

Licensing Act Sub-Committee

Agenda

Date: Tuesday, 4th May, 2021
Time: 10.00 am
Venue: Virtual Meeting via Microsoft Teams

PLEASE NOTE – This meeting is open to the public and anyone attending this meeting will need to wear a face covering upon entering and leaving the venue. This may only be removed when seated.

The importance of undertaking a lateral flow test in advance of attending any committee meeting. Lateral Flow Testing: Towards the end of May, test kits were sent to all Members; the purpose being to ensure that Members had a ready supply of kits to facilitate self-testing prior to formal face to face meetings. Anyone attending is asked to undertake a lateral flow test on the day of any meeting before embarking upon the journey to the venue. Please note that it can take up to 30 minutes for the true result to show on a lateral flow test. If your test shows a positive result, then you must not attend the meeting, and must follow the advice which can be found here:
https://www.cheshireeast.gov.uk/council_and_democracy/council_information/coronavirus/testing-for-covid-19.aspx

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

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT (Pages 3 - 8)

1. Appointment of Chairman

To appoint a Chairman for the meeting.

For requests for further information

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

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 for a Premises Licence at the Car Park & Beer Gardens at The Vale Inn, The Vale, 29-31 Adlington Road, Bollington, SK10 5JT (Pages 9 - 48)**

To consider the above application.

THERE ARE NO PART TWO ITEMS

Membership: Councillors S Davies, M Goldsmith and L Smetham

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:

Key Decision Y/N

Date First
Published: >

Licensing Act Sub Committee

Date of Meeting: 4th May 2021

Report Title: Application for a Premises Licence at the Car Park & Beer Gardens at The Vale Inn, The Vale, 29-31 Adlington Road, Bollington, SK10 5JT

Senior Officer: Frank Jordan - Executive Director Places

1. Report Summary

- 1.1. The report provides details of an application for a Premises Licence, under section 17 of the Licensing Act 2003 and outlines the evidence presented by the parties in relation to the new grant application.

2. Recommendations

- 2.1. The Licensing Act Sub-Committee is requested to determine the application for a Premises Licence by The Vale Inn Limited, in respect of:

Car Park & Beer Gardens at The Vale Inn
The Vale
29-31 Adlington Road,
Bollington,
SK10 5JT

- 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
- 2.4. Members of the Licensing Sub-Committee are reminded that they may not exercise discretion in any case, merely because it considers it desirable to do so. Careful consideration should be given to the application and the evidence presented by the parties in relation to the review.
- 2.5. Finally, Members are also reminded that in determining the application, consideration also needs to be given to:
- a) The rules of natural justice;
 - b) The provisions of the Human Rights Act 1998.

3. 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 and the Council's Constitution.

4. Other Options Considered

- 4.1. Not applicable.

5. Background

- 5.1. On 19th March 2021 an application was received by the Licensing Department for the grant of a Premises Licence in respect of The Vale Inn. The application was sent for consultation on the same date, 19th March 2021. The last date for representations to be made was 16th April 2021. A copy of the full application is attached to this report at **Appendix 1**.
- 5.2. A map of the area in which the premises is located is attached to this report at **Appendix 5**.
- 5.3. On 15th April 2021 a Licensing Enforcement Officer inspected the Public Notices required to be displayed at the proposed premises, and obtained site photographs. Such photographs are attached to this report at **Appendix 6**.

5.4. The operating schedule indicates that the relevant licensable activities applied for are:

- Supply of alcohol
- Provision of Recorded Music

5.5. The hours applied for are as follows:

- Supply of alcohol (for consumption off the premises)
Monday to Sunday – 12:00 to 22:00
- Provision of Recorded Music
Monday to Sunday – 12:00 to 22:00

5.6. Responsible Authorities:

5.6.1. On 16th April 2021 the Licensing Team received an email from Cheshire Constabulary confirming they had entered into dialogue with the applicant during the consultation period, and that their proposed conditions had been expressly agreed by the applicant. The proposed conditions, and the applicant's agreement, are set out in **Appendix 2**.

5.6.2. On 16th April 2021 the Licensing Team received an email from Cheshire East Council's Environmental Health department confirming that they agreed to the application with conditions. The Environmental Health department have confirmed that their proposed conditions have been presented to the applicant, who is agreeable to the same. The proposed conditions are set out in **Appendix 3**.

5.7. Other Persons:

5.7.1. The Council has received representations against the application, from two residents sharing the same address. A letter was received by the Licensing Department dated 24th March 2021, and a subsequent letter was also received from the same two residents on 8th April 2021, which are set out at **Appendix 4**.

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

6.10.1 There are no direct implications for public health.

6.10. Climate Change Implications

6.10.1. There are no direct implications for Climate Change.

7. Ward Members Affected

| | | |
|------|----------------------------|-----------------------------|
| 7.1. | Bollington – | Councillor James Nicholas |
| 7.2. | Bollington – | Councillor Amanda Stott |
| 7.3. | Poynton West & Adlington - | Councillor Michael Beanland |
| 7.4. | Poynton West & Adlington - | Councillor Mike Sewart |

8. Consultation & Engagement

- 8.1. Consultation in respect of submitting an application for a Premises Licence application 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: Martin Kilduff

Job Title: Licensing Enforcement Officer

Email: martin.kilduff@cheshireeast.gov.uk

Appendix 1 – Application & plan of premises

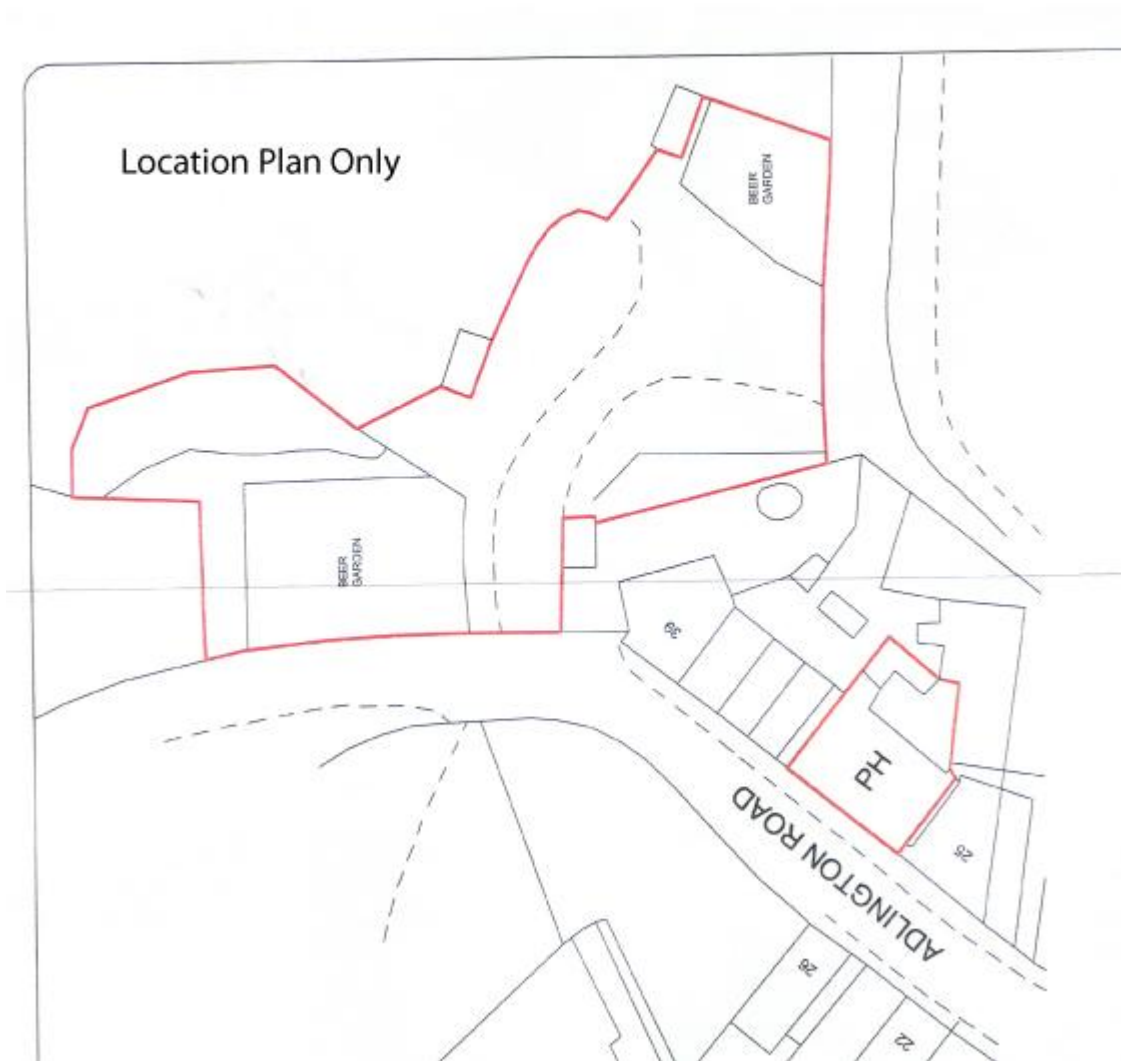
Appendix 2 – Police Representations & proposed conditions

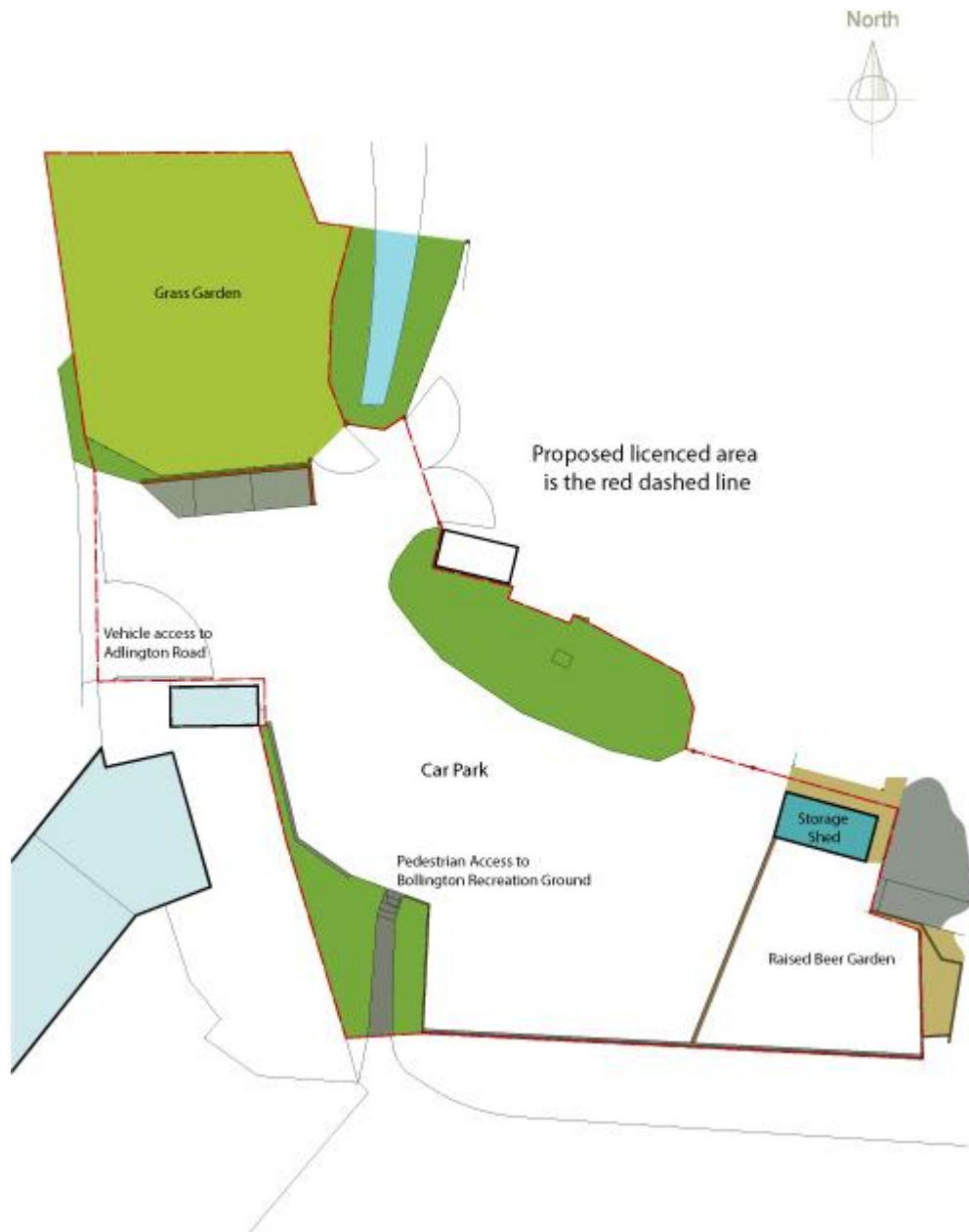
Appendix 3 - Representations submitted from Environmental Health

Appendix 4 – Representations from members of the public

Appendix 5 - Map of area

Appendix 6 - Site photos







Cheshire East
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 19

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 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

* 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.

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 19**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company
- ☐ A partnership
- ☐ An unincorporated association
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales
- ☐ Other (for example a statutory corporation)

Confirm The Following

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

Section 4 of 19**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Section 5 of 19**OPERATING SCHEDULE**

When do you want the premises licence to start? / /

dd mm yyyy

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

dd mm yyyy

Provide a general description of 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.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

*Continued from previous page...***Section 6 of 19****PROVISION OF PLAYS**

Will you be providing plays?

☐ Yes

 ☒ No
Section 7 of 19**PROVISION OF FILMS**

Will you be providing films?

☐ Yes

 ☒ No
Section 8 of 19**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

☐ Yes

 ☒ No
Section 9 of 19**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

☐ Yes

 ☒ No
Section 10 of 19**PROVISION OF LIVE MUSIC**

Will you be providing live music?

☐ Yes

 ☒ No
Section 11 of 19**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

☒ Yes

 ☐ No
Standard Days And Timings

MONDAY

Start End Start End

TUESDAY

Start End Start End

WEDNESDAY

Start End Start End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

THURSDAY

Start End Start End

FRIDAY

Start End Start End

SATURDAY

Start End Start End

SUNDAY

Start End Start End

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 tick 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 in the column on the left, list below

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

Section 12 of 19**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

Continued from previous page...☐ Yes☒ No**Section 13 of 19****PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes☒ No**Section 14 of 19****LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

☐ Yes☒ No**Section 15 of 19****SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

☒ Yes☐ No**Standard Days And Timings****MONDAY**Start End Start End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAYStart End Start End **WEDNESDAY**Start End Start End **THURSDAY**Start End Start End **FRIDAY**Start End Start End **SATURDAY**Start End Start End

Continued from previous page...

SUNDAY

Start 12:00

End 22:00

Start

End

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 in the column on the left, list below

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

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

NameFirst name Family name **Enter the contact's address**Building number or name Street District City or town County or administrative area Postcode Country

Continued from previous page...

Personal Licence number
(if known)

Issuing licensing authority
(if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19**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

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

Section 17 of 19**HOURS PREMISES ARE OPEN TO THE PUBLIC****Standard Days And Timings****MONDAY**

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start End Start End

FRIDAY

Start End Start End

SATURDAY

Start End Start End

SUNDAY

Start End 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 in the column on the left, list below

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

Section 18 of 19**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.

We will train all staff in the area of the four licensing objectives.

b) The prevention of crime and disorder

A sign will be displayed on the premises indicating the normal hours during which the sale of alcohol is permitted.

Continued from previous page...

c) Public safety

Nothing beyond existing health / fire safety requirements.

d) The prevention of public nuisance

Nothing beyond existing health / fire safety requirements.

e) The protection of children from harm

We will operate a Challenge 25 policy - confirming age only acceptable with photo type driving licence or passport.

Section 19 of 19

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.

Premises Licence 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

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event 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

Continued from previous page...

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

DECLARATION

1 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?"

* Full name

[REDACTED]

* Capacity

Managing Director

* Date

| | | | | |
|----|---|----|---|------|
| 17 | / | 03 | / | 2021 |
| dd | | mm | | yyyy |

Add another signatory

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/apply-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, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

Applicant reference number Vale Car Park License March 2021

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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CHESHIRE EAST COUNCIL**Representation Form.****Responsible Authority.****POLICE**

| | |
|--------------------------|---|
| Your Name | [REDACTED] |
| Job Title | Police Licensing Officer |
| Postal and email address | Warrington Police Station, Charles Stewart House, 55 Museum Street. Warrington, WA1 1NE [REDACTED] |
| Contact telephone number | [REDACTED] |

| | |
|--|---|
| Name of the premises you are making a representation about. | The Vale Inn |
| Address of the premises you are making a representation about. | 29-31 Adlington Road, Bollington, SK10 5JT |

| Which of the four licensing Objectives does your representation relate to? Please state yes or no. | Yes Or No | Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary |
|--|-----------------|---|
| The Prevention of harm to children | Yes | See below |
| To prevent Public Nuisance | Yes | See below |
| To prevent crime and disorder | | |
| Public Safety | | |

| | |
|--|------------|
| Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist. | See Below: |
|--|------------|

COMMENTS:

To further enhance the conditions offered by the applicant on their operating schedule the following conditions to apply:

Protection of Children from Harm

A "Challenge 25" policy shall be operated at the premises at all times.

The only forms of ID that shall be accepted (at the discretion of the Management) as proof of age are a valid passport, a valid photographic driving licence, a PASS approved proof of age card, HM Services Warrant Card or other reliable photo ID (that has been approved for acceptance by the Police or an Officer of the Local Authority)

Publicity materials notifying customers of the operation of the "Challenge 25" scheme shall be displayed at the premises.

The Designated Premises Supervisor or Premises Licence Holder shall operate and maintain an up-to-date Register of Refusals of Sale of Alcohol, indicating the date, time and reason for refusal which shall be made available for inspection by Local Authority Officers and the Police.

The DPS or other responsible person shall check and sign the register once a week.

Alternatively an electronic point of sale refusals log shall be kept.

A documented training programme shall be introduced for all staff in a position to sell, serve or deliver alcohol. A written record for each member of staff shall be kept of the content of such training and shall be made available for inspection at the request of Local Authority Officers and Police.

The DPS or Premises Licence Holder shall conduct six monthly training reviews with all members of staff authorised to sell, serve or deliver alcohol in order to reinforce the training and to promote best practice. A written record for each member of staff shall be kept of the content of such reviews and shall be made available for inspection at the request of Local Authority Officers and Police.

A list of persons authorised to sell alcohol shall be kept on site and made available for inspection at the request of Local Authority Officers and Police.

Clearly visible signage is to be displayed at the entrances and at points of sale indicating it is illegal to sell alcohol to people under the age of 18.

Prevention of Public Nuisance

Prominent, clear and legible signs must be displayed at all exits and in key areas, requesting the public to respect the needs of the local residents and to leave the premises and area quickly and quietly.

The designated premises supervisor or their representative shall conduct regular assessments of the noise emanating from the premises and shall take steps to reduce the level of noise where it is likely to cause disturbance to local residents.

A written record of those assessments and the remedial action taken shall be kept and shall include the date, time of checks and the name of the person carrying out the checks.

Records shall be made available to Officers of Cheshire East Council or Cheshire Constabulary immediately upon request.

Refuse, including bottles shall not be removed from the building for disposal between the hours of 21.00 and 09.00.

All other steps offered are welcome and acceptable to the Police and will assist in promoting all four objectives of the Act.

Signed:

A black rectangular box used to redact a signature.

Date: 16/04/2021

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[REDACTED]

From: Lee Wainwright [REDACTED]
Sent: 16 April 2021 11:58
To: [REDACTED]
Subject: [EXTERNAL] Re: Premises Licence Application - The Vale Inn, 29-31 Adlington Road, Bollington, SK10 5JT ~[OFFICIAL]~

Hi [REDACTED]

Thanks for the email. All those conditions look fine, we are happy to go with them. I have a question about the CCTV, we have installed it but as we are out in the car park could we take it off the licence as I'm worried it won't conform to the Cheshire East policy.

If you would like to ring me my number is 07 [REDACTED]

Kind regards,

Lee

On 14/04/2021 18:47, [REDACTED] wrote:

> Hi Lee
>
> I'm currently dealing with your application to licence the car park
> area at the above premises. I would like to seek agreement from you
> to have some conditions attached to the premises licence and if
> agreeable they would form part of your licence.
>
> I have attached the conditions I am seeking for you to have a read and
> if you are happy to agree them then please confirm by return email.
> If there's anything that gives cause for concern then please give me a
> call and we can discuss them and hopefully reach some mutually
> beneficial agreement.
>
> I have requested a CCTV condition, however if there is no CCTV in
> place with this being a Carpark then I am happy to remove this condition.
>
> I look forward to hearing from you at your earliest convenience.
>
> Kind Regards
>
> [REDACTED]
>
> **
>
> * [REDACTED] | Police Licensing Officer *
>
> ([REDACTED]) | *E* Mobile [REDACTED]
> 4 [REDACTED] | *** [REDACTED]
>
> Warrington Police Station | Charles Stewart House | 55 Museum Street |
> Warrington | WA1 1NE.
>
> cid:image001.jpg@01D57E92.9C840380

>
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> **
>
> *****@cheshire.pnn.police.uk*
> <mailto: @cheshire.pnn.police.uk>**
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> **** wa @cheshire.pnn.police.uk*
> <mailto: ing@cheshire.pnn.police.uk>
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> ** **ha cheshire.pnn.police.uk*
> <mailto: g@cheshire.pnn.police.uk>**
>
> *****g@cheshire.pnn.police.uk*
> <mailto: ng@cheshire.pnn.police.uk>**
>
> This communication is intended for the addressee(s) only. Please
> notify the sender if received in error. Internet email is not to be
> treated as a secure means of communication. The Constabulary monitors
> all Internet and email activity and requires it is used for official
> communications only. Thank you for your co-operation.

LICENSING ACT 2003

Environmental Health Consultation Response



Working for a brighter future together

EP Ref: ELL/071674

Date Received: 17 March 2021

Name of Applicant: Car Park & Beer Gardens at The Vale Inn The Vale

Address to which application relates: 29-31 Adlington Road, Bollington, Cheshire, SK10 5JT

Conversion: ☐ Variation: ☐ New: ☒

| | |
|-------------------------------------|-------------------------|
| <input type="checkbox"/> | Approve |
| <input checked="" type="checkbox"/> | Approve with Conditions |
| <input type="checkbox"/> | Object to Section(s) |

LICENSING OBJECTIVE: PREVENTION OF PUBLIC NUISANCE

In order to protect the interest of local residents and to ensure that the licensing objective of public nuisance prevention is upheld: all necessary steps shall be taken to ensure that noise from the application site is effectively controlled, therefore:

1. The use of the licensed area shall cease at 22.00 on any day
2. Recorded music shall be background music only.
3. There shall be no amplified live music at any time.
4. The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the Premises shall ensure that any excessive noise from patrons is controlled.
5. Customers shall not be permitted to stay inside the licensed area whilst waiting for taxis.
6. There shall be no (noise generative) disposal of bottles between the hours of 21.00 and 09.00.
7. Regular noise assessments shall be undertaken by a competent person (either the Licensee or Manager) and steps shall be taken to reduce the level of noise where it is likely to cause a disturbance to local residents. The noise assessments shall be undertaken during the opening hours of the premises. 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 in order to reduce the level of noise where it is likely to cause a disturbance to local residents.

8. The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the Premises shall ensure that the licensed area is vacated quietly and that supervision of persons leaving the licensed area and car park is provided. Conspicuous notices shall be positioned at all exits from the Premises requesting patrons to make the minimum amount of noise on leaving.

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: **Brenda Lomas, Enforcement Officer, Environmental Protection**

Dated: **16 April 2021**

Direct Dial:

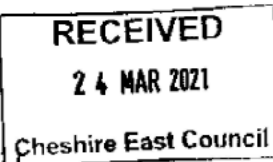
██████████

Email:

██

①

LICENSING SECTION
OF CHESHIRE EAST COUNCIL
MUNICIPAL BUILDINGS
CREWE CW1 2BJ



NV 9514 5839 5GB

24/3/21

RE APPLICATION FOR A NEW PREMISES LICENCE
THE VALE INN BEER GARDEN AND CAR PARK

DEAR SIR/MADAM

I WISH TO OBJECT TO THE APPLICATION MADE FROM
THE VALE INN BOLLINGTON FOR A NEW PREMISES LICENCE
TO SUPPLY ALCOHOL FOR SALE ON AND OFF THE PREMISES
EVERY DAY

MY OBJECTION IS BASED ON MY CONCERN THAT THIS NEW
LICENCE WILL INCREASE THE NOISE AND AND PUBLIC
NUISANCE FOR THE MANY DWELLINGS INCLUDING MY OWN
MINE ALSO BEING THE CLOSEST TO THE SAID BEER GARDENS.
I AM ALSO PARTICULARLY CONCERNED ABOUT THE NOISE
NUISANCE AS THIS ALREADY HAPPENS ON A REGULAR
BASIS ON SUNNY EVENINGS.

WE ALSO HAVE A MAJOR PROBLEM THAT THE TYPE OF
PEOPLE THAT THIS PUBLIC HOUSE ENCOURAGES IT IS NOT
A FAMILY FRIENDLY PUB THE VALE INN IS A HARD
CORE DRINKERS PUB. WE HAVE MANY PROBLEMS WHERE
THE CUSTOMERS USE ARE GARDEN FENCE TO URINATE
ON. WHERE WE HAVE HAD TO CALL THE POLICE WE
HAVE EVEN HAD THE VALE INN CUSTOMERS VOMIT OVER
ARE GARDEN GATES. I ASK THAT THE LICENSING
SECTION PLEASE CHECK WITH CHESHIRE POLICE
REGARDING PROBLEMS FROM THE VALE INN.

WE ARE ALSO GREATLY CONCERNED OVER THE
INCREASE IN HIGH LEVEL DISORDER WHEN CUSTOMERS
ARE LEAVING THE BEER GARDENS/CAR PARK.

MAY I ALSO POINT OUT TO CHESHIRE COUNCIL THAT THE VALE IN BEER GARDENS AND CAR PARK IS IN A CONSERVATION AREA.

COULD I ALSO MAKE THE LICENSING DEPARTMENT AWARE THAT THE OWNER OF THE VALE INN DOES NOT LIVE IN THE PREMISES IT IS A LOCK UP PUB.

ALSO THE OWNER LEAVES THE PUB IN CHARGE OF STAFF THAT I MUST SAY ARE VERY YOUNG AND UNABLE TO MANAGE THE CUSTOMERS WHEN THEY HAVE CONSUMED A LARGE AMOUNT OF ALCOHOL.

THERE IS CONSTANLY GLASSES LEFT ON THE BEER GARDEN TABLES AT NIGHT TIME I HAVE SEEN YOUTHS IN THE BEER GARDEN AFTER MIDNIGHT THROWING THE GLASSES AND BOTTLES AT PASSING CARS.

THE CUSTOMERS ALSO TAKE THERE GLASSES IN TO THE RECREATION GROUND/PARK NEXT DOOR TO CONSUME ALCOHOL WHERE THERE ARE SIGNS PUT UP BY CHESHIRE COUNCIL STATEING THAT IT IS A ALCOHOL FREE ZONE.

MAY I ALSO POINT OUT THAT THERE ARE MANY DRINKING ESTABLISHMENTS IN BOLLINGTON AND THAT THERE IS NO NEED FOR THE VALE VALE INN TO INCREASE THERE DRINKING CAPACTY TO CUSTOMERS

IF THE COUNCIL WAS TO GRANT THIS LICENCE TO THE VALE INN IT WOULD HAVE ADVERSE EFFECT ON THE RESIDENCES LIVES.

I APPRECIATE YOU TAKING THIS INFORMATION INTO CONSIDERATION TO MAKE THE RIGHT CHOICE FOR THE RESIDENCES OF ADLINGTON RD BOLLINGTON.

REGARDS.

TO

THE LICENSING SECTION
CHESHIRE EAST COUNCIL
MUNICIPAL BUILDINGS
EARLE STREET
CREWE

RECEIVED

08 APR 2021

Cheshire East Council

FROM

NV 8916 2513 3GB

SIGNED FOR



RE OBJECTION TO THE VALE IN APPLICATION FOR
LICENSABLE ACTIVITIES (RECORDED MUSIC) SUPPLY OF ALCOHOL.

DEAR SIR/MADAM

I WRITE TO STRONGLY OPPOSE THE APPLICATION BY THE
VALE INN BOLLINGTON TO PLAY RECORDED MUSIC FROM THERE
SO CALLED BEER GARDENS/CAR PARK.

WE ARE SHOCKED THESE PLANS ARE EVEN TO BE CONSIDERED.
THE FACT THAT THE VALE IN BEER GARDENS ARE CLOSER TO
ARE PROPERTY AND OTHER RESIDENCE HOUSES THAN THEY
ARE TO THE VALE INN. WOULD THE COUNCIL PLEASE CONSIDER
THAT WE LIVED HERE AT [REDACTED] BEFORE

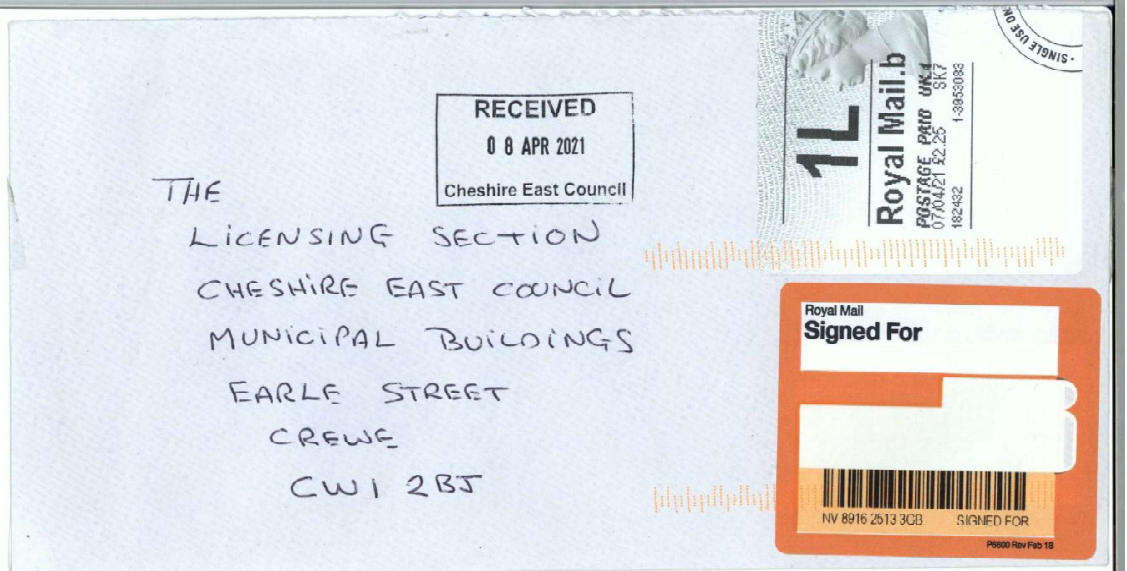
PERMISSION WAS GIVEN TO CONVERT TWO COTTAGES INTO THE VALE INN
IF PERMISSION WAS GRANTED FOR THE PLAYING OF MUSIC THIS
INCREASE NOISE AND NUISANCE TO FAMILY HOMES PLUS
THE POTENTIAL FOR MORE ANTI SOCIAL BEHAVIOUR.

I URGE THE COUNCIL TO DECLINE THIS APPLICATION MADE BY
THE VALE INN AND IF POSSIBLE A COUNCIL MEMBER TO COME
AND VIEW THE SAID BEER GARDENS TO SEE HOW CLOSE THE
HOUSES ARE TO THE BEER GARDENS/CAR PARK AND VIEW THE
DISTANCE FROM THEM TO THE VALE INN.

I ASK WOULD YOU WANT THIS ON YOUR DOOR STEP?

A RESIDENTIAL STREET WITH IN A CONSERVATION AREA IS
NO PLACE FOR THE PLAYING OF MUSIC AND SALE OF ALCOHOL
AGAIN PLEASE I STRONGLY URGE YOU TO DECLINE
THESE APPLICATION MADE BY THE VALE INN

REGARDS [REDACTED]





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