

Licensing Act Sub-Committee

Agenda

Date: Friday, 30th April, 2021
Time: 2.00 pm
Venue: Virtual Meeting via Microsoft Teams

How to Watch the Meeting

For anybody wishing to view the meeting live please click in the link below:

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Please turn off your camera and microphone when entering the meeting and ensure they remain turned off throughout.

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 in the report.

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

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.

For requests for further information

Contact: Helen Davies
Tel: 01270 685705
E-Mail: helen.davies@cheshireeast.gov.uk

3. **Application for a full variation of the Premises Licence at The Bar, 58 Sandbach Road South, Alsager, ST7 2LP.** (Pages 9 - 54)

To consider the above report.

Membership: Councillors K Flavell, M Goldsmith and A Harewood

CHESHIRE EAST COUNCIL**Procedure for Hearings – Licensing Act 2003
COVID-19**

This procedure has been drawn up to take account of the restrictions placed on the Country by the Government in its response to the COVID-19 pandemic and the Council's move towards the holding of virtual meetings.

As a Licensing Authority we are conscious that all Hearings of this nature must be run in accordance with the rules of natural justice and that any modifications to the format of the hearing should not undermine the requirements to hold a fair hearing.

It is the Council's intention to run the Hearing as close a possible to our procedure for Hearings set out in our Statement of Licensing Policy. However, it will be necessary to make a number of specific alterations.

The Council does not intend to hold any Hearings just on the pre Hearing papers (eg applications and written representations). The Council considers that a Licensing determination based solely on written material and without the opportunity for amplification, clarification, and questions does not best serve the decision-making process.

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.

Platform

The Council will use Microsoft Teams for all Hearings. This platform can be accessed on a landline, mobile, laptop or tablet. The Democratic Services Officers will ensure that the meeting is set up within the Microsoft Teams platform. All parties to the Hearing will received the Notice of Hearing required by the regulations and an email invitation with specific joining instructions for Microsoft Teams.

Web Casting

All Council meetings are web cast through the Council's website. This will continue to be the case during any lockdown period and will allow members of the public to listen to proceedings from their own home.

Connectivity Test

The Council will require Members, officers, and all parties to the Hearing to be available for a connectivity test 30 minutes before the start of the Hearing. This is to ensure that any issues can be identified and overcome before the start of the meeting. Notes on how this test will be conducted will be sent directly to parties.

Technical Issues

If during the course of the meeting, the Chairman determines any technical issues (for example, parties dropping out of the meeting or parties being unable to hear or follow proceedings etc) are compromising the integrity of the Hearing, the Chairman will have discretion to adjourn the matter to later date. The test the Chairman will use when considering any adjournment is what is best in the public interest (including the right of all parties to have a fair hearing). Any adjournment will either be to a date when technical issues can be overcome or to a date when a full hearing with all parties physically present can be held.

Etiquette

In order to maximise effectiveness of the Hearing all parties should:

- Identify themselves at the start of the Hearing when asked to do so by the Chairman
- Put their webcam and microphone on mute all times other than when addressing the Committee
- Indicate that you want to speak by using the chat function
- Only address the Committee when called to do so by the Chairman

Committee Reports

The Committee report and all relevant information will be posted on the Council's website at least 7 days prior to the Hearing. A link to the documents will be provided with the Notice of Hearing. The Committee report pack will be paginated and all parties should refer to this pack rather than their own bundles.

Late Evidence

Parties should submit any evidence for consideration of the Committee prior to the drawing up of the Committee agenda packs. This will mean that all information in containing in one paginated bundle that can be referred to by the parties (referencing pages numbers).

Evidence submitted on the day of the hearing can only be included when all parties to the hearing agree. It will ultimately be for the members of the Committee to decide if late evidence is accepted.

Decisions

In accordance with Hearings Regulations the Committee will make a determination at the end of the Hearing and the decision will be given within 5 working days. Some decisions are required to be given at the end of the Hearing, in this case the public meeting will resume once Members have deliberated and formed their decision.

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 and will draw up the decision notice.
- **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)	The local residents who are objecting to the application will be invited <u>to make observations on the application</u> and present the bases of their objections.
14	Applicant	Or his representative or witnesses may ask <u>questions</u> of the Local Residents, by way of clarification.
15	Committee Members	May ask <u>questions</u> of the Local Residents.
16	Chairman	To invite both Responsible Authorities and Local Residents to make their closing addresses.
17	Applicant	Or his representative will <u>briefly summarise the application</u> and comment on the observations and any suggested conditions.
18	Close of Public Meeting	When the Chairman determines that all relevant information has been heard and no further matters are to be discussed, the public meeting will end. All parties to the hearing (including

		Licensing Officers and Responsible Authorities) will be excluded from the platform.
18	Committee	<p><u>Will retire</u> to consider the application. They will be accompanied by their Legal Advisor and the Democratic Services Officer. This means that the Members of the Committee can determine the matter in private session. And can take the opportunity to seek legal advice.</p> <p>Members will give their decision with 5 working days by the issuing of a decision notice.</p>

Notes

1. The Committee can exclude members of the press and public from participation in a Hearing; 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 be excluded from 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 Chairman 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 will provide its decision in writing



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Version
Number: 1.0

Key Decision ?

Date First
Published: >

Cabinet

Date of Meeting: 30th April 2021

Report Title: Application for a full variation of the Premises Licence at The Bar, 58 Sandbach Road South, Alsager, ST7 2LP.

Portfolio Holder: Cllr Mick Warren, Communities

Senior Officer: Frank Jordan, Executive Director Place

1. Report Summary

- 1.1. The report provides details of an application made for a full variation of a Premises Licence under the Licensing Act 2003 together with objections.

2. Recommendations

- 2.1. The Licensing Act Sub-Committee is requested to determine the application for a full variation of a Premises Licence in respect of:

The Bar
58 Sandbach Road South
Alsager
ST7 2LP

- 2.2. The Licensing Act Sub-Committee is requested to consider the Application and any relevant representations and determine what steps, if any, it considers are appropriate to promote the Licensing Objectives.

- 2.3. Acting in the capacity of the Licensing Authority, Members must seek to promote the Licensing Objectives. And where Members consider that matters have engaged one or more of the Objectives, they may exercise their discretion. The Licensing Objectives are:

- a) The prevention of crime and disorder
- b) Public Safety
- c) The prevention of public nuisance
- d) The protection of children from harm

3. Reasons for Recommendation/s

3.1. The Licensing Act Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003 and the Council's Constitution, and provide the key reasons why the recommendation/s has been made. Link your reasons into appropriate council policies and corporate objectives.

4. Other Options Considered

4.1. Not applicable

5. Background

5.1. An application for a full variation of a Premises Licence was received by this Authority on 8th March 2021 for the following premises:

The Bar
58 Sandbach Road South
Alsager
ST7 2LP

- 5.2. The premises is a mid-terraced commercial property, selling craft ales and spirits for consumption both on and off the premises.
- 5.3. The Premises Licence currently in place at the above address is PREM1186. A copy of that Premises Licence is attached at **Appendix 1**.
- 5.4. The applicant has applied to vary Premises Licence PREM1186. The variation sought is to extend the hours authorising the sale of alcohol, together with the opening hours. A copy of the application is attached at **Appendix 2**.
- 5.5. For ease of comparison between the current standard times authorising the sale of alcohol on PREM1186 and the standard times sought within the application, a table has been provided for Members below (*Table A*).
- 5.6. Members will note that within the application both the extended standard times sought to authorise the sale of alcohol and the extended times sought to open the premises are exactly the same.

5.7. *Table A:*

Day of week	Sale of alc. start time		Sale of alc. finish time	
	Current	Sought	Current	Sought
Monday	16:00	14:00	23:00	23:00
Tuesday	16:00	14:00	21:00	23:00
Wednesday	16:00	14:00	21:00	23:00
Thursday	16:00	14:00	23:00	23:00
Friday	14:00	12:00	00:00	00:00
Saturday	12:00	12:00	00:00	00:00
Sunday	12:00	12:00	21:00	23:00

5.8. The non-standard times currently authorising the sale of alcohol under PREM1186 are set out in the following table (*Table B*):

5.9. *Table B:*

Event	Start time	Finish time
Christmas Eve	12:00	23:00
New Year's Eve	12:00	01:00
Alsager Christmas Lights Switch On	12:00	23:00
Sunday before a bank holiday	12:00	23:00

5.10. Only one extension of non-standard times authorising the sale of alcohol is sought within this application. The one extension to alcohol sales sought is shown in the following table (*Table C*):

5.11. *Table C:*

Event	Start time sought	Finish time sought
Sunday before a bank holiday	12:00	00:00

5.12. The non-standard opening times sought within the application mirror all of the above non-standard licensable hours.

5.13. Plans submitted with the application are attached at **Appendix 3** and **Appendix 4**. Members will note that the plan remains the same as that which is currently in place and no variation has been sought to alter the licensed area of the premises.

5.14. To assist Members two locational maps are attached at **Appendix 5** and **Appendix 6**.

5.15. A Statutory Notice was advertised within a local newspaper on 11th March 2021.

- 5.16. A Statutory Notice at the premises was inspected by a Licensing Officer on 16th March 2021.
- 5.17. Three objections have been received in relation to this application. Those objections relate to the Licensing Objective 'The prevention of public nuisance'. Copies of those objections can be found from **Appendix 7** to **Appendix 9**.
- 5.18. During the statutory consultation period Environmental Protection have recommended that the application be approved without any conditions being attached. A copy of the response from Environmental Health can be found at **Appendix 10**.
- 5.19. During the statutory consultation period no response was received from Police.

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1. 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 conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives and any mandatory conditions that must be included on the licence in accordance with the Licensing Act 2003;
- b) Exclude from the scope of the licence any of the Licensable Activities to which the application relates;
- c) Refuse to specify a person in the licence as the Premises Supervisor;
- d) Reject the application.

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

6.1.3. Members are also reminded of the statutory obligation placed on the Local Authority under section 17 of the Crime and Disorder Act 1998 to through all of its various functions, and Licensing is one of those functions to do all that it can to prevent Crime and disorder, Anti-social Behaviour, behaviour adversely affecting the environment and re-offending.

6.2. Finance Implications

6.2.1. There are no financial implications.

6.3. Policy Implications

6.3.1. The Licensing Authority has adopted a Statement of Licensing Policy in accordance with Section 5 of the Licensing Act 2003.

6.3.2. The Licensing Authority must also have due regard to the guidance issued under Section 182 of the Licensing Act 2003.

6.3.3. Members should provide reason(s) for any decision taken and should set out the reasoning where they determine to depart in any way from the Policy or Guidance.

6.4. Equality Implications

6.4.1. There are no direct equality implications

6.5. Human Resources Implications

6.5.1. There are no human resources implications

6.6. Risk Management Implications

6.6.1. The Licensing Sub-Committee will hear representations made on behalf of both the applicant and the 'relevant person' who has submitted their representation and will make a decision on the basis of the evidence presented to it. The Licensing Act 2003 makes provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority.

6.7. Rural Communities Implications

6.7.1. There are no direct implications for rural communities.

6.8. Implications for Children & Young People/Cared for Children

6.8.1. There are no direct implications for children and young people.

6.9. Public Health Implications

6.9.1. There are no direct implications for public health.

6.10. Climate Change Implications

6.11. There are no direct implications for Climate Change

7. Ward Members Affected

7.1. Cllr June Buckley

7.2. Cllr Rod Fletcher

7.3. Cllr Phil Williams

8. Consultation & Engagement

8.1. Consultation in respect of submitting an application for a full variation of a Premises Licence is prescribed in the Licensing Act 2003 and has been fully complied with.

9. Access to Information

9.1. The background papers relating to this report can be made available by contacting the report writer.

10. Contact Information

10.1. Any questions relating to this report should be directed to the following officer:

Name: Richard Hellon

Job Title: Licensing Enforcement Officer

Email: richard.hellon@cheshireeast.gov.uk

Appendices summary:

Appendix 1 – Current Premises Licence

Appendix 2 – Application form

Appendix 3 – Plan

Appendix 4 – Plan

Appendix 5 – Locational map

Appendix 6 – Locational map

Appendix 7 – Valid objection

Appendix 8 – Valid objection

Appendix 9 – Valid objection

Appendix 10 – Environmental Health response



Premises Licence

Premises Licence Number:

PREM1186

Part 1 - Premises Details

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

The Bar
58 Sandbach Road South
Alsager

Post Town: Alsager

Post Code: ST7 2LP

Telephone Number: 01270 877347

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Sale and supply of alcohol

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

Sale and supply of alcohol (for consumption both on and off the premises)

Monday 16:00 to 23:00 hours
Tuesday 16:00 to 21:00 hours
Wednesday 16:00 to 21:00 hours
Thursday 16:00 to 23:00 hours
Friday 14:00 hours to midnight
Saturday 12:00 noon to midnight
Sunday 12:00 noon to 21:00 hours

Non-standard timings - Christmas Eve 12:00 noon to 23:00 hours; New Year's Eve 12:00 noon to 01:00 hours; Alsager Christmas Lights Switch On 12:00 noon to 23:00 hours; Sunday before a Bank Holiday 12:00 noon to 23:00 hours

The opening hours of the Premises:

Monday 16:00 to 23:00 hours
Tuesday 16:00 to 21:00 hours
Wednesday 16:00 to 21:00 hours
Thursday 16:00 to 23:00 hours
Friday 14:00 hours to midnight
Saturday 12:00 noon to midnight
Sunday 12:00 noon to 21:00 hours

Non-standard timings - Christmas Eve 12:00 noon to 23:00 hours; New Year's Eve 12:00 noon to 01:00 hours; Alsager Christmas Lights Switch On 12:00 noon to 23:00 hours; Sunday before a Bank Holiday 12:00 noon to 23:00 hours

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

For consumption both on and off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of Premises Licence:

The Bar 2018 Ltd
58 Sandbach Road South
Alsager
Stoke-on-Trent
ST7 2LP

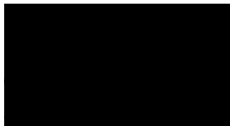
Tel No: 01270 877347

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

11505836

Name, address and telephone number of designated Premises Supervisor where the Premises Licence authorises for the supply of alcohol:

Mr Walter John MacGowan



Personal Licence number and issuing authority of Personal Licence held by designated Premises Supervisor where the Premises Licence authorises for the supply of alcohol:

Personal Licence Number: [REDACTED]

Issuing Authority: Cheshire East Council

Licence granted on 9th October 2018

[REDACTED]

.....
Signed by [REDACTED]
On behalf of Cheshire East Council

Annex 1 - Mandatory Conditions (as applicable)

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

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

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

Mandatory condition where the licence authorises the exhibition of films

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

Prohibited conditions: plays

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

Mandatory condition: Door supervision

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

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

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

MANDATORY CONDITIONS

Condition 1

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

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

Condition 2

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

Condition 3

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

- a) A holographic mark, or
- b) An ultraviolet feature

Condition 4

The responsible person must ensure that –

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

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—

- a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- b) 'permitted price' is the price found by applying the formula—

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

Where —

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

c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence—

- i. the holder of the premises licence,
- ii. the designated premises supervisor (if any) in respect of such a licence, or
- iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;

d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

e) 'valued added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the Operating Schedule

General – All Licensing Objectives

1. Training programme for directors and staff before the bar opens covering applicable responsibilities of relevant legislation eg the Environmental Protection Act 1990, the Noise Act 1996, the Clean Neighbourhoods and Environmental Act 2005, the Regulatory Reform (Fire Safety) Order 2005, Health and Safety (First Aid) Regulations 1981, the Equality Act 2010, Health and Safety at Work Act 1974, the 4 licensing objectives and the company's policies and procedures. Subsequent employees will have an induction covering the same.
2. A staff handbook of guidance and good practice covering all 4 licensing objectives will be developed.
3. Regular and frequent staff meetings will be held to address any issues relating to the 4 licensing objectives.
4. The designated premises supervisor (DPS) will take responsibility for staff training.
5. Annual health and safety reviews will take place.
6. Regular liaison with local police and other responsible authorities to address any issues

Prevention of Crime and Disorder

7. Follow national pub watch scheme guidance and display stickers.
8. Train staff to look out for drug use/selling and in drug awareness using BBPA guidance.
9. Bar Supervisor to have undertaken BIIAB Award for Personal Licence Holders Level 2 as well as the DPS.
10. Staff will have written instructions regarding the sale of alcohol to ensure licensing laws and licensing conditions are observed.
11. The proof of age scheme 'Challenge 25' will be operated for all sales of alcohol.
12. A CCTV system will be maintained at the premises which continuously records images of all public areas at the premises. Unedited recorded images will be securely stored for a period of at least 28 days and copies promptly made available upon receipt of a lawful request to do so from a constable or employee of the police.

Public Safety

13. General health and safety policy in place and staff trained.
14. Risk assessments of all activity and COSHH assessments of substances used in the bar, staff made aware of risks and relevant policies in place and staff trained.
15. Strategies to promote safe drinking and driving, availability of low alcohol/no alcohol drinks; information on local taxi companies displayed.
16. Written fire prevention/fire safety policy in place; staff trained. Exit notices/emergency evacuation notices displayed, fire extinguishers readily available in the bar.

17. Access for emergency vehicles available at both the front and rear of the building.
18. The bar will take part in "local incident alerts" strategies.
19. Staff will include a trained first aider; a first aid kit will be readily available. A "what to do in an emergency" information pack will be available on site when the first aider is not present and a telephone will be available to call the emergency services.
20. Toughened glassware will be used to prevent accidents from broken glass.

Prevention of Public Nuisance

21. Only low-level background music will be played. There will be no music after 11pm. The front door will be kept closed to minimise noise.
22. A "please leave quietly" sign will be displayed at the exit.
23. A policy on minimising bad language will be in place and staff will be trained in its implementation.
24. Waste, particularly glass bottles, will be removed frequently to prevent a nuisance and risk.
25. There will be a policy in place of not serving anyone who appears to be inebriated in compliance with the law and staff will be trained in its implementation.
26. Staff will be trained in problem solving/conflict resolution/early intervention strategies to prevent disorder.
27. A barrier will be set up outside the front entrance to identify the designated outside seating area and prevent congestion of the pavement.
28. Drinking outside will only be permitted in the designated front and rear areas. Litter left by customers and empty glasses will be removed from outside tables frequently. The front barrier, tables and chairs will be taken in after closing time each day to prevent misuse.

Protection of Children from Harm

29. Alcohol will not be sold to anyone under 18.
30. A proof of age policy and procedure will be in place and staff will be trained in its implementation.
31. Children under 16 will only be admitted when accompanied by a responsible adult.
32. Children under 16 will not be admitted after 9pm.
33. Staff will have a written policy and procedure relating to when children are allowed on the premises, supervision of children by adults and when children are not allowed on the premises.
34. The bar's policy on minimising bad language will be stringently enforced when children are present.

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

Not applicable.

Annex 4 - Plans

See attached plans.



Premises Licence Summary

Premises Licence Number:

PREM1186

Premises Details

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

The Bar
58 Sandbach Road South
Alsager

Post Town: Alsager

Post Code: ST7 2LP

Telephone Number: 01270 877347

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Sale and supply of alcohol

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

Sale and supply of alcohol (for consumption both on and off the premises)

Monday 16:00 to 23:00 hours
Tuesday 16:00 to 21:00 hours
Wednesday 16:00 to 21:00 hours
Thursday 16:00 to 23:00 hours
Friday 14:00 hours to midnight
Saturday 12:00 noon to midnight
Sunday 12:00 noon to 21:00 hours

Non-standard timings - Christmas Eve 12:00 noon to 23:00 hours; New Year's Eve 12:00 noon to 01:00 hours; Alsager Christmas Lights Switch On 12:00 noon to 23:00 hours; Sunday before a Bank Holiday 12:00 noon to 23:00 hours

The opening hours of the Premises:

Monday 16:00 to 23:00 hours
Tuesday 16:00 to 21:00 hours
Wednesday 16:00 to 21:00 hours
Thursday 16:00 to 23:00 hours
Friday 14:00 hours to midnight
Saturday 12:00 noon to midnight
Sunday 12:00 noon to 21:00 hours

Non-standard timings - Christmas Eve 12:00 noon to 23:00 hours; New Year's Eve 12:00 noon to 01:00 hours; Alsager Christmas Lights Switch On 12:00 noon to 23:00 hours; Sunday before a Bank Holiday 12:00 noon to 23:00 hours

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

For consumption both on and off the premises

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

The Bar 2018 Ltd

58 Sandbach Road South
Alsager
Stoke-on-Trent
ST7 2LP

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

11505836

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

Mr Walter John MacGowan

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

Children under 16 will only be admitted when accompanied by a responsible adult.

Children under 16 will not be admitted after 9pm.

Licence granted on 9th October 2018



.....
Signed by 
On behalf of Cheshire East Council



Licensing Act 2003 – Premises Licence

Duration of a Premises Licence

A premises licence has effect until such a time that it is suspended, revoked or surrendered.

Duty to notify change of name or address

The holder of a premises licence must, as soon as is reasonably practicable, notify the relevant licensing authority of any change of name or address.

Where the designated premises supervisor (DPS) under a premises licence is not the holder of the licence, he should notify the licensing authority of a change in name or address as soon as possible. The DPS must also notify the holder of the premises licence.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie£500)

Duty to keep and display licence

The holder of a premises licence must ensure that the licence or a certified copy of it is kept at the premises in the custody of or under the control of the holder of the licence or a person who works at the premises whom the premises licence holder has nominated in writing. A notice should be prominently displayed at the premises specifying the position of any such nominee.

The premises licence holder has a duty to ensure that a summary of the licence or a certified copy of that summary is prominently displayed at the premises.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)

Duty to produce licence

A constable or an authorised person may require production of the premises licence for examination. An authorised person must, if requested, produce evidence of his authority to exercise the power.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)

Theft or loss of premises licence

Where a premises licence or summary is lost, stolen, damaged or destroyed, the holder of the licence may apply to the relevant licensing authority for a copy of the licence or summary. A fee of £10.50 is payable in relation to such an application.

Where an application is made for a replacement licence or summary the licensing authority must issue the holder of the licence with a licence or summary if it is satisfied that –

- (a) the licence or summary has been lost, stolen, damaged or destroyed; and
- (a) where it has been lost or stolen, the holder has reported that loss or theft to the police.

Surrender of premises licence

Where the holder of a premises licence wishes to surrender his/her licence he/she may give the licensing authority a notice to that effect. The notice must be accompanied by the premises licence, or where that is not practicable, by a statement of the reasons for the failure to provide the licence. Where a notice of surrender is given, the premises licence lapses on receipt of the notice by the licensing authority.

Death, incapacity, insolvency of licence holder

A premises licence lapses if the holder of the licence –

- (a) dies,
 - (a) becomes mentally incapable (within the meaning of section 13(1) of the Enduring Powers of Attorney Act 1985)
 - (b) becomes insolvent,
 - (c) is dissolved, or
 - (d) if it is a club, ceases to be a recognised club
- (subject to provision for re-instatement in certain circumstances).

**Custody of Premises Licence
Licensing Act 2003 – S.57 (3)(b)**

In accordance with Section 57 (2)(b) of the Licensing Act 2003

I/We being the
holder(s) of/Director of the company holding

Premises Licence number

relating to the premises known as

.....

.....

hereby nominate

as custodian of the said Premises Licence.

To conform with Section 57 (3)(b) of the Licensing Act 2003 this authorisation is hereby
displayed.

.....
Signed

.....
Position

S.57 Duty to keep and produce licence

(2) The holder of the premises licence must secure that the licence or a certified copy of it is kept at the premises in the custody or under the control of-

(b) a person who works at the premises and whom the holder of the licence has nominated in writing for the purposes of this subsection

(3) The holder of the premises licence must secure that-

(b) a notice specifying the position held at the premises by any person nominated for the purposes of subsection (2), are prominently displayed at the premises.

(4) The holder of a premises licence commits an offence if he fails, without reasonable excuse, to comply with subsection (2) or (3).

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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

* required information

Section 1 of 18

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

Not Currently In Use

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 you would prefer not to be contacted by telephone

Are you:

☒ 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

11505836

Business name

THE BAR ALSAGER 2018 LIMITED

If your business is registered, use its registered name.

VAT number

301764430

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

Legal status

Private Limited Company

Continued from previous page...Your position in the business Home country

The country where the headquarters of your business is located.

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 18****APPLICATION DETAILS**

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.

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 PremisesBuilding number or name Street District City or town County or administrative area Postcode Country **Premises Contact Details**Telephone number

*Continued from previous page...*Non-domestic rateable
value of premises (£)

6,000

Section 3 of 18**VARIATION**Do you want the proposed
variation to have effect as
soon as possible?☒ Yes☐ NoDo you want the proposed variation to have effect in relation to the
introduction of the late night levy?☐ Yes☒ NoYou do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.If your proposed variation
would mean that 5,000 or
more people are expected to
attend the premises at any
one time, state the number
expected to attend**Describe Briefly The Nature Of The Proposed Variation**

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.

CHANGES TO OPENING HOURS FOR THE SALE AND SUPPLY OF ALCOHOL FOR CONSUMPTION BOTH ON AND OFF THE PREMISES TO PROVIDE MORE FLEXIBILITY PARTICULARLY TO ACCOMMODATE MORE DAYTIME OUTDOOR USE AND TO RESPOND TO CHANGES IN DEMAND POST COVID-19 LOCKDOWNS.

MONDAY- OPEN 2 HOURS EARLIER;

TUES/WED- OPEN 2 HOURS EARLIER AND CLOSE 2 HOURS LATER;

THURS/FRI- OPEN 2 HOURS EARLIER;

SAT- NO CHANGE;

SUN- CLOSE 2 HOURS LATER.

Section 4 of 18**PROVISION OF PLAYS**[See guidance on regulated entertainment](#)Will the schedule to provide plays be subject to change if this application to
vary is successful?☐ Yes☐ No**Section 5 of 18****PROVISION OF FILMS**[See guidance on regulated entertainment](#)Will the schedule to provide films be subject to change if this application to
vary is successful?☐ Yes☐ No

Continued from previous page...

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

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

☐ Yes ☐ No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

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 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

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

☐ Yes ☐ No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

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

☐ Yes ☐ No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

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

☐ Yes ☐ No

Section 11 of 18

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

[See guidance on regulated entertainment](#)

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

*Continued from previous page...***Section 12 of 18****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

Section 13 of 18**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.

CHRISTMAS EVE 12 NOON- 23:00 HOURS; NEW YEAR'S EVE 12:00 NOON TO 01:00 HOURS; ALSAGER CHRISTMAS LIGHTS SWITCH ON 12:00 NOON TO 23:00 HOURS; SUNDAY BEFORE A BANK HOLIDAY 12:00 NOON TO MIDNIGHT.

Section 14 of 18**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.

N/A

Section 15 of 18**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 14:00

End 23:00

Start

End

THURSDAY

Start 14:00

End 23:00

Start

End

FRIDAY

Start 12:00

End 24:00

Start

End

SATURDAY

Start 12:00

End 24:00

Start

End

SUNDAY

Start 12:00

End 23:00

Start

End

State any seasonal variations.

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

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

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

CHRISTMAS EVE 12 NOON- 23:00 HOURS; NEW YEAR'S EVE 12:00 NOON TO 01:00 HOURS; ALSAGER CHRISTMAS LIGHTS SWITCH ON 12:00 NOON TO 23:00 HOURS; SUNDAY BEFORE A BANK HOLIDAY 12:00 NOON TO MIDNIGHT.

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

☒ I have enclosed the premises licence

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 18

LICENSING OBJECTIVES

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

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

List here steps you will take to promote all four licensing objectives together.

- Training update for directors and staff covers the 4 licensing objectives and the company's policies and procedures particularly Covid-19 safer practices. Subsequent employees will have an induction covering the same.
- A staff handbook of guidance and good practice covering all 4 licensing objectives is available and is regularly updated.
- Regular and frequent staff meetings are held to address any issues relating to the 4 licensing objectives.
- The designated premises supervisor (DPS) takes responsibility for staff training.
- CCTV is monitored frequently by the DPS to identify any problems: any issues are raised with staff.
- Annual health and safety reviews take place.
- Regular liaison with local police and other responsible authorities, if required, to address any issues.

b) The prevention of crime and disorder

- Follow national pub watch scheme guidance and display stickers.
- Staff are trained to look out for drug use/selling and in drug awareness using BBPA guidance.
- An age verification policy and procedures and checks ID of anyone appearing to be under 25 is in place.
- We recruit and employ staff with experience of bar work and dealing effectively with difficult customers, ensure right to work in the UK checks are made, and references are checked.
- Provision of CCTV inside and outside for the protection of staff, customers and prevention of crime: publicise CCTV operation.
- We follow British Beer and Pub Association (BBPA) guidance on drinks promotion. There are no irresponsible promotions of alcohol.
- Smaller measures of drinks are available- beer/cider ½ and 2/3 pint; gin/rum/vodka/whisky- 25ml; still wine 125ml and customers are made aware of this.
- Low alcohol/ no alcohol/soft drinks and beverages are available. Free tap water is available for customers.
- Bar design is open plan to enable clear visibility from the bar of the toilets.
- Staff have written instructions regarding the sale of alcohol to ensure licensing laws and licensing conditions are observed.
- Written policy and staff training on compliance with the Equality Act 2010 to ensure there is no unlawful discrimination, harassment, or victimisation: to advance equality of opportunity and to foster good relations between persons with different protected characteristics. This is also reflected in the Bar's employment policies.

c) Public safety

- General health and safety policy is in place and staff are trained particularly in Covid-19 safer practices.
- Risk assessments of all activity is carried out and COSHH assessments of substances used in the bar are made and staff are made aware of risks. H&S policies are in place and staff are trained.
- Strategies to promote safe drinking and driving and availability of low alcohol/ no alcohol drinks; information on local taxi companies is displayed.
- Written fire prevention/ fire safety policy in place: staff trained, exit notices/emergency evacuation notices displayed, fire

Continued from previous page...

extinguishers readily available for both indoor and outdoor areas.

- Access for emergency vehicles is available at both the front and rear of the building.
- The bar takes part in applicable “local incident alerts” strategies.
- A first aid kit is readily available: “what to do in an emergency” information is on site; a telephone is available to call the emergency services.
- Toughened glassware is used to prevent accidents from broken glass.
- Covid – 19 transmission prevention practices are in place, e.g., customers are asked to register via the NHS app or signing in book; barriers and increased spacing between tables are in place, more outside tables have been provided and customers are encouraged to use them; cleaning frequencies have been increased; masks are worn as required; and external doors are kept open whenever practicable.

d) The prevention of public nuisance

- Only low-level background music is played.
- A “please leave quietly” sign is displayed at the exit.
- A policy on minimising bad language is in place and staff are trained in its implementation.
- Waste, particularly glass bottles, is removed frequently to prevent a nuisance and risk.
- There is a policy in place of not serving anyone who appears to be inebriated in compliance with the law: staff are trained in its implementation.
- Staff are trained in problem solving/ conflict resolution/early intervention strategies to prevent disorder.
- Strategies to encourage responsible drinking are in place e.g., small measures, low/no alcohol drinks available.
- The bar aims to attract a wide social and age mix to foster good behaviour.
- Fixed outdoor tables/seats in clearly designated areas help to prevent congestion and facilitate easy access and egress.
- Drinking outside is only be permitted in the designated front and rear areas. Litter left by customers and empty glasses is removed from outside tables frequently.
- There are public carparks close by and a layby in front of the bar which provides sufficient car parking.

e) The protection of children from harm

- Alcohol is not sold to anyone under 18.
- A proof of age policy and procedure is in place: staff are trained in its implementation.
- Children under 16 are only admitted when accompanied by a responsible adult.
- Children under 16 are not admitted after 9pm.
- Staff have a written policy and procedure relating to when children are allowed on the premises, supervision of children by adults, and when children are not allowed on the premises.
- The bar’s policy on minimising bad language is stringently enforced when children are present.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you 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 (£)

190.00

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

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

Continued from previous page...

* Full name

* Capacity

* Date

08	/	03	/	2021
dd		mm		yyyy

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

1. Save this form to your computer by clicking 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.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

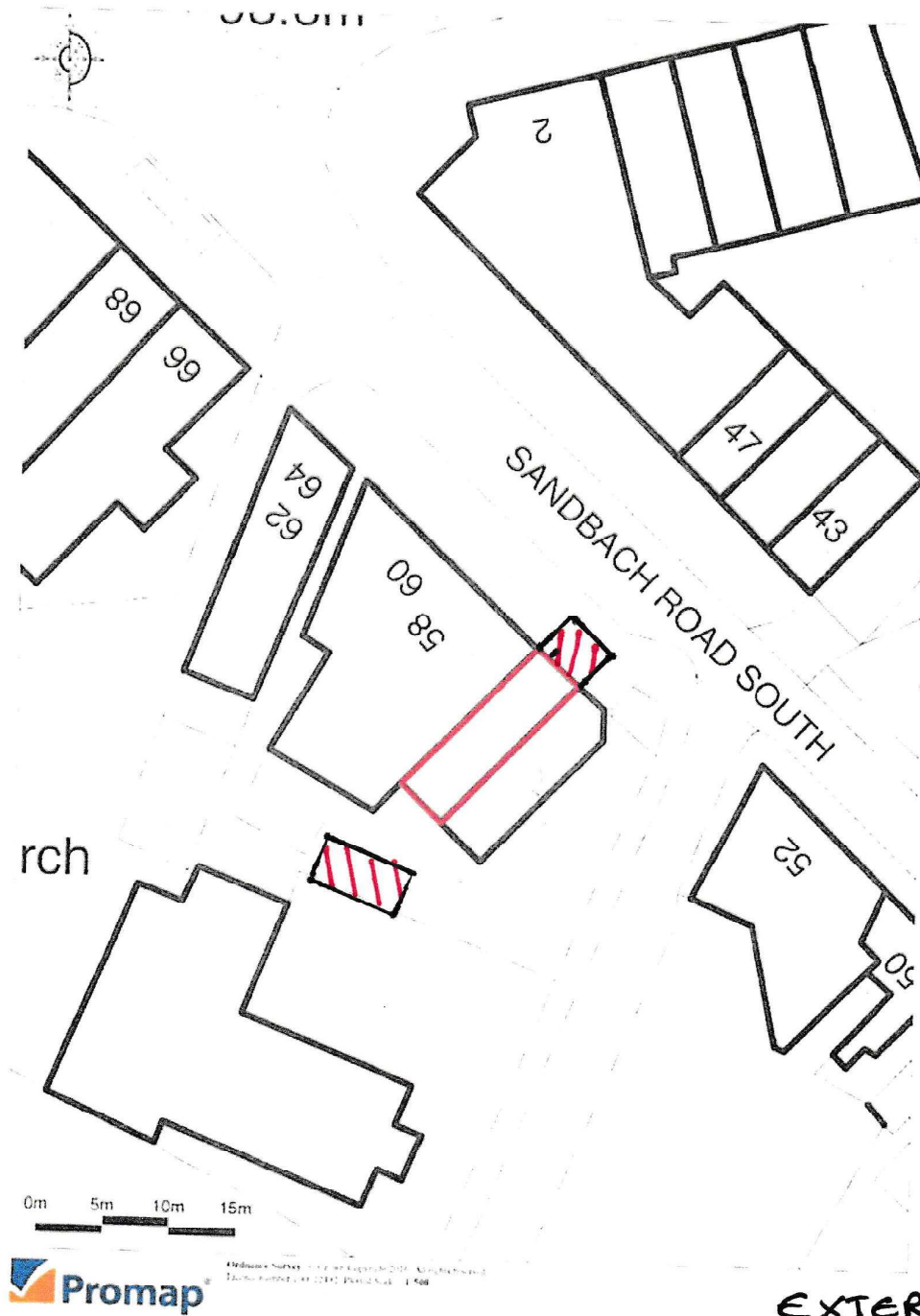
Error message

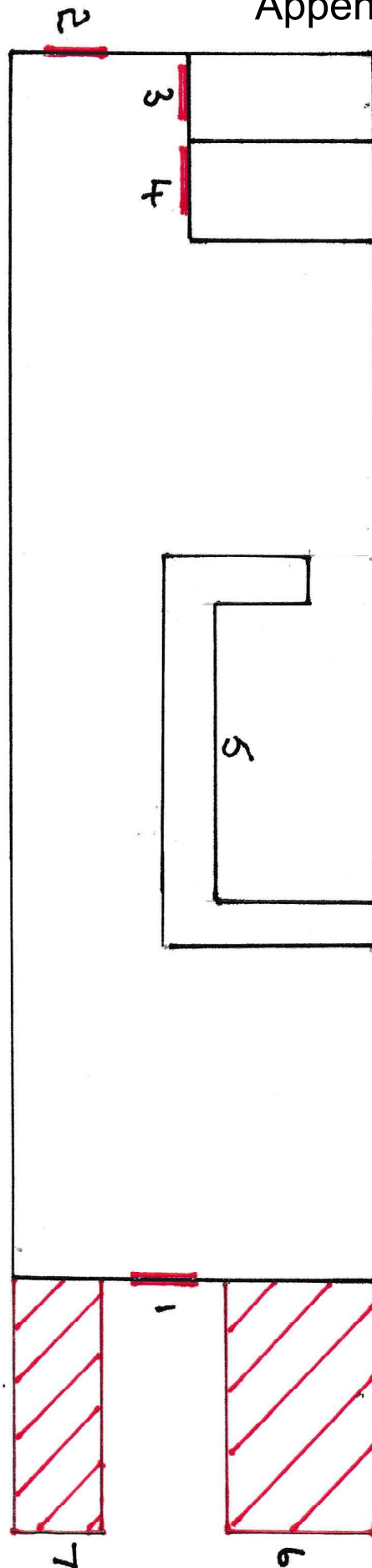
Is Digitally signed

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58 Sandbach Road South
Alsager





SCALE 1:5 mm - 100 mm.

1. FRONT ENTRANCE
 2. REAR EXIT
 3. MALE TOILET
 4. FEMALE / DISABLED TOILET
 5. BAR AREA.
 6. OUTSIDE SEATING AREA
 7. OUTSIDE SEATING AREA.
- Door.



1/4/2021



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Appendix 6



1/4/2021



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HELLON, Richard

From: [REDACTED]
Sent: 14-Mar-2021 16:12
To: LICENSING (Cheshire East)
Subject: The Bar, 58 Sandbach Road South, Alsager

Follow Up Flag: Follow up
Flag Status: Completed

The Bar – 58 Sandbach Road South, Alsager, ST7 2LP

Dear Sir or Madam:

We note the full variation to licensable activity at the above address. We live at [REDACTED] Sandbach Road South and the rear outside premises of The Bar are very close to our boundary. There are other residential properties nearby.

We wish The Bar every success and we enjoy being customers there. However we are concerned about the proposed end of supply times. We are close neighbours and there will be noise from the premises particularly in summer months. Noise continues after end of supply as customers disperse. Therefore we would like the end of supply times to be earlier, eg Mon-Thurs 22.30, Fri-Sat 23.00, Sun 22.00.

We also hear noise from [REDACTED] outside area and [REDACTED] – both on Crewe Road and [REDACTED] outside area ([REDACTED] Lawton Road).

We are concerned that we were not informed by this variation despite our close proximity to The Bar. We note there is a notice in their window but no notice anywhere else. Should we have been contacted directly?

We look forward to your reply.

Yours faithfully,

[REDACTED] and [REDACTED]

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HELLON, Richard

From: [REDACTED]
Sent: 14-Mar-2021 16:42
To: LICENSING (Cheshire East)
Subject: The Bar 59 Sandbach Rod South Alsager ST7 2LP

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam

We live at [REDACTED] Sandbach Road South which is in close proximity to The Bar. On summer evenings last year the noise of people sitting outside to the rear of the bar and standing outside on the pavement kept us awake. Put that together with [REDACTED] of Crewe Road which has outdoor seating at the back of their premises close to the Bars and [REDACTED] across the road the noise from all three venues during their opening times and people leaving the premises will further disturb us. We feel that a realistic closing time would be Monday - Thursday 10.30 pm, Friday - Saturday 11.00 pm and Sunday 10.00 pm.

Yours faithfully

[REDACTED] and [REDACTED]

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HELLON, Richard

From: [REDACTED]
Sent: 04-Apr-2021 23:22
To: LICENSING (Cheshire East)
Subject: APPLICATION FOR A FULL VARIATION LICENCING ACT 2003 - The Bar, 58 Sandbach Road South, Alsager, ST7 2LP

Follow Up Flag: Follow up
Flag Status: Completed

The Bar, 58 Sandbach Road South, Alsager, ST7 2LP

APPLICATION FOR A FULL VARIATION: LICENSING ACT 2003

I am opposed to increasing the hours for this licence as any increase will have an adverse noise impact on the residents of this area in their houses, apartments and flats. Residents wish to enjoy their environment noise free and be able to get themselves and their children to sleep in the evening/at night without the noise generated from late night drinking and the congregation of people at closing time and the increase in anti social behaviour. There is no mention of music in this application but the premises now have an external area which generates external noise from customers. I am opposed to music being played externally as this generates noise which particularly carries across to the residential areas close by.

[REDACTED]

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LICENSING ACT 2003
Environmental Health Consultation
Response



Working for a brighter future together

EP Ref: ELL/059376

Date Received: 8 March 2021

Name of Applicant: The Bar

Address to which application relates: 58 Sandbach Road South, Alsager, Cheshire East, ST7 2LP

Conversion:

☐

Variation:

☒

New:

☐

x

Approve

Approve with Conditions

Object to Section(s)

LICENSING OBJECTIVE:

PREVENTION OF PUBLIC NUISANCE

In order to protect the interest of local residents and ensure that the licensing objective of public nuisance prevention is upheld: 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:

No conditions required.

INFORMATIVES

PLANNING PERMISSION

- It is your responsibility to obtain other consent/planning permission/approvals which may be required in addition to the necessary Premises Licence.
- There are sometimes circumstances where planning conditions have been set which may impact on your activities. If the Planning Permission and the Premises Licence differ; for example where the Planning Authority have set a terminal hour which is earlier than those conditioned by the Premises Licence; you must abide by the earlier time otherwise you leave yourself open to enforcement action.

FOOD BUSINESS OPERATIONS

- Anyone starting a new food business must register with the Council **at least 28 days before** you start any food operations. You can register your food business online via GOV.UK. If you have premises in more than one local authority area, you must register with each authority separately.

Signed: [REDACTED] Environmental Health Officer | Environmental Protection

Dated: 09.03.2021

Direct Dial:
Email:

[REDACTED]