

Licensing Act Sub-Committee

Agenda

Date: Thursday, 26th September, 2013
Time: 9.30 am
Venue: The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA

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

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 - Legh Arms, Brook Street, Knutsford WA16 8EB** (Pages 5 - 58)

To consider an application by Marston's Plc to vary a Premises Licence in respect of the Legh Arms, Brook Street, Knutsford, Cheshire WA16 8EB.

THERE ARE NO PART 2 ITEMS

For requests for further information

Contact: Julie Zientek
Tel: 01270 686466
E-Mail: julie.zientek@cheshireeast.gov.uk

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CHESHIRE EAST COUNCIL

Procedure for Hearings – Licensing Act 2003**The Licensing Committee**

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

Officers at Hearings

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

PROCEDURE

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

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

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

		conditions.
19	Committee	<u>Will retire</u> to consider the application. The Committee may request the Legal Advisor to advise on legal issues.
20	Committee	<p>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.</p> <p>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.</p>

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. Other Persons will be invited to present the bases of their objections, following which they can be questioned by all parties by way of clarification.
10. The applicant will be invited to sum up his/her case
11. Committee/Sub-Committee withdraws to make its decision
12. Committee/Sub-Committee returns to announce its decision to all present.

CHESHIRE EAST COUNCIL

REPORT TO: LICENSING ACT SUB-COMMITTEE

Date of Meeting:	Thursday 26 th September 2013
Report of:	Mrs N Cadman, Licensing Officer
Subject/Title:	Application to Vary a Premises Licence at Legh Arms, Brook Street, Knutsford, WA16 8EB

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 Marston's PLC in respect of:

Legh Arms
Brook Street
Knutsford
Cheshire
WA16 8EB

- 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 Knutsford

5.0 Local Ward Members

5.1 Cllr Stewart Anthony Gardiner
Cllr Olivia Hunter
Cllr Peter Stephen Raynes

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 1st August 2013, is for the grant of a Variation of the Premises Licence under section 34 of the Licensing Act 2003.

This application was originally submitted on 4th June 2013. However, due to an error on the part of Cheshire East Council, details of the application were not listed on the Cheshire East Council website and the application was made invalid as a result. The application was subsequently re-applied for on the 1st August 2013.

- 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.
- To amend the plan attached to the Premises Licence.
- To amend the conditions attached to the Premises Licence.

- 10.3 The hours applied for are as follows:

- **Sale and Supply of Alcohol**
Sunday to Thursday 08:00 to 01.00 hours
Friday and Saturday 08.00 to 02.00 hours
With non standard timings: terminal hour of 02.00 hours on a Sunday preceding a statutory Bank Holiday, Christmas Eve and Boxing Day.
On the occasion of British Summertime an additional hour is requested.
- **All Existing Regulated Entertainment**
Sunday to Thursday 11.00 to 01.00 hours
Friday and Saturday 11.00 to 02.00 hours
With non standard timings: terminal hour of 02.00 hours on a Sunday preceding a statutory Bank Holiday, Christmas Eve and Boxing Day.
On the occasion of British Summertime an additional hour is requested.
- **Late Night Refreshment**
Sunday to Thursday 23:00 to 01.00 hours
Friday and Saturday 23:00 to 02.00 hours
With non standard timings: terminal hour of 02.00 hours on a Sunday preceding a statutory Bank Holiday, Christmas Eve and Boxing Day.
On the occasion of British Summertime an additional hour is requested.

- **Opening Hours of the Premises**
Sunday to Thursday 08.00 to 01.30 hours
Friday and Saturday 08.00 to 02.30 hours
With non standard timings: terminal hour of 02.30 hours on a Sunday preceding a statutory Bank Holiday, Christmas Eve and Boxing Day.
On the occasion of British Summertime an additional hour is requested.

- Application is made to remove Conditions 12 and 13 of Annex 2 of the Premises Licence relating to children's entertainment. Also to amend Condition 1 of Annex 3 (conditions attached after a hearing of the Licensing Authority) to enable the outside area to be available for the sale of alcohol and consumption of alcohol until 01.00hrs on New Years Eve/Day.

10.4 A copy of the application form is attached as Appendix 1 of this report.

10.5 A copy of the existing Premises Licence Summary and Conditions is attached as Appendix 2 of this report.

10.6 The Designated Premises Supervisor is Mr Tim Coulston.

10.7 Relevant Representations

Responsible Authorities:

10.7.1 Representation has been received from the Environmental Health Officer. A copy of this representation is attached as Appendix 5 of this report.

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

Other Persons:

10.7.3 The Council has received 14 letters of objection to this application, which have been deemed relevant. A copy of the letters of objection are attached at Appendix 6 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	Application form
Appendix 2	Existing Premises Licence Summary, Conditions & Plan
Appendix 3	Proposed plan of Premises (larger copies will be available at

Appendix 4	the meeting)
Appendix 5	Plan of the area
Appendix 6	Representation from the Environmental Health Officer
	Representations from neighbour objectors.

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Cheshire East
Application to vary a premises licence
Licensing Act 2003

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

Page 11
 EMAILED TO
 LESP. AUTHORITIES
 CAT.

APP/167791
 APPENDIX 1

* required information

Section 1 of 17

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is the applicant's business registered in the UK with Companies House? Yes No

* Registration number

* Business name

* VAT number

* Legal status

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

Agent Business

* Is your business registered in the UK with Companies House? Yes No

* Registration number

* Business name

If your business is registered, use its registered name.

* VAT number

Put "none" if you are not registered for VAT.

* Legal status

*Continued from previous page...** Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 17**APPLICATION DETAILS**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

 Address OS map reference Description**Postal Address Of Premises**Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 17

Continued from previous page...

VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

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

Describe briefly the nature of the proposed variation

Application is made to amend the plan attached to the Premises Licence.
 Application is made to amend the opening hours of the premises to 08:00 daily.
 Application is made to amend the sale of alcohol to 08:00 daily.
 Application is also made to amend the terminal hour for all licensable activities to 01:00 Sunday to Thursday and 02:00 Fridays and Saturdays.

Section 4 of 17

PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to vary is successful?
 Yes No

Section 5 of 17

PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to vary is successful?
 Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Will the exhibition of films take place indoors or outdoors or both?

- Indoors
 Outdoors
 Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

State any seasonal variations for the exhibition of film.

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

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

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

Application is made to enable licensable activities to terminate at 02:00 on a Sunday preceding a statutory Bank Holiday, Christmas Eve and Boxing Day.
 On the occasion of British Summertime an additional hour is requested.

Section 6 of 17
PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Continued from previous page...

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

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12/6/13
Confirmed
by e-mail,
01.00

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.

State any seasonal variations for indoor sporting events.

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

Continued from previous page...

Non-standard timings. Where the premises will be used for indoor sporting events at different times from those listed above, list below.

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

Application is made to enable licensable activities to terminate at 02:00 on a Sunday preceding a statutory Bank Holiday, Christmas Eve and Boxing Day.
On the occasion of British Summertime an additional hour is requested.

Section 7 of 17

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

Section 8 of 17

PROVISION OF LIVE MUSIC

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

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SATURDAY

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SUNDAY

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Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

State any seasonal variations for the performance of live music

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

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

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

Application is made to enable licensable activities to terminate at 02:00 on a Sunday preceding a statutory Bank Holiday, Christmas Eve and Boxing Day.
On the occasion of British Summertime an additional hour is requested.

Section 9 of 17

PROVISION OF RECORDED MUSIC

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

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TUESDAY

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WEDNESDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Will the playing of recorded music take place indoors or outdoors or both?

- Indoors
 Outdoors
 Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

State any seasonal variations for playing recorded music.

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

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

Continued from previous page...

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

Application is made to enable licensable activities to terminate at 02:00 on a Sunday preceding a statutory Bank Holiday, Christmas Eve and Boxing Day.

On the occasion of British Summertime an additional hour is requested.

Section 10 of 17

PROVISION OF PERFORMANCES OF DANCE

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

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Will the performance of dance take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

Continued from previous page...

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.

State any seasonal variations for the performance of dance.

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

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

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

Application is made to enable licensable activities to terminate at 02:00 on a Sunday preceding a statutory Bank Holiday, Christmas Eve and Boxing Day.
On the occasion of British Summertime an additional hour is requested.

Section 11 of 17

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 17

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

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End

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End

Provide 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.

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TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Will the provision of late night refreshment take place indoors or outdoors or both?

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

- Indoors
 Outdoors
 Both

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.

State any seasonal variations.

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

Continued from previous page...

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

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

Application is made to enable licensable activities to terminate at 02:00 on a Sunday preceding a statutory Bank Holiday, Christmas Eve and Boxing Day.
On the occasion of British Summertime an additional hour is requested.

Section 13 of 17

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

Will the sale of alcohol be for consumption?

- On the premises
 Off the premises
 Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

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

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

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

Application is made to enable licensable activities to terminate at 02:00 on a Sunday preceding a statutory Bank Holiday, Christmas Eve and Boxing Day.
 On the occasion of British Summertime an additional hour is requested.

Section 14 of 17

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

Section 15 of 17

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="02:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="02:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="02:30"/>
Start	<input type="text"/>	End	<input type="text"/>

01.30 - confirmed by e-mail 12/6/13

State any seasonal variations.

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

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

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

Application is made to enable the premises to remain open until 02:30 on a Sunday preceding a statutory Bank Holiday, Christmas Eve and Boxing Day.
On the occasion of British Summertime an additional hour is requested.

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

Application is made to remove conditions 12 and 13 of annex 2 as children's entertainment does not take place at the premises and to remove condition 1 of annex 3 for New Years Eve/Day (otherwise it will remain unchanged).

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

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

Section 16 of 17

LICENSING OBJECTIVES

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

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

If the club wishes members and their guests to be able to consume alcohol on the premises select on, if the club wishes people to be able to purchase alcohol to consume away from the premises select off. If the club wishes people to be able to do both select both.

This application may be amended during the application period to reflect any agreements that may be reached with the responsible authorities and interested parties.
 It is not proposed that the premises will be operated in a significantly different way. The additional hours are requested to enable the premises to have flexibility to remain open a little later.

b) The prevention of crime and disorder

The purpose of applying for sale of alcohol earlier is to enable the premises to cater for champagne breakfasts for events such as Chester Races and Weddings.

c) Public safety

d) The prevention of public nuisance

It is proposed that the outside bar shall close at 23:30 given the current Licence condition requiring no consumption of alcohol after 23:30 outside.
 Application is however made to enable the outside area to be available for the sale of alcohol and consumption of alcohol until 01:00 on New Years Eve.

e) The protection of children from harm

Section 17 of 17

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.
 Variation Fees are determined by the non domestic rateable value of the premises.

Continued from previous page...

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

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

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

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

ATTACHMENTS**AUTHORITY POSTAL ADDRESS****Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

Continued from previous page...

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

* Full name

* Capacity

Date (dd/mm/yyyy)

Add another signatory

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

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

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

**PART B
Premises Licence Summary**

Premises Licence Number:

PR/0076

Premises Details

Postal address of Premises or, if none, ordnance survey map reference or description:	
Legh Arms Brook Street	
Post Town: Knutsford	Post Code: WA16 8EB
Telephone Number: 01565 633420	

Where the Licence is time limited, the dates:
Not applicable

Licensable activities authorised by the Licence:
Live Music Recorded Music Performance of Dance Film Exhibitions Sale and supply of alcohol Indoor sporting events Provision of facilities for making music Provision of facilities for dancing Late Night Refreshment

The time the Licence authorises the carrying out of licensable activities:
Live Music Monday to Sunday 11.00 to 00.30
Recorded Music Monday to Sunday 11.00 to 00.30
Non-standard timings: when hours for sale of alcohol are extended hereunder then these hours are also extended.
Performance of Dance Monday to Sunday 11.00 to 00.30
Non-standard timings: when hours for sale of alcohol are extended hereunder then these hours are also extended.

Indoor sporting events

Monday to Sunday 11.00 to 00.30

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

Film Exhibitions

Monday to Sunday 11.00 to 00.30

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

Sale and supply of alcohol

Monday to Sunday 11.00 to 00.30

New Years Eve: 11.00 to end of permitted hours New Years Day

Non-standard timings: 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 7 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

Monday to Sunday 11.00 to 00.30

Non-standard timings: when hours for sale of alcohol are extended hereunder then these hours are also extended

Provision of facilities for dancing

Monday to Sunday 11.00 to 00.30

Non-standard timings: when hours for sale of alcohol are extended hereunder then these hours are also extended

Late Night Refreshment

Monday to Sunday 23.00 to 00.30

Non-standard timings: when hours for sale of alcohol are extended hereunder then these hours are also extended

The opening hours of the Premises:

Monday to Sunday 11.00 to 01.00

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

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:

Marston's Plc
Marston's House
Brewery Road
Wolverhampton
WV1 4JT

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

00031461

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

Tim Coulston

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 9 pm

Licence Granted: 4th March 2013

Signed by Vanessa Selfe
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
 - (a) 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.

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.

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 person 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 customer 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 9pm.
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.

General – All Licensing Objectives

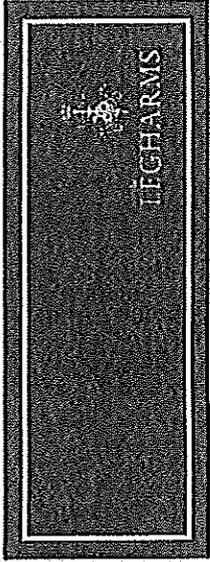
14. The Designated Premises Supervisor or a nominated member of staff shall represent the premises at the Knutsford Pub Watch Group.

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

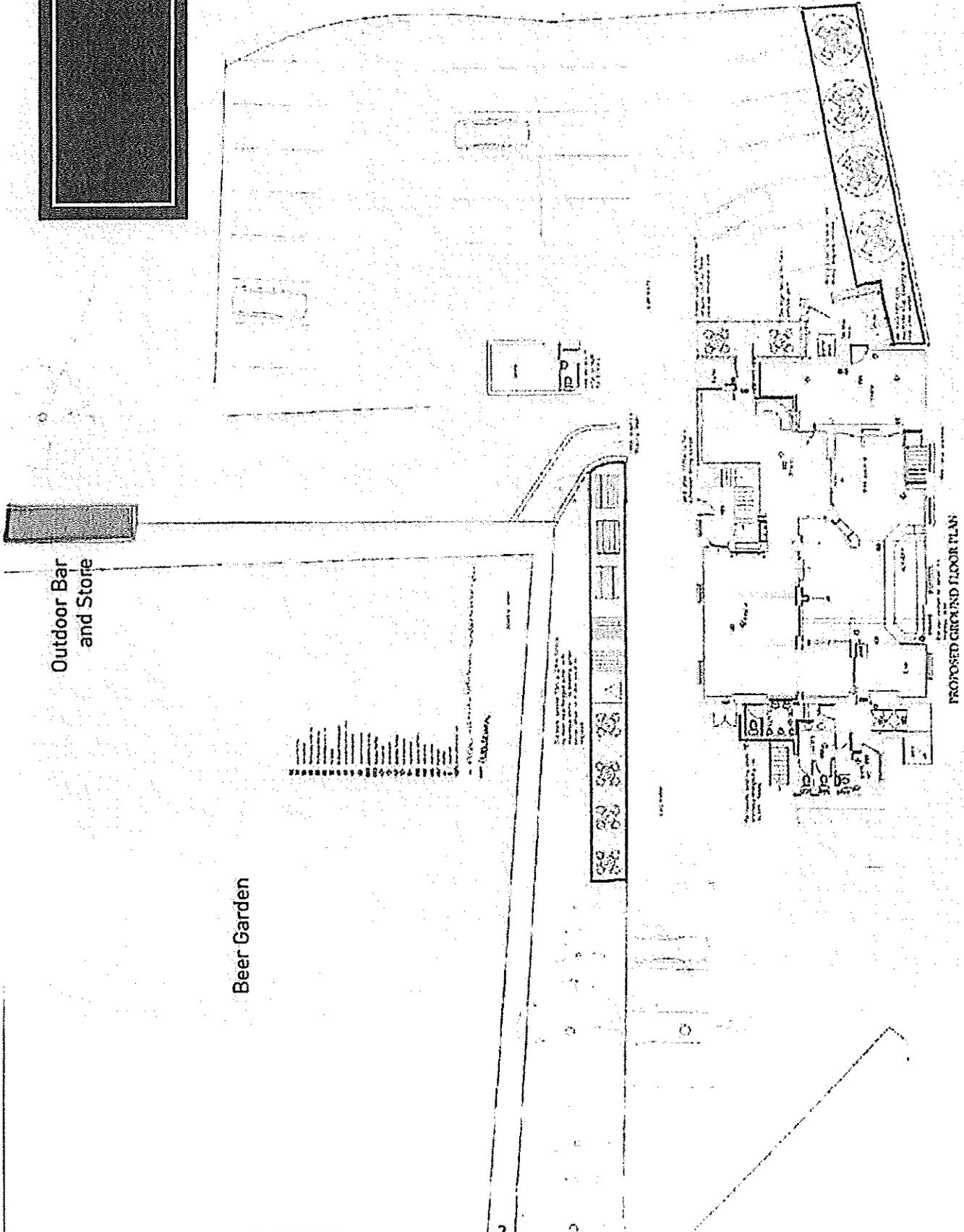
1. The outside drinking area shall not be used for the consumption of alcohol after 23.30

Annex 4 - Plans

Attached



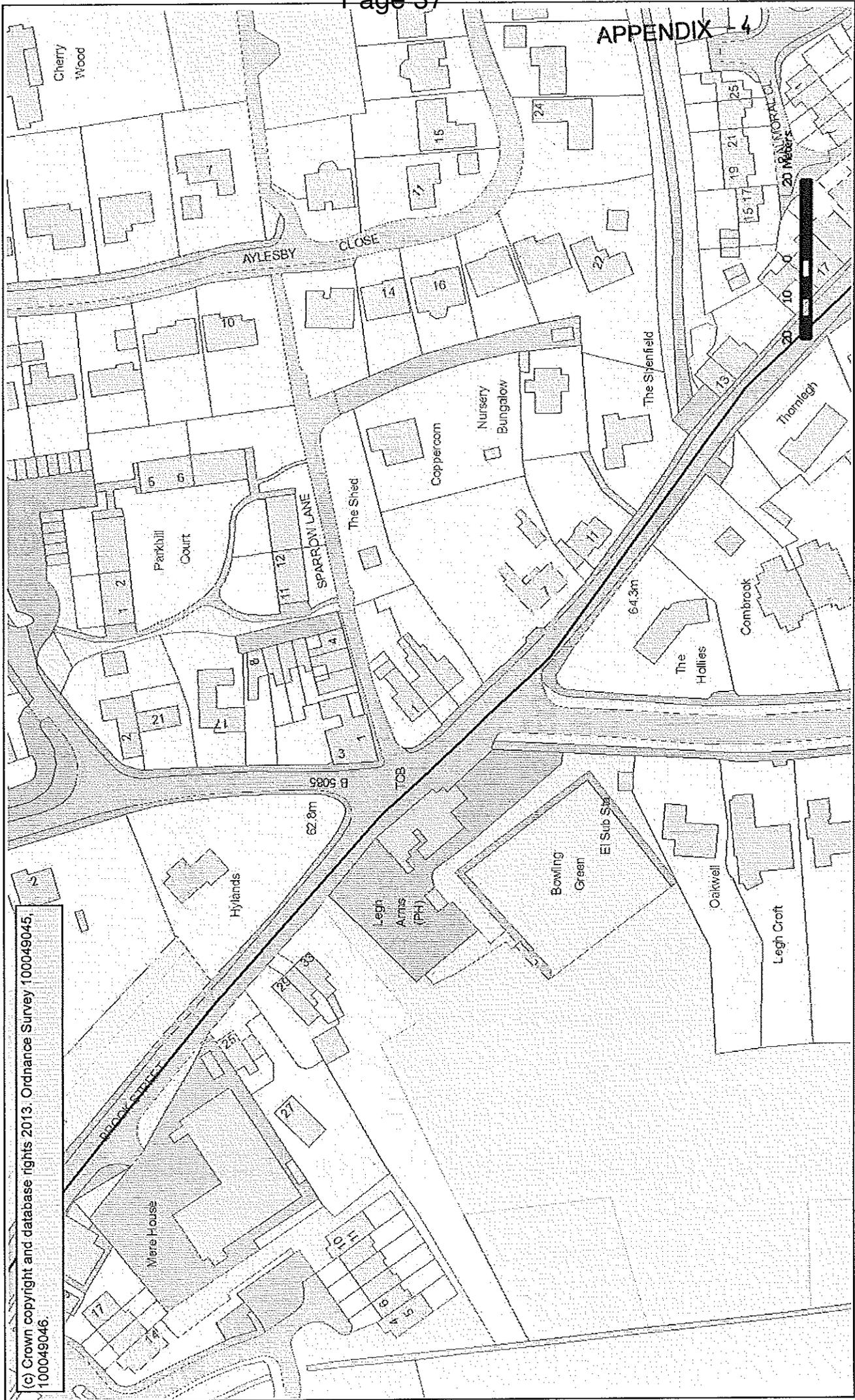
Brook Street
Knutsford
Cheshire
WA16 8EB



Outdoor Bar
and Store

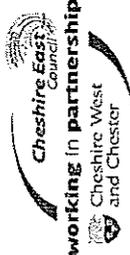
Beer Garden

PROPOSED GROUND FLOOR PLAN



Cheshire CC WebGIS

LEGH ARMS, KNUTSFORD



(c) Crown copyright and database rights 2013. Ordnance Survey 100049045, 100049046

LICENSING ACT 2003 Environmental Health Consultation Response

My Ref: ELL/027753

Date Received:

9th August 2013

Name of Applicant:

Legh Arms

Address to which application relates:

Brook Street, Knutsford, Cheshire, WA16 8EB

Conversion:

Variation:

New:

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

Approve

Approve with Conditions

Object to Section(s)

Proposed Conditions

As requested in variation application is agreed and shall be conditioned as such.

Prevention of Public Nuisance

All necessary steps shall be taken to ensure that any noise from the premises shall not be at a level which could cause a noise nuisance at the boundary of the nearest residential premises, therefore:

All regulated entertainment shall take place indoors.

All external windows and doors shall be closed whilst regulated entertainment is taking place, except for normal access and egress.

There shall be no temporary or permanent speakers for the use of amplified music, speech or dance, permitted within the outside area or beer garden.

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

Customers shall be permitted to stay inside the premises whilst waiting for taxis.

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

No disposal of refuse outside the premises or deliveries made to the premises between 2100 and 0700.

Recommendation:

It is recommended that assessments of noise from the premises shall be undertaken by a competent person (either the Licensee or Manager) and any necessary remedial action is undertaken to ensure compliance. These assessments shall be undertaken during opening hours of the premises and when entertainment or music is occurring. A written record shall be made of those assessments in a log book, kept for that purpose and shall include; the time and date of the checks, the person making them and the results including any remedial action.

The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the Premises shall ensure that the Premises, including the car park, are vacated quietly within thirty minutes of the terminal hour of the Licence, and that proper supervision of all persons leaving the car park and otherwise leaving the Premises is provided. Conspicuous notices shall be positioned at all exits from the Premises requesting patrons to make the minimum amount of noise on leaving.

Signed: Stephanie Bierwas | Enforcement Officer | Environmental Protection

Dated: 21st August 2013

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From: LICENSING (Cheshire East)
Sent: 15 August 2013 10:21
To:
Subject: FW: Legh Arms Pub - Variation to Licence

Sent: 15 August 2013 09:18
To: LICENSING (Cheshire East)
Subject: Legh Arms Pub - Variation to Licence

To whom it may concern.

I fully oppose ALL aspects of the variation to licence for the above premises. I truthfully laugh at the application proposals but conversely am significantly worried and deeply concerned should all or any of the variations be approved. I support initiative in business but feel what they want is totally too much and is the wrong thing for the local area and the people who live there. Noting that all residents have lived in the area longer and before than the new landlord to the Pub has been in place and who instigated these plans. This has to be your priority in looking after those that live here and who's day to day lives will be greatly negatively effected to a point of explosion of frustration and sending all of us round the bend.

Please consider the following;

Location

Simply the pub is in a RESIDENTIAL area. Apart from two small independent day traders in the old post office there are no other commercial activities going on. People want to live here in amongst other homes where noise is limited. To have a pub with such plans would deverstare our quality of life should they be approved. The area is a conservation area and for the proposals to be approved would make a mockery of the status. It would also bring into question the council and governments restrictions on normal home planning issues (extensions, solar panels, other home improvements) if the Legh arms has permission to RADICALLY change the way it may operate.

Noise

I have significant cause for concern over the noise generated from the activities planned and equally the hours of operation. I am a human being and I have a high pressure job. Like others I need my sleep. I have a human right to this. The building is old and large and without massive investment in acoustic control is totally unsuitable for their plans. With no air conditioning systems in place, windows are often left open in the summer and with the distance from the DJ booth to the nearest residential house being less than 6m will destroy our lives in terms of noise. One can expect that their will be extra noise outside from cars leaving, shouting, people slow to move on and rowdy drunken behaviour will create further problems. I have reported noise issues in the past to your environment department after late entertainment nights and the general lack of care shown by previous landlords highlights their attitude to the neighbourhood. The thought of weddings, horse race outing turning up in coaches at 0800 singing 'agadoo' to have champagne breakfasts in the early morning worries me also. In todays 24hr pace of life, it is important to remember that some people work shifts therefore noise has to controlled and moderated at all times of the day.

Crime

More people, drinking more alcohol at unsociable times of the day will create more crime issues. I have personally witnessed someone trying to break into my home again after a entertainment night in the Legh Arms previously. I and my neighbours will not tolerate

this. Referring to location again, all the police are rightly in the town centre controlling the crowds there and response times will be greater to get up to the Legh Arms. If people want to party let them party in the town centre where there are resources and not in this residential area. They may deem a issue from the Legh Road area as low priority compared to a similar town centre issue? They don't have the resources to cover both geographical locations.

Opening of outside Bar area

Again this will move the noise and disturbance in the wrong way - outside and create further noise issues. More pain for the local residents. I believe like the other ideas that they intend to operate very late.

Traffic Issues

It is common knowledge that the Legh Road/Chelford Road/Mobbereley Road/Brook street/Sparrow Lane junction is very dangerous. It is a fast road, very narrow and is active 24hrs a day with heavy slow to brake lorries. If any plans are approved then this will lead to more people, more traffic and more chance of a serious road traffic accident. I am not willing to see this happen. Has anyone considered parking as well. With more people then where is everyone going to park? Legh Road is already very busy and full with residents parking there and also a lot of office workers parking during the day. The place would look like a car park and would see lines of cars all the way down to Parkfield Road. This would create frustration to even more innocent residents who can't access/park outside their own homes and extra danger to those that use Legh Road as a through way. It would also mean that visibility would be reduced for those trying to cross the road such as children who also live in the area.

Proposed Ideas

I have major issues with the proposals and think they will make the area look shabby and degrade it. To have regular disco nights, film night, karaoke evenings, ABBA nights on a frequent basis will kill the area and make it look cheap. I have issues over the late night kitchen and people popping in from elsewhere having not drunk at the pub, for a late night burger and chips. Is the Legh Arms going to replace the services on the M6? The smells and the general ambience to the area will be Terrible. The Legh Arms could be known as Knutsford's new alcoholic cinema showing horror films with booze thrown in. I am very concerned over all the opening hours requested.

I believe it would have a negative effect on the house prices in the area.

Despite the Pubs plea to work with the local residents, the licensing team when considering the application have no option but to think worst case with regard to the opening hours. The following are all possible:

1. Horror films being shown to 0055 on a Sunday night
2. Burger and fries available on a Tuesday night till 0030
3. Live Beatles band on a Thursday night to 2355
4. Johnnies advertised mobile disco playing every Saturday night till 0155 with kicking out at 0225
5. Dominio nights on a Monday night till 0035

Management of the Pub

Though I support enterprise, the Pub were unable to get the first simple application procedure correct by displaying the wrong poster in the wrong place. Together with their ludicrous business ideas I have little confidence in their ability. Should their plans be approved it could open the flood gates for more future CRAZY ideas that will further destroy the area. This would be tremendously difficult to control with a precedence already set by you namely in the operating hours that they could work within.

I also believe that the pub know that their ideas are too much and therefore have a full legal time backing their application. They are focused on profit only, in a pub that has always struggled and will try anything now to turn a £. This is not our problem. Their plans are not appropriate for the area and they need putting into touch by the planning department. Is it not our fault that they have a dead horse of an establishment and trying to turn it into combined music venue, wedding venue, film venue, late eating venue, outside bar area may help turnover but WILL kill this area of Knutsford, guaranteed.

The length and content of my letter highlights the personal issues that I have with these plans. Yes let them continue serving beer to the old man and serve family Sunday lunches but to change the way that they want too will be unfair and totally inappropriate to others around. Cheshire East must instantly halt these ludicrous plans that will simply kill the area.

If approved trust me I will fight the plans to the next level.

Please confirm receipt of this opposal.

From:
Sent: 24 August 2013 09:19
To: LICENSING (Cheshire East)
Subject: Legh Arms, Knutsford -Variation of Premises Licence

As a resident living within 100 metres of the Legh Arms I wish to register an objection to the Application for Variation of the Premises Licence made by Marston's PLC.

The Legh Arms is situated immediately between two peaceful residential Conservation Areas namely Legh Road and Cross Town.

My objection relates to the extension of the licencing hours beyond midnight throughout the week. Such an extension would inevitably result in late night/early morning noise and disturbance impacting negatively on the quality of life of local residents in the area.

I request therefore that the Marston's application is rejected.

The Licensing Section
Cheshire East Council
Macclesfield Town Hall
Market Place
Macclesfield
Cheshire
SK10 1DS

24 August 2013

Dear Sirs

Amendment to license of Legh Arms, Knutsford

I note that an application has been re-submitted to amend the license for the Legh Arms public house on Brook Street, Knutsford.

We live opposite the Legh Arms and object to the proposed amendments.

We are occasionally disrupted by patrons leaving the Legh Arms, who are noisy. In addition, if the Legh Arms has live or recorded music, this can be clearly heard in our home, particularly if they leave their windows/door open. We are concerned that if the license were extended further that this nuisance would be far greater.

The Legh Arms is situated in a residential area, rather than the town centre near other non-residential buildings. Our children's bedrooms are situated at the front of our home, and face the Legh Arms. We feel that allowing the extension of the license will disturb many local residents, including us.

There was no reference to the application in the Premises License Applications section of the Cheshire East website, when originally requested in June. As a result it was not possible to respond to specific points.

I have previously met with Tim Couliston of the Legh Arms and whilst I acknowledge his plans for the business, I am concerned that extending the license would allow any subsequent tenant to abuse the longer opening hours. In any event, I consider the current opening hours (closing times) are sufficient.

I note the application requests an opportunity to open at 8.00am. I have no objection to this.

In addition, and in view of the noise issues raised above, I would request that the license should require the windows and doors at the Legh Arms to be closed when live or recorded music is being played.

I also feel that there should be an obligation on staff to take positive action to prevent noise and nuisance when patrons are leaving the premises. The current license specifies there should be a sign asking patrons to leave quietly and respect neighbours. I checked recently and no such sign exists. I don't think a sign goes far enough and the staff at the Legh Arms should be required to challenge any patrons who create a nuisance when leaving the premises.

I would ask that these points and the impact on local residents are taken into account when considering the application made by the Legh Arms.

Yours faithfully

From:
Sent: 25 August 2013 20:10
To: LICENSING (Cheshire East)
Subject: Licence application Legh Arms knutsford

We have been alerted to the application to extend the licensing and music hours made by the Legh Arms Knutsford and wish to lodge our objection to this.

This is a residential area and late night activity such as that proposed could cause considerable inconvenience and annoyance to ourselves and our neighbours.

Only this afternoon, the Sunday of the bank holiday weekend, we have had to close all our windows to shut out the noise from the live group that were playing outside at the Legh Arms.

From:
Sent: 27 August 2013 17:00
To: LICENSING (Cheshire East)
Subject: Legh Arms Hotel, Brook Street, Knutsford

Dear Sirs

I wish to object to the application for a variation of licence for the above named premises. The Legh Arms is located in a quiet residential area and not a town centre. An application to extend the terminal hour to 0100 and 0200 would seriously harm the peace and tranquillity of the area and would detrimentally affect hundreds of residents within earshot of the pub. It is entirely inappropriate for a country pub.

Please help us to preserve the peaceful nature of this quiet corner of Knutsford

Yours

From:
Sent: 27 August 2013 18:57
To: LICENSING (Cheshire East)
Subject: planning application for the Legh Arms Knutsford

Dear Sir/Madam,

I am writing to you to object very strongly against the recent application for the Legh Arms public house, to extend their opening hours to enable them to add to their entertainment calendar and supply of alcohol.

We are residents of Legh Road and as our house is very near to the Legh Arms, are subject to noise both from the customers leaving the pub at night and parking outside the houses, causing disturbance mainly at the weekends and fireworks at various times.

This is something that we have accepted as part of living so close to those premises. The thought of this activity increasing in any way is not acceptable.

This is a residential street in the conservation area and any extra, loud music, parking, people arguing and shouting in the street when leaving the pub and the possibility of an outdoor bar as well as an increase in the hours that alcohol will be provided, would spoil a beautiful street, lower house prices without doubt, and possibly encourage damage or burglary to the area.

We would please ask you to take this matter very seriously as it will mean a great deal of worry and concern to many of the residents in Legh Road.

Yours sincerely

27 August 2013

To: The Licensing Team, Cheshire East Council

Dear Sir / Madam

Re: Application for change of hours and provision at The Legh Arms, Brook Street, Knutsford

I wish to register a strong objection to the above application on behalf of myself and my terminally ill husband, He is unable to write or word process now as he is enduring the later stages of MSA, a progressive neurological illness, but he has asked me as his primary carer and attorney to include his name on your list of objectors.

We have lived opposite the Legh Arms for over twelve years now and are sorry that, given the catchment area, it has never been fully developed as a five star gastropub. It would have done extremely well!

Given our circumstances, we are unable to patronise the pub, which is a shame, but wish the new team well. The recent external renovations suggest that greater ownership and pride are being taken in longer term planning for the success of the business, rather than the 'quick fix' changes that have been implemented / failed more recently. We have heard very good reports about improvements that have been made of late and were therefore all the more disappointed when we heard from [redacted], a neighbour, that an application had been made by the brewery to extend to ridiculous proportions the existing hours of drinking and entertainment. This is not a city centre pub, nor even a Knutsford Town enterprise, but a business set in a conservation area with its own special identity and restrictions on change.

There has been a quick turnaround of management over the last few years and we had considerable issues with the landlord previous to the 'moonlighter'. Evenings of live music (at full blast with windows opened) extended beyond hours, up to 1:30am on a couple of occasions, and no consideration was given to residents' wellbeing. Communication with CCC Environmental Health officials proved entirely fruitless. The manager was contacted but there was absolutely no change to the level of noise, internal and external and we just had to 'put up and shut up' and suffer in silence. It was no joke and I am not prepared to go through this again. Let's see why –

If this application is passed I envisage, on top of deafening noise into the early hours, extra traffic noise problems and rowdiness as people leave the pub at a very late hour; limited police cover to deal with fights; a substantial change to the image of the area and its effect on house prices and, most importantly, the detrimental effect on our quality of life in this currently peaceful residential area. Given our previous experience, I have absolutely no faith in promises being kept and in prompt and real support being provided to curtail the excesses of a few.

The application process was proved highly flawed and I would suggest that the proposed changes are being made solely for the interests of the brewery. For this reason we lodge our objections.

From:
Sent: 27 August 2013 23:39
To: LICENSING (Cheshire East)
Subject: Legh Arms, Knutsford

I am writing to object in the strongest possible terms to the application for a variation of the license for the above premises.

The premises are situated in a quiet residential area on the boundary of the Legh Road Conservation Area and the extension is totally unsuited to this situation.

Already, our sleep is disturbed by late night revellers, cars revving and doors banging and if this application is granted the scene will be set to become worse. There is limited parking available on the premises and their customers park along Legh Road. This also creates congestion at a dangerous road junction causing tailbacks onto the main Chelford Road. I have also noted that drivers 'popping in' often do not respect the yellow lines and this makes the problem worse.

There is also a small, but growing problem of littering with beer glasses and drink containers being thrown into nearby gardens and dropped in Legh Road.

Our quiet enjoyment of our own gardens has also been disturbed this summer by outdoor parties with loud music during the daytime at weekends.

25 years ago, this used to be a quiet local pub with a bowling green. Since the bowling club departed, the use of the bowling green has been changed into 'Knutsfords Biggest Beer Garden' – their words, not mine, as used on the roadside A-board. This in turn has changed from a garden with seats into something resembling a mini Glastonbury festival and is completely out of hand.

The Cheshire East vision for Knutsford states 'the community has a high quality of life'. This will not be enhanced by the activities proposed at the Legh Arms.

I have no objection to what they do inside the building during the normal licensed hours. Any further extension to the hours or encouragement to develop outdoor activity is totally opposed.

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From:
Sent: 28 August 2013 00:58
To: LICENSING (Cheshire East)
Cc:
Subject: Legh Arms Hotel licensing variation Application. Objection

Dear Sir/ Madam,

As a close neighbour of the Legh Arms I have been made aware of the recent application and would like to formally object to certain aspects of the application on the following grounds:

Please note that the information I have relating to the detail of the application is only that supplied by my neighbour and a brief look at your web site, so i hope my responses and views make sense. It would have been more useful and less concerning if the brewery had notified close neighbours such as myself of their intentions and perhaps explained their rationale; this may have alleviated some of the inevitable fears myself and other local residents may have of exactly what they intend to do and why they have chosen to apply without canvassing local opinion, making the application at such a time when so many people are away on holiday.... It brings trust into question, does not seem particularly neighbourly and raises concerns about their motives.

Objection 1. Live/ loud Music to 1pm mid week and 2am on weekend night(s)

Grounds: we have experienced this from the Legh Arms on a few dates, notably Saturday 13 July when late night music disturbed the sleep of my family and we had to resort to closing windows on a hot summer evening/ night to reduce the disturbance.

It would seem acceptable to have music if the noise levels are monitored and prevented from leaving the building at above acceptable levels by the requirement for the music to be confined to within the main pub building with all the pub windows being closed.

Objection 2. The Introduction of an outdoors (garden) bar to serve alcohol in the beer garden

Grounds: we have experienced disturbing noise from late night drinkers whose voices carry across the gardens and have woken my children up (ages 3 and 5) on school nights (various June/ July 2013) as well as disturbing adult sleep in the house. This is especially bad when the summer heat requires the windows to be open. If this was confined to last orders at 7pm in the beer garden and people encouraged to move inside the pub after this time (with all windows closed) this would then seem acceptable.

Objection 3. The use of Legh Arms as a wedding venue

Grounds: noise as above; it would seem acceptable for this to carry on inside the pub building with all windows closed and noise limits being set to ensure neighbours are not disturbed.

We feel that in this residential (incidentally also a conservation area) we should be entitled to relatively peaceful noise levels associated with a residential environment as oppose to inner city noise.

If there are any more specifics required, please let me know and I will be plea to expand.

Kind Regards,

From:
Sent: 28 August 2013 09:35
To: LICENSING (Cheshire East)
Subject: Objection to Variation of a Premises Licence - Legh Arms, Knutsford.

Cheshire East Council Licensing
Macclesfield Town Hall
Market Place
Macclesfield
SK10 1EA
28th August 2013

Objection to: Application for Variation of a Premises Licence

Applicant: Marstons PLC

Premises: Legh Arms Public House, Brook Street, Knutsford WA16 8EB

Dear Madam/Sir,

Please note my objection to the above referenced application for variation of a premises licence on the following grounds.

Extension of Licensing Hours

Any extension of licensing hours, particularly late night hours beyond 11.00 p.m. and up to 2.00 a.m. can and will result in an increase in noise and disturbance to residents in close proximity to the establishment. This will impact on the inherent right of residents to quiet enjoyment and therefore represents the potential for significant diminution of amenity. Additionally, one cannot see the reason for, or benefit of, being granted licence to serve alcohol from 08.00 daily on these premises.

N.B. It is noted that in the application the premises are referred to as 'The Legh Arms Hotel'. The Legh Arms is not a hotel. Indeed, nowhere is it referred to as such in its own publicity material. On the contrary, it is clearly stated to be a pub. This ambiguity is troubling and should elicit questions of the owners.

Noise and Disturbance:

The extended provision of licensing hours for the playing of live or recorded music within or on the exterior grounds of the premises, will give rise to an unacceptable level of noise disturbance, which again diminishes residents right to quiet enjoyment and impacts on amenity. Noise impact is already experienced by residents in close proximity to the premises when music events are conducted on the premises. Especially given that the downstairs windows of the premises facing onto Brook Street are often open.

Crime & Disorder:

Where the time period for the provision of alcohol is to be extended, it is fair to assume instances of increased consumption. It is reasonable, therefore, to postulate that such increase can, and on occasion will, lead to undesirable behaviour which can result in crime and disorder. This is already experienced with the smashing of windows in the Sparrow Lane telephone box, and, on occasion, damage to parked vehicles.

Public Safety:

The frontage - and main entrance - of the premises is directly onto the busy A537 thoroughfare. There is no pavement to the frontage of the building, nor indeed down a considerable length of Brook Street on the same side of the road as the premises. Similarly, there are the junctions of Legh Road and Mobberley Road conjoining Brook Street, on opposite sides of the road to the left and right of the pedestrian and vehicular access points to the licensed premises. These factors must give rise to concern for the safety of pedestrians, effectively exiting directly onto a busy thoroughfare which carries significant heavy goods traffic at all hours of the day and night.

Public Nuisance:

As previously stated, and widely recognised, the potential for increased alcohol consumption can and does bring about increased incidents of undesirable behaviour, resulting in public nuisance. This can manifest itself through increased noise and rowdiness. Littering, including empty bottles and broken glass. And, as has been experienced, people urinating down Sparrow Lane – specifically in the access alleyways to the rear and frontages of No.s 2, 3, 5, 6 & 7 Sparrow Lane.

I would be obliged if, in considering this application, you give weight to the objections raised herein and reject the application, particularly when considered with regard to potential conflicts with the licencing authority's four licencing objectives and the stated consideration of the rights of local residents to peace and quiet (Statement of Licencing Policy 8.3) and the wider remit of the Local Authorities duty to seek to protect residential amenity.

Thanking you for your attention in this matter.

Yours faithfully,

From:
Sent: 28 August 2013 09:36
To: LICENSING (Cheshire East)
Cc:

Subject: Legh Arms - change of operation
Attachments: Legh Arms.pdf

Importance: High

PLEASE NOTE: My husband is away on business (working in a different time zone) and may already have emailed you – I would be grateful if you could also take my email into consideration please.
If you reply to this email, please send a copy to [redacted] and [redacted]. Thank you.

To: The Planning Officer Cheshire East Borough Council:

I write in the strongest terms to object to the recent application for change of operation at the Legh Arms Public House, following the receipt of the attached notice and telephone conversations with two Councillors. My husband and I have lived quite happily next door to this family friendly pub since 1988. I list below the points I wish to raise:

- Although notices have been placed in the window of the Legh Arms, they are not prominent.
- I am advised that letters should have been posted to the surrounding residents to advise of the change of operation - this was not done.
- Noise pollution – loud and overbearing music played outside will affect all households in the vicinity.
- Increased number of noisy people and cars in the proposed hours of operation, spilling out into the street in the early hours, some possibly extending their drinking time after visiting the pubs in Knutsford Town.
- Unsociable and unacceptable operating hours – we would not be able to sleep with windows open.
- Out of character with our Conservation Area affecting the tranquillity of the area and quality of life (the Cheshire East vision for Knutsford states 'the community has a high quality of life').
- Potential damage to property - we have already experienced a man climbing over the fence to retrieve a football from our garden.
- I am advised that there will be limited police cover.
- Reducing values of properties.

I attach a notice we received from one of our neighbours listing the proposed changes.

Yours faithfully,

From:
Sent: 28 August 2013 09:52
To: LICENSING (Cheshire East)
Subject: Legh Arms Knutsford license extension.

Dear Sirs,

I am writing to register against the granting of extensions to the licensing hours of the Legh Arms public house in Knutsford.

I live across the road at address shown below:-

If the extension of licensing hours is granted this will turn this pub into a late night destination pub. This is obviously going to attract people that have already been drinking and the extra noise levels, litter levels, nuisance and violent behaviour and this will impact on myself and all the local residents.

There is no need at all for this out of town pub to open at 08:00 Am and serve till late hours, apart from the fact that it increases the value as the license agreement is in place when sold, and this, in my opinion is the only reason this license is being applied for.

Please do not under any circumstances grant this extension.

If this license is granted against the locals wishes I personally will be pursuing the council for recompense for any damage, litter clearing or stress caused by this extension of the hours.

Yours sincerely

From:
Sent: 28 August 2013 08:36
To: LICENSING (Cheshire East)

I would like it to be noted that I object to the extended licensing hours for the Legh Arms pub, I can here the noise from Manor Park South! I have lived nearby for 41 years and used the pub, this is not the right use of this pub in this residential area. I can assure you this is not the way forward to get more customers. thankyou, may I suggest an upmarket eatery would certainly bring in the business the pub needs.

From:
Sent: 28 August 2013 11:59
To: LICENSING (Cheshire East)
Subject: Objection to application re The Legh Arms, Knutsford

To whom it may concern

I am writing to strongly object the late night licensing plans for the Legh Arms.

As the Legh Arms is based in a residential area I firmly reject these plans.

The location of the venue is unsuitable and completely unfair on local residents to have a pub with a late night licence. There is enough venues in the town centre of Knutsford that offer this service, but more importantly are located adequately to support a late night licence.

As a young professional I often drink and socialise in Knutsford town centre. I can confirm that these venues are not at capacity, therefore, other than significantly upsetting and disrupting local residents, I fail to see what benefits this will offer to Knutsford. In addition to this, can the police cope with this additional area to manage?

In addition to the above, my father is terminally ill and we reside in the property adjacent to the Legh Arms. His disabilities are so advanced that rest is essential and any stress worsens his condition. We have had a purpose built bedroom developed for him downstairs from government support. I therefore ask you, on basic moral rights, that this licence is rejected.

Please do contact me on the numbers below if you would like to discuss this further

Regards

