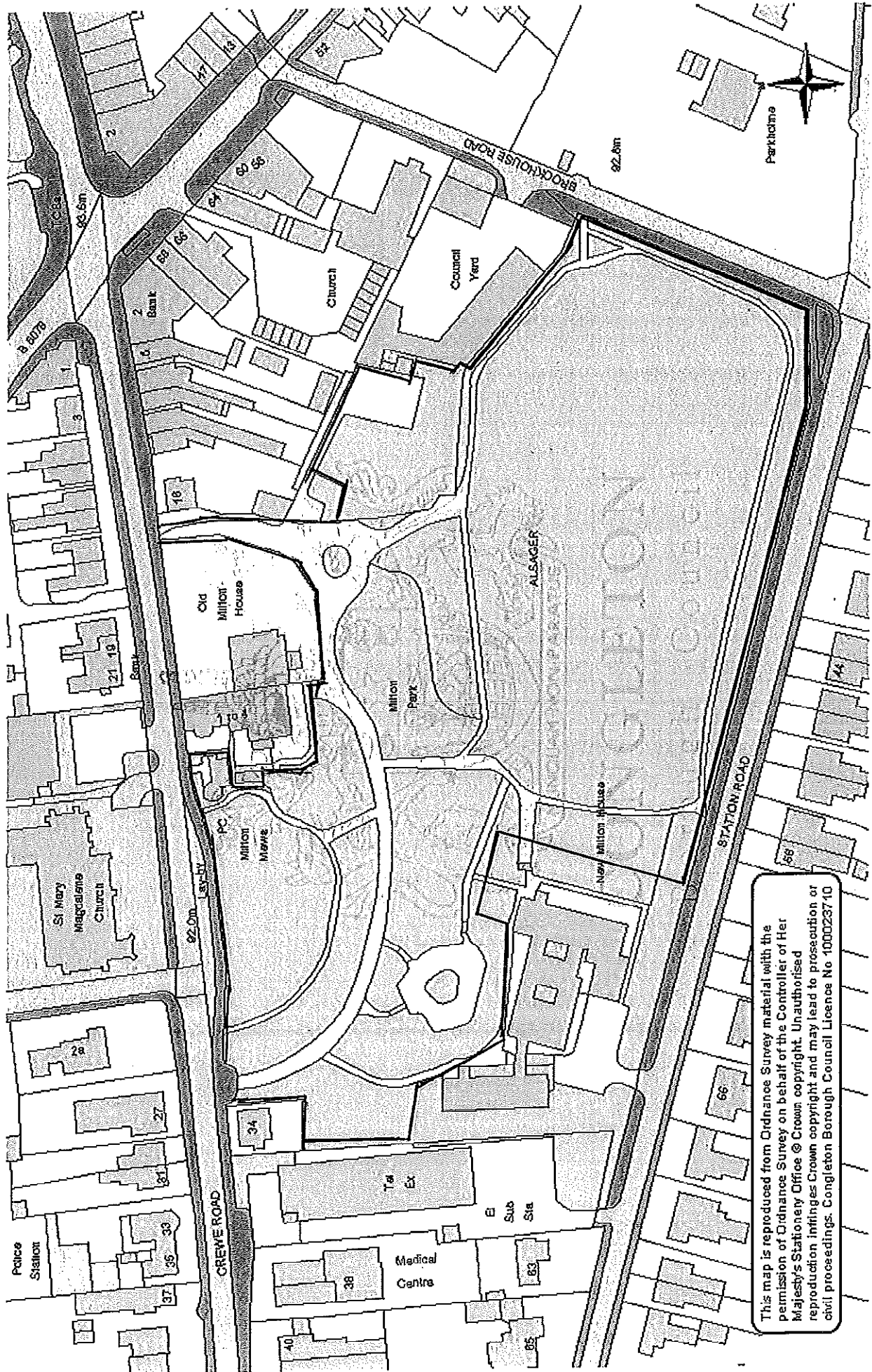
We would be grateful if you would take our concerns seriously and expect a reply to our letter. If you have any queries we can be contacted on

Yours faithfully.

A handwritten signature is visible, followed by a large, faint circular stamp that appears to be a library or archival mark. The stamp contains some illegible text and a central emblem.

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Milton Park - 1:1250



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