

# Licensing Act Sub-Committee

## Agenda

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**Date:** Thursday, 4th July, 2013  
**Time:** 10.00 am  
**Venue:** The Tatton Room - Town Hall, Macclesfield SK10 1EA

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

3. **Application to Vary a Premises Licence - Wilbraham Arms, Welsh Row, Nantwich** (Pages 9 - 80)

To consider an application by Enterprise Inns Plc to vary a Premises Licence in respect of the Wilbraham Arms, 58 Welsh Row, Nantwich.

4. **Application to Vary a Premises Licence - Riflemans Arms, Moor Lane, Wilmslow** (Pages 81 - 128)

To consider an application by Trust Inns to vary a Premises Licence in respect of the Riflemans Arms, 113 Moor Lane, Wilmslow.

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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)

5. **Application for a Betting Premises at William Hill, High Street, Sandbach**  
(Pages 129 - 158)

To consider an application by William Hill Organisation for a Betting Premises Licence in respect of William Hill, 19/21 High Street Sandbach.

**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.**

<b>1</b>	<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).
<b>2</b>	<b>Licensing Officer</b>	Will introduce and summarise the application, highlighting areas of contention or dispute.
<b>3</b>	<b>Committee Members</b>	May ask questions of the Licensing Officer
<b>4</b>	<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>
<b>5</b>	<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

## PROCEDURE FOR HEARINGS – GAMBLING ACT 2005

**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 Gambling Act 2005. 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**

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**Notes**

1. The hearing will be held in public unless the Committee is satisfied that it is necessary for all or part of the hearing to be held in private, having regard to (a) any unfairness to a party that is likely to result from a hearing in public and (b) the need to protect so far as possible, the commercial or other legitimate interests of a party
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 Gambling Act 2005 (Proceedings of Licensing Committees and Sub-Committees)(Premises Licences and Provisional Statements)(England and Wales) Regulations 2007.
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.

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## CHESHIRE EAST COUNCIL

**REPORT TO: LICENSING ACT SUB-COMMITTEE**

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<b>Date of Meeting:</b>	Thursday 4 <sup>th</sup> July 2013 at 10:00 a.m.
<b>Report of:</b>	Mrs N Cadman, Licensing Officer
<b>Subject/Title:</b>	<b>Application to Vary a Premises Licence at Wilbraham Arms, 58 Welsh Row, Nantwich, CW5 5EJ</b>

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**1.0 Report Summary**

- 1.1 The report provides details of an Application to Vary a Premises Licence under the Licensing Act 2003 and the proposed operating schedule together with details of relevant representations received in relation to the application.

**2.0 Recommendations**

- 2.1 The Licensing Act Sub-Committee is requested to determine the Application to Vary a Premises Licence by Enterprise Inns Plc in respect of:

Wilbraham Arms  
58 Welsh Row  
Nantwich  
CW5 5EJ

- 2.2 Acting in the capacity of Licensing Authority, Members must seek to promote the Licensing Objectives, and where Members consider matters have engaged one or more of the objectives, they may exercise their discretion.

- 2.3 Members of the Licensing Sub-Committee are reminded that they may not exercise discretion in any case, merely because it considers it desirable to, and should provide reason(s) for any decision taken, or where they might consider departing in any way from the Policy or Guidance.

**2.4 Licensing Objectives / Guidance / Policy Considerations**

- 2.4.1 The relevant representations engage the licensing objectives. The Sub-Committee in respect of this application is referred to the Guidance issued under Section 182 of the Licensing Act 2003, specifically those sections relating to the licensing objectives, premises licenses and hearings. The licensing objectives are (a) the prevention of crime and disorder; (b) public safety; (c) the prevention of public nuisance; and (d) the protection of children from harm.

**2.5 Statement of Licensing Policy**

- 2.5.1 Members should carefully consider the relevant sections of the Council's Statement of Licensing Policy.

2.6 Members are reminded that should any conditions be added, they should be practical, enforceable and appropriate to promote the Licensing Objectives.

2.7 Finally, Members are also reminded that in determining the application in accordance with the Licensing Act 2003, Members must also have regard to:

- The rules of natural justice
- The provisions of the Human Rights Act 1998

### **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 North and West

### **5.0 Local Ward Members**

5.1 Cllr Penny Butterill  
Cllr Arthur Moran

### **6.0 Policy Implications**

6.1 The Licensing Authority 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 (Authorised by the Director of Finance and Business Services)**

7.1 Not applicable.

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

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 steps (if any) as it considers appropriate for the promotion of the licensing objectives. Section 18(4) provides that the authority may:

- (a) Grant the licence subject to the relevant mandatory conditions and conditions consistent with the operating schedule
- (b) Modify the application to such extent as the Authority considers appropriate for the promotion of the Licensing Objectives
- (c) Exclude from the scope of the licence any of the Licensable Activities to which the application relates
- (d) Refuse to specify a person in the licence as the Premises Supervisor
- (e) Reject 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, received on the 16<sup>th</sup> May 2013, is for the grant of a Variation of the Premises Licence under section 34 of the Licensing Act 2003.

10.2 The operating schedule indicates that the proposed variation is as follows:

- To extend the hours for the Sale and Supply of Alcohol and Late Night Refreshment.
- To extend the opening hours of the premises.
- To remove all regulated entertainment from the Premises Licence.
- To delete Condition 4 of Annex 2 of the existing Premises Licence, i.e. Children under the age of 16 are not permitted on the premises after 20.00hrs.

10.3 The hours applied for are as follows:

- **Sale and Supply of Alcohol**  
Sunday to Wednesday 10:00 to midnight  
Thursday to Saturday 10:00 to 01:00 hours
- **Late Night Refreshment**  
Sunday to Wednesday 23:00 to midnight  
Thursday to Saturday 23.00 to 01:30 hours
- **Opening Hours of the Premises**  
Sunday to Wednesday 10:00 to midnight  
Thursday to Saturday 10:00 to 01.30 hours

10.4 A copy of the application form is attached as Appendix 25 of this report.

10.5 A copy of the existing Premises Licence Summary and Conditions is attached as Appendix 26 of this report.

10.6 An application to Review the Premises Licence was made by Margaret Hopley, Cheshire East Council Environmental Health Officer on 13<sup>th</sup> October 2010. The Review application was in relation to the Licensing Objective, the prevention of public nuisance and followed investigation by the Environmental Health Department 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. The Police also made a representation in relation to the Review application regarding

complaints received by the Police from neighbours relating to public nuisance. There were also representations received in relation to the Review application from 15 interested parties residing in the vicinity of the premises. The Premises Licence Holder and Designated Premises Supervisor at the time of the Review was Mr Gavin Chamberlain. The Review application was heard by the Members of the Council's Licensing Sub-Committee on 26<sup>th</sup> November 2010 when the Sub-Committee determined to add conditions and amend the hours of the Premises Licence. A copy of the Decision is attached at Appendix 27 of this report.

The Police and the Cheshire East Council Environmental Health Department have confirmed that there have been no further issues with the Wilbraham Arms since the Review application, however they point out that the premises has been closed for a majority of the time since the Review.

The Premises Licence was transferred to Enterprise Inns Plc on 6<sup>th</sup> September 2011. The Designated Premises Supervisor with effect from 20<sup>th</sup> May 2013 is Richard Shaw.

## 10.7 Relevant Representations

### Responsible Authorities:

10.7.1 The Police Licensing Officer states: there are no Police representations in relation to this application.

10.7.2 The Environmental Health Officer states: Environmental Health have no objection to the extension in hours or the removal of the condition precluding to under 16's, as long as all of the current conditions relating to the prevention of public nuisance are transferred to the new licence.

10.7.3 There were no responses from any of the other Responsible Authorities.

### Other Persons:

10.7.4 The Council has also received 24 letters of objection to this application, which have been deemed relevant. Copies of these objections are at appendices 1 to 24 of this report.

## 11.0 Access to Information

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

Name: Mrs N Cadman  
Designation: Licensing Officer  
Tel No: 01270 685957  
Email: nikki.cadman@cheshireeast.gov.uk

## APPENDICES

Appendices 1 to 24 Letters of objection from interested persons.

Appendix 25	Application form.
Appendix 26	Existing Premises Licence Summary and Conditions
Appendix 27	Review Decision - Licensing Sub-Committee (26.11.2010)
Appendix 28	Plan of the area

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Rep 1

From  
Sent: 30 May 2013 20:55  
To:  
Subject: RE: Wilbraham Arms, Welsh Row, Nantwich - Variation to Premises Licence

APPENDIX 01

Thank you for your return email. I am concerned about the application for a variation of license for the Wilbraham Arms. As you must know, there is some difficult history for this neighbourhood pub, located in the heart of a residential street. The current license is the result of problems arising from late opening hours. People who have been drinking all night in other establishments make their way home, and stop off to consume yet more alcohol at

The Wilbraham Arms. By the time they are ready to go home, many are loud, belligerent and engage in alcohol related antisocial conduct, often for some time after closing time. This is not a welcoming environment in which to raise children, of which there are many in the surrounding homes.

Perhaps this antisocial behaviour is not the landlord's responsibility, yet all the same it IS a problem for the police, the community and the neighbourhood. The police have been repeatedly called to the Wilbraham Arms for antisocial behaviour in the past. I have two school age daughters, and both my husband and I have stressful jobs for which we need to wake early. It is extremely disruptive to hear people leaving the pub late at night.

The Wilbraham Arms is on the same street as other pubs and late night drinking establishments, but the difference is: it some way out of town and is surrounded by homes and residential properties with a variety of young children, the elderly and working professionals.

I am requesting the licensing committee to keep the license terms as they are currently, and see how the landlord manages the property as the terms currently stand. If the present landlord shows that they are able to maintain order and decorum in the neighbourhood, then perhaps neighbours might be more willing to support a change of terms.

Regards,

Rep2

## APPENDIX 02

**From:**  
**Sent:** 01 June 2013 17:39  
**To:** LICENSING (Cheshire East)  
**Subject:** Licencing Application: Wilbraham Arms, 58 Welsh Row, Nantwich, CW5 5EJ

Dear Sirs

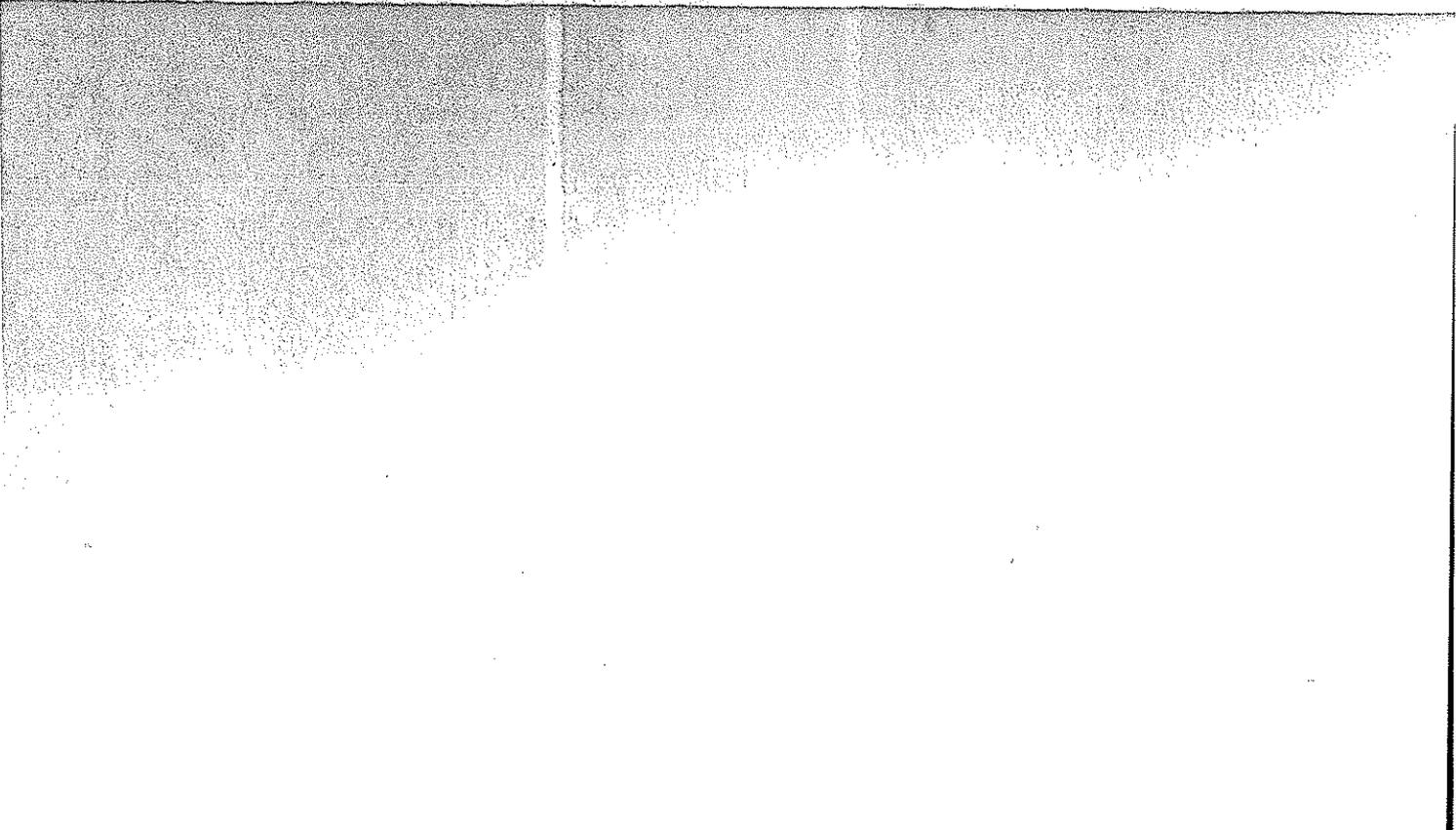
We are writing with regards to Enterprise Inns PLC application for a variation of the Premises Licence in respect of Wilbraham Arms, 58 Welsh Row Nantwich CW55EJ

We understand the proposed variation is as follows, our concerns covered in the COMMENT section against each point:

1. To extend the hours for alcohol sales to 10.00 to 23.30 on Sundays to Wednesdays inclusive and from 10.00 to 01.00 Thursdays to Saturdays inclusive. **COMMENT:** LATE NIGHT DRINKING, NOISE AND DISTURBANCE IN WELSH ROW IS ALREADY DIFFICULT. BY HAVING THIS ESTABLISHMENT OPEN LONGER, IT IS LIKELY THAT THIS WILL BECOME ANOTHER GATHERING POINT FOR THE REVELLERS. YOU WILL HAVE IT ON RECORD, THE SERIOUS ISSUES RELATED TO THIS VENUE WHICH CAUSED SERIOUS ISSUES, IT IS PART OF A RESIDENTIAL AREA AND CONNECTED TO PROPERTIES. THE REAR OF OUR PROPERTY BECOMES UNLIVABLE WHEN NOISE TAKES PLACE. FURTHERMORE, THE INTIMIDATION AND FEAR THAT HAS PREVIOUSLY COME FROM THIS PROPERTY HAS BEEN EXTREMELY WORRYING
2. To permit late night refreshment until midnight on Sundays to Wednesdays inclusive and from 23.00 to 01.30 on Thursdays to Saturdays inclusive. **COMMENT:** SEE POINT # 1 ABOVE, WE MUST STRESS THAT HISTORY REQUIRES CONSIDERATION.
3. To extend the opening hours of the premises to 10.00 to midnight on Sundays to Wednesdays inclusive and from 10.00 to 01.30 on Thursdays to Saturdays inclusive. **COMMENT:** SEE POINTS 1 & 2 ABOVE
4. To delete a condition precluding under 16's being on the premises after 20.00. **COMMENT:** SEE POINTS 1 & 2 ABOVE. THIS AGE RANGE CAN BE EVEN MORE DIFFICULT TO MANAGE
5. To remove all regulated entertainment from the premises licence. **COMMENT :** SEE POINTS 1 & 2 ABOVE.

We do not agree with the proposed variation as we believe it will have a direct impact on our living space and conditions. Furthermore, property values are likely to be directly impacted.

Yours sincerely



Rep 3

RECEIVED

7 JUN 2013

APPENDIX 03

THE LICENCING SECTION,  
CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

DATE: 6 JUNE 2013

RE: WILBRAHAM ARMS PUB, WELSH ROW, NANTWICH - LICENCE EXTENSION PROPOSAL

As a resident in the proximity of the Wilbraham Arms pub on Welsh Row Nantwich, I wish to petition against the application to extend the licencing of the pub.

I would firstly like to respectfully remind the council that in the 2010 Licence Review of the pub, it was deemed that the tenants and owners of the Wilbraham Arms, Enterprise Inns Ltd had failed in their responsibilities under the Licence Act 2003 and that accordingly the hours should be restricted to their current level. The environmental health department of the council also served two abatement notices on the pub prior to this meeting. It was also recognised by the committee that the pub's hours and its activities were not conducive with or necessary for a pub situated in a residential area (where I live).

The process of that review was to ensure that the public were protected and the principles of the Act upheld viz- the prevention of crime, public safety, the prevention of public nuisance and the protection of children from harm. The Licencing Committee in reaching its decision on November 26<sup>th</sup> 2010, took into account the protests of the residents of the community, the Environmental Health department and even the Police in reaching its decision and I would like the council to uphold the decision it so clearly reached at that review.

My reasons for protesting against the change to the licence is therefore aligned to these same principles and accordingly I concur with these statements:

Regarding Prevention of Crime and Public Safety

I consider that there is a direct correlation between late drinking hours and crime as evidenced when the pub was last open to these early hours – numerous calls to the police citing anti-social behaviour, lewdness, fighting and even cars being damaged along Welsh Row are a matter of record. The police are already stretched dealing with similar and other incidents and adding to their workload by extending late drinking beyond the town centre border is therefore both unnecessary and unwelcome. Furthermore, as this type of criminal behaviour often happened *after* the pub closed in the early hours, such events cannot be controlled or supervised by the pub itself nor can any assurances to prevent such be guaranteed by its owners. Realistically and understandably, the police are often not in a position to respond *immediately* and as such this puts the public at risk as it did the last time the pub had these late opening and drinking hours.

Regarding the Protection of Children from harm

The pub wish to remove the restriction preventing under 16 year olds from being in the pub after 8pm. This restriction was imposed by the last review as a result of numerous reports of young people attending the pub and to therefore protect children from harm. I believe this is the only way to guarantee their welfare and removing this restriction is both unnecessary but may also lead to a slide back towards under age drinking (unknown or otherwise by the pub). Whilst I expect the pub to do everything in its power to ensure this does not happen, I do not believe this is possible to guarantee, especially out of the town centre. Moreover, I do not believe that allowing children into a (very) late night drinking establishment is conducive to their welfare, their family's or the community as a whole. Perhaps for this very reason, this is not a practice I am aware of in any of the other late night drinking establishments in the area.

Regarding additional associations with the Act

I would also like to list these other reasons for my protest which I concur with:

- Extended hours are unnecessary for a pub outside of the town centre and situated in a residential community.
- The police have enough to deal with already and adding this burden (even in just patrolling the area) is unfair.
- Allowing children in a pub that can sell alcohol until 1:00am and open until 1:30am is not conducive to a child's welfare
- Conduct previously displayed by the tenants and owners of the Wilbraham Arms and its efforts to manage and control said tenants was wanting and unsuccessful (evidence : the Licencing Restrictions and Abatement Notices served after a *considerable* number of chances given)
- The potential impact, as previously displayed and documented in the last tenure of the publicans viz: anti-social behaviour associated with late night drinking, disturbance of the peace, bottles and other detritus left by patrons across the neighbourhood. The area, one of significant cultural interest, was marred by litter, urination and bottles making the neighbourhood look unpleasant, and be less pleasant and safe to live in.
- All of the above

Could I also respectfully ask the council to recognise that as this is neither a new licence application nor a new pub, that my comments regarding the detrimental effect extending the licencing and opening hours will have on the community are based on fact not speculation and have been unequivocally proven as indeed the Police and its own environmental health department can concur.

I would also like to add the following comments:

I have sent a separate letter detailing my concerns. (letter sent to Macclesfield)

Yours faithfully.

RECEIVED

7 JUN 2013

THE LICENCING SECTION,  
CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

DATE: 6/6/13.

RE: WILBRAHAM ARMS PUB, WELSH ROW, NANTWICH - LICENCE EXTENSION PROPOSAL

As a resident in the proximity of the Wilbraham Arms pub on Welsh Row Nantwich, I wish to petition against the application to extend the licencing of the pub.

I would firstly like to respectfully remind the council that in the 2010 Licence Review of the pub, it was deemed that the tenants and owners of the Wilbraham Arms, Enterprise Inns Ltd had failed in their responsibilities under the Licence Act 2003 and that accordingly the hours should be restricted to their current level. The environmental health department of the council also served two abatement notices on the pub prior to this meeting. It was also recognised by the committee that the pub's hours and its activities were not conducive with or necessary for a pub situated in a residential area (where I live).

The process of that review was to ensure that the public were protected and the principles of the Act upheld viz- the prevention of crime, public safety, the prevention of public nuisance and the protection of children from harm. The Licencing Committee in reaching its decision on November 26<sup>th</sup> 2010, took into account the protests of the residents of the community, the Environmental Health department and even the Police in reaching its decision and I would like the council to uphold the decision it so clearly reached at that review.

My reasons for protesting against the change to the licence is therefore aligned to these same principles and accordingly I concur with these statements:

Regarding Prevention of Crime and Public Safety

I consider that there is a direct correlation between late drinking hours and crime as *evidenced* when the pub was last open to these early hours – numerous calls to the police citing anti-social behaviour, lewdness, fighting and even cars being damaged along Welsh Row are a matter of record. The police are already stretched dealing with similar and other incidents and adding to their workload by extending late drinking beyond the town centre border is therefore both unnecessary and unwelcome. Furthermore, as this type of criminal behaviour often happened *after* the pub closed in the early hours, such events cannot be controlled or supervised by the pub itself nor can any assurances to prevent such be guaranteed by its owners. Realistically and understandably, the police are often not in a position to respond *immediately* and as such this puts the public at risk as it did the last time the pub had these late opening and drinking hours.

Regarding the Protection of Children from harm

The pub wish to remove the restriction preventing under 16 year olds from being in the pub after 8pm. This restriction was imposed by the last review as a result of numerous reports of young people attending the pub and to therefore protect children from harm. I believe this is the only way to guarantee their welfare and removing this restriction is both unnecessary but may also lead to a slide back towards under age drinking (unknown or otherwise by the pub). Whilst I expect the pub to do everything in its power to ensure this does not happen, I do not believe this is possible to guarantee, especially out of the town centre. Moreover, I do not believe that allowing children into a (very) late night drinking establishment is conducive to their welfare, their family's or the community as a whole. Perhaps for this very reason, this is not a practice I am aware of in any of the other late night drinking establishments in the area.

Regarding additional associations with the Act

I would also like to list these other reasons for my protest which I concur with:

- Extended hours are unnecessary for a pub outside of the town centre and situated in a residential community.
- The police have enough to deal with already and adding this burden (even in just patrolling the area) is unfair.
- Allowing children in a pub that can sell alcohol until 1:00am and open until 1:30am is not conducive to a child's welfare
- Conduct previously displayed by the tenants and owners of the Wilbraham Arms and its efforts to manage and control said tenants was wanting and unsuccessful (evidence : the Licencing Restrictions and Abatement Notices served after a *considerable* number of chances given)
- The potential impact, as previously displayed and documented in the last tenure of the publicans viz: anti-social behaviour associated with late night drinking, disturbance of the peace, bottles and other detritus left by patrons across the neighbourhood. The area, one of significant cultural interest, was marred by litter, urination and bottles making the neighbourhood look unpleasant, and be less pleasant and safe to live in.
- All of the above

Could I also respectfully ask the council to recognise that as this is neither a new licence application nor a new pub, that my comments regarding the detrimental effect extending the licencing and opening hours will have on the community are based on fact not speculation and have been unequivocally proven as indeed the Police and its own environmental health department can concur.

I would also like to add the following comments:

I have 3 small children, at school, who will be massively affected by sleepless nights.

Yours faithfully,

June 5th 13

⑤

APPENDIX 05

The Cheshire East Council,  
Re The Wilbraham Arms.

Dear Sirs

I would like draw your attention to the fact that I have had Rights of Access to my house via the back yard of the Wilbraham into Red Lion Lane for 62 years. The proposed plan for a Beer Garden would make deliveries, removal of rubbish and repairs to my property impossible. Sincerely the lack of privacy and noise in my garden.

Yours sincerely

6

APPENDIX 06

RECEIVED

10 JUN 2013

The Licensing Section  
Cheshire East Council  
Westfields  
Middlewich Road  
Sandbach  
Cheshire  
SK10 1DS

8 June 2013

Re: Licence Application: Wilbraham Arms Pub – Welsh Row Nantwich

It is with some concern that we learn that the owners / tenants of the Wilbraham Arms in Welsh Row Nantwich have applied to a variation in their licence.

The Wilbraham Arms is less than 25 metres from our house and when previously operated there was disruptive behaviour in terms of shouting, fighting, urinating and being sick. We are deeply concerned that extending the hours to the times requested will on regular occasions result in anti social behaviour which in turn will effect the quality of our sleep.

We would also point out that further down Welsh Row there are already a number of outlets that serve alcohol into the early hours of the morning. So we are struggling to see why further establishments relatively close by need to do the same. The other premises operating late hours are amongst other related establishments such as restaurants and takeaway facilities. The Wilbraham Arms is surrounded by residential property including an old people's home.

In conclusion we are deeply concerned of the impact of the anti-social behaviour that will needlessly result from extended hours have on us and our neighbours and therefore ask that you refuse this application to extend hours.

APPENDIX 07

RECEIVED

10 JUN 2013

6<sup>th</sup> June, 2013.

Licensing Dept,  
Cheshire East Council  
Westfields,  
Sandbach.

Dear Sirs,

Ref Licence extension application, Wilbraham Arms, Nantwich

I read with distress the above application and wish to record my objection to this proposal. Given the problems in the past with this establishment, and the total disregard the impact of their patron's behaviour had on the local residents, this surely must be a strong argument against such an application being granted.

My reasons for objection are:

- The Wilbraham Arms is situated well within a residential area and outside the town centre border, and therefore the extended hours are completely unnecessary.
- The removal of the age restriction to after 8pm will encourage under age drinking which is already causing problems to the overstretched police.
- Allowing children to be in this establishment until 1.00am is surely not in the child's best interest.
- The previous efforts of the owners and tenants in controlling anti-social behaviour and local disturbance proved completely ineffective, and caused considerable problems for those neighbours needing to rise early for work.
- There are already establishments nearer the town centre opening until the early hours

I would ask the council to consider the detrimental effect the granting of this proposal will have on the local community.

Yours faithfully,

APPENDIX 08

THE LICENCING SECTION,  
CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

RECEIVED  
10 JUN 2013

DATE: 3/6/13

RE: WILBRAHAM ARMS PUB, WELSH ROW, NANTWICH - LICENCE EXTENSION PROPOSAL

As a resident in the proximity of the Wilbraham Arms pub on Welsh Row Nantwich, I wish to petition against the application to extend the licencing of the pub.

I would firstly like to respectfully remind the council that in the 2010 Licence Review of the pub, it was deemed that the tenants and owners of the Wilbraham Arms, Enterprise Inns Ltd had failed in their responsibilities under the Licence Act 2003 and that accordingly the hours should be restricted to their current level. The environmental health department of the council also served two abatement notices on the pub prior to this meeting. It was also recognised by the committee that the pub's hours and its activities were not conducive with or necessary for a pub situated in a residential area (where I live).

The process of that review was to ensure that the public were protected and the principles of the Act upheld viz- the prevention of crime, public safety, the prevention of public nuisance and the protection of children from harm. The Licencing Committee in reaching its decision on November 26<sup>th</sup> 2010, took into account the protests of the residents of the community, the Environmental Health department and even the Police in reaching its decision and I would like the council to uphold the decision it so clearly reached at that review.

My reasons for protesting against the change to the licence is therefore aligned to these same principles and accordingly I concur with these statements:

Regarding Prevention of Crime and Public Safety

I consider that there is a direct correlation between late drinking hours and crime as *evidenced* when the pub was last open to these early hours – numerous calls to the police citing anti-social behaviour, lewdness, fighting and even cars being damaged along Welsh Row are a matter of record. The police are already stretched dealing with similar and other incidents and adding to their workload by extending late drinking beyond the town centre border is therefore both unnecessary and unwelcome. Furthermore, as this type of criminal behaviour often happened *after* the pub closed in the early hours, such events cannot be controlled or supervised by the pub itself nor can any assurances to prevent such be guaranteed by its owners. Realistically and understandably, the police are often not in a position to respond *immediately* and as such this puts the public at risk as it did the last time the pub had these late opening and drinking hours.

Regarding the Protection of Children from harm

The pub wish to remove the restriction preventing under 16 year olds from being in the pub after 8pm. This restriction was imposed by the last review as a result of numerous reports of young people attending the pub and to therefore protect children from harm. I believe this is the only way to guarantee their welfare and removing this restriction is both unnecessary but may also lead to a slide back towards under age drinking (unknown or otherwise by the pub). Whilst I expect the pub to do everything in its power to ensure this does not happen, I do not believe this is possible to guarantee, especially out of the town centre. Moreover, I do not believe that allowing children into a (very) late night drinking establishment is conducive to their welfare, their family's or the community as a whole. Perhaps for this very reason, this is not a practice I am aware of in any of the other late night drinking establishments in the area.

Regarding additional associations with the Act

I would also like to list these other reasons for my protest which I concur with:

- Extended hours are unnecessary for a pub outside of the town centre and situated in a residential community.
- The police have enough to deal with already and adding this burden (even in just patrolling the area) is unfair.
- Allowing children in a pub that can sell alcohol until 1:00am and open until 1:30am is not conducive to a child's welfare
- Conduct previously displayed by the tenants and owners of the Wilbraham Arms and its efforts to manage and control said tenants was wanting and unsuccessful (evidence : the Licencing Restrictions and Abatement Notices served after a *considerable* number of chances given)
- The potential impact, as previously displayed and documented in the last tenure of the publicans viz: anti-social behaviour associated with late night drinking, disturbance of the peace, bottles and other detritus left by patrons across the neighbourhood. The area, one of significant cultural interest, was marred by litter, urination and bottles making the neighbourhood look unpleasant, and be less pleasant and safe to live in.
- All of the above

Could I also respectfully ask the council to recognise that as this is neither a new licence application nor a new pub, that my comments regarding the detrimental effect extending the licencing and opening hours will have on the community are based on fact not speculation and have been unequivocally proven as indeed the Police and its own environmental health department can concur.

I would also like to add the following comments:

Yours faithfull

Signed

(9)

RECEIVED

10 JUN 2013

APPENDIX 09

THE LICENCING SECTION,  
CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

DATE: June 5th 13

RE: WILBRAHAM ARMS PUB, WELSH ROW, NANTWICH - LICENCE EXTENSION PROPOSAL

As a resident in the proximity of the Wilbraham Arms pub on Welsh Row Nantwich, I wish to petition against the application to extend the licencing of the pub.

I would firstly like to respectfully remind the council that in the 2010 Licence Review of the pub, it was deemed that the tenants and owners of the Wilbraham Arms, Enterprise Inns Ltd had failed in their responsibilities under the Licence Act 2003 and that accordingly the hours should be restricted to their current level. The environmental health department of the council also served two abatement notices on the pub prior to this meeting. It was also recognised by the committee that the pub's hours and its activities were not conducive with or necessary for a pub situated in a residential area (where I live).

The process of that review was to ensure that the public were protected and the principles of the Act upheld viz- the prevention of crime, public safety, the prevention of public nuisance and the protection of children from harm. The Licencing Committee in reaching its decision on November 26<sup>th</sup> 2010, took into account the protests of the residents of the community, the Environmental Health department and even the Police in reaching its decision and I would like the council to uphold the decision it so clearly reached at that review.

My reasons for protesting against the change to the licence is therefore aligned to these same principles and accordingly I concur with these statements:

Regarding Prevention of Crime and Public Safety

I consider that there is a direct correlation between late drinking hours and crime as evidenced when the pub was last open to these early hours – numerous calls to the police citing anti-social behaviour, lewdness, fighting and even cars being damaged along Welsh Row are a matter of record. The police are already stretched dealing with similar and other incidents and adding to their workload by extending late drinking beyond the town centre border is therefore both unnecessary and unwelcome. Furthermore, as this type of criminal behaviour often happened *after* the pub closed in the early hours, such events cannot be controlled or supervised by the pub itself nor can any assurances to prevent such be guaranteed by its owners. Realistically and understandably, the police are often not in a position to respond *immediately* and as such this puts the public at risk as it did the last time the pub had these late opening and drinking hours.

Regarding the Protection of Children from harm

The pub wish to remove the restriction preventing under 16 year olds from being in the pub after 8pm. This restriction was imposed by the last review as a result of numerous reports of young people attending the pub and to therefore protect children from harm. I believe this is the only way to guarantee their welfare and removing this restriction is both unnecessary but may also lead to a slide back towards under age drinking (unknown or otherwise by the pub). Whilst I expect the pub to do everything in its power to ensure this does not happen, I do not believe this is possible to guarantee, especially out of the town centre. Moreover, I do not believe that allowing children into a (very) late night drinking establishment is conducive to their welfare, their family's or the community as a whole. Perhaps for this very reason, this is not a practice I am aware of in any of the other late night drinking establishments in the area.

Regarding additional associations with the Act

I would also like to list these other reasons for my protest which I concur with:

- Extended hours are unnecessary for a pub outside of the town centre and situated in a residential community.
- The police have enough to deal with already and adding this burden (even in just patrolling the area) is unfair.
- Allowing children in a pub that can sell alcohol until 1:00am and open until 1:30am is not conducive to a child's welfare
- Conduct previously displayed by the tenants and owners of the Wilbraham Arms and its efforts to manage and control said tenants was wanting and unsuccessful (evidence : the Licencing Restrictions and Abatement Notices served after a *considerable* number of chances given)
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- All of the above

Could I also respectfully ask the council to recognise that as this is neither a new licence application nor a new pub, that my comments regarding the detrimental effect extending the licencing and opening hours will have on the community are based on fact not speculation and have been unequivocally proven as indeed the Police and its own environmental health department can concur.

I would also like to add the following comments:

I am not a teetotal but feel extended opening hours will cause all kinds of problems

Yours faithfully,

Signed

(10)

APPENDIX 10

RECEIVED

10 JUN 2013

THE LICENCING SECTION,  
CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

DATE: 8th June 2013

RE: WILBRAHAM ARMS PUB, WELSH ROW, NANTWICH - LICENCE EXTENSION PROPOSAL

As a resident in the proximity of the Wilbraham Arms pub on Welsh Row Nantwich, I wish to petition against the application to extend the licencing of the pub.

I would firstly like to respectfully remind the council that in the 2010 Licence Review of the pub, it was deemed that the tenants and owners of the Wilbraham Arms, Enterprise Inns Ltd had failed in their responsibilities under the Licence Act 2003 and that accordingly the hours should be restricted to their current level. The environmental health department of the council also served two abatement notices on the pub prior to this meeting. It was also recognised by the committee that the pub's hours and its activities were not conducive with or necessary for a pub situated in a residential area (where I live).

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My reasons for protesting against the change to the licence is therefore aligned to these same principles and accordingly I concur with these statements:

Regarding Prevention of Crime and Public Safety

I consider that there is a direct correlation between late drinking hours and crime as *evidenced* when the pub was last open to these early hours – numerous calls to the police citing anti-social behaviour, lewdness, fighting and even cars being damaged along Welsh Row are a matter of record. The police are already stretched dealing with similar and other incidents and adding to their workload by extending late drinking beyond the town centre border is therefore both unnecessary and unwelcome. Furthermore, as this type of criminal behaviour often happened *after* the pub closed in the early hours, such events cannot be controlled or supervised by the pub itself nor can any assurances to prevent such be guaranteed by its owners. Realistically and understandably, the police are often not in a position to respond *immediately* and as such this puts the public at risk as it did the last time the pub had these late opening and drinking hours.

Regarding the Protection of Children from harm

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Regarding additional associations with the Act

I would also like to list these other reasons for my protest which I concur with:

- Extended hours are unnecessary for a pub outside of the town centre and situated in a residential community.
- The police have enough to deal with already and adding this burden (even in just patrolling the area) is unfair.
- Allowing children in a pub that can sell alcohol until 1:00am and open until 1:30am is not conducive to a child's welfare
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- All of the above

Could I also respectfully ask the council to recognise that as this is neither a new licence application nor a new pub, that my comments regarding the detrimental effect extending the licencing and opening hours will have on the community are based on fact not speculation and have been unequivocally proven as indeed the Police and its own environmental health department can concur.

I would also like to add the following comments:

Yours faithfully,

(11)

RECEIVED

10 JUN 2013

APPENDIX 11

THE LICENCING SECTION,  
CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

DATE: 07-06-2013

RE: WILBRAHAM ARMS PUB, WELSH ROW, NANTWICH - LICENCE EXTENSION PROPOSAL

As a resident in the proximity of the Wilbraham Arms pub on Welsh Row Nantwich, I wish to petition against the application to extend the licencing of the pub.

I would firstly like to respectfully remind the council that in the 2010 Licence Review of the pub, it was deemed that the tenants and owners of the Wilbraham Arms, Enterprise Inns Ltd had failed in their responsibilities under the Licence Act 2003 and that accordingly the hours should be restricted to their current level. The environmental health department of the council also served two abatement notices on the pub prior to this meeting. It was also recognised by the committee that the pub's hours and its activities were not conducive with or necessary for a pub situated in a residential area (where I live).

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My reasons for protesting against the change to the licence is therefore aligned to these same principles and accordingly I concur with these statements:

Regarding Prevention of Crime and Public Safety

I consider that there is a direct correlation between late drinking hours and crime as *evidenced* when the pub was last open to these early hours – numerous calls to the police citing anti-social behaviour, lewdness, fighting and even cars being damaged along Welsh Row are a matter of record. The police are already stretched dealing with similar and other incidents and adding to their workload by extending late drinking beyond the town centre border is therefore both unnecessary and unwelcome. Furthermore, as this type of criminal behaviour often happened *after* the pub closed in the early hours, such events cannot be controlled or supervised by the pub itself nor can any assurances to prevent such be guaranteed by its owners. Realistically and understandably, the police are often not in a position to respond *immediately* and as such this puts the public at risk as it did the last time the pub had these late opening and drinking hours.

Regarding the Protection of Children from harm

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Regarding additional associations with the Act

I would also like to list these other reasons for my protest which I concur with:

- Extended hours are unnecessary for a pub outside of the town centre and situated in a residential community.
- The police have enough to deal with already and adding this burden (even in just patrolling the area) is unfair.
- Allowing children in a pub that can sell alcohol until 1:00am and open until 1:30am is not conducive to a child's welfare
- Conduct previously displayed by the tenants and owners of the Wilbraham Arms and its efforts to manage and control said tenants was wanting and unsuccessful (evidence : the Licencing Restrictions and Abatement Notices served after a considerable number of chances given)
- The potential impact, as previously displayed and documented in the last tenure of the publicans viz: anti-social behaviour associated with late night drinking, disturbance of the peace, bottles and other detritus left by patrons across the neighbourhood. The area, one of significant cultural interest, was marred by litter, urination and bottles making the neighbourhood look unpleasant, and be less pleasant and safe to live in.
- All of the above

Could I also respectfully ask the council to recognise that as this is neither a new licence application nor a new pub, that my comments regarding the detrimental effect extending the licencing and opening hours will have on the community are based on fact not speculation and have been unequivocally proven as indeed the Police and its own environmental health department can concur.

I would also like to add the following comments:

Loud noise in vicarage at night.  
 a residential area.  
 not a night club  
 urinating  
 in the archway late at night.

Yours faithfully,

12

RECEIVED

10 JUN 2013

APPENDIX 12

THE LICENCING SECTION,  
CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

DATE :

RE: WILBRAHAM ARMS PUB, WELSH ROW, NANTWICH - LICENCE EXTENSION PROPOSAL

As a resident in the proximity of the Wilbraham Arms pub on Welsh Row Nantwich, I wish to petition against the application to extend the licencing of the pub.

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My reasons for protesting against the change to the licence is therefore aligned to these same principles and accordingly I concur with these statements:

Regarding Prevention of Crime and Public Safety

I consider that there is a direct correlation between late drinking hours and crime as *evidenced* when the pub was last open to these early hours – numerous calls to the police citing anti-social behaviour, lewdness, fighting and even cars being damaged along Welsh Row are a matter of record. The police are already stretched dealing with similar and other incidents and adding to their workload by extending late drinking beyond the town centre border is therefore both unnecessary and unwelcome. Furthermore, as this type of criminal behaviour often happened *after* the pub closed in the early hours, such events cannot be controlled or supervised by the pub itself nor can any assurances to prevent such be guaranteed by its owners. Realistically and understandably, the police are often not in a position to respond *immediately* and as such this puts the public at risk as it did the last time the pub had these late opening and drinking hours.

Regarding the Protection of Children from harm

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Regarding additional associations with the Act

I would also like to list these other reasons for my protest which I concur with:

- Extended hours are unnecessary for a pub outside of the town centre and situated in a residential community.
- The police have enough to deal with already and adding this burden (even in just patrolling the area) is unfair.
- Allowing children in a pub that can sell alcohol until 1:00am and open until 1:30am is not conducive to a child's welfare
- Conduct previously displayed by the tenants and owners of the Wilbraham Arms and its efforts to manage and control said tenants was wanting and unsuccessful (evidence : the Licencing Restrictions and Abatement Notices served after a *considerable* number of chances given)
- The potential impact, as previously displayed and documented in the last tenure of the publicans viz: anti-social behaviour associated with late night drinking, disturbance of the peace, bottles and other detritus left by patrons across the neighbourhood. The area, one of significant cultural interest, was marred by litter, urination and bottles making the neighbourhood look unpleasant, and be less pleasant and safe to live in.
- All of the above

Could I also respectfully ask the council to recognise that as this is neither a new licence application nor a new pub, that my comments regarding the detrimental effect extending the licencing and opening hours will have on the community are based on fact not speculation and have been unequivocally proven as indeed the Police and its own environmental health department can concur.

I would also like to add the following comments:

Yours faithfully,  
Signed

(13)

APPENDIX 13

THE LICENCING SECTION,  
CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

DATE: 8 June 2013

**RE: WILBRAHAM ARMS PUB, WELSH ROW, NANTWICH - LICENCE EXTENSION PROPOSAL**

**As a resident in the proximity of the Wilbraham Arms pub on Welsh Row Nantwich, I wish to petition against the application to extend the licencing of the pub.**

I would firstly like to respectfully remind the council that in the 2010 Licence Review of the pub, it was deemed that the tenants and owners of the Wilbraham Arms, Enterprise Inns Ltd had failed in their responsibilities under the Licence Act 2003 and that accordingly the hours should be restricted to their current level. The environmental health department of the council also served two abatement notices on the pub prior to this meeting. It was also recognised by the committee that the pub's hours and its activities were not conducive with or necessary for a pub situated in a residential area (where I live).

The process of that review was to ensure that the public were protected and the principles of the Act upheld viz- the prevention of crime, public safety, the prevention of public nuisance and the protection of children from harm. The Licencing Committee in reaching its decision on November 26<sup>th</sup> 2010, took into account the protests of the residents of the community, the Environmental Health department and even the Police in reaching its decision and I would like the council to uphold the decision it so clearly reached at that review.

My reasons for protesting against the change to the licence is therefore aligned to these same principles and accordingly I concur with these statements:

**Regarding Prevention of Crime and Public Safety**

I consider that there is a direct correlation between late drinking hours and crime as *evidenced* when the pub was last open to these early hours – numerous calls to the police citing anti-social behaviour, lewdness, fighting and even cars being damaged along Welsh Row are a matter of record. The police are already stretched dealing with similar and other incidents and adding to their workload by extending late drinking beyond the town centre border is therefore both unnecessary and unwelcome. Furthermore, as this type of criminal behaviour often happened *after* the pub closed in the early hours, such events cannot be controlled or supervised by the pub itself nor can any assurances to prevent such be guaranteed by its owners. Realistically and understandably, the police are often not in a position to respond *immediately* and as such this puts the public at risk as it did the last time the pub had these late opening and drinking hours.

Regarding the Protection of Children from harm

The pub wish to remove the restriction preventing under 16 year olds from being in the pub after 8pm. This restriction was imposed by the last review as a result of numerous reports of young people attending the pub and to therefore protect children from harm. I believe this is the only way to guarantee their welfare and removing this restriction is both unnecessary but may also lead to a slide back towards under age drinking (unknown or otherwise by the pub). Whilst I expect the pub to do everything in its power to ensure this does not happen, I do not believe this is possible to guarantee, especially out of the town centre. Moreover, I do not believe that allowing children into a (very) late night drinking establishment is conducive to their welfare, their family's or the community as a whole. Perhaps for this very reason, this is not a practice I am aware of in any of the other late night drinking establishments in the area.

Regarding additional associations with the Act

I would also like to list these other reasons for my protest which I concur with:

- Extended hours are unnecessary for a pub outside of the town centre and situated in a residential community.
- The police have enough to deal with already and adding this burden (even in just patrolling the area) is unfair.
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- The potential impact, as previously displayed and documented in the last tenure of the publicans viz: anti-social behaviour associated with late night drinking, disturbance of the peace, bottles and other detritus left by patrons across the neighbourhood. The area, one of significant cultural interest, was marred by litter, urination and bottles making the neighbourhood look unpleasant, and be less pleasant and safe to live in.
- All of the above

Could I also respectfully ask the council to recognise that as this is neither a new licence application nor a new pub, that my comments regarding the detrimental effect extending the licencing and opening hours will have on the community are based on fact not speculation and have been unequivocally proven as indeed the Police and its own environmental health department can concur.

I would also like to add the following comments:

I am a close neighbour. Under the previous tenancy my car was scratched twice and obscene graffiti written on my doorstep. Visiting children were intimidated as they parked their cars in the street near the pub.

Yours faithfully,

(14)

8<sup>th</sup> June 2013

Licensing Section  
Cheshire East Council  
Macclesfield  
Cheshire  
SK10 1DS

Dear Sir or Madam,

Re: Application for license variation at Wilbraham Arms, 58 Welsh Row, Nantwich CW5 5EJ

I note that an application for license variation has been made for the Wilbraham Arms, involving the extension of licensing hours for opening, refreshment and alcohol provision to midnight on Sundays to Wednesdays and to 1.30 am on Thursdays to Saturdays, the deregulation of entertainment, and the allowance of people under 16 to be on the premises in the evenings.

I am a close neighbour.

I would like to express our strong objection in the light of the following statutory licensing objectives. I am in a strong position to know what would happen if the requested license variation was permitted, because very similar licensing conditions were in force two years ago under the same owners, and this caused much local distress and disruption. I do not see why anything should have changed in the meantime. Enterprise Inns failed to respond over a period of three years to numerous complaints from residents, and eventually the police themselves unusually attended their license review meeting, when the Council ruled unanimously that the company had failed in their legal obligations under the Licensing Act.

#### Prevention of Crime and Disorder

Under the previous managers there was much local nuisance created, including acts of petty vandalism and intimidating behaviour by customers standing outside the pub. Vandalism included car-scratching and obscene graffiti. I am very worried that this scenario could be repeated.

#### Public Safety

Passers-by were previously subjected to insults and vituperation by drinkers standing outside the pub. My daughters who visit us regularly found the experience of passing the

pub to be intimidating. Girls returning home from Malbank School at the end of Welsh Row were regular targets of lewd comments. I can see no reason why this should not happen again.

#### Prevention of Public Nuisance

At weekends there is usually much festive action at the bridge end of Welsh Row, but normally this does not extend down to lower parts of the street. The effect of rowdy behaviour at the Wilbraham Arms when it previously had its license was to act as a magnet drawing revellers down the street, and greatly increasing local noise late at night. This part of the street is a quiet residential area quite unsuitable for late night entertainment. Most disturbing was late night noise, which disrupted the sleep of children and elderly people living nearby. An elderly persons' home lies round the corner, and they suffered from disruptive behaviour in the vicinity, in particular because the passageway leading from the pub to the home became a regular venue for urination, fighting and rowdy celebration. There were many complaints made by neighbours under noise abatement regulations, which eventually led to two noise abatement notices, and the landlord losing his license.

#### Protection of Harm to Children

There are young children living nearby, who were previously kept awake late at night. This will probably happen again. Previously there was evidence of underage drinking, and if the new license allows access to the pub by children this is likely to happen again. It is surely harmful to children to allow them to be present in a pub where alcohol is served until 1 a.m.

Yours sincerely ✓

cc. Edward Timpson MP, 13 Churchyardside, Town Centre, Nantwich CW5 5AG

RECEIVED

11 JUN 2013

15

THE LICENCING SECTION,  
CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

DATE :

7/6/13

RE: WILBRAHAM ARMS PUB, WELSH ROW, NANTWICH - LICENCE EXTENSION PROPOSAL

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The process of that review was to ensure that the public were protected and the principles of the Act upheld viz- the prevention of crime, public safety, the prevention of public nuisance and the protection of children from harm. The Licencing Committee in reaching its decision on November 26<sup>th</sup> 2010, took into account the protests of the residents of the community, the Environmental Health department and even the Police in reaching its decision and I would like the council to uphold the decision it so clearly reached at that review.

My reasons for protesting against the change to the licence is therefore aligned to these same principles and accordingly I concur with these statements:

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Regarding additional associations with the Act

I would also like to list these other reasons for my protest which I concur with:

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- All of the above

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I would also like to add the following comments:

Yours faithfully,

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RECEIVED

APPENDIX 16

11 JUN 2013

THE LICENCING SECTION,  
CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

DATE :

(16)

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I would also like to add the following comments:

THIS SUPPORTS OUR SEPARATE OBJECTION TO THE  
NEW LICENCE APPLICATION SENT BY E-MAIL .

Yours faithfully,  
Signed

RECEIVED

11 JUN 2013

APPENDIX 17

17

THE LICENCING SECTION,  
CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

DATE: 8/6/13

RE: WILBRAHAM ARMS PUB, WELSH ROW, NANTWICH - LICENCE EXTENSION PROPOSAL

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I would also like to add the following comments:

Although a new 'double door' has been installed at the back this is an old (listed) building whose fabric won't contain sound adequately AND smokers + drinkers out front + back are outside disturbing the peace night + day!

Yours faithfully,

RECEIVED

12 JUN 2013

APPENDIX 18

THE LICENCING SECTION,  
CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

DATE: 07/06/13

RE: WILBRAHAM ARMS PUB, WELSH ROW, NANTWICH - LICENCE EXTENSION PROPOSAL

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I would also like to add the following comments:

My property is 100-150m from these premises. I would suffer a clear disturbance. The residences neighbouring and opposite the premises will have a nightmare.

Yours faithfully,

RECEIVED <sup>1a</sup> Page 46  
12 JUN 2013

APPENDIX 19

THE LICENCING SECTION,  
CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

DATE: 7/JUNE 2013

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CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

RECEIVED

12 JUN 2013

DATE: 07/06/2013

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As a resident in the proximity of the Wilbraham Arms pub on Welsh Row Nantwich, I wish to petition against the application to extend the licencing of the pub.

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The process of that review was to ensure that the public were protected and the principles of the Act upheld viz- the prevention of crime, public safety, the prevention of public nuisance and the protection of children from harm. The Licencing Committee in reaching its decision on November 26<sup>th</sup> 2010, took into account the protests of the residents of the community, the Environmental Health department and even the Police in reaching its decision and I would like the council to uphold the decision it so clearly reached at that review.

My reasons for protesting against the change to the licence is therefore aligned to these same principles and accordingly I concur with these statements:

Regarding Prevention of Crime and Public Safety

I consider that there is a direct correlation between late drinking hours and crime as evidenced when the pub was last open to these early hours – numerous calls to the police citing anti-social behaviour, lewdness, fighting and even cars being damaged along Welsh Row are a matter of record. The police are already stretched dealing with similar and other incidents and adding to their workload by extending late drinking beyond the town centre border is therefore both unnecessary and unwelcome. Furthermore, as this type of criminal behaviour often happened *after* the pub closed in the early hours, such events cannot be controlled or supervised by the pub itself nor can any assurances to prevent such be guaranteed by its owners. Realistically and understandably, the police are often not in a position to respond *immediately* and as such this puts the public at risk as it did the last time the pub had these late opening and drinking hours.

Regarding the Protection of Children from harm

The pub wish to remove the restriction preventing under 16 year olds from being in the pub after 8pm. This restriction was imposed by the last review as a result of numerous reports of young people attending the pub and to therefore protect children from harm. I believe this is the only way to guarantee their welfare and removing this restriction is both unnecessary but may also lead to a slide back towards under age drinking (unknown or otherwise by the pub). Whilst I expect the pub to do everything in its power to ensure this does not happen, I do not believe this is possible to guarantee, especially out of the town centre. Moreover, I do not believe that allowing children into a (very) late night drinking establishment is conducive to their welfare, their family's or the community as a whole. Perhaps for this very reason, this is not a practice I am aware of in any of the other late night drinking establishments in the area.

Regarding additional associations with the Act

I would also like to list these other reasons for my protest which I concur with:

- Extended hours are unnecessary for a pub outside of the town centre and situated in a residential community.
- The police have enough to deal with already and adding this burden (even in just patrolling the area) is unfair.
- Allowing children in a pub that can sell alcohol until 1:00am and open until 1:30am is not conducive to a child's welfare
- Conduct previously displayed by the tenants and owners of the Wilbraham Arms and its efforts to manage and control said tenants was wanting and unsuccessful (evidence : the Licencing Restrictions and Abatement Notices served after a *considerable* number of chances given)
- The potential impact, as previously displayed and documented in the last tenure of the publicans viz: anti-social behaviour associated with late night drinking, disturbance of the peace, bottles and other detritus left by patrons across the neighbourhood. The area, one of significant cultural interest, was marred by litter, urination and bottles making the neighbourhood look unpleasant, and be less pleasant and safe to live in.
- All of the above

Could I also respectfully ask the council to recognise that as this is neither a new licence application nor a new pub, that my comments regarding the detrimental effect extending the licencing and opening hours will have on the community are based on fact not speculation and have been unequivocally proven as indeed the Police and its own environmental health department can concur.

I would also like to add the following comments:

As we live almost the pub, it will have significant impact on my children and myself regarding noise - I never expected this issue would arise in a residential area.

Yours faithfully,

Signed

---

**SELFE, V**

**From:** [REDACTED]  
**Sent:** 12 June 2013 21:10  
**To:** SELFE, Vanessa

Dear Ms. Selfe,

As you know, I was contacted by Enterprise Inns, who received my details via their solicitors. It is interesting that despite a history of problems with this pub, this is the first time in the fifteen years that I have lived on Welsh Row that Enterprise have attempted to engage with their local community. However, I was pleased to meet Kirstie Fitzpatrick from Enterprise Inns and the proposed new landlords, Richard Shaw and Karl Levitt. It is clear that Mr Shaw and Mr. Levitt are experienced landlords who have a track record of running successful pubs.

Despite my conversation with Ms Fitzpatrick and Mr Shaw and Mr Levitt, I remain very concerned about both the proposed late hours and the proposed music that they intend to have playing at the pub. Mr Shaw's most recent venture is the Glass House in Sandbach, an operation that both Ms. Fitzpatrick and Mr Shaw said they are modelling the Wilbraham Arms on. The website for the Glass House uses terminology such as 'Gig Guide- Live' and the 'Saturday Soundtrack – Mixing it up every Saturday night 9 pm til the early hours' which is not congruent with their explanation that they intend this to be a quiet restaurant type setting. It appears that they are attempting to draw a young audience who might have some food and stay on to dance or drink with friends. Indeed the website suggests:

- 'Maybe you're on your way somewhere and want to start the evening with a drink at the bar and "something tasty," or perhaps you'd prefer to round off your evening with cocktails and a dessert .... We can do both!'

I have driven by the Glass House late at night, and it is very lively indeed. Even acoustic guitar, which is the proposed music for the Wilbraham Arms, can be extremely loud, especially when bounced around the houses and narrow streets. I accept that "modelled" on the Glasshouse may be intended only as a loose association and that Mr. Shaw may plan to run the Wilbraham Arms on a slightly different and quieter basis. However, in light of Enterprise Inns failure to monitor their premises in the past and their historical failure to respond to community complaints, it would be reassuring if the licence committee continued to place restrictions on their activity until such time as they have a demonstrated history of running an orderly pub that takes account of its residential location. It does not seem sensible to vary the licence solely on the basis of Enterprise Inn's verbal promises.

The willingness of Enterprise Inns to meet with local residents and to explain their plans is to be welcomed. Cynically, one notes that this willingness occurs at a time when it is in their interests to gain community support. The license committee has previously accepted that there are good reasons to restrict the permitted activity and opening hours of a pub surrounded by houses. I see no compelling arguments for a variance at this time and consequently I ask the committee to maintain the current restrictions.

Kind regards,

RECEIVED

13 JUN 2013

APPENDIX 22

THE LICENCING SECTION,  
CHESHIRE EAST COUNCIL,  
WESTFIELDS  
MIDDLEWICH ROAD  
SANDBACH,  
CHESHIRE  
SK10 1DS

DATE: 7.6.13

**RE: WILBRAHAM ARMS PUB, WELSH ROW, NANTWICH - LICENCE EXTENSION PROPOSAL**

As a resident in the proximity of the Wilbraham Arms pub on Welsh Row Nantwich, I wish to petition against the application to extend the licencing of the pub.

I would firstly like to respectfully remind the council that in the 2010 Licence Review of the pub, it was deemed that the tenants and owners of the Wilbraham Arms, Enterprise Inns Ltd had failed in their responsibilities under the Licence Act 2003 and that accordingly the hours should be restricted to their current level. The environmental health department of the council also served two abatement notices on the pub prior to this meeting. It was also recognised by the committee that the pub's hours and its activities were not conducive with or necessary for a pub situated in a residential area (where I live).

The process of that review was to ensure that the public were protected and the principles of the Act upheld viz- the prevention of crime, public safety, the prevention of public nuisance and the protection of children from harm. The Licencing Committee in reaching its decision on November 26<sup>th</sup> 2010, took into account the protests of the residents of the community, the Environmental Health department and even the Police in reaching its decision and I would like the council to uphold the decision it so clearly reached at that review.

My reasons for protesting against the change to the licence is therefore aligned to these same principles and accordingly I concur with these statements:

**Regarding Prevention of Crime and Public Safety**

I consider that there is a direct correlation between late drinking hours and crime as *evidenced* when the pub was last open to these early hours – numerous calls to the police citing anti-social behaviour, lewdness, fighting and even cars being damaged along Welsh Row are a matter of record. The police are already stretched dealing with similar and other incidents and adding to their workload by extending late drinking beyond the town centre border is therefore both unnecessary and unwelcome. Furthermore, as this type of criminal behaviour often happened *after* the pub closed in the early hours, such events cannot be controlled or supervised by the pub itself nor can any assurances to prevent such be guaranteed by its owners. Realistically and understandably, the police are often not in a position to respond *immediately* and as such this puts the public at risk as it did the last time the pub had these late opening and drinking hours.

Regarding the Protection of Children from harm

The pub wish to remove the restriction preventing under 16 year olds from being in the pub after 8pm. This restriction was imposed by the last review as a result of numerous reports of young people attending the pub and to therefore protect children from harm. I believe this is the only way to guarantee their welfare and removing this restriction is both unnecessary but may also lead to a slide back towards under age drinking (unknown or otherwise by the pub). Whilst I expect the pub to do everything in its power to ensure this does not happen, I do not believe this is possible to guarantee, especially out of the town centre. Moreover, I do not believe that allowing children into a (very) late night drinking establishment is conducive to their welfare, their family's or the community as a whole. Perhaps for this very reason, this is not a practice I am aware of in any of the other late night drinking establishments in the area.

Regarding additional associations with the Act

I would also like to list these other reasons for my protest which I concur with:

- Extended hours are unnecessary for a pub outside of the town centre and situated in a residential community.
- The police have enough to deal with already and adding this burden (even in just patrolling the area) is unfair.
- Allowing children in a pub that can sell alcohol until 1:00am and open until 1:30am is not conducive to a child's welfare
- Conduct previously displayed by the tenants and owners of the Wilbraham Arms and its efforts to manage and control said tenants was wanting and unsuccessful (evidence : the Licencing Restrictions and Abatement Notices served after a *considerable* number of chances given)
- The potential impact; as previously displayed and documented in the last tenure of the publicans viz: anti-social behaviour associated with late night drinking, disturbance of the peace, bottles and other detritus left by patrons across the neighbourhood. The area, one of significant cultural interest, was marred by litter, urination and bottles making the neighbourhood look unpleasant, and be less pleasant and safe to live in.
- All of the above

Could I also respectfully ask the council to recognise that as this is neither a new licence application nor a new pub, that my comments regarding the detrimental effect extending the licencing and opening hours will have on the community are based on fact not speculation and have been unequivocally proven as indeed the Police and its own environmental health department can concur.

I would also like to add the following comments:

SINCE THE PUB CLOSED THE AMOUNT OF NOISE DURING THE NIGHT PLUS DAMAGE TO FLOWER POTTS & CONTAINERS HAS SIGNIFICANTLY DECREASED TO ALMOST NOTHING. THIS IS A RESIDENTIAL AREA NOT A BACK STREET IN A BUSY TOWN CENTRE

Yours faithfully,  
Signed

RECEIVED

APPENDIX 23

13 JUN 2013

11 June 2013

The Licensing Section

Cheshire East Council

West fields

Middlewich Road

Sandbach

Cheshire ~~SAND~~ CW11 1HZ

Dear Sirs

**Re: Wilbraham Arms Pub, Welsh Row, Nantwich – Licence Extension Proposal**

I am writing as a resident close to the Wilbraham Arms pub on Welsh Row, Nantwich (the front of my house overlooks the rear of the pub) and wish to object to the application to extend the licencing of the pub.

At the 2010 Licence Review of the pub, the Council itself deemed that the tenants and owners of the Wilbraham Arms, Enterprise Inns Ltd had failed in their responsibilities under the Licence Act 2003 and that, accordingly, the hours should be restricted to their current level. The Environmental Health Department of the Council also served 2 noise abatement notices on the pub prior to this meeting. It was also recognised by the Committee that the pub's hours and its activities were not conducive to or necessary for a pub situated in a residential area, many of whose nearby residents are elderly. Indeed the newish retirement apartments behind Red Lion Lane will also be affected if the licence extension is approved.

The process of the 2010 review was to ensure that the public was protected and the principles of the Act upheld viz the prevention of crime, public safety, the prevention of public nuisance and the protection of children from harm. The Licencing Committee, in reaching its decision on 26 November 2010, took into account the objections of the residents of the community, the Environmental Health Department and even the Police. I can find no compelling reason to overturn the Committee's decision at that time.

I believe that there is a direct correlation between late drinking hours and crime as evidenced when the pub was last open into the early hours. There were many calls to the police citing anti-social behaviour, lewdness, fighting, urinating in the side streets (including the entrance to Townwell

Court) and even cars being damaged along Welsh Row. It is interesting to note that the Chip Shop further along Welsh Row reduced its opening hours because the female staff felt unsafe walking back along Welsh Row after 11.00pm. Myself and other female neighbours nearby felt uncomfortable and unsafe walking past the pub late at night when drunk customers spread out onto the Welsh Row to smoke. I also note that there appears to be no provision for a covered smoking area so I presume that smoking customers will have no choice to be move out onto Welsh Row again.

The Nantwich police do an excellent job trying to keep law and order on the streets of Nantwich late at night and into the early hours. Why add to their burden and our taxes by allowing yet another pub in Nantwich to stay open late into the night?

The pub also wishes to remove the restriction preventing under 16 year olds from being in the pub after 8.00pm. This restriction was imposed by the last review as a result of numerous reports of young people visiting the pub and to therefore protect children from harm. If you decide to remove this restriction, you run the risk of encouraging under age drinking. Whilst I am sure that the pub tenants will say that they will do everything possible to stop this happening, they cannot guarantee it, especially out of the town centre. It is also, surely, not the right message to send to vulnerable young people especially when we all know of research that shows a direct correlation between drink and anti-social behaviour.

In summary, I would like you to take account of the following:

1. Extended hours are unnecessary for a pub outside of the town centre and situated in a residential area with many older residents
2. The ability of the police to cope with extra patrols in the area
3. Allowing children in a pub which will sell alcohol until 1.00am and open until 1.30am is not conducive to a child's welfare
4. The conduct previously displayed by the tenants and owners of the Wilbraham Arms and its efforts to manage and control those tenants which was woefully wanting and unsuccessful
5. The potential impact on the disturbance of the peace of the neighbours in the surrounding houses together with other anti-social behaviour

I hope that you will take seriously my comments and, no doubt, the comments of other law abiding residents who are raising objections. This is certainly not a 'Not in my back yard' response – I accept that living in a town can never be entirely peaceful but it should not be a misery!

Thank you for considering my comments.

Yours faithfully

**SELFE, Vanessa**

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**From:** LICENSING (Cheshire East)  
**Sent:** 13 June 2013 12:24  
**To:** SELFE, Vanessa  
**Subject:** FW: Wilbraham Arms 58 welsh row nantwich cw5 5ej

APPENDIX 24

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**From:** ]  
**Sent:** 13 June 2013 12:00  
**To:** LICENSING (Cheshire East)  
**Subject:** Wilbraham Arms 58 welsh row nantwich cw5 5ej

Dear sir/madam,

I am writing to strongly OBJECT to the recent application by Enterprise Inns to INCREASE the licensing activities at this Pub,

I own 64 welsh row a grade 2 listed georgian town house which is immediately next door to the Wilbraham Arms,

I accept the "existing" licensing hours which were imposed by the licensing council some time ago (after a string of complaints) as they are more befitting to this pub which is right in the middle of a predominantly RESIDENTIAL area,

Increasing the licensed activities, will lead to drunken behaviour, noisy late night music, loss of sleep (i cannot fit double glazing because of the listing) people being ill on the street, drinking on the street and as i have witnessed undesirable behaviour going on in Red Lion Lane which is very poorly lit,

I am also lead to believe they want to close the car park and turn it into a noisy beer garden leading to more disturbance,

Please give this letter of objection serious consideration

Yours sincerely,

Insert name and address  
of relevant licensing  
authority and its  
reference number  
(optional)

LICENSING DEPT  
CHESHIRE EAST BOROUGH COUNCIL

## Application to vary a premises licence 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/We** ENTERPRISE INNS PLC  
(Insert name(s) of applicant)

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

Premises licence number

336

### Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description WILBRAHAM ARMS 58 WELSH ROW	
Post town NANTWICH	Post code CW5 5EJ
Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 22,000.00

### Part 2 - Applicant Details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	3 MONKSPATH HALL ROAD SHIRLEY
Post town	SOLIHULL
	Post code B90 4SJ

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes  No

If not, from what date do you want the variation to take effect?

DD MM YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

Yes  No

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

**Please describe briefly the nature of the proposed variation (Please see guidance note 2)**

1. To extend the hours for alcohol sales to 10.00 to 23.30 on Sundays to Wednesdays inclusive and from 10.00 to 01.00 Thursdays to Saturdays inclusive.
2. To permit late night refreshment until midnight on Sundays to Wednesdays inclusive and from 23.00 to 01.30 on Thursdays to Saturdays inclusive.
3. To extend the opening hours of the premises to 10.00 to midnight on Sundays to Wednesdays inclusive and from 10.00 to 01.30 on Thursdays to Saturdays inclusive.
4. To delete a condition precluding under 16's being on the premises after 20.00
5. To remove all regulated entertainment from the premises licence.

**Part 4 - Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

**A**

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>	
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 5)		
Thur						
Fri						
Sat				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 6)		
Sun						

**B**

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>	
Tue						
Wed				State any seasonal variations for the exhibition of films (please read guidance note 5)		
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 6)		
Sun						

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			
Thur			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 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)	
Thur					
Fri			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 6)		
Sat					
Sun					

**E**

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed				State any seasonal variations for the performance of live music (please read guidance note 5)	
Thur					
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 6)	
Sat					
Sun					

**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed				State any seasonal variations for the playing of recorded music (please read guidance note 5)	
Thur					
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 6)	
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>	
Tue						
Wed				State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur						
Fri						
Sat				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 6)		
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 4)	Outdoors
Tue			Both		<input type="checkbox"/>
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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 6)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place <u>indoors or outdoors or both - please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23.00	24.00	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	23.00	24.00			
Wed	23.00	24.00		State any seasonal variations for the provision of late night refreshment (please read guidance note 5)	
Thur	23.00	01.30			
Fri	23.00	01.30		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 6)	
Sat	23.00	01.30		As existing - New Years Eve 23.00 - 05.00 on New Years Day	
Sun	23.00	24.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption <u>- please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	10.00	23.30	State any seasonal variations for the supply of alcohol (please read guidance note 5)	Both	<input checked="" type="checkbox"/>
Tue	10.00	23.30			
Wed	10.00	23.30			
Thur	10.00	01.00		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)	
Fri	10.00	01.00		As existing	
Sat	10.00	01.00			
Sun	10.00	23.30			

K

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 9).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10.00	24.00	<p><b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</b></p> <p>As existing</p>
Tue	10.00	24.00	
Wed	10.00	24.00	
Thur	10.00	01.30	
Fri	10.00	01.30	
Sat	10.00	01.30	
Sun	10.00	24.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

The premises are to be refurbished to create a food led wine bistro. The conditions in Annex (Condition 4) which prohibits under 16's from the premises after 20.00 is to be deleted

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**M**

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General - all four licensing objectives (b, c, d and e) (please read guidance note 10)

As existing save for the deleted condition

b) The prevention of crime and disorder

As existing save for the deleted condition

c) Public safety

As existing save for the deleted condition

d) The prevention of public nuisance

As existing save for the deleted condition

e) The protection of children from harm

As existing save for the deleted condition

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 5 - Signatures** (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	Gosschalks
Date	15 MAY 2013
Capacity	Solicitors for and on behalf of the applicants

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	
<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 14) Gosschalks Solicitors Queens Gardens Hull East Yorkshire	
Post town	Post code HUL 3DZ
Telephone number (if any)	01482 324252
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

## **LICENSING ACT 2003 NOTICE OF APPLICATION TO VARY A PREMISES LICENCE UNDER SECTION 34**

Notice is hereby given that on the 16<sup>th</sup> May 2013 Enterprise Inns Plc applied to Cheshire East Council for a variation of the Premises Licence in respect of premises Wilbraham Arms, 58 Welsh Row Nantwich CW5 5EJ.

The proposed variation is ;-

1. To extend the hours for alcohol sales to 10.00 to 23.30 on Sundays to Wednesdays inclusive and from 10.00 to 01.00 Thursdays to Saturdays inclusive.
2. To permit late night refreshment until midnight on Sundays to Wednesdays inclusive and from 23.00 to 01.30 on Thursdays to Saturdays inclusive.
3. To extend the opening hours of the premises to 10.00 to midnight on Sundays to Wednesdays inclusive and from 10.00 to 01.30 on Thursdays to Saturdays inclusive.
4. To delete a condition precluding under 16's being on the premises after 20.00
5. To remove all regulated entertainment from the premises licence.

Any representations by an interested party or responsible authority regarding the above-mentioned application must be received in writing by:- The Licensing Section, Cheshire East Council, Macclesfield Town, Macclesfield Cheshire SK10 1DS no later than 13<sup>th</sup> June 2013 stating the grounds for representations.

The register of Cheshire East Council is kept by the Licensing Section of Cheshire East Council, Westfields, Middlewich Road, Sandbach, Cheshire CW11 1HZ and may be viewed at any time during office hours.

It is an offence knowingly or recklessly to make a false statement in connection with an application. The maximum fine for which a person is liable on summary conviction for the offence is £5,000.

## Part B

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

Premises licence number	<b>336</b>
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## Premises details

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

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

Post town **Nantwich**Post code **CW5 5EJ**Telephone number **01270 626419**

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 on page 3.</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>23:30</b>
<b>Tuesday</b>	<b>10:00</b>	<b>to</b>	<b>23:30</b>
<b>Wednesday</b>	<b>10:00</b>	<b>to</b>	<b>23:30</b>
<b>Thursday</b>	<b>10:00</b>	<b>to</b>	<b>23:30</b>
<b>Friday</b>	<b>10:00</b>	<b>to</b>	<b>24:00</b>
<b>Saturday</b>	<b>10:00</b>	<b>to</b>	<b>24:00</b>
<b>Sunday</b>	<b>10:00</b>	<b>to</b>	<b>23:30</b>

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

**On and off**

Name, (registered) address of holder of the premises licence

**Enterprise Inns Plc  
3 Monkspath Hall Road  
Shirley  
Solihull  
B90 4SJ**

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

**2562808**

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

State whether access to the premises by children is restricted or prohibited

**No unaccompanied children under 16 are allowed in premises licensed to sell alcohol for consumption on the premises.**

**Accompanied children will be allowed access to licensed premises where alcohol is sold for consumption on the premises - subject to the Personal licence holder's discretion.**

**Children under the age of 16 are not permitted on the premises after 20:00.**

Issued on: 07 April 2012

Signed by Peter Simester

On behalf of Cheshire East Borough Council  
Licensing Section, Westfields, Middlewich Road, Sandbach, CW11 1HZ

## The times the licence authorises the carrying out of licensable activities

<b>1. Films - indoors</b>			
<b>2. Indoor sporting events</b>			
<b>3. Performances of dance - indoors</b>			
<b>4. Provision of facilities for making music - indoors</b>			
<b>5. Provision of facilities for dancing - indoors</b>			
Monday	10:00	to	23:00
Tuesday	10:00	to	23:00
Wednesday	10:00	to	23:00
Thursday	10:00	to	23:00
Friday	10:00	to	23:30
Saturday	10:00	to	23:30
Sunday	10:00	to	23:00

<b>6. Late night refreshment - indoors</b>			
Monday	23:00	to	23:00
Tuesday	23:00	to	23:00
Wednesday	23:00	to	23:00
Thursday	23:00	to	23:00
Friday	23:00	to	23:30
Saturday	23:00	to	23:30
Sunday	23:00	to	23:00

<b>7. Sale of alcohol</b>			
Monday	10:00	to	23:00
Tuesday	10:00	to	23:00
Wednesday	10:00	to	23:00
Thursday	10:00	to	23:00
Friday	10:00	to	23:30
Saturday	10:00	to	23:30
Sunday	10:00	to	23:00

<b>Non standard timings:</b>			
New Year's Eve: 10:00 to normal start time on New Year's Day.			

**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 became effective on 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 became effective on 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. The rear door will be fitted with a self closing mechanism and will not be propped open at any time.

6. **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.

**IMPORTANT**

**See additional conditions on page 13.**

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

1. Sound attenuation works shall be carried out to the premises in order to create a double door system at the rear of the premises, the design of which shall be formulated in consultation with the Environmental Health Service. (See condition 5 on page 5.)
2. The rear external drinking area is to be closed to the public from 21:00 every night and is to remain closed until the premises re-open to the public the following day.
3. All tables, chairs, umbrellas and other paraphernalia are to be removed from the front of the premises from 21:00 every night and this restriction is to remain in place until the premises re-open to the public the following day.
4. No open vessel is to be taken outside the premises building after 21:00 and this restriction is to remain in place until the premises re-open to the public the following day.
5. No drinks may be sold or supplied to customers in a sealed vessel after 21:00 and this restriction is to remain in place until the premises re-open to the public the following day.

**IMPORTANT**

**See additional conditions on page 5.**

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

The decision of the Sub-Committee taking into account:

- The Secretary of State's Guidance under section 182 Licensing Act 2003
- Cheshire East Borough Council's Statement of Licensing Policy
- The four licensing objectives (namely the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm)

upon hearing the evidence in this case was as follows:

**DECISION**

The Sub-Committee has been asked to consider the application to review the Premises Licence at The Wilbraham Arms, 58 Welsh Row, Nantwich under section 51 of the Licensing Act 2003.

The Committee have taken careful consideration of all the evidence presented in this matter, in particular we have considered the evidence from the Environmental Health Service as the review applicant and from the Premises Licence Holder. In addition, the Sub-Committee has heard evidence in person from representatives of the Police and in person from two interested parties.

The Sub-Committee notes that the ground for review outlined in the application is the prevention of public nuisance. The Sub-Committee has heard evidence from the Environmental Health Officer of a noise investigation carried out by her Service following complaints about amplified music emanating from the premises and from customers within the rear yard of the premises. The Environmental Health Officer advised that as a result of complaints received from residents, noise monitoring equipment was installed in August 2010. The Officer advised that the equipment detected both a statutory nuisance from patrons in the rear yard of the premises until the early hours of the morning and clearly identifiable amplified music. The Environmental Health Officer advised that noise monitoring equipment was subsequently reinstalled and that the evidence gathered also indicated a statutory nuisance from noise from both the front and rear of the premises.

The Environmental Health Officer explained what steps had been taken to draw the problems to the attention of Mr Chamberlain, the premises licence holder and designated premises supervisor. The Officer stated in evidence that Mr Chamberlain appeared dismissive of the complaints and concerns raised.

The Environmental Health Officer stated that she informed Mr Chamberlain of certain required actions to deal with the noise problems, including:

1. Placing signs at all exits asking customer to leave quietly and respect the neighbours.
2. Patrol the premises both at the front and the rear and disperse large groups accordingly.
3. The rear gate to be closed at 22.00
4. No drinks to be taken outside after 21.30 and for no vessels to be taken out of the front and onto the highway.

5. Advice that it may be beneficial to have door staff in order to control individuals at the front and rear

6. To maintain a diary with regards to the actions taken to address any potential noise nuisance.

The Environmental Health Officer advised that despite the visit and this advice, complaints have continued. The Officer stated that noise monitoring equipment installed indicated that no controls had been implemented as there was evidence of a statutory nuisance from both amplified music emanating from the premises and from customers within the rear yard.

The Sub-Committee has heard that as a result of the continuing statutory nuisance, the Environmental Health Service issued two noise abatement notices in relation to the premises. One notice required the abatement of the nuisance caused by amplified music, whilst the other required limitations to be placed on entrance to the rear yard and to the service of food and drink to the front of the premises.

The Sub-Committee notes that the Police have made a representation in relation to the review application as a result of thirteen incidents recorded by them between June and September 2010. The Police have suggested that the number of complaints received by them, evidences the fact that the premises is causing late night nuisance to neighbours. The Police also advised of two further complaints which were received on 14<sup>th</sup> and 21<sup>st</sup> November. The Police have submitted that the evidence presented both by themselves and by the Environmental Health Service demonstrates that the premises are being managed in an ineffective way and that despite the visits of relevant officers the opportunity to address the problems has not been taken.

The Police submitted, for the consideration of the Sub-Committee, a number of suggested conditions as set out below. For the purposes of this decision, these conditions are referred to as 'the Police conditions.'

- (i) the rear external drinking area is to be closed to the public from 9 pm every night and to remain closed until the premises reopen to the public the following day.
- (ii) All tables, chairs, umbrellas and other paraphernalia are to be removed from the front of the premises from 9 pm every night and this restriction is to remain in place until the premises reopen to the public the following day.
- (iii) No open vessel is to be taken outside the premises building after 9 pm and this restriction is to remain in place until the premises reopen to the public the following day.
- (iv) No drinks may be sold or supplied to customers in a sealed vessel after 9 pm and this restriction is to remain in place until the premises reopen to the public the following day.

The Licence Holder has submitted that he does not run the premises as a nightclub and that he only provides entertainment on a Saturday and Sunday night, employing bands from the local area together with an 'open mic' night. The Licence Holder has submitted that he does patrol the premises in order to check the volume and suggests that in so doing has not come across any issue with the volume of music. The Licence Holder has stated that he has had discussions with the owner of the premises about works to the rear doors. The representative from Enterprise Inns has confirmed that works to the back door are due to take place.

The Sub-Committee is mindful of the Guidance from the Secretary of State issued under section 182 of the Act and notes paragraph 11.19 which states "In deciding which .. powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate reaction."

The Sub-Committee have taken all the evidence into account and, in accordance with section 52 of the Licensing Act 2003, has determined that the following steps are both necessary and proportionate in the light of the evidence provided.

**To modify the conditions of the licence to include the following:**

**1. Sound attenuation works shall be carried out to the premises in order to create a double door system at the rear of the premises, the design of which shall be formulated in consultation with the Environmental Health Service.**

The Sub-Committee notes that the conditions on the Premises Licence as it currently exists include a condition requiring that "No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises." The Sub-Committee is concerned to note that despite this condition being endorsed on the licence there is evidence of statutory nuisance emanating from the premises.

The Sub-Committee is mindful of the residential nature of the area and the evidence of the impact that the provision of regulated entertainment is having on neighbouring residents. The Sub-Committee has heard that the Environmental Health Service have obtained recordings clearly demonstrating a nuisance being caused from both music noise and from patrons to both the front and rear of the premises.

As a result of the evidence of noise escape from the rear door, the Sub-Committee has resolved to impose the condition above to further the objective of the prevention of public nuisance.

**2. To amend the terminal hours in relation to licensable activities as follows:**

**(a) the terminal hour in relation to sale of alcohol, late night refreshment and regulated entertainment (with the exception of recorded music) shall be 23.00 Sunday to Thursday and 23.30 on Fridays and Saturday (with the exception of New Years Eve which shall be from 10.00 to the normal opening hours on New Years Day).**

**(b) the terminal hour in relation to recorded music shall be 23.30 Sunday to Thursday and 24.00 on Fridays and Saturdays (with the exception of New Years Eve which shall be from 10.00 to the normal opening hours on New Years Day), subject to the requirement that recorded music during the 30 minutes before the premises is closed to the public shall be background music only;**

**3. To amend the opening hours of the premises as follows:**

**Sunday to Thursday: 10.00 to 23.30    Fridays and Saturdays: 10.00 to 24.00**

These amendments to the terminal hours of licensable activities and opening hours have been imposed as a result of the evidence of public nuisance being caused as a result of the operation of licensable activities at the premises. The Sub-Committee is mindful of the impact of these amendments to the operation of the premises, however, in the light of the evidence of sustained public nuisance, has determined that this is both a necessary and proportionate response. The Licence Holder submitted that the premises had a reputation for being a late night venue and that this is important to his business. The Sub-Committee notes this, however has heard that under previous management the premises was operated in such a manner so as not to cause a nuisance to residents in the early hours of the morning. The Sub-Committee has not heard evidence to satisfy it that the premises can be run by the Licence Holder to the terminal hours on the existing licence without causing a public nuisance.

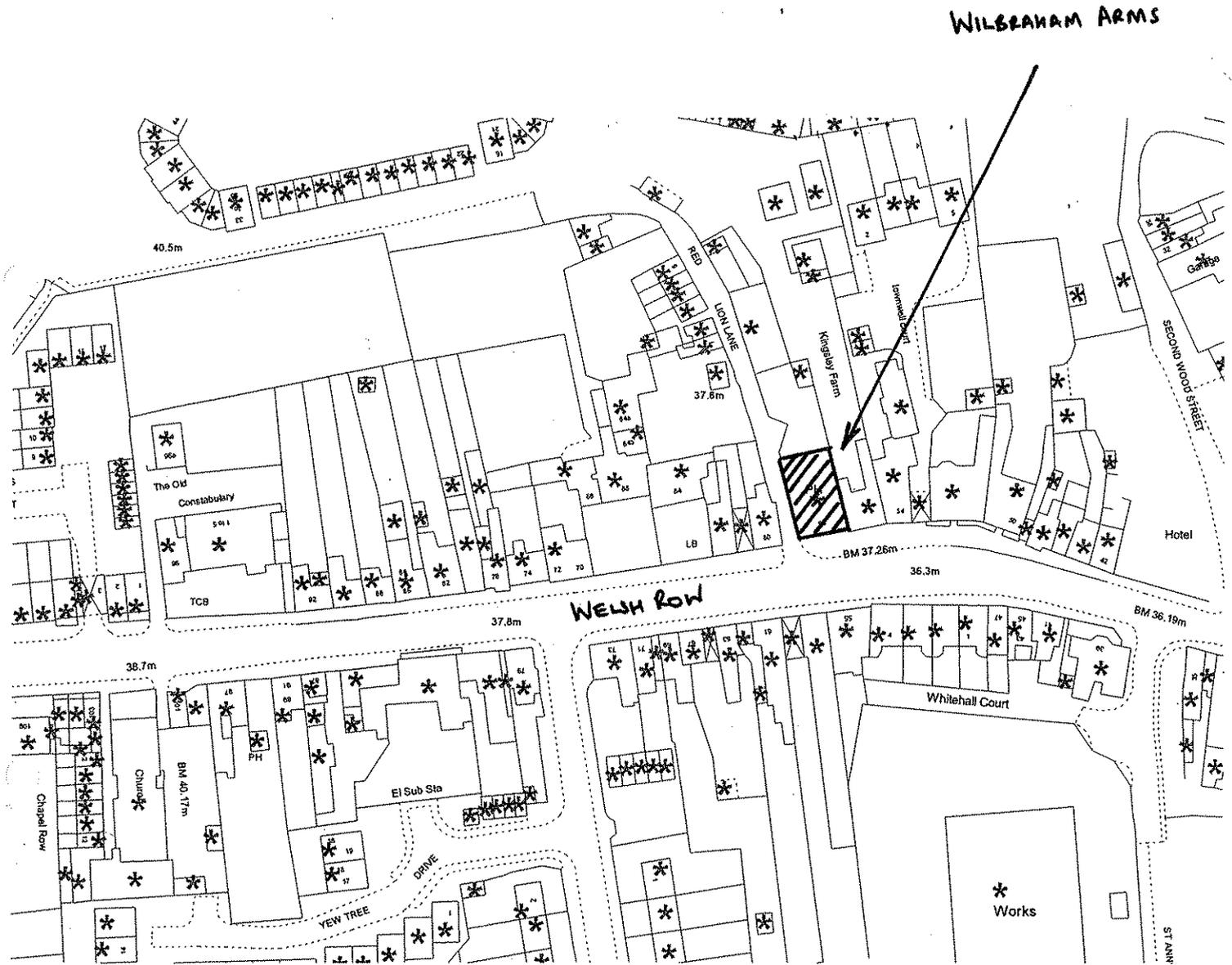
**4. To impose the Police conditions as set out above**

These conditions have been imposed in the light of the evidence of nuisance currently occurring in order to prevent public nuisance from persons congregating in both the rear yard area and to the front of the premises. The Sub-Committee has given careful consideration to the imposition of these conditions, and has resolved that in the light of the evidence presented, that these conditions are a proportionate response to address the clearly identified instances of public nuisance.

The parties to this hearing are reminded of their right to appeal this decision to the Magistrates Court within 21 days.

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

Location of premises



## CHESHIRE EAST COUNCIL

**REPORT TO: LICENSING ACT SUB-COMMITTEE**

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<b>Date of Meeting:</b>	Thursday 4 <sup>th</sup> July 2013 at 12:30 a.m.
<b>Report of:</b>	Mrs N Cadman, Licensing Officer
<b>Subject/Title:</b>	<b>Application to Vary a Premises Licence at Riflemans Arms, 113 Moor Lane, Wilmslow, SK9 6BY</b>

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**1.0 Report Summary**

- 1.1 The report provides details of an Application to Vary a Premises Licence under the Licensing Act 2003 and the proposed operating schedule together with details of relevant representations received in relation to the application.

**2.0 Recommendations**

- 2.1 The Licensing Act Sub-Committee is requested to determine the Application to Vary a Premises Licence by Trust Inns Ltd in respect of:

Riflemans Arms  
113 Moor Lane  
Wilmslow  
SK9 6BY

- 2.2 Acting in the capacity of Licensing Authority, Members must seek to promote the Licensing Objectives, and where Members consider matters have engaged one or more of the objectives, they may exercise their discretion.

- 2.3 Members of the Licensing Sub-Committee are reminded that they may not exercise discretion in any case, merely because it considers it desirable to, and should provide reason(s) for any decision taken, or where they might consider departing in any way from the Policy or Guidance.

**2.4 Licensing Objectives / Guidance / Policy Considerations**

- 2.4.1 The relevant representations engage the licensing objectives. The Sub-Committee in respect of this application is referred to the Guidance issued under Section 182 of the Licensing Act 2003, specifically those sections relating to the licensing objectives, premises licenses and hearings. The licensing objectives are (a) the prevention of crime and disorder; (b) public safety; (c) the prevention of public nuisance; and (d) the protection of children from harm.

**2.5 Statement of Licensing Policy**

- 2.5.1 Members should carefully consider the relevant sections of the Council's Statement of Licensing Policy.

2.6 Members are reminded that should any conditions be added, they should be practical, enforceable and appropriate to promote the Licensing Objectives.

2.7 Finally, Members are also reminded that in determining the application in accordance with the Licensing Act 2003, Members must also have regard to:

- The rules of natural justice
- The provisions of the Human Rights Act 1998

### **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 Wilmslow West & Chorley

### **5.0 Local Ward Members**

5.1 Cllr Gary Barton  
Cllr Wesley Fitzgerald

### **6.0 Policy Implications**

6.1 The Licensing Authority 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 (Authorised by the Director of Finance and Business Services)**

7.1 Not applicable.

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

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 steps (if any) as it considers appropriate for the promotion of the licensing objectives. Section 18(4) provides that the authority may:

- (a) Grant the licence subject to the relevant mandatory conditions and conditions consistent with the operating schedule
- (b) Modify the application to such extent as the Authority considers appropriate for the promotion of the Licensing Objectives
- (c) Exclude from the scope of the licence any of the Licensable Activities to which the application relates
- (d) Refuse to specify a person in the licence as the Premises Supervisor
- (e) Reject 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, received on the 16<sup>th</sup> May 2013, is for the grant of a Variation of the Premises Licence under section 34 of the Licensing Act 2003.

10.2 The operating schedule indicates that the proposed variation is as follows:

- To extend the hours for all existing licensable activities.
- To extend the opening hours of the premises.

10.3 The hours applied for are as follows:

- **Sale and Supply of Alcohol  
(for consumption both on and off the premises)**  
Sunday to Thursday 11:00 to midnight  
Friday and Saturday 11:00 to 01:00 hours

None Standard timings: to permit the sale of alcohol and such regulated entertainment as authorised hereunder until 01.00am on Sunday and Monday at Bank Holiday Weekends and Christmas Eve and Boxing Day.

- **All Existing Regulated Entertainment**  
Sunday to Thursday 11:00 to midnight  
Friday and Saturday 11:00 to 01:00 hours
- **Late Night Refreshment**  
Sunday to Thursday 23:00 to 00.30 hours  
Friday and Saturday 23:00 to 01:30 hours
- **Opening Hours of the Premises**  
Sunday to Thursday 11:00 to 00.30 hours  
Friday and Saturday 11:00 to 01:30 hours

10.4 A copy of the application form is attached as Appendix 10 of this report.

10.5 A copy of the existing Premises Licence Summary and Conditions is attached as Appendix 11 of this report.

10.6 The Designated Premises Supervisor is Mr Oliver Dennis Woods.

10.7 Relevant Representations

Responsible Authorities:

10.7.1 The Police Licensing Officer states: Application received 30th April 2013 from Trust Inns Limited to vary a Premises Licence - Riflemans Arms, 113 Moor Lane, Wilmslow, Cheshire, SK9 6BY. The application is to vary regulated entertainment, the sale and supply of alcohol and late night refreshments. There are no Police objections.

10.7.2 The Environmental Health Officer states: I wish to advise that this Service has concerns regarding the above application in relation to the Licensing Objective of the Prevention of Public Nuisance and would therefore raise an objection to the application.

The Riflemans Arms is in a location whereby residential properties on Moorfield Drive, Moor Lane and New Street effectively 'surround' the pub. The nearest dwellings are in relatively close proximity to the pub and certain properties share a boundary fence with the pub and directly back on to the main garden area of the public house with limited separation distance. Dwellings on Moor Lane are directly opposite to the front door of the main room / function room and a car parking area. Dwellings on New Street are near to the other entrance to the pub and a car parking area.

The application is to vary / extend the licensable activities in terms of days / hours of licensable activities to a termination time of between midnight and 01.30 hours - dependant on the day of the week.

The outdoor garden area consists of attractive seating, a smoking shelter and it is understood that an inflatable bouncy castle is a constant feature within the garden.

This Service would raise concerns that the proposed variation has high potential to result in noise nuisance, general disturbance and sleep prevention / disturbance to be caused to the residents of the nearby dwellings due to the fact that the proposed extension of hours extend into 'sensitive' times when most residents will expect to be able to sleep within their homes.

The main / larger room of The Riflemans Arms also acts as the function room. Whilst the windows and doors have the benefit of double glazing, the following issues are of concern:

1. It is considered that due to the structure of the pub, there is high potential for internally generated noise from music / patrons to escape from the pub premises. In addition to the general 'melody' of music, I would advise that the bass beat element of the music can be particularly noticeable and can travel further distance due to its low frequency level.

2. Intermittent ' blasts' of internally generated noise such as amplified music and 'accumulations of people' noise will escape from the function room as patrons go outdoors to sit in the garden and/or access the smoking area or use either of pub entrance doors.

3. There appears to be no air conditioning system within the function room - which may therefore result in windows / doors being propped open for ventilation and cooling purposes.

4. The room has at least three Xpelair type 'hole in the wall' type of ventilation fans - through which noise is likely to escape.

5. A single access door leads directly from the function room to the pub garden (no double door or lobbied area). The garden area provides outdoor seating and a smoking shelter. Smokers and patrons wishing for cooler conditions are likely to congregate in that area - resulting in 'patron noise' i.e. talking, laughing, raised voices etc. Similar issues may also be caused at the front / side access doors to the pub.

6. Outdoor speakers are currently provided to the garden area.

7. A bouncy castle with corresponding noise generative generator appears to be a constant feature within the garden.

In addition to internally generated noise escaping to outside, the proposed early morning termination hours has high potential to result in an increase in patron noise during early morning hours such as the congregation of patrons in the pub garden area, on the car park and in the general vicinity of the pub. Such noise could include raised voices, chatting on mobile phones, car doors being banged, car radios, vehicle engine noise as leaving the premises etc.

10.7.3 There were no responses from any of the other Responsible Authorities.

Other Persons:

10.7.4 The Council has also received 9 letters of objection to this application, which have been deemed relevant. Copies of these objections are at appendices 1 to 9 of this report.

**11.0 Access to Information**

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

Name: Mrs N Cadman  
Designation: Licensing Officer  
Tel No: 01270 685957  
Email: nikki.cadman@cheshireeast.gov.uk

**APPENDICES**

Appendices 1 to 9	Letters of objection from interested persons.
Appendix 10	Application form.
Appendix 11	Existing Premises Licence Summary and Conditions
Appendix 12	Plan of the area

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10<sup>th</sup> June 213

RECEIVED

12 JUN 2013

Dear Sirs,

Re: Extended hours of the Rifleman's Arms, Wilmslow

I am writing to object to the proposed extension of the opening times at the Rifleman's Arms on Moor Lane, Wilmslow.

The proposed times are wholly unacceptable for a residential area. 1.30 am and 12.30am is far too late for such a family area.

Additionally, we back directly on to the Rifleman's beer garden and already tolerate evening noise and a bouncy castle positioned right outside our garden. Keeping the pub open until the early hours seems really inconsiderate for those residents close by.

I do hope our objection is taken seriously.

Yours faithfully,

RECEIVED

- 9 JUN 2013

To: The Licensing Dept.  
Cheshire East Council

Re: Proposed changes to Licensing hours  
at the Riflesman's Arms.

To whom it may concern:

Dear Sir,

My husband and I live in the house directly behind the Riflesman's Arms, Moor Lane, Wilmslow. It has come to our notice that the tenants have applied for an extension to their opening hours. Our house is approximately 40 metres from the back wall of the pub and even nearer to their outside seating area. The pub has installed 'Garden Speakers' in this area and loud music is playing there, sometimes from midday onwards; they have also put in a play area with a bouncy castle, so the noise from the back has become increasingly intrusive.

My husband is in the later stages of Alzheimers, and spends progressively more time in bed (our main bedroom is back on to the pub). Since the speakers were installed it has become impossible for me to open his windows on warm days and especially evenings, and for the noise to continue until 1.30 at weekends and 12.30

on weekdays would be totally intolerable, as for sitting outside and enjoying our own garden in peace, that is no longer an option.

As a vulnerable adult, residing in a residential area which demands high rates, my husband's life should not be plagued by such disturbances. (A couple of weeks ago a group of young people were playing on the bouncy castle at 10-30-11pm and the screams and yells at that time of night were unacceptable even with the benefit of double glazing.

I cannot express strongly enough my objections to the proposed changes to the hours of opening in view of my situation as a carer of someone sick. I hope you will refuse this request and in addition, do something about the outside speakers.

Yours truly,

The Licensing Department  
Cheshire East Council  
Macclesfield Town Hall  
Market Place  
Macclesfield  
Cheshire  
SK10 1DX

9<sup>th</sup> June 2013

Dear Sirs

**Re: Rifleman's Arms Public House, 113 Moor Lane, Wilmslow  
Objection to Extension of Hours**

I write in order to register my objection to the application to extend the permitted hours of licensable activities at the Rifleman's Arms, 113 Moor Lane, Wilmslow.

My family and I, which includes 2 young children, live in Moorfield Drive which runs both adjacent to and then parallel to the rear of this public house.

Firstly I would like to say that we are pleased to see that the 'Rifleman's' appears to be doing well after many years of struggling to establish a local following and I want to state that I am not objecting to the extension of hours merely for the sake of it.

As a family who in the road adjacent to the premises we are well placed to confirm that in becoming more successful the noise levels emanating from the building and its beer gardens has also increased, particularly on a Friday evening and on Saturdays and Sundays. Only this weekend a neighbour found it necessary to attend the premises and ask them to turn off the speakers that were playing loud music outside. Both the sound of loud music and the noise of enthusiastic adult and child revellers is a regular cause for disturbance to the houses bordering the public house.

The beer gardens back directly onto the gardens of the houses in Moorfield Drive and one house in particular contains a vulnerable elderly adult who truly needs to be assured of the quiet enjoyment of his property.

For the sake of clarity I believe that the application is contrary to the following 2 out of 4 Licensing Objectives:

- The prevention of public nuisance
- The protection of children from harm

Extending the hours as proposed in the recent application will only serve to exacerbate the noise disturbances already experienced by the residents and I would urge the Licensing Department to seek alternatives to the current blanket hours extension that is proposed.

One such measure would be limiting the ability to play music other than inside the premises and stopping the use of the Beer Gardens after 10:00pm including for the use of smokers (there is adequate space at the front of the premises for smoking). I would also question whether a newly installed beer garden and bouncy Castle to the right of the property directly behind someone's garden is actually within the current licensable area stipulated on the Premises Licence.

I would urge you to take note of my objections and accept them in the constructive spirit in which they are intended.

$\frac{1}{2}$ 

The Licensing Dept.  
Cheshire East Council  
Macclesfield Town Hall  
Market Place  
Macclesfield  
Cheshire SK10 1DX

7-6-2013

Dear Sirs,

I wish to register an objection to the proposed extension to the opening hours of the Rifleman's Arms on Moor Lane, Wilmslow. This public house is situated in a quiet residential area where the extended opening hours would have a seriously detrimental affect on the people living in close proximity. These sort of opening times are more suited to those licensed premises in the centre of Wilmslow and not in a location such as this is in.

Currently the local residents surrounding this pub have to put up with excessive noise from the beer garden on a regular basis, especially on a Sunday afternoon. An extension to the opening hours of this nature will only make this situation worse. I consider these proposed



RECEIVED

- 7 JUN 2013

Dear Sir/Madam,

I am submitting this letter as our form of objection to the proposed increase in licensing hours of the Riflemans Arms, Moor Lane, Wilmslow.

This is a densely populated residential area and having lived at this address directly opposite the Riflemans Arms for 18 years we have a fair and balanced view of the area, the pub and it's habits

Our main concern is that of increased noise late at night. We have a young child whose bedroom window faces the pub. During summertime when windows are open the noise is naturally increased, voices, traffic passing, car doors slamming, customers continuing conversations outside on the car park. When we bought this house it was with the knowledge that there would be all of this up to an expected time of 23:30 on a Saturday night. To increase the hours from 23:30 to 01:30 is very unreasonable after all this is not a town centre pub.

Increasing the hours means that there is going to be a certain percentage of customers who are going to be drinking for longer and my experience tells me that people are very much less considerate to others whilst under the influence of alcohol!

Late night opening will automatically attract a younger customer with greater stamina to party on and can be loud and quite thoughtless under the influence of drink.

Late night opening is a ticket to a "party" probably a "private party" where one can expect late night acts and bands playing using even louder audio equipment.

Whilst we have no objection to the Riflemans wishing to increase it's number of customers the increased number of vehicles are going to be overflowing to park beyond the boundaries of their land and on to the streets. This is going to also increase the levels of noise and bring it closer to our door.

It is on these grounds that we form our objections to the increased licensing hours.

Your faithfully,

4<sup>th</sup> June 2013

Dear Sirs

We are writing to object in the strongest of terms to the proposed extended opening hours at the Rifleman's Arms to 1.30am on Fridays and Saturday's.

Moor Lane is a residential area and we take great exception to the possibility of being woken by people fuelled with alcohol leaving the pub at 1.30/2am. It is already noisy at weekends when they leave around midnight and when it's common knowledge the Rifleman's is open until 1.30am we believe the noise levels will be intolerable.

We understand the need for people to make a living, but surely not at the expense of residents who live near the Rifleman's. There's constant noise on a weekend during the day when the pub is open all day Saturday and Sunday without the possibility of enduring it through the night as well.

Yours faithfully,

The Licensing Dept.  
Cheshire East Council  
Macclesfield  
SK10 1DY

Dear Sir.

We wish to register our objection to the attached application by Trunk Inns Ltd to extend the licensing hours of the Riflemen Arms. Moor Lane is a residential area and the proposed extension to the licensing hours is bound to cause more noise disturbance in the early hours, especially when the pub closes for the night, with people parking and cars leaving the car park.

We have lived in our home, which is nearly opposite the pub, for over 40 years and in that time there have been many alcohol fuelled disturbances connected to the pub. We have tolerated these problems but fear that anti social behaviour will escalate if the licensing hours are extended as the customers are much more likely to have consumed more alcohol.

Yours sincerely

**PUBLIC & LEGAL NOTICE**

**LICENSING ACT 2003**  
**PUBLIC NOTICE OF APPLICATION FOR VARIATION OF A PREMISES LICENCE**

TRUNK INNS LTD has applied to vary the Premises Licence for the RIFLEMANS ARMS 113 Moor Lane, Winslow, Macclesfield, Cheshire SK10 1DY.

The application is to vary the hours for licensable activities as follows:

Licensable activity (except Late Night Refreshment) (see notes below)

Sunday to Thursday 11.00am to Midnight  
Friday and Saturday 11.00am to 01.00am  
Late Night Refreshment

Sunday to Thursday 23.00pm to 12.30am  
Friday and Saturday 23.00pm to 01.30am

Opening hours of premises

Friday and Saturday 11.00am to 01.30am

It is noted that the application cannot be inspected during normal office hours (except bank holidays) at the offices of the Licensing Department, Cheshire East Council, Macclesfield Town Hall, Market Place, Macclesfield, Cheshire SK10 1DY.

The interested party or responsible authority wishing to make representations on the application must do so to the Licensing Department, Cheshire East Council, Macclesfield Town Hall, Market Place, Macclesfield, Cheshire SK10 1DY.

Representations must be in writing marked Private & Confidential and must be received by the Licensing Department no later than the 12th June 2013.

NOTE: It is an offence knowingly or recklessly to make a false statement in connection with an application punishable with a maximum fine of £5000 or summary conviction.

Dated this 16th May 2013

*Private + Confidential*

The Licensing Department  
Cheshire East Council  
Macclesfield Town Hall  
Market Place  
Macclesfield  
Cheshire  
SJK10 1DX

*3/6/2013*

Variation of premises Licence – Riflemans Arms Wilmslow

Sir/Madam

I am writing on behalf of my wife and myself to register our objection to the application made by Trust Inns Ltd to vary the Premises Licence for:

The Riflemans Arms  
113 Moor Lane  
Wilmslow  
SK9 6BY

The extension of the closing times to 12:30am Sunday to Thursday and to 1:30am on Friday and Saturday are completely inappropriate for premises that are situated in an area that is wholly residential with the exception of these premises.

As local residents we already tolerate noise, nuisance, and occasionally disorder relating to the premises. An extension to the licencing of the premises has a great potential to lead to an increase in this noise and disorder and us have to suffer it for longer periods and into the small hours of the morning.

When in the past events at the venue have continued until beyond 12am there has been excessive noise and on a number of occasions some serious disorder. Particularly on a couple of occasions when large groups of people have congregated outside the premises at between 1am and 2am fighting, singing, and urinating. This is not something that I think local residents should have to tolerate, and any extension of the hours will surely only increase the possibility of further loutish behaviour in the small hours of the morning. It is already the case that groups congregate on the car park to smoke and in doing so cause some noise nuisance and it is intolerable to think that this type of behaviour could be happening until 1:30am and beyond on a routine basis.

What would the purpose be of the premises being open until 12:30 am during the week and 1:30am at weekends? If people must drink until those hours there are plenty of premises in the Town centre away from residential areas where such licences may be seen to be more appropriate and the area more easily policed and monitored.

I fail to see how extending the licence at these premises will help to achieve the Licencing Objectives that the Authority has set itself.

With the current licence residents already have to endure some public nuisance. Past experience indicates that when the venue is open later this nuisance rises to levels that are unacceptable, particularly with regard to loud music, noise, and disturbance when customers leave (including some loutish behaviour). We already have to tolerate noise and behaviour that is out of place in a residential area in the late evening, why subject us to it through into the early hours of the morning? It would be detrimental enough for the adult residents in the area and I cannot imagine what the effect would be on the many children that live locally.

I am disappointed that the licence holders have made such inappropriate and un-neighbourly proposals as they demonstrate a very disappointing level of regard toward local residents who I think demonstrate a remarkable level of tolerance and understanding towards premises that are in the middle of what is a residential area. With the current licencing arrangements we sometimes already suffer what many would consider unreasonable noise and nuisance. Perhaps our neighbourly tolerance is misplaced and counter-productive and we should make more issue about the effects of the current licence?

I urge you to decline this application

Yours Sincerely

23 May 2013

The Licensing Department  
Cheshire East Council  
Macclesfield Town Hall  
Market Place  
MACCLESFIELD  
Cheshire  
SK10 1DX

Dear Sirs

Ref: **Application for Variation of a Premises Licence  
The Riflemans Arms, Moor Lane, Wilmslow**

It has come to our notice that the above public house has applied to extend its licensing hours. We wish to object to this.

The compact rear garden of our property and that of The Riflemans Arms share a boundary. There is approximately 30m between our back doors with only a hedge and 6ft timber fence to divide them.

We have lived here for over 13 years, and until the past year have had no reason to complain. However, since the present landlord took over, the public house has become much busier, and noise from the property has become a growing problem.

Of particular concern is on the occasion of functions and music events. While music is playing, even if the doors of the pub and our bedroom windows are both closed, the music and shouting of customers is clearly audible. This is worse on the frequent occasions when customers exit through the back doors to take in fresh air, or, presumably, smoke. This results in frequent blasts of much louder noise. The problem is worse still during the summer when customers are presumably becoming uncomfortably hot, and we need to sleep with bedroom windows open for precisely the same reason.

Though we have made no specific record of the time of night, now knowing the licensed opening hours, we can be fairly sure that the allowed hours that music is permitted to be played are probably not being contravened appreciably. We can, however, be sure that the further permitted half hour for customers to leave the premises is regularly overrun, with rowdiness and general hubbub present until well into the small hours. Allowing these hours to be extended by up to 2 hours on some nights would be hard to accept.

- 2 -

We have also recently begun to experience further noise problems from the Riflemans Arms during daylight hours, which we have discussed with the Environment Department of Cheshire East council, and which we accept have no bearing on this particular application. They do, however, impact on our living conditions and comfort.

We accept that the landlord of the Riflemans Arms has the right to try to run a successful business, and we wish him luck. However, we consider that he could well do this without such extension of hours, which are wholly inappropriate for a quiet residential area of the town.

We hope that you will look sympathetically on our submission, and reject the application from the Riflemans Arms.

Yours faithfully

## Application to vary a premises licence 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/We Trust Inns Ltd

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

**Premises licence number**

PR/0067

## Part 1 – Premises Details

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

Rifleman's Arms

113 Moor Lane

**Post town**

Wilmslow

**Post code**

SK9 6BY

Telephone number at premises (if any)

01625 637235

Non-domestic rateable value of premises

£11250

## Part 2 – Applicant details

<b>Daytime contact telephone number</b>	01257 238800
<b>E-mail address (optional)</b>	licensing@trustinns.co.uk
<b>Current postal address if different from premises address</b>	Blenheim House Foxhole Road Ackhurst Park
<b>Post Town</b>	Chorley
<b>Postcode</b>	PR7 1NY

**Part 3 - Variation**

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day	Month	Year

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**  
To vary the hours for licensable activities as follows

All licensable activitiy (except Late Night Refreshment)  
Sunday to Thursday 11.00am to Midnight  
Friday and Saturday 11.00am to 01.00am

Late Night Refreshment  
Sunday to Thursday 11.00am to 12.30am  
Friday and Saturday 11.00am to 01.30am

Opening hours of premises  
Sunday to Thursday 11.00am to 12.30am  
Friday and Saturday 11.00am to 01.30am

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

0
---

**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment**

**Please tick yes**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of entertainment facilities:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

**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)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors <input type="checkbox"/>		
				Outdoors <input type="checkbox"/>		
				Both <input type="checkbox"/>		
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)			
Mon						
Tue						
Wed					<b>State any seasonal variations for performing plays</b> (please read guidance note 4)	
Thur						
Fri					<b>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</b> (please read guidance note 5)	
Sat						
Sun						

## B

Films Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11.00	00.00	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue	11.00	00.00			
Wed	11.00	00.00	<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Thur	11.00	00.00			
Fri	11.00	01.00	<b><u>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</u></b> (please read guidance note 5)		
Sat	11.00	01.00			
Sun	11.00	00.00			

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon	11.00	00.00	
Tue	11.00	00.00	<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed	11.00	00.00	
Thur	11.00	00.00	
Fri	11.00	01.00	<b><u>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</u></b> (please read guidance note 5)
Sat	11.00	01.00	
Sun	11.00	00.00	

D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>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</u></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11.00	00.00	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue	11.00	00.00			
Wed	11.00	00.00	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4)		
Thur	11.00	00.00			
Fri	11.00	01.00	<b><u>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</u></b> (please read guidance note 5)		
Sat	11.00	01.00			
Sun	11.00	00.00			

F

Recorded music Standard days and timings (please read guidance note 6)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11.00	00.00	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue	11.00	00.00			
Wed	11.00	00.00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4)		
Thur	11.00	00.00			
Fri	11.00	01.00	<b><u>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</u></b> (please read guidance note 5)		
Sat	11.00	01.00			
Sun	11.00	00.00			

G

Performances of dance Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	00.00	<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11.00	00.00			
Wed	11.00	00.00	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur	11.00	00.00			
Fri	11.00	01.00	<b><u>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</u></b> (please read guidance note 5)		
Sat	11.00	01.00			
Sun	11.00	00.00			

H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)</p>			<p><b><u>Please give a description of the type of entertainment you will be providing</u></b></p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 3)</p>		
Wed					
Thur			<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)</p>		
Fri					
Sat			<p><b><u>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</u></b> (please read guidance note 5)</p>		
Sun					

I

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the facilities for making music you will be providing</u></b>		
			<b><u>Will the facilities for making music be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>Both</u></b> <input type="checkbox"/>		
Mon	11.00	00.00	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue	11.00	00.00			
Wed	11.00	00.00	<b><u>State any seasonal variations for the provision of facilities for making music</u></b> (please read guidance note 4)		
Thur	11.00	00.00			
Fri	11.00	01.00	<b><u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat	11.00	01.00			
Sun	11.00	00.00			

J

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b>Will the facilities for dancing be indoors or outdoors or both – please tick</b> (see guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give a description of the facilities for dancing you will be providing</b>	
Mon	11.00	00.00	<b>Please give further details here</b> (please read guidance note 3)	
Tue	11.00	00.00		
Wed	11.00	00.00	<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4)	
Thur	11.00	00.00		
Fri	11.00	01.00	<b>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</b> (please read guidance note 5)	
Sat	11.00	01.00		
Sun	11.00	00.00		

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon					Outdoors
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23.00	00.30		<b><u>Please give further details here</u></b> (please read guidance note 3)	
Tue	23.00	00.30			
Wed	23.00	00.30	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Thur	23.00	00.30			
Fri	23.00	01.30	<b><u>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</u></b> (please read guidance note 5)		
Sat	23.00	01.30			
Sun	23.00	00.30			

## M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input checked="" type="checkbox"/>
Mon	11.00	00.00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	11.00	00.00			
Wed	11.00	00.00			
Thur	11.00	00.00		<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5) To permit the sale of alcohol and such regulated entertainment as authorised hereunder until 01.00am on Sunday and Monday at Bank Holiday Weekends & Christmas Eve and Boxing Day	
Fri	11.00	01.00			
Sat	11.00	01.00			
Sun	11.00	00.00			

## 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)

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)
Day	Start	Finish	
Mon	11.00	00.30	
Tue	11.00	00.30	
Wed	11.00	00.30	
Thur	11.00	00.30	
Fri	11.00	01.30	
Sat	11.00	01.30	
Sun	11.00	00.30	
			<b>Non standard timings. Where you intend 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)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

**P** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

No further risks have been identified which need to be addressed.

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

No further risks have been identified which need to be addressed.

**c) Public safety**

No further risks have been identified which need to be addressed.

**d) The prevention of public nuisance**

No further risks have been identified which need to be addressed.

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

No further risks have been identified which need to be addressed.

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- 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 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	29 <sup>th</sup> April 2013
Capacity	Commercial Manager

**Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd 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)

Mr Chris Hind  
Trust Inns Ltd  
Blenheim House  
Ackhurst Business Park  
Foxhole Road

<b>Post town</b>	Chorley	<b>Post code</b>	PR7 1NY
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<b>Telephone number (if any)</b>	01257 238800
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**If you would prefer us to correspond with you by e-mail your e-mail address (optional)**

**Notes for Guidance**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



**Cheshire East  
Council**

**Premises Licence Summary**

Premises Licence Number:

PR/0067

**Premises Details**

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

Riflemans Arms  
113 Moor Lane  
Wilmslow  
Cheshire

Post Town: Wilmslow

Post Code: SK9 6BY

Telephone Number: 01625 637235

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Live Music  
Recorded Music  
Performance of Dance  
Indoor Sports  
Film Exhibitions  
Sale and supply of alcohol  
Provision of facilities for making music  
Provision of facilities for dancing  
Late night refreshment

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

**Live Music (to take place indoors)**

Monday to Saturday 11.00 to 23.00  
Sunday 11.00 to 22.30

Non-standard timings: When hours for sale of alcohol are extended hereunder these hours are also extended.

**Recorded Music (to take place indoors)**

Monday to Saturday 11.00 to 23.00  
Sunday 11.00 to 22.30

Non-standard timings: When hours for sale of alcohol are extended hereunder these hours are also extended.

**Performance of Dance (to take place indoors)**

Monday to Saturday 11.00 to 23.00  
Sunday 11.00 to 22.30

Non-standard timings: When hours for sale of alcohol are extended hereunder these hours are also extended.

**Indoor Sports**

Monday to Saturday 11.00 to 23.00  
Sunday 11.00 to 22.30

Non-standard timings: When hours for sale of alcohol are extended hereunder these hours are also extended.

**Film Exhibitions (to take place indoors)**

Monday to Saturday 11.00 to 23.00  
Sunday 11.00 to 22.30

Non-standard timings: When hours for sale of alcohol are extended hereunder these hours are also extended.

**Sale and supply of alcohol**

Monday to Saturday 11.00 to 23.00  
Sunday 11.00 to 22.30

Non-standard timings:

To permit the sale of alcohol and such regulated entertainment as authorised hereunder until 00.00 on Friday, Saturday, Sunday and Monday at bank holiday weekends, Christmas Eve, Boxing Day and to open to the same hour on up to 20 occasions per annum at my discretion upon seven days prior notice to the Police (if required by them).

From 10.00 on New Years Eve to the end of permitted hour on New Years Day

To permit the premises to open for licensable activities to show the broadcast of televised sporting events of national or international interest outside normal operating hours such opening times for this purpose to be confirmed upon seven days prior notice in writing to the Police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.

**Provision of facilities for making music (to take place indoors)**

Monday to Saturday 11.00 to 23.00  
Sunday 11.00 to 22.30

Non-standard timings: When hours for sale of alcohol are extended hereunder these hours are also extended.

**Provision of facilities for dancing (to take place indoors)**

Monday to Saturday 11.00 to 23.00  
Sunday 11.00 to 22.30

Non-standard timings: When hours for sale of alcohol are extended hereunder these hours are also extended.

**Late night refreshment**

Non-standard timings: When hours for sale of alcohol are extended hereunder the terminal hour for late night refreshment will be extended from 23.00.

The opening hours of the Premises:

Monday to Saturday 11.00 to 23.30  
Sunday 11.00 to 23.00

Non-standard timings: The premises will close 30 minutes after the end of the non-standard timings identified in relation to sale of alcohol.

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

For consumption either on or off the premises.

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

Trust Inns Limited  
Blenheim House  
Foxhole Road  
Ackhurst Park  
Chorley  
PR7 1NY

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

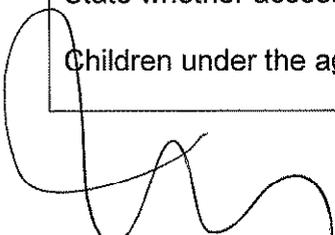
Not applicable

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

Oliver Dennis Woods

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

Children under the age of 16 shall not be permitted to enter the premises after 20.00



Signed by Mrs N Cadman  
On behalf of Cheshire East Borough Council

**Annex 1 - Mandatory Conditions**

1. No supply of alcohol may be made under this Premises Licence -
  - (a) at a time when there is no designated premises supervisor in respect of the Premises Licence, or
  - (b) at a time when the designated premises supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under this Premises Licence must be made or authorised by a person who holds a Personal Licence.
3. The admission of children to the exhibition of any film must be restricted in accordance with section 20 of the Licensing Act 2003. Admission of children must be restricted in accordance with any recommendation made by the British Board of Film Classification.

**LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS) ORDER 2010**

**MANDATORY CONDITIONS**

**Condition 1**

- (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises 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 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 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 that 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.

**Condition 2**

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

**Condition 3**

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

**CONDITIONS 4 & 5 APPLICABLE WITH EFFECT FROM 1<sup>ST</sup> OCTOBER 2010**

**Condition 4**

- (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) 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.

**Condition 5**

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: ½ 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 the Operating Schedule**

**Prevention of Crime and Disorder**

1. Any persons exercising a security activity (as defined by paragraph 2(1)(a) of schedule 2 of the Private Security Industry Act 2001) shall be licensed by the Security Industry Authority.
2. Such a person will be employed at the premises at the discretion of the designated premises supervisor/holder of the premises licence.
3. Any person as defined in condition (1) will clearly display his name badge at all times whilst on duty.
4. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
5. Where CCTV is installed with recording facilities such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the police.

6. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.

**Public Safety**

7. To comply with the reasonable requirements of the fire officer from time to time.

8. To comply with the reasonable requirements of the building control officer.

**Prevention of Public Nuisance**

9. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.

10.. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.

**Protection of Children from Harm**

11. Children under the age of 16 shall not be permitted to enter the premises after 20.00

12. Where there is provided in the Premises an entertainment for children, or an entertainment at which the majority of the persons attending are children, then, if the number of children attending the entertainment exceeds one hundred, it shall be the duty of the person providing the entertainment to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate, and to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and to take all other reasonable precautions for the safety of the children

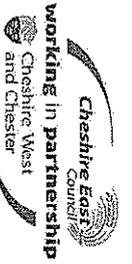
13. Where the occupier of the Premises permits, for hire or reward, the Premises to be used for the purpose of an entertainment, he shall take all reasonable steps to secure the observance of the provisions of condition 12 above.

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

1. There shall be adequate means of warning of fire in place to the satisfaction of the Fire Service.

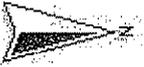
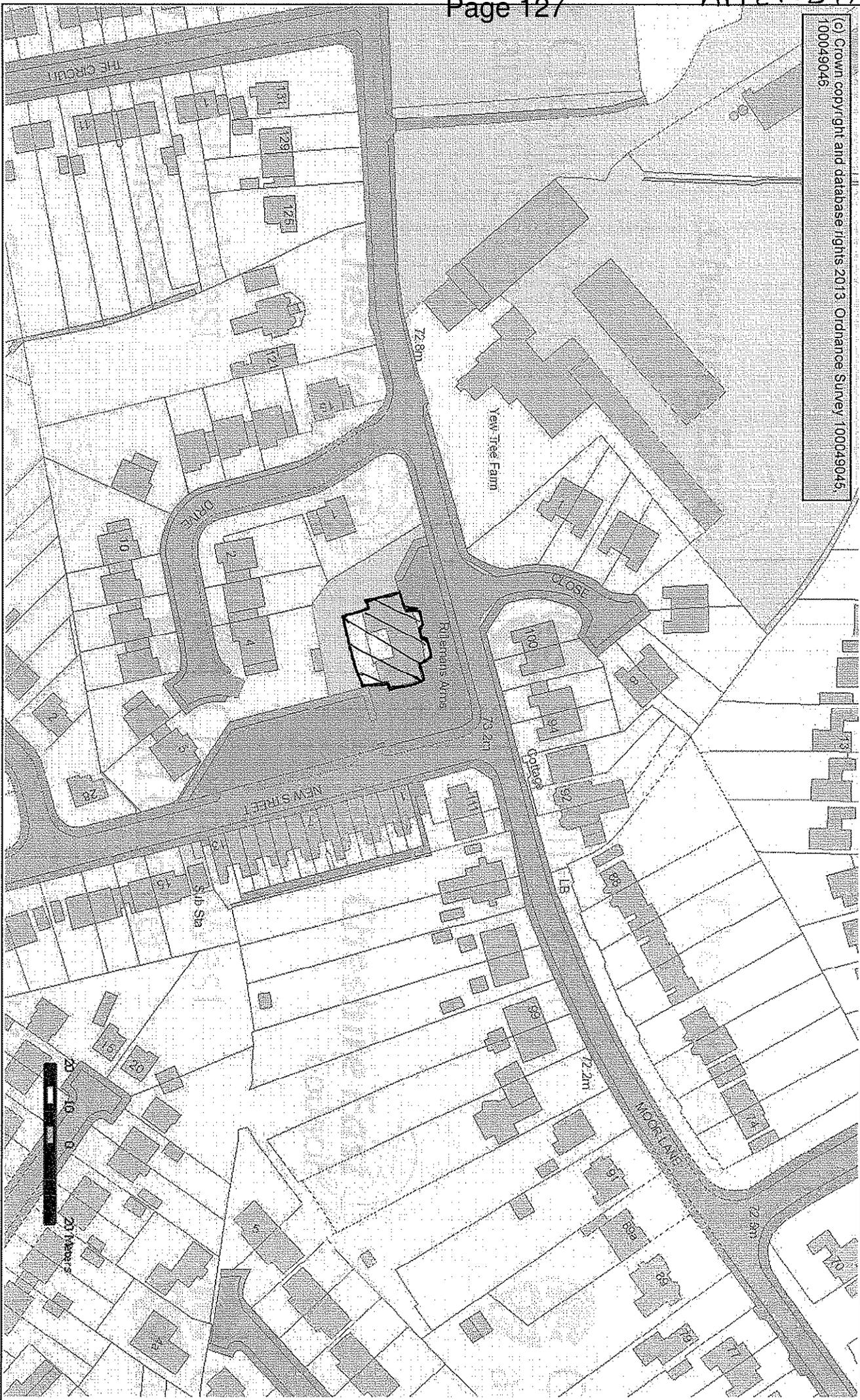
2. There shall be adequate emergency lighting in place to the satisfaction of the Fire Service.

**Annex 4 – Plans**



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CHESHIRE EAST COUNCIL

**REPORT TO: LICENSING ACT SUB-COMMITTEE**

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**Date of Meeting:** Thursday 4<sup>th</sup> July 2013 at 2.00pm  
**Report of:** Mrs N Cadman  
**Subject/Title:** **Application for a Betting Premises Licence at William Hill, 19/21 High Street, Sandbach, CW11 1AJ**

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**1.0 Report Summary**

- 1.1 The report provides details of an application for betting premises licence together with details of relevant representations received in relation to the application.

**2.0 Recommendations**

- 2.1 The Sub-Committee is requested to determine the application for a Betting Premises Licence by William Hill Organization Limited trading as William Hill in respect of:

William Hill  
19/21 High Street  
Sandbach  
Cheshire  
CW11 1AJ

**3.0 Reasons for Recommendations**

- 3.1 The Sub-Committee has the delegated authority to grant or reject this application in accordance with the provisions of the Gambling Act 2005 and the Council's Constitution.

**4.0 Wards Affected**

- 4.1 Sandbach Town

**5.0 Local Ward Members**

- 5.1 Cllr Barry Moran

**6.0 Policy Implications**

- 6.1.1 The Licensing Authority has adopted a Statement of Gambling Principles in accordance with section 349 of the Gambling Act 2005. Whilst having regard to the general principles within the Statement, Members may wish to consider the following:

6.1.2 Paragraphs 8.2 to 8.6 deal with the consideration of applications:

## **8 Consideration of applications**

8.2 *The licensing authority has determined to set out a number of factors, linked to the licensing objectives, which it may consider when considering applications. It should be noted that each case will be decided on its merits, so if an applicant can show how they might overcome licensing objective concerns, then that will be taken into account.*

8.3 *Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime*

8.3.1 *In considering licence applications, the Licensing Authority will particularly take into account the following:-*

- *The location of the premises – for example if an application for a licence or permit is received in relation to premises that are in an area noted for particular problems with organised crime.*
- *The design and layout of the premises;*
- *The training given to staff in crime prevention measures appropriate to those premises;*
- *Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;*
- *Where premises are subject to age restrictions, the procedures in place to conduct age verification checks;*
- *The likelihood of any violence, public order or policing problem if the licence is granted.*

8.3.2 *This licensing authority notes the Commission's Guidance in relation to the meaning of disorder in the context of gambling premises, namely activity that is more serious and disruptive than mere nuisance, and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it.*

8.3.3 *Applicants are encouraged to discuss the crime prevention procedures in their premises with the Licensing Officers of Cheshire Constabulary before making a formal application.*

8.4 Ensuring that gambling is conducted in a fair and open way

8.4.1 This licensing authority has noted that the Commission's Guidance states: "Generally the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either the management of the gambling business, and therefore subject to the operating licence, or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence."

8.5 Protection of children and other vulnerable persons

8.5.1 It is noted that, with limited exceptions, the intention of the Gambling Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult-only environments.

8.5.2 This licensing authority has noted that the Gambling Commission Guidance to local authorities states that "The objective talks of protecting children from being "harmed or exploited by gambling", but in practice that often means preventing them from taking part in gambling and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children

8.5.3 The Licensing Authority will judge the merits of each separate application before deciding whether to impose conditions to protect children on particular categories of premises. This may include consideration of issues such as:-

- Supervision of entrances;
- Segregation of gambling areas from areas frequented by children;
- Supervision of gaming machines in non-adult gambling specific premises.

8.5.4 The Licensing Authority recognises the Commission's Guidance which states that Licensing authorities should ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is

*effective to prevent access other than through a designated entrance;*

- *only adults are admitted to the area where these machines are located;*
- *access to the area where the machines are located is supervised;*
- *the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and*
- *at the entrance to and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.*

*8.5.6 The Council does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children, but it will assume for regulatory purposes, that “vulnerable persons” include:*

- *People who gamble more than they want to;*
- *People who gamble beyond their means;*
- *People who may not be able to make an informed or balanced decision about gambling due to a mental impairment, alcohol or drugs.*

## *8.6 Conditions*

*8.6.1 The Act provides licensing authorities with:*

- *The ability to exclude from the premises licence any default conditions that have been imposed under section 168; and*
- *The power to impose conditions on the premises licence*

*8.6.2 The Licensing Authority recognises its duty to act in accordance with the principles within section 153 of the Act and will not attach conditions which limit the use of premises for gambling except where to do so is necessary as a result of the requirement to act:*

- *In accordance with the Commission’s Guidance, the Commission’s Codes of Practice, or this statement of licensing principles; or*
- *In a way that is reasonably consistent with the licensing objectives.*

*The Licensing Authority will not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions.*

8.6.3 *Any condition imposed by the licensing authority will be proportionate to the circumstances which it seeks to address. In particular, the licensing authority will ensure that premises licence conditions are:*

- *Relevant to the need to make the proposed building suitable as a gambling facility;*
- *Directly related to the premises and the type of licence applied for;*
- *Fairly and reasonably related to the scale and type of premises; and*
- *Reasonable in all other respects.*

8.6.4 *Decisions on individual conditions will be taken on a case-by-case basis, although this will be against the background of general policy set out in the Commission's Guidance and this statement of principles.*

8.6.5 *There are conditions which the Licensing Authority cannot attach to premises licences which are:*

- *any condition which makes it impossible to comply with an operating licence condition;*
- *conditions relating to gaming machine categories, numbers, or method of operation;*
- *conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs); and*
- *conditions in relation to stakes, fees, winning or prizes.*

8.6.6 *Where a condition is attached to a premises licence requiring door supervisors, the Licensing Authority will normally require those door supervisors to be Security Industry Authority (SIA) registered. Door supervisors at casinos or bingo premises are exempt from being registered by the SIA but the Licensing Authority considers that it is best practice for door supervisors working at casinos or bingo premises to have SIA training or similar.*

6.1.3 Paragraph 10.4 deals with betting premises:

#### 10.4 Betting Premises

10.4.1 *The Licensing Authority will take into account*

- *the size of the premises;*
- *the number of counter positions available for person-to-person transactions; and*

- *the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people*
- *when considering the number, nature and circumstances of betting machines an operator wants to offer.*

*10.4.2 The Licensing Authority will consider making door supervision a requirement in circumstances where there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate.*

*10.4.3 The Licensing Authority is mindful of the conditions which may be attached to betting premises licences, which may include those relating to the restriction of the number of betting machines, their nature and the circumstances in which they are made available. The Authority will consider limiting the number of machines in circumstances where there is clear evidence that such machines have been or are likely to be used in breach of the licensing objectives. In these circumstances the Authority may take into account the ability of staff to monitor the use of such machines from the counter.*

*10.4.4 The Licensing Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual, and whom the authority will contact first should any compliance queries or issues arise.*

6.2 Members should also note that at 7.2.4 the Licensing Authority states that:

*Representations made on the grounds that an applicant would be in competition with an existing business or that there is allegedly no demand for additional gambling premises will not be considered to be relevant.*

6.3 The Authority must also have regard to the Guidance issued by the Gambling Commission in accordance with section 25 of the Act and the code of practice issued by the Commission.

6.4 The Code of Practice relating to betting states that:

- (1) *Licensees must have and put into effect policies and procedures intended to promote socially responsible gambling.*
- (2) *Licensees' policies and procedures for socially responsible gambling must include but need not be confined to:*
  - *the specific policies and procedures required by the following provisions of section 2 of this code*
  - *a commitment to and how they will contribute to research into the prevention and treatment of problem gambling*
  - *a commitment to and how they will contribute to public education on the risks of gambling and how to gamble safely*
  - *a commitment to and how they will contribute to the identification and treatment of problem gamblers.*
- (3) *Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these. This must include procedures for:*
  - *checking the age of apparently underage customers*
  - *removing from adult-only licensed premises anyone who appears to be underage who tries to access the gambling facilities and cannot produce an acceptable form of identification*
  - *taking action when there are attempts by under-18s to enter adult-only premises*
  - *refusing entry to any adult-only area of a track to anyone unable to produce an acceptable form of identification*
  - *taking action when there are unlawful attempts to enter the adult-only areas.*
- (4) *Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or, except in the case of football pools, young people, for example by reflecting or being associated with youth culture.*
- (5) *In premises restricted to adults, service must be refused in any circumstances where any adult is accompanied by a child or young person.*
- (6) *Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover the legal requirements on returning stakes and not paying prizes to underage customers.*
- (7) *Licensees must only accept identification which:*
  - *contains a photograph from which the individual can be identified*
  - *states the individual's date of birth*
  - *is valid*
  - *is legible and has no visible signs of tampering or reproduction.*

6.5 Members' attention is drawn to the sections of the code of practice that relate to Primary Gambling Activity:

*'Gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available.'*

*'Such facilities for betting must include the provision of information that enables the customer to access details of the events on which bets can be made and to be able to place those bets, obtain details of the outcome of the events, calculate the outcome of their bets and be paid or credited with any winnings.'*

*'Where licensees provide facilities for betting only by means betting machines (machines which are designed or adapted for the purpose of making or accepting bets on future real events) the licensee must ensure that the number of betting machines is greater than the number of gaming machines which are made available for use in reliance on the premises licence.'*

- 6.6 In relation to primary gambling activities the Gambling Commission's Licence conditions and codes of practice (consolidated version December 2011) states:

*'In order to demonstrate that the primary gambling activity for which an operating licence has been issued is being offered in each licensed premises, licensees should have regard to the following general factors:*

- the ratio of the space available to customers allocated to the primary gambling activity, to that allocated to other gambling activities*
- the extent to which the primary gambling activity is promoted on the premises and by way of external advertising compared to other gambling activities*
- the use, either expected or actual, to be made of the different gambling facilities.'*

- 6.7 Listed below are relevant extracts from the Guidance issued by the Gambling Commission:

*'Conditions on premises licences should relate only to gambling, as considered appropriate in the light of the principles to be applied by licensing authorities under section 153 (see paragraph 4.12). Accordingly, if the Commission's Licence Conditions and Codes of Practice (LCCP) or other legislation places particular responsibilities or restrictions on an employer or the operator of premises, it is not necessary or appropriate to impose the same or similar duties in conditions on a premises licence issued in accordance with the Gambling Act. Similarly, where other legislation confers*

*powers on inspection and enforcement agencies in relation to separate activities or concerns, the Gambling Act does not affect the continued use of such powers; for example, the powers of an environmental health officer in respect of statutory nuisance under the Environmental Protection Act 1990.’ (para 4.16)*

*‘It is not permissible for an operator to offer gaming machines on a premises which is licensed for betting but not to offer sufficient facilities for betting. A betting operating licence authorises its holder to ‘provide facilities for betting’ (section 65(2)(c) of the Act). Likewise, a betting premises licence authorises premises to be used for ‘the provision of facilities for betting...’ (section 150(1)(e) of the Act). The ability to make up to four gaming machines, within categories B2 – D, available is an additional authorisation conferred upon the holder of a betting premises licence (section 172(8) of the Act); it is not a free standing right to make gaming machines available for use. It follows that unless a betting premises operator offers sufficient facilities for betting it should not be making gaming machines available on the premises in question.’ (para 19.19)*

*‘In the Commission’s view it is also important, in relation to the licensing objective of protecting vulnerable persons from being harmed or exploited by gambling, that customers should be offered a balanced mix of betting and gaming machines in licensed betting premises. Thus, whilst the Commission recognises that betting premises are permitted to offer gaming machines, including B2 gaming machines, the Commission considers that betting should be the primary element of the gambling facilities being offered to customers in such premises. Betting may be provided by way of betting terminals or over a counter (face to face).’ (para 19.20)*

*‘Accordingly, an operating licence condition provides that gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available.’ (para 19.21)*

6.8 A list of machines stakes and prizes is attached at Appendix 4.

**7.0 Financial Implications (Authorised by the Director of Finance and Business Services)**

7.1 Not applicable.

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

8.1 The Sub-Committee can grant or reject the application and in accordance with section 169 of the 2005 Act:

- (1) Where a licensing authority issue a premises licence they may—
  - (a) attach a condition to the licence
  - (b) exclude a condition that would otherwise be attached to the licence by virtue of section 168
- (2) A condition attached to the licence under subsection (1)(a) may, in particular, address a matter addressed by a condition excluded under subsection (1)(b).
- (3) A condition attached to the licence under subsection (1)(a) may apply in relation to the premises generally or only in relation to a specified part of the premises.
- (4) A licensing authority may not attach a condition to a premises licence which prevents compliance with a condition of the operating licence which authorises the holder to carry out the activity in respect of which the premises licence is granted

8.2 Section 153(1) of the Gambling Act 2005 states that a licensing authority shall aim to permit the use of premises for gambling in so far as the authority think it:

- a) In accordance with any relevant code of practice under section 24
- b) In accordance with any relevant guidance issued by the Commission under section 25
- c) Reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b)), and
- d) In accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c))

8.3 The licensing objectives are:

- a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime
- b) Ensuring that gambling is conducted in a fair and open way, and
- c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.

8.4 Section 153(2) of the 2005 Act also states that in determining whether to grant a premises licence a licensing authority may not have regard to the expected demand for the facilities which it is proposed to provide.

8.5 The Sub-Committee in respect of this application is referred to the Guidance issued under Section 25 of the Gambling Act 2005, specifically those sections relating to the licensing objectives, betting premises licenses (including the relevant codes of practice) and hearings, and the Council's Statement of Gambling Principles.

8.6 The Gambling Commission has primary responsibility for issuing operating licences and personal licences, whilst the Licensing Authority has primary responsibility for the issue of Premises Licences under the Gambling Act 2005. Gaming and Betting establishments are normally required to obtain all three licences before they are able to operate lawfully. Premises licences cannot be issued (except in the case of a track) without an operating licence having been obtained from the Gambling Commission.

8.7 Finally, Members are also reminded that in determining the application in accordance with the Gambling Act 2005, Members must also have regard to:

- The rules of natural justice
- The provisions of the Human Rights Act 1998

### 8.6 **Mandatory Licence Conditions**

8.6.1 Members should be aware that in the event a premises licence is granted in respect of this application, the following mandatory conditions applicable to all types of premises must be attached to that licence:

1. The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the Act shall be displayed in a prominent place within the premises.
2. The layout of the premises shall be maintained in accordance with the plan.
3. The premises shall not be used for—
  - (a) the sale of tickets in a private lottery or customer lottery, or
  - (b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited;
4. In this regulation—
  - (a) “A private lottery” means a private society lottery or a work lottery within the meaning of paragraphs 10 and 11 of Schedule 11 to the 2005 Act; and
  - (b) a “customer lottery” has the same meaning as in Part 3 of Schedule 11 to the 2005 Act.

8.6.2 The following mandatory conditions relating to Betting Premises Licences (other than a track) must also be attached:

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises;
2. (1) Access to the premises shall be from a street or from other premises with a betting premises licence; and (2) Without prejudice to sub paragraph (1), there shall be no means of direct access between the premises and other premises used for the retail sale of merchandise or services;

3. Subject to anything permitted by virtue of the 2005 Act, or done in accordance with paragraphs 4, 5, 6 & 7 below, the premises shall not be used for any purpose other than for providing facilities for betting.
4. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or betting machine in order to do so.
5. No apparatus for making information or other material available in a form of sounds or visual images may be used on the premises, except for apparatus used for the following purposes-
  - (a) communicating information about, or coverage of, sporting events, including-
    - (i) information relating to betting on such an event; and
    - (ii) any other matter or information, including an advertisement, which is incidental to such an event;
  - (b) communicating information relating to betting on any event (including the result of the event) in connection with which betting transaction may be or have been effected on the premises.
6. No publications, other than racing periodicals or specialist betting publications, may be sold or offered for sale on the premises
7. No music, dancing or other entertainment shall be provided or permitted on the premises, save for entertainment provided in accordance with paragraph 5.
8. (1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises.  
(2) A notice stating the condition in sub paragraph (1) shall be displayed in a prominent place at every entrance to the premises.
9. A notice setting out the terms on which customers are invited to bet on the premises shall be displayed in a prominent place on the premises to which customers have unrestricted access.

## **8.7 Default Licence Conditions**

8.7.1 The Applicant has stated in application form at Part 4 that they do not want to exclude a default condition so that the premises may be used for longer periods; hence the following condition will also be attached the licence if granted:

1. No facilities for gambling shall be provided on the premises between the hours of 10pm on one day and 7am on the next day.

## **9.0 Risk Management**

9.1 Sections 206 to 209 of the Gambling Act 2005 sets out the rights and procedures for making appeals to the Magistrates' Court against the decision of the Licensing Authority.

## **10.0 Background and Options**

10.1 On the 16<sup>th</sup> May 2013 an application was received for the grant of a Premises Licence Betting (Other than Track) under section 159 of the Gambling Act 2005 for a new William Hill premises at 19/21 High Street, Sandbach, CW11 1AJ.

### Responsible Authorities:

10.6.1 The Police Licensing Officer stated that there are no Police representations.

10.6.2 There were no responses from any of the other Responsible Authorities.

### Interested Parties:

10.6.3 The Council has also received 2 letters of objection to this application, which have been deemed relevant. Copies of these objections are at appendices 2 and 3 of this report.

## **11.0 Access to Information**

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

Name: Mrs N Cadman  
Designation: Licensing Officer  
Tel No: 01270 685957  
Email: nikki.cadman@cheshireeast.gov.uk

## **APPENDICES**

Appendix 1 – Premises Licence application form.  
Appendices 2 and 3 letters of objection to the application.  
Appendix 4 – List of Machines stakes and prizes.  
Appendix 5 – Plan of the area.

### **Other documents (to be made available at the meeting)**

Cheshire East Statement of Gambling Principles  
Guidance issued to Licensing Authorities under the Gambling Act 2005  
Conditions and Codes of Practice applicable to Non-remote General Betting Licences  
Licence conditions and codes of practice (consolidated version)

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**Application for a Premises Licence  
under the Gambling Act 2005 (standard form)**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

If you are completing this form by hand, please write legibly in block capitals using ink. Use additional sheets if necessary (marked with the number of the relevant question). You may wish to keep a copy of the completed form for your records.

Where the application is—

- In respect of a vessel, or
- To convert an authorisation granted under the Betting, Gaming and Lotteries Act 1963 or the Gaming Act 1968,

the application should be made on the relevant form for that type of premises or application.

**Part 1 – Type of premises licence applied for**

Regional casino           Large casino           Small casino   
 Bingo           Adult gaming centre           Family entertainment centre   
 Betting (Track)           Betting (Other)

Do you hold a provisional statement in respect of the premises? Yes  No

If the answer is "yes", please give the unique reference number for the provisional statement (as set out at the top of the first page of the statement):

N/A

**Part 2 – Applicant details**

If you are an individual, please fill in section A. If the application is being made on behalf of an organisation (such as a company or partnership), please fill in Section B.

**Section A  
Individual applicant**

1. Title: Mr  Mrs  Miss  Ms  Dr  Other (please specify)

.....

2. Surname: ..... Other name(s): .....  
 [Use the names given in the applicant's operating licence or, if the applicant does not hold an operating licence, as given in any application for an operating licence]

3. Applicant's address (home or business *[delete as appropriate]*):

.....  
.....  
..... Postcode:.....

4(a) The number of the applicant's operating licence (as set out in the operating licence):

.....

4(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made:

.....

5. Tick the box if the application is being made by more than one person.

*[Where there are further applicants, the information required in questions 1 to 4 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]*

**Section B**  
**Application on behalf of an organisation**

6. Name of applicant business or organisation:

WILLIAM HILL ORGANIZATION LIMITED

*[Use the names given in the applicant's operating licence or, if the applicant does not hold an operating licence, as given in any application for an operating licence.]*

7. The applicant's registered or principal address:

GREENSIDE HOUSE  
50 STATION ROAD  
WOOD GREEN  
LONDON

Postcode: N22 7TP

8(a) The number of the applicant's operating licence (as given in the operating licence):

004-002752-N-102413-001

8(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made:

N/A

9. Tick the box if the application is being made by more than one organisation.

[Where there are further applicants, the information required in questions 6 to 8 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]

**Part 3 – Premises Details**

10. Proposed trading name to be used at the premises (if known):

WILLIAM HILL

11. Address of the premises (or, if none, give a description of the premises and their location):

19/21 HIGH STREET  
SANDBACH  
CW11 1AJ

12. Telephone number at premises (if known):

William Hill Compliance Unit: 0208 918 3608

13. If the premises are in only a part of a building, please describe the nature of the building (for example, a shopping centre or office block). The description should include the number of floors within the building and the floor(s) on which the premises are located.

BETTING SHOP TO OCCUPY GROUND FLOOR ONLY WITHIN THREE STOREY  
FORMER BANK PREMISES, UPPER FLOORS UTILISED AS ANCILLARY.  
PREMISES LOCATED ON HIGH STREET WITHIN TOWN CENTRE.

14(a) Are the premises situated in more than one licensing authority area? **NO**  
[delete as appropriate]

14(b) If the answer to question 14(a) is yes, please give the names of all the licensing authorities within whose area the premises are partly located, other than the licensing authority to which this application is made.

N/A

**Part 4 – Times of operation**

15(a) Do you want the licensing authority to exclude a default condition so that the premises may be used for longer periods than would otherwise be the case?

**NO**

*[delete as appropriate]*

*[Where the relevant kind of premises licence is not subject to any default conditions, the answer to this question will be no.]*

15(b) If the answer to question 15(a) is yes, please complete the table below to indicate the times when you want the premises to be available for use under the premises licence

	<i>Start</i>	<i>Finish</i>	<i>Details of any seasonal variation</i>
Mon	N/A	N/A	N/A
Tues	N/A	N/A	N/A
Wed	N/A	N/A	N/A
Thurs	N/A	N/A	N/A
Fri	N/A	N/A	N/A
Sat	N/A	N/A	N/A
Sun	N/A	N/A	N/A

16 If you wish to apply for a premises licence with a condition restricting gambling to specific periods in a year, please state the periods below using calendar dates:

N/A

**Part 5 – Miscellaneous**

17. Proposed commencement date for licence (leave blank if you want the licence to commence as soon as it is issued):

...../...../.....(dd/mm/yyyy)

18(a) Does the application relate to premises which are part of a track or other sporting venue which already has a premises licence?

**NO**

*[delete as appropriate]*

18(b) If the answer to question 18(a) is yes, please confirm by ticking the box that an application to vary the main track premises licence has been submitted with this application.

19(a) Do you hold any other premises licences that have been issued by this licensing authority?

**YES**

*[delete as appropriate]*

19(b) If the answer question 19(a) is yes, please provide full details:

PLEASE SEE ATTACHED SCHEDULE

20. Please set out any other matters which you consider to be relevant to your application:

N/A

All mandatory conditions are complied with:

- [1] A notice is displayed stating that no person under the age of 18 years is permitted to enter the premises.
- [2] Access is from the street only.
- [3] Premises are used to provide facilities for betting and ancillary services.
- [4] Customers wishing to use an ATM must leave a gaming machine to do so.
- [5] Sound and visual images relate to covering of sporting and betting events only.
- [6] No publications other than racing or specialist betting are offered for sale on the premises.
- [7] No music, dancing or other entertainment is allowed on the premises other than in [5].
- [8] A notice is displayed stating that no alcohol may be consumed on the premises.
- [9] Terms and Conditions of Betting are displayed prominently.

**Part 6 – Declarations and Checklist (*Please tick*)**

**I/ We confirm that, to the best of my/ our knowledge, the information contained in this application is true. I/ We understand that it is an offence under section 342 of the Gambling Act 2005 to give information which is false or misleading in, or in relation to, this application.**

**I confirm that the applicant have the right to occupy the premises.**

**Checklist:**

- **Payment of the appropriate fee has been made/is enclosed.**
- **A plan of the premises is enclosed.**
- **I understand that if the above requirements are not complied with the application may be rejected.**
- **I understand that it is now necessary to advertise the application and give the appropriate notice to the responsible authorities.**

**Part 7 – Signatures**

21. Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature:  .....

Print Name: Andrew Ashton

Date: 14 May 2013 Capacity: Development Manager

22. For joint applications, signature of 2nd applicant, or 2nd applicant's solicitor or other authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature: N/A

Print Name: N/A

Date: N/A Capacity: N/A

*[Where there are more than two applicants, please use an additional sheet clearly marked "Signature(s) of further applicant(s)". The sheet should include all the information requested in paragraphs 21 and 22.]*

*[Where the application is to be submitted in an electronic form, the signature should be generated electronically and should be a copy of the person's written signature.]*

**Part 8 – Contact Details**

23(a) Please give the name of a person who can be contacted about the application:

Andrew Ashton - or - Karen Paraskeva

23(b) Please give one or more telephone numbers at which the person identified in question 23(a) can be contacted:

0113 233 8727 - or - 0113 233 8721

24. Postal address for correspondence associated with this application:

**DEVELOPMENT DEPT  
WILLIAM HILL ORGANIZATION LIMITED  
PO BOX 170  
LEEDS  
LS2 8JF**

25. If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent:

[aashton@williamhill.co.uk](mailto:aashton@williamhill.co.uk) - or - [kparaskeva@williamhill.co.uk](mailto:kparaskeva@williamhill.co.uk)

## NOTICE OF APPLICATION FOR A PREMISES LICENCE

*This notice is issued in accordance with regulations made under Section 160 of the Gambling Act 2005*

Notice is hereby given that:

WILLIAM HILL ORGANIZATION LIMITED trading as William Hill

of the following address:

Greenside House  
50 Station Road  
Wood Green  
London  
N22 7TP

the number of whose Operating Licence is : 004-002752-N-102413-001

has made an application for a **Betting (Other)** Premises Licence.

The application relates to the following premises:

WILLIAM HILL

19/21 HIGH STREET  
SANDBACH  
CW11 1AJ

The application for a Premises Licence has been made to the following Licensing Authority:

Cheshire East Council  
Westfields  
Middlewich Road  
Sandbach  
Cheshire  
CW11 1HZ

Website: [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk)

Information about the application is available from the Licensing Authority, including the arrangements for viewing the details of the application.

The following person connected with the applicant is able to give further information about the application:

Mr Andrew Ashton - Tel : 0113 233 8727 - or - Email : [aashton@williamhill.co.uk](mailto:aashton@williamhill.co.uk)

**Any representations under Section 161 of the Gambling Act 2005 must be made no later than the following date:**

**12 June 2013**

RECEIVED

6 JUN 2013

APPENDIX - 2

RECEIVED

6 JUN 2013

RECEIVED

6 JUN 2013

The Planning Department  
Cheshire East Council  
Middlewich Road  
SANDBACH  
CW11 1HZ

4<sup>th</sup> June 2013

**Betting Premises Licence**  
**William Hill – 19/21 High Street, Sandbach, CW11 1AL**

I would like to lodge my objections to the proposed Betting Licence.

Whilst I accept that empty/unoccupied premises within a town centre are not a good sign for that town centre, we must be careful as to what we allow to occupy these very prominent, influential sites.

We already have an established, local bookmaker in Bradwall Road and we have allowed Ladbrokes to open Licenced, betting premises in the Market Square. Considering the difficult, financial times we are experiencing, I feel it to lack common sense to allow another building in which people will be allowed to gamble away their income.

This type of premises, like Ladbrokes, is not the same as the "standard bookmaker" like we have in Bradwall Road as these premises have drink making facilities as well as gambling machines.

No doubt William Hill have realised that Labrokes are making a considerable amount of money from their gambling machines, IN MY OPINION, perhaps more than they are admitting to, and would like to infiltrate into this market. **In brief, we would be allowing a Casino type premises to open its doors in the middle of town.** In addition to this, if regulations do exist which limit the type of and number of gambling machines located at a particular address, would the "double premises" 19 and 21 High Street allow William Hill's to double the number of Gambling Machines they would be allowed to install?

There may well be people betting on racing in different parts of the world, but it does seem to me, to be unreasonable, for a bookmaker to be open on a Sunday, until late at night, when there are no horses involved in races in the UK.

In addition, this building has a history, confirmed by the 1752 date on the drainpipe, and I would prefer its new owners/occupants to be in keeping with the town centre and safety within the town. **The whole matter beggars belief.**

I remember, as a boy, the shops being Randle Lunt Ironmonger, a chemist plus Dickinson's and the frontage was within keeping with that required of this historic town. I felt we should object on the grounds that this was a listed building only to be informed that it was not. I believe that 13/2034C 19-21 High Street CW11 1AJ has no archaeological implications and no mitigation is advised. I find this to be totally unacceptable – look at the roof, the right hand side is flat and the left hand side matches the buildings to the left. If this building, even if confined to the left hand side, is not a listed building, then WHY NOT? I have made

attempts, without success, to contact Mark Leah of the Cheshire Archaeological Planning Advisory Service, but where does the historical value along with building preservation enter into the equation?

Would it be wise to locate a betting shop/casino, open well into the evening, next to a public house and is there not a law which refers to not allowing a "casino/gambling premises" to be located next to a public house?

Yours sincerely

APPENDIX -2

RECEIVED

1 8 JUN 2013

The Licensing Department  
Cheshire East Council  
Middlewich Road  
SANDBACH  
CW11 1HZ

17<sup>th</sup> June 2013

**Betting Premises Licence**  
**William Hill – 19/21 High Street, Sandbach. CW11 1AL**

Thank you for confirming the receipt of my objection to the above licence being issued.

Unfortunately, due to a hospital appointment, I will be unable to attend the hearing at 2pm on Thursday 4<sup>th</sup> July 2013 at 2pm in Macclesfield.

**I would like to add the concerns as expressed in the attached article.**

I do so hope that the licence is not granted as this, I fear, would represent the “tip of the iceberg”.

We already have Ladbrokes located in the centre of the town and another licenced premises, especially as large as this one, located within the centre of the town will not enhance the town centre nor be in keeping with the historical values of the town.

A real concern is its location next door to a public house.

People already gather outside the public house to smoke and to drink and a Gaming Premises next door would only add to the number on the street.

I have lived in Sandbach all my life and am reluctant to walk past this particular area in the evenings, especially at the week end.

Yours sincerely

Mr Cameron yesterday added to Labour's queasiness by exposing its recent tax-avoidance scam with a rich donor.

This from the same party which has railed against 'Tory tax cuts for millionaires'. The Comrades

tions, either by nodding his head or by nodding his head.

This gives Mr Cameron an opportunity to say, 'oh, they WOULD, would they?' or 'oh, they don't know!'

And this only makes Mr Miliband look peripheral - not much more than a pair of teeth off which there dangle four flappy limbs.

Mr Miliband needs either to sack Mr Balls or to ask him to sit elsewhere. Having him near the despatch box is toxic to the Labour leader.

Mr Cameron left the Chamber yesterday to the echo of blood-sated Tory roars.

A couple of hours later, MPs tore into two senior bods from the National Health Service. At times it was hard to watch. Paddles, nurse, pronto! Soon-to-depart NHS chief executive Sir David Nicholson was quizzed hard about stonking payouts

to running a carry loss stall on Morecambe seafront.

**H**E AND Sir David were subjected to prolonged, derisive, destructive scrutiny by the Public Accounts Committee. A trio of Lady Hodge (Lab, Barking), Richard Bacon (Con, S Norfolk) and Stephen Barclay (Con, NE Cambs) set about them like three wolfhounds. The NHS twosome gulped and gaped.

If I were Sir David, I think I'd cash in my substantial bag of chips tomorrow and say 'stuff you lot, I'm off to the beach'. That option may not be open to Mr Donohoe, who is at an earlier stage in his career, if he still has one.

Westminster: not so much a tourist trap as an abattoir of ambitions.

# Betting shop machines that spark street fights, by MP

By Keith Gladdis

A FORMER minister has warned that high-stakes casino-style gambling machines in betting shops cause violence which can spill out into the high street.

Stephen Timms said the fixed odds betting terminals (FOBTs) - branded the crack cocaine of gambling - were so addictive that users were often sent into a fury if they did not win.

He said one betting chain had been forced to upgrade the reinforcement of its machines because they had been damaged so often by angry users. And he claimed the violence and abuse they cause inside betting shops is being continued out on to the street.

The former Treasury Minister was giving evidence at Thames Magistrates' Court where bookmakers Paddy Power is challenging a decision to block a licence for a new shop in Newham, east London.

Newham Council states that betting shops fuel violent crime, street drinking and underage gambling.

It claims that bookmakers are targeting poorer areas such as Newham with the roulette-style FOBTs, which can take stakes of up to £100 a spin every 20 seconds.

Newark already has 81 betting shops, with 18 on one road alone.

Mr Timms, the Labour MP for East Ham, said: 'The proliferation of these shops and these very addictive terminals within them is destroying people's lives. We are seeing families broken up and houses repossessed.'

'What happens is that people who lose money in these shops become very angry.'

'I'm told Paddy Power has had to upgrade the robustness of the

machines because people so often try to bash them up. And that is what often spills out on to the high street.'

Mr Timms, now the shadow minister of state for employment, added: 'It's the case that betting shops attract anti-social behaviour, including street drinking.'

'Some people tell me they walk a considerable distance to avoid it. It's intimidating and stops people using the high street for what it is meant to be used for: shopping.'

Mr Timms was a member of the Labour government that brought in the 2005 Gambling Act which many claim has led to the proliferation of the casino-style machines.

However he claimed the technology behind the machines has developed quicker than ministers at the time could have expected.

He said: 'As a Treasury Minister I formed the view there was quite a sense of responsibility within the betting industry. Now it seems to have been entirely lost since the proliferation of these machines.'

Newham Council initially wanted to make this licensing decision a test case that could halt the tide of FOBTs taking over the high street.

It had employed a private detective to compile evidence from inside betting shops in the borough on the use of the machines. The report found up to 82 per cent of customers in Newham betting shops used FOBTs.

But District Judge Paul Goldspring has declined to hear the evidence, claiming the machines were the primary source of profit for any future betting shop.

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7 JUN 2013

**7<sup>th</sup> June 2013**

Licencing Department  
Cheshire East Council  
Westfields,  
Middlewich Road  
Sandbach,  
Cheshire

Dear Sir

**Betting Premise Licence – William Hill 19/21 High Street Sandbach CW11 1AJ**

There are two reasons why I would like to object to the above licensing application. Firstly, it would effect my business and secondly as a Sandbach householder I think that it would spoil the town especially in a conservation area.

I have been a bookmaker in Sandbach since my Father died in 1971, my Father had been a bookmaker since 1943 and I would like to think that my Son would be the third generation. He has worked with me for the last 13 yrs. I would say that we are one of the oldest firms in Sandbach. There have been three betting shops in Sandbach before. We were the first betting shop in Sandbach when betting became legal in 1961 and our shop was then over an antique shop which later became Jack and Jills. My Father then moved to Bradwall Road in 1964. Harold Penks then came into the town and there shop was in Welles Street. Ladbrokes came into the town in 1971 and after a year Harold Penks closed because there was not enough business. Later on a Mrs Thompson applied for a licence and her shop was opposite Scotch Common but again this closed because there is not enough trade and I feel with two businesses such as Ladbrokes and William Hill it will be our turn to close this time.

Bookmaking has changed since I first started out and not for the better. They are feeding on vulnerable people with an addiction. Why do William Hills want to open a shop, not for betting but to have these casino machines in. The Fixed Odds Betting Terminal is described as the cocaine of betting and that is what it is. The machines are worth 1.4 billion a year to the gambling industry. Half of William Hill and Ladbrokes profits comes from these machine. Its possible to bet £100 every 20 seconds. Just think how much somebody with a problem could lose in 5 minutes. I am a bookmaker, I rely on the laying of horses and football, what little profit I make I think will be taken by these two national companies. Gambling can

destroy lives and needs careful regulation. Councils have the right to stop more betting shops from opening and therefore I think you should refuse this application on the grounds that it is unsuitable for the local area. In Newham London the council were the first to turn down a betting premise licence on the guidance of the Gambling Commission. The council invoked the primary clause under the 2005 Gambling Act to reject the application. The clause states that at least 50% of gambling on any betting shop premises must be traditional betting rather gaming machines. William Hill are coming into the town not for a betting shop but to have a casino. I would ask you to get in touch with the Gambling Commission (telephone 0121230666) and ask them of their concerns on these FOBT or casino machines.

As regards living in Sandbach, I feel that this a lovely little market town. There are a few shops which I would say are out of place such as the gold and silver shop and the kebab shop in the middle of the High Street but shops like Waitrose, Dennis Peovers, Burnells card shop, Godfrey Williams, Boots, Chatwins, Wills Shoe Shop and W H Smith make up for it. I feel that having another Betting Shop in a conservation area opposite the Crosses and cobbled market place would look out of place and give out the wrong signs to visitors and shoppers. I think it would put off more desirable businesses from moving in and furthermore, it would encourage a toxic economy of pawnbrokers and pay day loan shops.

On the internet the Sandbach Town Planning have written

#### A Vision for Sandbach

7 The Market Square (The Cobbles) will become the distinctive and historic focal point of the town for local people and visitors alike, providing an attractive setting for shoppers, social visitors, public activities and events.

10 Businesses, appropriate agencies and representatives organisations will be actively engaged with preserving the architectural heritage and adoption of carefully designed themes and signage to give a coherent and pleasing town centre.

How many visitors or residents for that matter would like to walk down High Street and go past the Red Lion and then a betting shop while the punters and drinkers are having a cigarette. I would feel that it would be very intimidating.

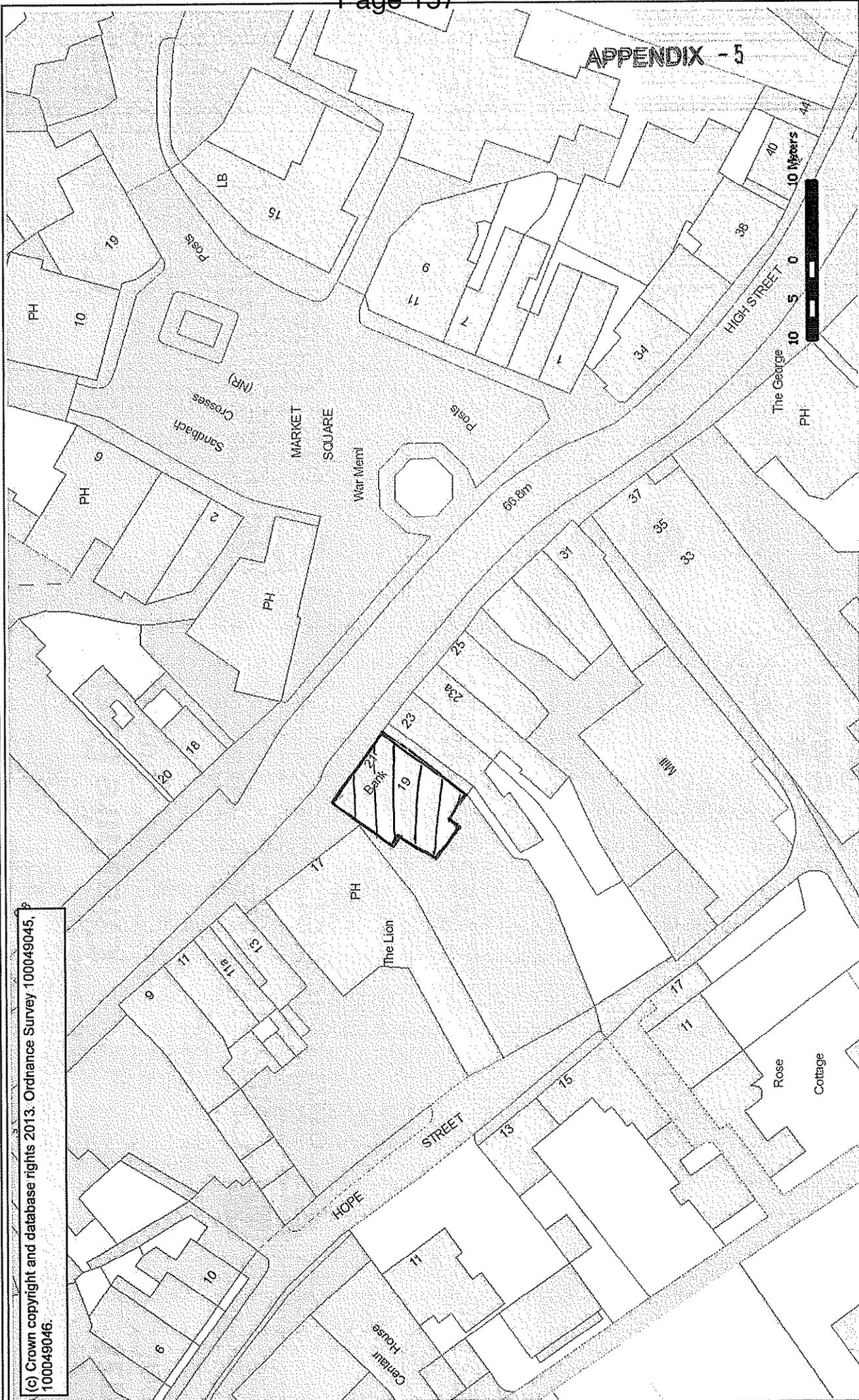
My question to you is would a betting office at 19/21 High Street improve Sandbach. In the short term it will get rid of an empty shop but what are the long term implications. Would it lead to problem gambling, crime and disorder with issues such as violence and street drinkers.

Yours faithfully

## Appendix B: Summary of gaming machine categories and entitlements

Category of machine	Maximum stake (from July 2011)	Maximum prize (from July 2011)
A	Unlimited - No category A gaming machines are currently permitted	
B1	£2	£4,000
B2	£100 (in multiples of £10)	£500
B3A	£1	£500
B3	£2	£500
B4	£1	£250
C	£1	£70
D - non-money prize (other than a crane grab machine or a coin pusher or penny falls machine)	30p	£8
D - non-money prize (crane grab machine)	£1	£50
D - money prize (other than a coin pusher or penny falls machine)	10p	£5
D - combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be a money prize)
D - combined money and non-money prize (coin pusher or penny falls machine)	10p	£15 (of which no more than £8 may be a money prize)

APPENDIX - 5



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