

Licensing Act Sub-Committee

Agenda

Date: Friday, 14th May, 2021
Time: 10.00 am
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:

[Click here to join the meeting](#)

or dial in via telephone on 141 020 3321 5200 and enter Conference ID 768 245 900# when prompted.

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 Premises Licence at Fiore Mio, Unit 2 to 5 Marlborough Court, Pickford Street, Macclesfield, Cheshire, SK11 6JD** (Pages 9 - 78)

To consider the above application.

THERE ARE NO PART TWO ITEMS

Membership: Councillors S Davies, D Edwardes and H Faddes

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: 14th May 2021

Report Title: Application for a Premises Licence at Fiore Mio, Unit 2 to 5
Marlborough Court, Pickford Street, Macclesfield, Cheshire,
SK11 6JD

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 Florian Mantzari, in respect of:

Fiore Mio
Unit 2 to 5 Marlborough Court
Pickford Street
Macclesfield
Cheshire
SK11 6JD

- 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. The application for a premises licence was received on the 23rd March 2021 and sent out for consultation on the 23rd March 2021.

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

- Provision of live music indoors only
- Provision of recorded music indoors only
- The Sale and Supply of Alcohol for Consumption both On and Off the premises.

5.3. The hours applied for are as followed:

- Live music
Friday and Saturday 23:00 to 00:00
Extended to 02:00 on Christmas Eve and 04:00 on New Year's Eve.
- Recorded music
Sunday to Thursday 23:00 to 00:00
Friday and Saturday 23:00 to 02:30
Extended to 02:00 on Christmas Eve and 04:00 on New Year's Eve.
- Supply of alcohol
Sunday to Thursday 12:00 to 23:30
Friday and Saturday 12:00 to 02:30
Extended to 02:00 on Christmas Eve and 04:00 on New Year's Eve.

The full details of the application are set out at **Appendix 1**.

5.4. Responsible Authorities:

5.4.1. The Licensing Team have received a representation from Cheshire Police however this has been withdrawn as an agreement has been made for the addition of conditions and reduction in hours.

5.4.2. The new agreed hours are as followed:

- Live music
Friday and Saturday 23:00 to 00:00
Extended to 02:00 on Christmas Eve and 04:00 on New Year's Eve.
- Recorded music
Monday to Sunday 23:00 to 00:00
Extended to 02:00 on Christmas Eve and 04:00 on New Year's Eve.
- Supply of alcohol
Sunday to Thursday 12:00 to 23:30
Friday and Saturday 12:00 to 00:00
Extended to 02:00 on Christmas Eve and 04:00 on New Year's Eve.

5.4.3. The original objection along with the new agreed conditions and reduced hours have been set out at **Appendix 3**.

5.5. Other Persons:

5.5.1. The Council has received 13 representations against the application which are set out at **Appendix 2**.

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. Macclesfield Central – Councilor Liz Braithwaite
- 7.2. Macclesfield Central – Councilor Ashley Farrall

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: Nathan Murphy

Job Title: Acting Senior Licensing Officer

Email: nathan.murphy@cheshireeast.gov.uk

Appendix 1 – Application and plan

Appendix 2 – Representations submitted from Other Persons

Appendix 3 – Police representation

Appendix 4 – Map of area



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 21

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? <input checked="" type="radio"/> Yes <input type="radio"/> 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	Florian	
* Family name	Mantzari	
* E-mail		
Main telephone number	[REDACTED]	Include country code.
Other telephone number		
<input type="checkbox"/> Indicate here if the applicant would prefer not to be contacted by telephone		

Is the applicant:

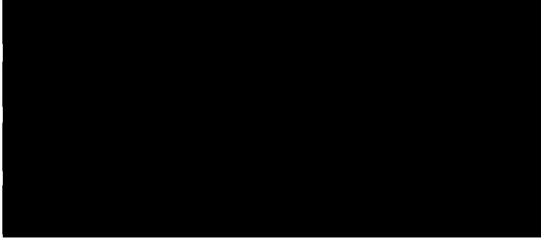
- ☐ Applying as a business or organisation, including as a sole trader
☒ Applying as an individual

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

*Continued from previous page...***Address**

* Building number or name	<input type="text" value="52"/>
* Street	<input type="text" value="Velour Close"/>
District	<input type="text"/>
* City or town	<input type="text" value="Salford"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="M3 6AP"/>
* Country	<input type="text" value="United Kingdom"/>

Agent Details

* First name		
* Family name		
* E-mail		
Main telephone number		
Other telephone number	<input type="text"/>	Include country code.
<input type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone		

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
☐ A private individual acting as an agent

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

Agent Business

Is your business registered in the UK with Companies House?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Is your business registered outside the UK?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

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

Business name	<input type="text"/>	If your business is registered, use its registered name.
VAT number	<input type="text" value="-"/> <input type="text"/>	Put "none" if you are not registered for VAT.
Legal status	<input type="text" value="Please select..."/>	
Your position in the business	<input type="text"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the headquarters of your business is located.

*Continued from previous page...***Agent Business Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Section 2 of 21**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

units 2,3,and,5 Marlborough Court

Street

Pickford Street

District

City or town

Macclesfield

County or administrative area

Postcode

SK11 6JD

Country

United Kingdom

Further Details

Telephone number

Non-domestic rateable value of premises (£)

130

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ 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

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 21**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

☒ Yes ☐ No

First name

Florian

Family name

Mantzari

Is the applicant 18 years of age or older?

☒ Yes ☐ No

*Continued from previous page...***Current Residential Address**

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

☒ Yes☐ No

Building number or name

52

Street

Velour Close

District

City or town

Salford

County or administrative area

Postcode

M3 6AP

Country

United Kingdom

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

☒ Yes☐ No

E-mail

Telephone number

Other telephone number

* Date of birth

dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

Right to work share code

Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21**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

Continued from previous page...

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.

The premise is a three storey building previously licensed as a restaurant/bar in Macclesfield town centre

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

Section 6 of 21**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 21**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

Section 8 of 21**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 21**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 21**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

☒ Yes ☐ No

Standard Days And Timings

Continued from previous page...

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

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other
structure 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.

Music will be both amplified and acoustic

State any seasonal variations for the performance of live music

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

N/A

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live 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.

Christmas Eve- extended to 02.00
New Years Eve- extended to 04.00

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

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

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

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...

SUNDAY

Start 23:00

End 00:00

Start

End

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

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

☒ Indoors

 ☐ Outdoors

 ☐ Both

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Recorded Music will be amplified

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.

N/A

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.

Christmas Eve- extended to 02.00
 New Years Eve- Extended to 04.00

Section 12 of 21**PROVISION OF PERFORMANCES OF DANCE**[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes

 ☒ No
Section 13 of 21**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**[See guidance on regulated entertainment](#)

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

☐ Yes

 ☒ No
Section 14 of 21**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Continued from previous page...

Section 15 of 21**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 **SUNDAY**Start End 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.

Continued from previous page...

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.

Christmas Eve- extended to 02.00
New Years Eve- Extended to 04.00

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

Name

First name

Family name

Date of birth

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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

Continued from previous page...

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 21**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.

N/A

Section 17 of 21**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.

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 00:00

Start

End

State any seasonal variations

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

N/A

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.

Christmas Eve- extended to 02.00
New Years Eve- Extended to 04.00

Section 18 of 21**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.

1. An Age Challenge Scheme with an Age Challenge of not less than 25 years is in force for persons who appear to be less than 25.

b) The prevention of crime and disorder

The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- (a) all crimes reported to the venue, or by the venue to the Police
- (b) all ejections of patrons
- (c) any incidents of disorder
- (d) any faults in the CCTV system
- (e) any visit by a relevant authority or emergency service

Continued from previous page...

The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.

c) Public safety

Fire safety measures and procedures will be in place in accordance with fire safety regulations

d) The prevention of public nuisance

Notices will be displayed at exits requesting guests to leave quietly and to give consideration to neighbours

e) The protection of children from harm

ALL STAFF WILL BE TRAINED IN CHALLENGE 25 AND SIGN TO SAY THEY UNDERSTAND THEIR ROLE. LEGAL NOTICES WILL BE DISPLAYED TO WARN MINORS ID CHECKS ARE USED AT ALL TIMES.
A RECORD OF ALL INCIDENTS WILL BE KEPT ON SITE FOR INSPECTION. STAFF WILL UNDERGO REFRESHER TRAINING AT 6 MONTHLY INTERVALS.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

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 21 of 21**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

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

DECLARATION

Continued from previous page...

- * 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.

Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

- The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

☐ 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

* Capacity

* Date / /
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 TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

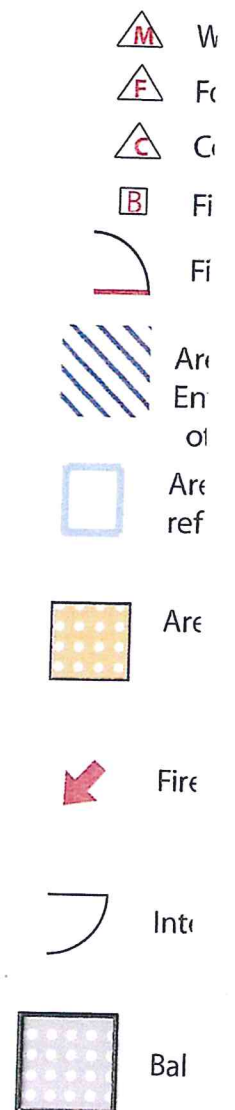
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

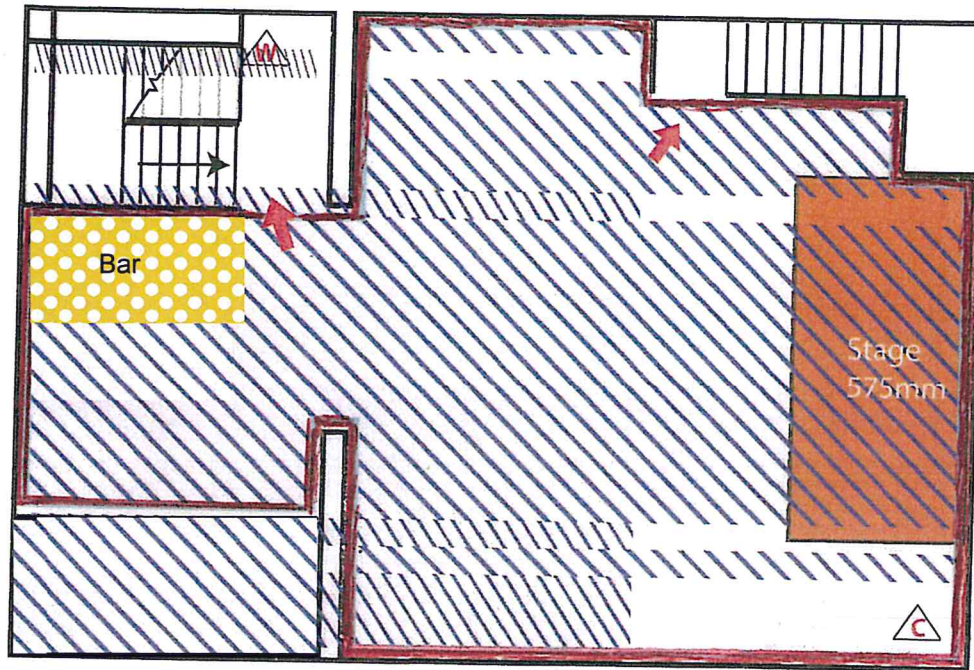
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Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
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Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>






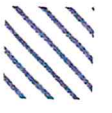

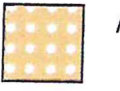



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2nd Floor [scale 1:100]



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[REDACTED]

From: [REDACTED]
Sent: 01 April 2021 18:47
To: LICENSING (Cheshire East)
Subject: Licencing for 2, 3 & 5 Marlborough Court, Pickford St, Macclesfield SK116JD

Follow Up Flag: Follow up
Flag Status: Completed

Good evening

I would like to raise issue with the proposed licencing agreement for recording music played at the hours given due to the proximity of our building and that music played there is very audible even within the flats on the top floor, which is where my residence is, not to speak of how much worse that is for the other residents living in the building.

Please can you reply to this complaint pending standard review procedures as to what your next decision is and, if necessary, what further steps I and the other residents within the building's next official action could be.

Kind Regards,

[REDACTED]

[Sent from Yahoo Mail on Android](#)

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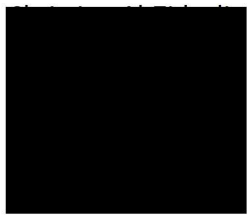
[REDACTED]

From: [REDACTED]
Sent: 30 March 2021 11:39
To: LICENSING (Cheshire East)
Subject: Marlborough Court. Pickford Street. Macclefield

Follow Up Flag: Follow up
Flag Status: Completed

I would like it to be known that I do not agree to this premises receiving a late night license for music and alcohol. Our flat [REDACTED] along with several residential flats. It also is next to our courtyard and we do not need customers coming out and drinking and smoking here. There are families with kids and babies in the flats. We already have problems with drunks coming two doors down from the Rumba urinating in the Courtyard. I ask this be rejected.

Regards



[Sent from Yahoo Mail on Android](#)

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[REDACTED]

From: [REDACTED]
Sent: 01 April 2021 12:00
To: LICENSING (Cheshire East)
Subject: Late licensing

Follow Up Flag: Follow up
Flag Status: Completed

Hi My name is [REDACTED] and live at [REDACTED] and I am writing this email to raise my concerns of the application for a late entertainment licence mainly the late music licence that has been requested for the address of 2 34 and 5 Marlborough court Pickford Street I live at the [REDACTED] [REDACTED] and one of my young children has sleeping problems so I feel if there is going to be late music this would have a negative impact on [REDACTED] wellbeing. Also there are two apartments that are attached to the address in question do this would cause upset for the people that own theses property pluss there is no place to have a smoking area and people would use the courtyard for smoking and socialising and would corse or nose and would become very messy if used as a smoking area plus there are other residents that have children and loud music late a night would course the parents and the children distress. Also there is a room on top the the address in question that if used for the purpose of an entertainment room people would be able to look in to people property that are opersite the address In question

Many thanks [REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 01 April 2021 13:50
To: LICENSING (Cheshire East)
Subject: Marlborough court, Macclesfield

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern,

I write today to express my concerns for the application of fire mio to allow late live music and use of courtyard for bar purposes, as a resident of [REDACTED] using the courtyard as a entertainment area has previously caused issues with litter, swearing and noise levels. With this in mind I strongly object to the use of the courtyard for entertainment purposes from the restaurant. Also with the buildings being mainly a "open plan" layout the noise levels will disturb sleep throughout the week.

Kind regards

[REDACTED]

Sent from my iPhone

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[REDACTED]

From: [REDACTED]
Sent: 29 March 2021 20:05
To: LICENSING (Cheshire East)
Subject: Application for a Premises Licence for 2, 3-5 Marlborough Court, Pickford Street, Macclesfield, SK116JD

Follow Up Flag: Follow up
Flag Status: Completed

To whom this may concern,

I would like to submit my concerns to the above premises licence as a resident in the apartment block directly opposite the address for licence.

Firstly, the application is requesting alcohol to be served between 11 ½ and 14 ½ hours per day across the week, which given its location within a communal/residential courtyard raises safety concerns such as broken / discarded glass, drunk and disorderly patrons making excessive noise at closing time, patrons' cars left in the residential car park / damage to residents' vehicles along with the inevitability of the courtyard doubling up as an unofficial smoking area, making the area unusable/unsafe by the residents during the day.

We are all too aware of the noise pollution of local bars such as Rumba and also the noise associated with the smoking area of The Elbow Room late into the night; I feel it is in the interest of the residents that this be looked into further as I feel it would further affect quality of life, especially when the proposed licence is requesting recorded and/or live music until the latest of 0230hrs- this will inevitably cause further disturbance with artists / performers packing up and leaving along with the emptying of bottles bins etc (I can usually hear (pre-covid) when the barstaff from Fever empty their bins around 4:30am and their storage area is at the corner of Lower Exchange Street & Boden Street)

I hope the above concerns could be taken into consideration for the proposed licence,

Kind regards,

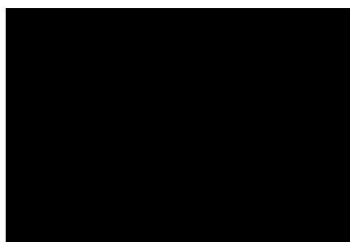
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[REDACTED]

From: [REDACTED]
Sent: 04 April 2021 17:28
To: LICENSING (Cheshire East)
Subject: License application at 2,3, and 5 Pickford street SK11 6JD

Follow Up Flag: Follow up
Flag Status: Completed



Dear Sir/madam,

We would like to confirm we are the [REDACTED] we would also like to confirm our strong opposition to this licensing application.

- 1) In the light of the owner and developer converting commercial premises into residential properties, it will seem wrong for a bar/restaurant to operate/trade in front of these apartments.
- 2) [REDACTED] and it would adversely affect their standard of life and wellbeing if this permission was granted.
- 3) I have previously had a conversation with the last owner of the restaurant (tenant) who in a loose conversation disclosed that his customers spilled out and used the courtyard directly in front of apartments 14,15, and 16 but also affecting the above flats too. ie loud music, talking, smoking ,drinking.

The fact that this application has been submitted is confirmation of total disregard to the residents of Marlborough court.

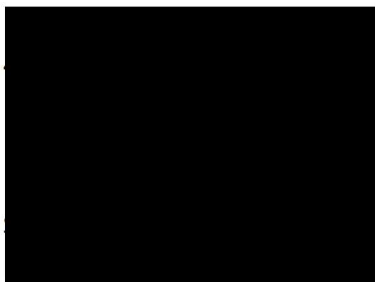
Can we just add the developer cannot expect residential dwellings plus creating a licensed bar with music directly in front of peoples homes to be agreed.

In our opinion this property would be better converted into a daytime retail usage.

Kind regard

[REDACTED]

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Licensing Applications
Cheshire East Council Municipal Buildings
Crewe
CW1 2BJ
Licensing@cheshireeast.gov.uk

8 April 2021

Re: PREMISE LICENSE 2, 3 AND 5 MARLBOROUGH COURT, PICKFORD STREET, MACCLESFIELD, SK11 6JD

I write to OBJECT to the above application for LIVE MUSIC and RECORDED MUSIC LICENSE BY Florian Mantzari at the premises above, named as 'Fiore Mio' restaurant.

As a resident of [REDACTED] to the applicant premises; [REDACTED]
[REDACTED]

[REDACTED] As such I write to OBJECT to the licensing applications above as it will bring unwanted and inappropriate levels of noise and patron activity to residential dwellings. Such noise is transferred by the extreme close proximity of my residential building and also the transfer of sound pollution through the walls of the building, since sound travels quicker and more efficiently through walls than it does through air.

In the building in which I live 'THE LOFTS' there are 16 flats and 2 Apartments which join 'THE LOFTS' to the applicant's premises. I have experience of noise pollution previously when the previous licensee played LOUD MUSIC late at night which was clearly discernible while I lay in bed in my dwelling, in the bedroom, with the inner and outer door shut and curtains pulled. This is not acceptable and I must OBJECT to the license application in the strongest terms. I have no objection to the use of the premises normal function as a restaurant, including serving alcohol during the typical opening hours (i.e. until 23:30), but this must not be allowed to play LOUD MUSIC and turn into a nightclub venue. Furthermore I must remind the application committee that the applicant must be reminded not to allow restaurant patrons to use the Marlborough Court courtyard area behind the restaurant as this is a residential outside space.

I am happy to respond to any enquiries sent to the email address above.

[REDACTED]

11th May 2020

Page 2

Sincerely,

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 01 April 2021 15:39
To: LICENSING (Cheshire East)
Subject: Apposing application for change of premises licence.

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern,

Good afternoon,

I am writing in relation to the licensing application for: Units 2, 3 and 5 Marlborough Court, Pickford Street, Macclesfield, SK11 6JD by Florian Mantzari.

I live at [REDACTED] I believe if this application is approved it will be detrimental to my quality of life living here. The courtyard area is for residents use only but we often get people from the Rumba bar wandering in as it is.

I work in hospitality at evenings and weekends so my rest is important to me as my job is stressful as it is without having my homelife impacted too.

I am happy to discuss this further as are my neighbours who want to ensure this doesn't go ahead for our general happiness.

Regards

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 30 March 2021 08:40
To: LICENSING (Cheshire East)
Subject: Application for 2,3 and 5 Marlborough Court, SK11 6JD
Attachments: Video.mov

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern

I write in relation to the above application and to voice my concerns as if this was approved it would have a serious impact on my quality of life. The address that has submitted the request is in extremely close proximity to a residential development and if this was approved it would give us a number of concerns. Firstly there are two apartments directly joined to the bar in question and believe this would cause excessive noise for these residents. Secondly, there is currently no smoking areas and believe the applicants would try and use the communal courtyard which is for residents access, not commercial use, also 4 residents apartments are accessed directly from the courtyard, one resident having a young baby and this would cause safety concerns in my opinion. Finally the top floor of the building was historically used as a dining area but if change of use was approved the windows would give clear views into the development. I have done a quick video to point out my points and am happy to take a phone call to discuss further if required.

Regards

[REDACTED]

APPLICATION FOR A LICENCE

NOTICE is hereby given that
23rd March 2021 to Cheshire
for a PREMISE LICENCE for
Pickford Street Macclesfield
licensable activities:

RETAIL SALE OF ALCOHOL
23.30 Friday and Saturday 1
LIVE MUSIC: Friday and Sat
RECORDED MUSIC Sunday
Friday and Saturday 23.00 u

Sent from my iPhone

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[REDACTED]

From: [REDACTED]
Sent: 31 March 2021 19:20
To: LICENSING (Cheshire East)
Subject: Live/Late Music Licence OBJECTION - 2,3 and 5, Marlborough Court SK11 6JD

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern,

I am writing in relation to the late music licence applications at Marlborough Court, Pickford Street, Macclesfield.

I live in [REDACTED]
[REDACTED]

I am URGENTLY OPPOSING application along with my neighbours due to the reasons below:

Excessive Noise

1. Regular late night music with liquor licences within our residential areas not only creates concerns of various crimes being committed on our doorstep, but also anxiety, fear, worry, distress, unease to the residents of Marlborough Court
2. This is a residential area, and occupants of the flats are professionals. Loud music is not conducive to this environment and would cause undue stress with potential mental and physical ramifications to the residents.
3. My property [REDACTED] I can hear every song that is played from my bedroom/personal space

Security / and Harassment concerns

1. I am a woman living alone, there is no gate to the front of the courtyard and I fear that people from this establishment will both enter the courtyard and/or try to enter the properties. This has happened before, where a man tried to look in through my windows, he had come from Rumba and was drunk. Both my bedroom and living room windows face onto the courtyard.
2. Visitors to the establishment can see straight/directly into my bedroom and living room windows from the ground and first floors of the establishment in question.
3. **This is an INVASION of privacy and again is, and will be causing undue stress with potential mental and physical ramifications not to mention concerns of robbery, break-ins, predator/sexual offence and/or behaviour.**

Safety / CRIME and Harassment concerns

1. The courtyard is not gated and there is no smoking area or outside space for the establishment. Last year when the restaurant was open (not even a bar), people would sit, hang around, urinate and take drugs in the courtyard.
2. **There are young children, families and women living alone in these flats and this kind of behaviour would and has caused safety issues and would create calls to the police on several occasions with legitimate concerns of robbery, break-ins, predator/sexual offence and/or behaviour.**

4. Drunk and disorderly behaviour / CRIME and Harassment concerns

1. Visitors to the establishment previously have and will expose themselves indecently, fornecate, urinate and cause defamation of the residential area - relating to all the points listed above.

We urge you to reject this application with immediate effect. My home is in direct view/reach of this establishment and I am worried for my safety.

I hope to hear from you soon.

With thanks,

[REDACTED]

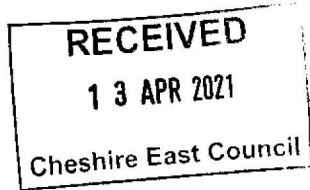
[REDACTED]

From: [REDACTED]
Sent: 18 April 2021 18:53
To: LICENSING (Cheshire East)
Subject: Units 2,3 and 5 Marlborough Court Macclesfield

Follow Up Flag: Follow up
Flag Status: Completed

I am writing to object to the above application by Florian Mantzari in respect of the above address. I live at [REDACTED] [REDACTED] and my apartment backs onto the courtyard of the restaurant looking for a late license for music.i am objecting On the basis of mainly public nuisance. The hours of operation are too late and the noise emanating from the premises will only be [REDACTED]. Litter will probably be left in the courtyard and the late hours will contribute to antisocial behaviour. There are already plenty of pubs and clubs in the close vicinity. My name is [REDACTED] and I live at [REDACTED]

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5th April 2021

**Reference: Units 2, 3 and 5 Marlborough Court, Pickford Street, Macclesfield, SK11 6JD
application for a new premise license**

Sir / Madam,

I would like to make representation about the above named premises. I wish to object to: -

- The sale of alcohol after 23:30 hours
- The playing of music (live or recorded) after 23:30 hours

I wish to object in reference to the following licensing objectives: -

- The prevention of crime and disorder
- The prevention of public nuisance
- The protection of children from harm

My reasons for objecting to the above proposed license are as follows. I believe the sale of alcohol after 23:30 hours would lead to drunken behaviour and possible criminal activities in the courtyard area of the residential building (The Lofts, Marlborough Court), immediately behind the premises under consideration. This would impact on the safety of the residents whose front doors open straight out onto the courtyard.

If the music is played loudly, it will constitute a public nuisance as it will disturb the residents of The Lofts, Marlborough Court. All of the apartments face towards the premises under consideration and so there would be no relief from any loud music.

Additionally, there are a number of children resident in The Lofts, Marlborough Court, and so loud music late at night would disturb them and would not be good for their health or wellbeing.

I am also concerned about the applicants' installation of CCTV which is angled to cover the courtyard of The Lofts, Marlborough Court. This was set up without the knowledge or consent of the residents of The Lofts, Marlborough Court. It infringes on our right to privacy, and implies that he may intend to make use of the courtyard to which he has no right. Additionally, the children who are residents of The Lofts, Marlborough Court play in the courtyard, and the CCTV would capture images of them.

Yours Faithfully,



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Reply to: Head Office, Macclesfield

31 Mar 2021

Cheshire East Council Licensing
Municipal Buildings
Earle Street
Crewe
CW1 2BJ



Dear Sirs,

**RE: Application for New Premise Licence for 2,3 and 5 Marlborough Court,
Pickford Street, Macclesfield, Sk11 6JD**

I am writing on behalf of The Lofts Resident Association to make a representation in regard to the application for a New Premise Licence for the above address.

I act as the Estates Manager for the development, so have regular contact with the occupiers and owners. The commercial unit in question has always caused issues for the residents, both in terms of security and noise disturbance. The Courtyard below tends to be used as an outdoor area/smoking area, so the area becomes unclean and is a hotbed for anti-social behaviour.

The Courtyard also used to house other commercial units, however they have since been converted into residential property by the freeholder, consequently there are a number of residential apartments on the ground floor, who will be metres from the disturbances.

It is the belief of the residents, and my own as the Estates Manager for the development, that the application for the late license is not reasonable and does not take the residents well-being into account. Furthermore, it could affect owners' ability to sell their property and could negatively affect the market value of the property.

I hope that you can appreciate the above points and can come to a decision with the residents' best interests in mind. I would even encourage you to visit the development, so you can see the Courtyard and how the residents who live in that space, would be affected.

Yours sincerely,



Estates Manager

For and on behalf of the The Lofts Residents Association

Registered Office
Chiltern House
72 - 74 King Edward Street
MACCLESFIELD
Cheshire
SK10 1AT

Contact
Telephone: 0345 491 8899
Accounts: 0345 491 8898
info@premierestates.co.uk
www.premierestates.co.uk



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Page 69
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.	Un-named
Address of the premises you are making a representation about.	Units 2, 3 & 5 Marlborough Court, Pickford Street, Macclesfield, SK11 6JD

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		
To prevent crime and disorder	Yes	See below
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:
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COMMENTS:

Cheshire police have been in talks with the applicant's representative [REDACTED] to understand the operating schedule for this premises as there were concerns regarding the late hours being sought.

[REDACTED] has advised that the premises are to operate as a restaurant; but this is not consistent with the late hours requested for Friday & Saturday nights and there's no details on the application I have received (possibly a page missing) as to whether late night refreshment has been requested to support this operating model.

I have therefore drawn [REDACTED] attention to the Council's statement of licensing policy and the suggested framework of hours, which for a restaurant in Macclesfield suggests a terminal hour of 01:30am.

[REDACTED] has made me aware that there have been a number of objections from local residents and therefore a committee hearing will be required and as such he has not agreed any formal representations with me.

On behalf of the Chief of Police I wish to object to the above application for a Premises licence. It is the police's view the at the late hours requested on Friday & Saturday nights for regulated entertainment and supply of alcohol are not appropriate to the operating model of the business and it is the police's experience that the later the terminal hour of a premises, brings with it an increased risk of violence and disorder.

The police would therefore ask that if Committee were mindful to grant the licence, the police would welcome the terminal hour for licensable activity on Friday & Saturday nights to be brought back to 01:30 in line with the Statement of Licensing Policy suggested framework of hours.

The Police would also ask Committee to add the conditions listed below for Prevention of Crime & Disorder and Challenge 25, which have been verbally agreed by [REDACTED]

Prevention of Crime & Disorder

SIA registered Door Supervisors shall be employed from 23:00 until the close of the premises on Christmas Eve and New Year's Eve and when the licensee operates on a Temporary Event Notice for any events where the hours will exceed the Premises Licence hours.

Door supervisors will be employed to such a number as the management of the premises consider are sufficient to control the entry of persons to the premises and for the keeping of order in the premises when they are used for a licensable activity.

A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor in a register kept for that purpose. That record shall contain the following details:-

- The door supervisor's name, date of birth and home address;
- His/her Security Industry Authority licence number;
- The time and date he/she starts and finishes duty;
- The time of any breaks taken whilst on duty;
- Each entry shall be signed by the door supervisor.
- Record of all incidents taking place in the venue

That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.

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.

The police ask that if the Licensing Committee is mindful to grant the licence as per the application with the terminal hour on Friday and Saturday nights of 3am that the following revised door supervisor condition is added along with the Challenge 25 condition listed above.

Prevention of Crime & Disorder

SIA registered Door Supervisors shall be employed from 23:00 until the close of the premises on Friday & Saturday evenings, Christmas Eve and New Year's Eve and when the licensee operates on a Temporary Event Notice for any events where the hours will exceed the Premises Licence hours.

Door supervisors will be employed to such a number as the management of the premises consider are sufficient to control the entry of persons to the premises and for the keeping of order in the premises when they are used for a licensable activity.

A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor in a register kept for that purpose. That record shall contain the following details:-

- The door supervisor's name, date of birth and home address;
- His/her Security Industry Authority licence number;
- The time and date he/she starts and finishes duty;

- The time of any breaks taken whilst on duty,
- Each entry shall be signed by the door supervisor.
- Record of all incidents taking place in the venue

That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.

Signed:



Date: 20/04/2021

[REDACTED]

From: [REDACTED]
Sent: 21-Apr-2021 13:28
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: [EXTERNAL] 2,3,5 Marlborough court ~[OFFICIAL]~

Hi [REDACTED]

Thank you for the quick response addressing the concerns raised in the objection.

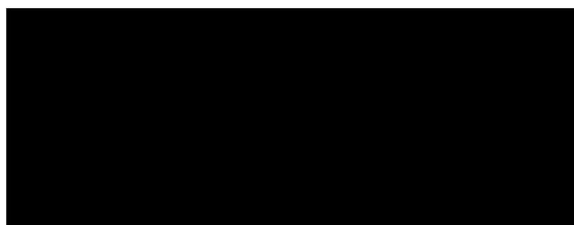
The police are happy with the licence being granted with the time being brought into 00:00 for Friday and Saturday and the addition of the conditions relating to Challenge 25 & Door staff from 23:00 hrs on Christmas Eve, New Years Eve and when operating outside of the licence hours on a TEN.

[REDACTED] if you need anything further from me then please let me know.

Kind Regards

[REDACTED]
Police Licensing Officer

Warrington Police Station | Charles Stewart House | 55 Museum Street | Warrington | WA1 1NE.



From: [REDACTED]
Sent: 21 April 2021 13:13
To: [REDACTED]
Cc: [REDACTED]
Subject: [EXTERNAL] 2,3,5 Marlborough court

Hi [REDACTED]

I'm in receipt of your objection. As we discussed in our telephone conversation. I have spoken to the applicant and relayed your concerns regarding the terminal hour on Fridays and Saturdays. To this end he has agreed to amend the application to make the terminal hour 00.00. this, as you already know, is well within the Cheshire East framework. I can also confirm that the challenge 25 ID scheme will be put in place and may be added as a condition on the licence. We agree to the condition for SIA registered staff to be used after 23.00 when either the premise trades on a temporary event notice or on the Christmas Eve and New Years Eve stipulated.

I hope this is enough for you to confirm you are happy for the licence to be granted.

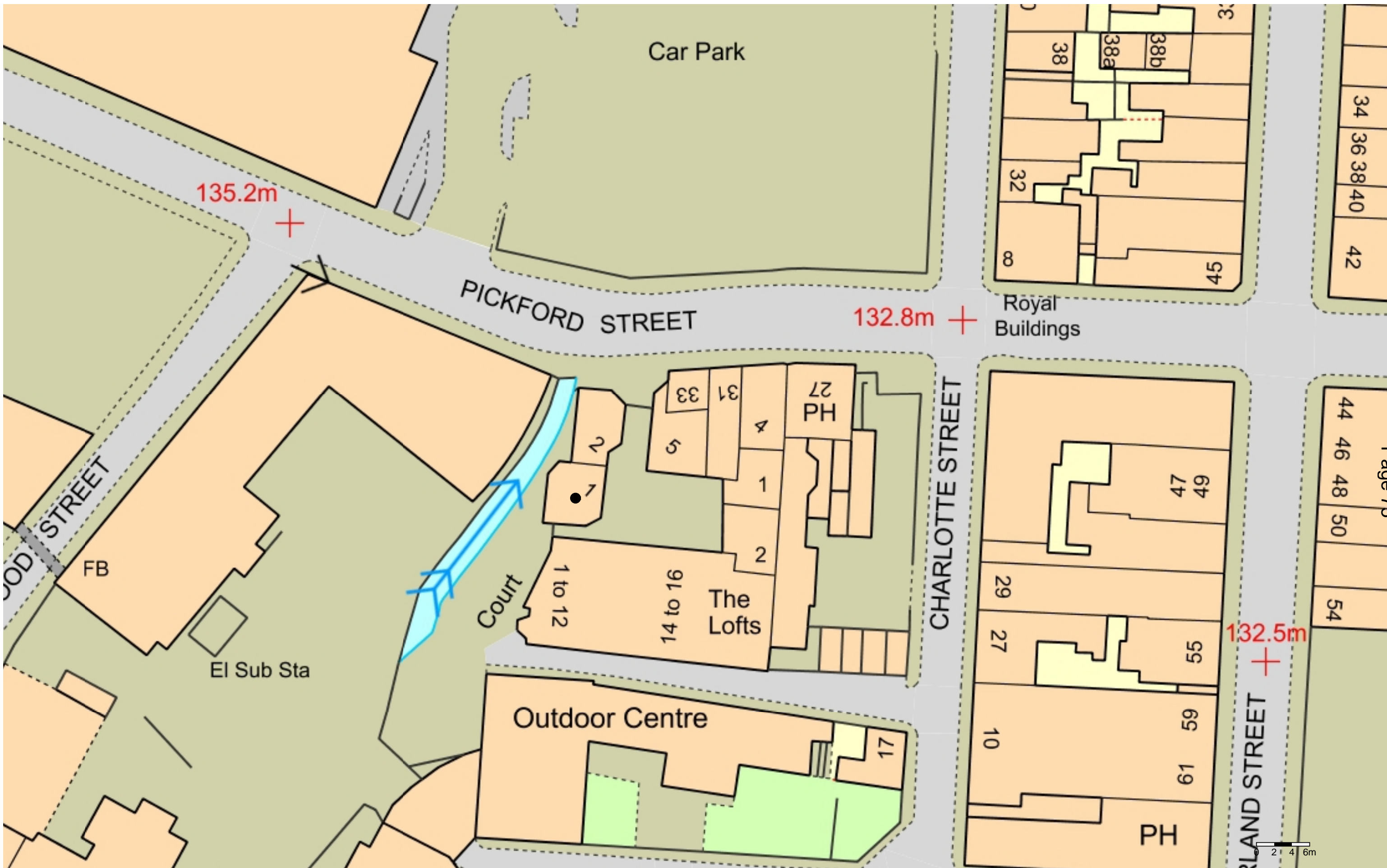
Kind regards

[REDACTED]

Manchester License Training

[REDACTED]

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.



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