

Licensing Act Sub-Committee

Agenda

Date: Monday, 11th April, 2022
Time: 2.00 pm
Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

PLEASE NOTE - This meeting is open to the public and anyone attending the meeting is advised to wear a face covering when not seated (unless exempt).

Lateral Flow Testing: Anyone attending the meeting is asked to undertake a lateral flow test on the day of the meeting before embarking upon the journey to the venue. If your test shows a positive result, then you must not attend the meeting and must follow the latest advice on self-isolation.

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 (Pages 3 - 8)

1. **Appointment of Chairman**

To appoint a Chairman for the meeting.

2. **Declarations of Interest**

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

3. **Application for a Variation to a Premises Licence at Congleton Snooker Club, Royle Street, Congleton, CW12 1HR** (Pages 9 - 50)

For requests for further information

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

To consider the above application.

Membership: Councillors D Edwardes, A Harewood 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



Working for a brighter future together

Licensing Act Sub Committee

Date of Meeting: Monday 11th April 2022 – 2.00pm

Report Title: Application for a Variation to a Premises Licence at Congleton Snooker Club, Royle Street, Congleton, CW12 1HR

Senior Officer: Paul Bayley –

Director of Neighbourhood & Environmental Services

1. Report Summary

- 1.1. The report provides details of an application for a variation to a Premises Licence, under section 34 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 Anthony Harry Heeley, in respect of:

Congleton Snooker Club
Royle Street
Congleton
CW12 1HR

- 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 application.

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 21st February 2022 an application was received by the Licensing Department for the variation of a Premises Licence in respect of Congleton Snooker Club, Royle Street, Congleton, CW12 1HR. The application was then sent for consultation. The last date for representations to be made was 21st March 2022. 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. The existing premises licence is attached to this report at **Appendix 4**.

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

- Sale and supply of alcohol for consumption on the premises
- The provision of indoor sporting events

The application does not seek to vary the layout of the premises but has provided a plan to show the layout of tables and furniture.

5.5. The hours applied for are as follows:

Monday to Sunday – 12.00 to 00.00

5.6. Responsible Authorities:

5.6.1. The Licensing Authority has not received representations from any of the responsible authorities, however Cheshire Police have proposed conditions which have been agreed to by the applicant, the conditions are attached at **Appendix 3**.

5.7. Other Persons:

5.7.1. The Council has received seven representations against the application, from members of the public. Copies of the representations are attached to this report at **Appendix 2**.

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1 The Sub Committee must determine this application in accordance with S.35 of the Licensing Act 2003. To do so otherwise would render its determination unlawful and invalid.

6.1.2 In accordance with the provisions of section 35(3)(b) of the Licensing Act 2003 the Licensing Authority Sub Committee must, having regard to the representations, made in this application take such steps (if any) as it considers appropriate for the promotion of the licensing objectives.

6.1.3. Section 35(4) provides that the authority may only:

- a) Modify the conditions of the licence
- b) Reject the whole or part of the application

6.1.4. 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.

6.1.5. Members may not extend the period for which the licence has effect.

6.1.6. Members may not vary substantially the premises to which the licence relates.

6.1.7. Members may vary the premises licence so that it has effect subject to different conditions in respect of different parts of the premises or different licensable activities.

6.1.8. Members must determine when any variation if granted, is to take effect.

6.1.9. Members must give reasons for their determination and notice of it must be communicated to the parties to this application.

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. Congleton West - Councillor Suzie Akers Smith

7.2. Congleton West – Councillor George Hayes

7.3. Congleton West – Councillor Sally Holland

8. Consultation & Engagement

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

9. Access to Information

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

10. Contact Information

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

Name: Jennifer Rowney

Job Title: Senior Licensing Officer

Email: Jennifer.rowney@cheshireeast.gov.uk

Appendix 1 – Application and plan of premises

Appendix 2 – Representation from members of the public

Appendix 3 – Police Conditions

Appendix 4 – Premises Licence Summary and Plan

Appendix 5 - Map of Area

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We ANTHONY HARRY HEeley
(Insert name(s) of applicant)
 being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	PREM 898.
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
POSTAL ADDRESS:- CONGLETON SNOOKER CLUB ROYLE ST.			
Post town	CONGLETON.	Postcode	CW12 1HR

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£ 5,600

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]
E-mail address (optional)	[REDACTED]
Current postal address if different from premises address	[REDACTED]
Post town	
Postcode	

Part 3 - Variation

Please tick as appropriate

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

☒ Yes

☐
No

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

DD		MM		YYYY	

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☐ No

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

Sale & Supply of Alcohol: on the premises only.

MONDAY TO FRIDAY, 12.00 TO 24.00

SATURDAY & SUNDAY 12.00 TO 24.00

WE ARE STILL THE SAME, INDOOR SPORTS
FOR "SNOOKER" and "POOLE" - NOW AS IN 2014.

INDOOR SPORTING EVENTS

MONDAY TO FRIDAY 12.00 TO 24.00

SATURDAY & SUNDAY, 12.00 TO 24.00

THERE IS NO VARIATION TO THE
CLUB LAYOUT. APART FROM THE 'TABLES'
AND FURNITURE

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

5000. ! NO. - NO MORE THAN '50' NORMALLY.

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

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

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

N/A ☐

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

☒

In all cases complete boxes K, L and M

A

N/A.

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

N/A

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5) WE HAVE 'EIGHT' SNEOKER TABLES AND TWO POOL TABLES ALSO ONE DART BOARD.
Day	Start	Finish	
Mon	12:00	00:00	
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6) WE TEND TO BE LESS BUSY IN THE SUMMER THAN IN THE WINTER
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7) WE DO NOT NORMALLY OPEN ON A SATURDAY OR MONDAY, BUT ARE GETTING REQUESTS TO DO SO. AND NEED THE LICENCE TO COVER THESE TIMES
Fri			
Sat			
Sun			
	24:00	24:00	

N/A

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

N/A

E

Live music Standard days and timings (please read guidance note 8)			Will the <u>performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

N/A

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed					
Thur					
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

N/A

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

H

N/A

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

N/A

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	1200	2400	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
	↑	↑			
Tue					
Wed			OUR SUMMER TRADE IS NORMALLY LESS BUSY THAN THE WINTER.		
Thur			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat			NO		
Sun	1200	2400			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

SNOOKER - POOL - DARTS

AND THE BAR, ARE OUR MAIN

FUNCTIONS AND NO OTHER ENTERTAINMENT

IS PART OF OUR BUSINESS PLAN

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	12.00	00.00	<p>WE TEND TO BE LESS BUSY IN THE SUMMER THAN IN THE WINTER</p> <p>See Note C.</p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun	12.00	00.00	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)		
SEE NOTE C.		

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

NONE.

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

PERSONAL LICENCE HOLDER ON THE PREMISES AT ALL TIMES. SUFFICIENT NUMBER OF STAFF ON THE PREMISES TO COVER BUSY TIMES.
REGULAR STAFF TRAINING

b) The prevention of crime and disorder

SUFFICIENT NUMBER OF STAFF. NO ITEMS TO BE TAKEN OUTSIDE. PHOTOGRAPHIC IDENTIFICATION TO CONTROL UNDERAGE DRINKING. TAXI BOOKING PROVIDED.
CCTV IN PLACE.

c) Public Safety

GOOD HOUSEKEEPING PROCEDURES IN PLACE. ENTRANCE ONTO PUBLIC CAR PARK. SUFFICIENT LIGHTING. ANNUAL GAS SAFETY CHECK REGULAR. FIRE CHECKS AND SERVICING OF EXTINGUISHING EQUIPMENT.
DESIGNATED SMOKING AREA.

d) The prevention of public nuisance

DOORS & WINDOWS ARE KEPT CLOSED. STAFF ARE MAKING CUSTOMERS AWARE OF LOCAL RESIDENTS. SIGNAGE IN PLACE ASKING PEOPLE TO LEAVE QUIETLY.

e) The protection of children from harm

NO UNSUPERVISED CHILDREN ARE ALLOWED IN THE BAR.

Checklist:


Please tick to indicate agreement

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

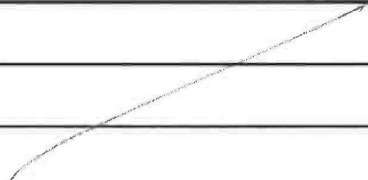
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	18/02/2022
Capacity	Premises Licence Holder.

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

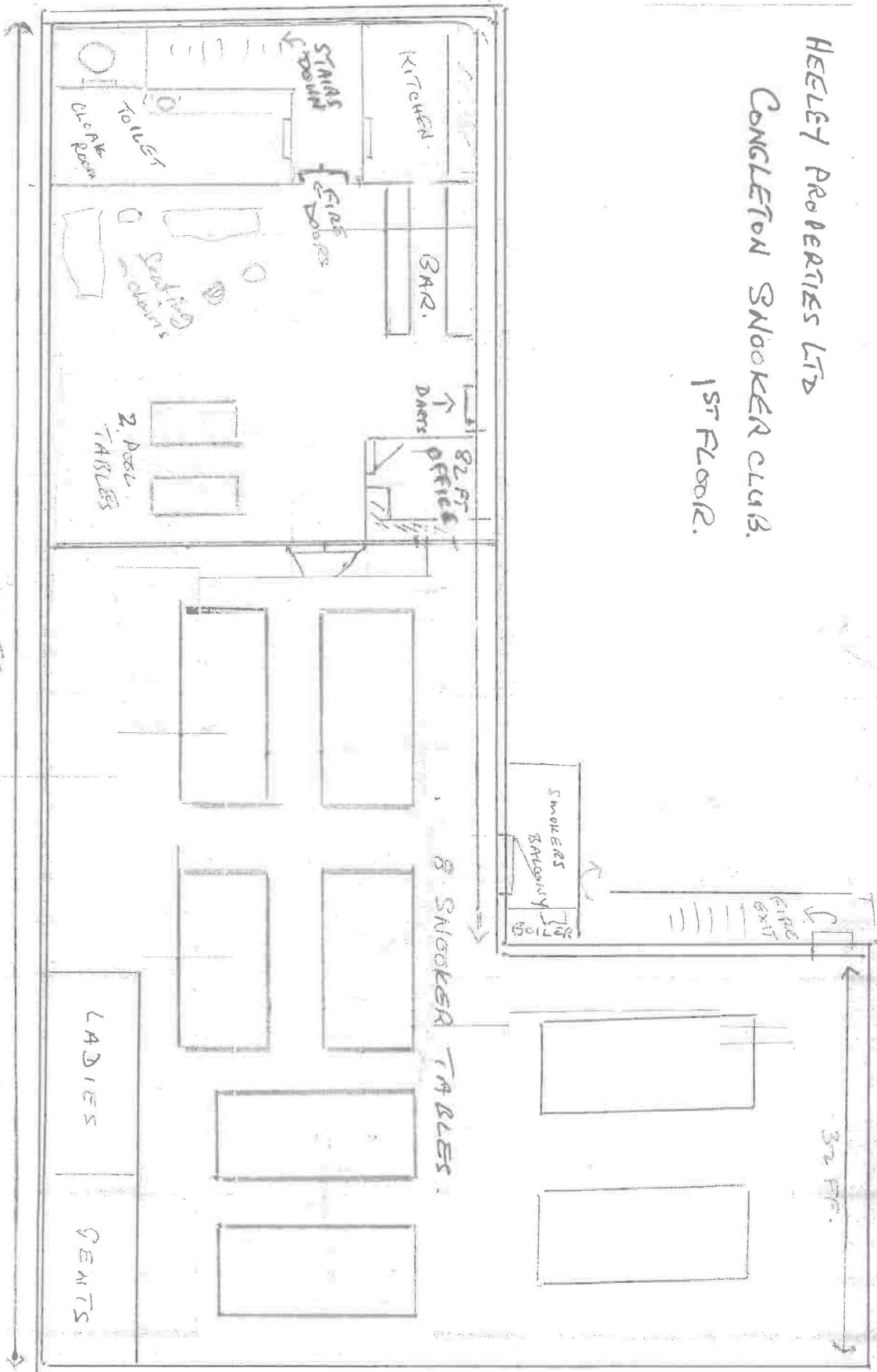
Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

ANTHONY HARRY HEELEY
 CONGLETON SNOOKER CLUB.
 ROYLE, ST.
 COTTE

Post town	CONGLETON	Post code	CW12 1HX
Telephone number (if any)			

HEELY PROPERTIES LTD
CONGLETON SMOOKEE CLUB.

1ST FLOOR.



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Representation 1

From:

Sent: 20 March 2022 20:09

To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>

Subject: Congleton Snooker Club

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

At the present time I am being disturbed one night each week by the roudy behaviour from this establishment. I have been tolerant but am fearful that the proposal before you is unreasonable. The smoking area is opposite my [REDACTED] and it is from there the noise emanates

Representation 2

From:

Sent: 20 March 2022 20:09

To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>

Subject: Congleton Snooker Club CW12 1HR

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir

I am all for helping local businesses especially after Covid but please take into consideration with the above application that there are residents who live across the river from the Snooker Club. At least once a week there is noise from what appears to be a 'smokers area' at the Club and when it is chucking out time. If hours are extended this disturbance could be worsened especially when my window is open in the warmer months.

--

Representation 3

From:

Sent: 20 March 2022 19:23

To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>

Subject: Congleton Snooker Club, Royle Street, Congleton. CW12 1HR

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs

I am concerned to see that Congleton Snooker Club has applied to extend its hours until midnight on every day of the week.

I live in a block of flats on the opposite side of the River Dane from the club and have needed to contact them on occasions because of excessive noise late at night and even into the early hours of the morning. The problem is that they have a side door opening onto a balcony overlooking the river which is used by smokers but is being used more as an extension of the club. It is not uncommon to see 5/6 people gathered there and often talking very loudly disturbing myself and other residents in the flats.

My worry is that this will continue to happen more and more frequently and with longer opening hours, later into the night. It will become even more of a disturbance in the summer when we have our windows open more often. I trust you can take my concerns into consideration when reviewing this application and if necessary request the use of this balcony is limited or at the very least used with more consideration for the local residents like myself.

Thanking you in anticipation for your assistance.

Regards

Representation 4

From: Sent: 20 March 2022 16:39

To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>

Subject: RE: Variation to premises licence - Congleton Snooker Club, Royle Street, Congleton, CW12 1HR

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir or Madam,

I am a resident of Sandpipers apartments, located directly opposite the Congleton Snooker Club. I have recently been made aware of their intention to extend their opening hours from 5-10PM Tues-Thurs, to instead open **every-day** from **12:00-00:00**, and I am thoroughly devastated by the prospect of it. My apartment faces the outdoor smoking balcony of the club, where my family and I regularly tolerate the loud drunken smokers during the week. Although it's already routinely inconvenient for us, we do respect the club's right to trade and hence it's something we're willing to endure at present. However, the idea that this kind of behaviour will be a recurring theme, potentially every

night (as it has been most weeks since I moved in), does give me a rather unsettling feeling, especially as the weather improves, and hence our windows will remain open throughout the day, thus amplifying the noise. Therefore, I felt compelled to write this email, and hope that you will take this into account when considering the application. I hope this message finds you well and that you have a lovely rest of the weekend 😊

Kind regards

Representation 5

From:

Sent: 21 March 2022 11:12

To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>

Subject: Congleton Snooker Club

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs

I was surprised and disappointed to hear that the above has applied for an extension to its operating hours/sales of alcohol.

As you are aware the area around the snooker club is mainly residential. We already suffer noise from members of the club especially in the summer months when they congregate outside shouting and drunken behaviour in all its forms are common.

My apartment on Rope Walk is directly behind the snooker hall and it's impossible to have the windows open due to the noise and rowdiness. Moreover, the club has a "smoking" balcony where members congregate, this is just a few meters across the river from our properties.

I'm hopeful you will take the above into consideration when making a decision on the application.

Regards

Representation 6

From:

Sent: 21 March 2022 10:53

To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>

Subject: Congleton, royle street snooker club CW12 1HR

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I am writing regarding the application for extended hours for the snooker club on Royle street, Congleton.

The snooker club has a smoking area that is located at the back of the club over looking the river, which my building is directly adjacent on other side of the river, Sandpipers rope walk.

The people that gather on the balcony are very load, and can be heard by many residents in my building, beyond 11pm.

This has happened on many occasions, and has disturbed our ability to sleep, and disturbed my children also.

I have called the snooker club regarding the level of noise coming from the smoking area. One time in question was during lockdown, I called at around 1am to ask them to be quiet. This was breaking lockdown rules at the time, as they shouldn't have even been open. I really wish I had reported this at time.

With warmer nights coming this situation is only going to worsen, the level of noise is not acceptable, and we will not be able to open windows to have fresh air. The level of noise is effecting our lives, with longer drinking hours peoples noise levels will only increase. The times stated is until midnight 7 days a week. This is going to impact our lives in our own home. We work and my children are at school, we have to be up early in the morning and need a good nights sleep. If this was to happen night after night, with people drinking until midnight, it will have a huge impact on our lives.

This is not acceptable, and as I have already stated, many residents in my building have been affected by this.

Your sincerely

Sent via BT Email App

Representation 7

From:

Sent: 21 March 2022 17:49

To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>

Subject: Snooker club in Congleton

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

We live in Sandpipers's Rope Walk and if this club is allowed to keep late hours the noise and smoke will adversely effect our quality of life particularly in the summer months Please therefore can the planning department take out concerns seriously Many thanks

Sent from my iPhone

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CHESHIRE EAST COUNCIL

Representation Form.

Responsible Authority.

POLICE

Your Name	Kelly Warburton
Job Title	Police Licensing Officer
Postal and email address	Crewe Police Station, Civic Centre, Crewe, CW1 2DW
Contact telephone number	

Name of the premises you are making a representation about.	Congleton Snooker Club
Address of the premises you are making a representation about.	Royle Street, Congleton, CW12 1HR

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 Comments
To prevent Public Nuisance		
To prevent crime and disorder	Yes	See Comments
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:
--	------------

AMENDMENTS:

The below conditions have been offered on the application, however I have changed the wording to ensure they appear as workable conditions on the licence once granted.

COMMENTS:

A CCTV system shall be used and shall be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises – An Operational Requirement'. This system shall be in operation at all times when licensable activities are taking place.

Recorded CCTV images will be maintained and stored for a period of twenty-eight days.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to provide a Police officer or an authorised officer of the licensing authority data or footage upon request. All requests for footage are to be provided within a reasonable time scale.

Designated supervisors will need to demonstrate that their CCTV system complies with their Operational requirements. They will need to be able to demonstrate the following:-

- Recordings are fit for their intended purpose,
- Good quality images are presented to the officer in a format that can be replayed on a standard computer
- The supervisor has an understanding of the equipment/training,
- Management records are kept,
- Maintenance agreements and records are maintained,
- Data Protection principles and signage are in place.

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 regular 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.

An incident log/book shall be kept at the premises for at least 12 months, and made available on request to an authorised officer of the licensing authority or the Cheshire Police Licensing Unit.

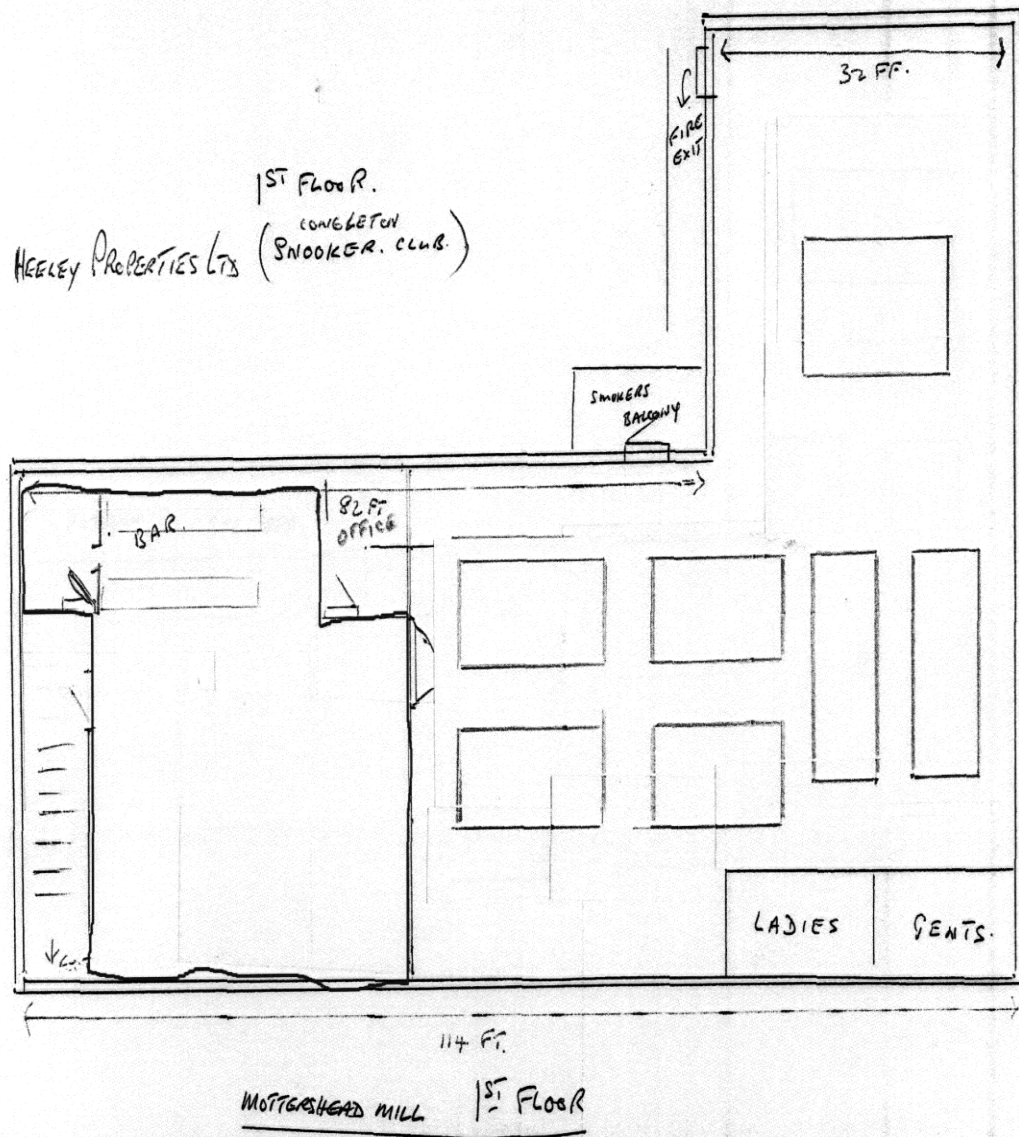
A personal licence holder will be present at all times when licensable activity is taken place at the premises.

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

Signed: K. Warburton

Date: 15/03/2022

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Premises Licence Summary

Premises Licence Number:

PREM898

Premises Details

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

Congleton Snooker Club
Royle Street

Post Town: Congleton

Post Code: CW12 1HR

Telephone Number: 01260 278236

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Sale and supply of alcohol
Indoor sporting events

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

Sale and supply of alcohol - on the premises only

Monday to Friday 17.00 to 00.00

Saturday and Sunday 12.00 to 18.00

Indoor sporting events

Monday to Friday 17.00 to 00.00

Saturday and Sunday 12.00 to 18.00

The opening hours of the Premises:

Monday to Friday 17.00 to 00.00
Saturday and Sunday 12.00 to 18.00

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

Sale of alcohol for consumption on the premises only

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

Mr Anthony Harry Heeley
Congleton Snooker Club
Royle Street
Congleton
CW12 1HR

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

n/a

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

Mr Brian Brocklehurst

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

Restricted

Licence Granted: 6th May 2014

Signed by Mrs Vanessa Selfe
On behalf of Cheshire East Borough Council

Annex 2 - Conditions consistent with the Operating Schedule

General – All Licensing Objectives

1. A manager will be on the premises during all opening times
2. We shall have public liability insurance
3. Children shall be accompanied by a responsible adult at all times

POLICE CONDITION

3. The proof of age scheme 'Challenge 25' will be operated for all sales of alcohol

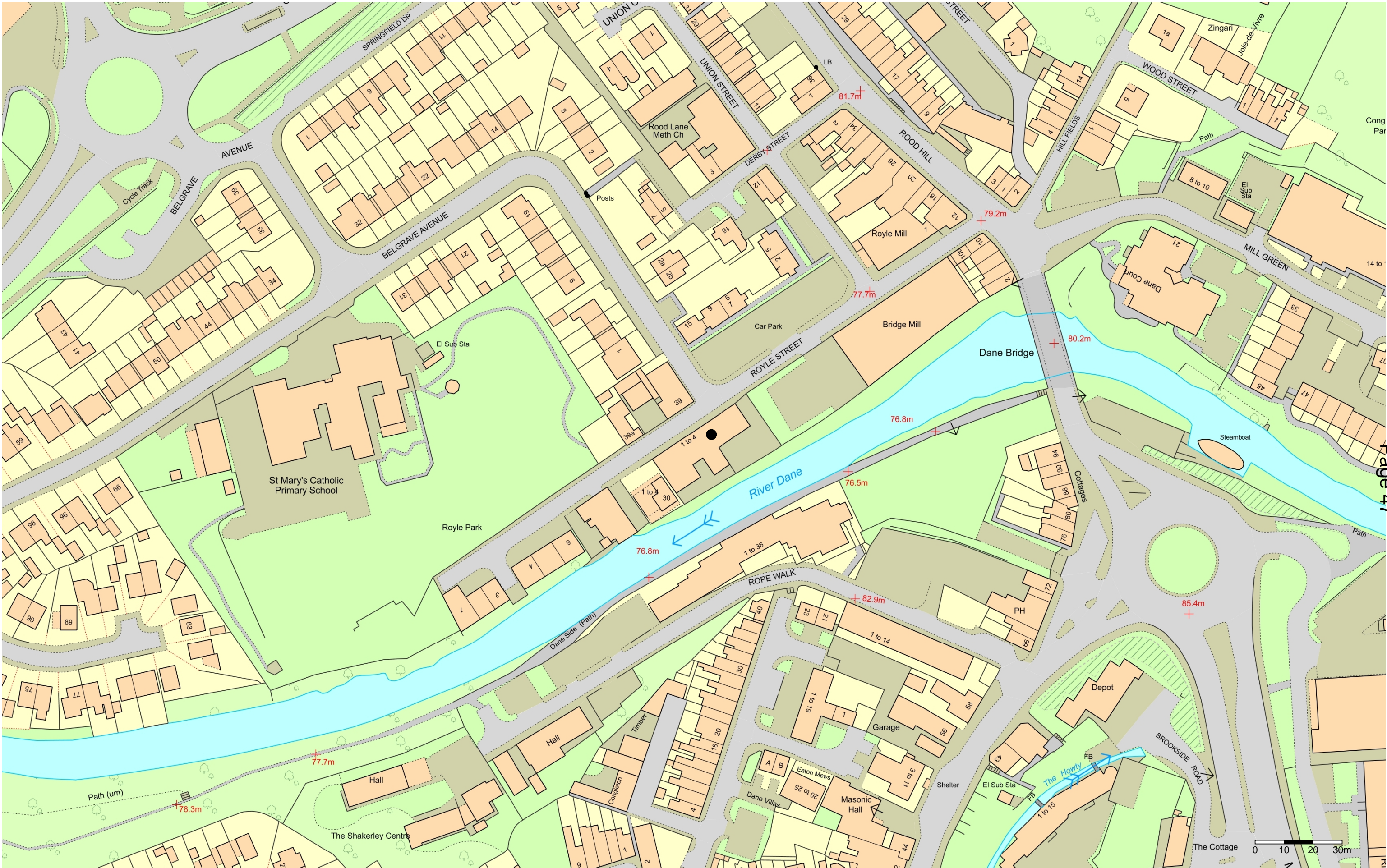
Annex 3 - Conditions attached after a hearing by the Licensing Authority

Not applicable

Annex 4 - Plans

Attached

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Further Information from Objection 7

-----Original Message-----

From: [REDACTED]

Sent: 29-Mar-2022 10:43

To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>

Subject: Hearing re snooker club

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

We shall not be attending on the 11 th April but we do think a hearing should be held, as the possible noise level generated up to midnight in the club , we believe will impact on the quality of life for the residents of Sandpipers This being a residential as well as a small commercial area we think should be considered in the meeting , and loud noise levels from a club especially with a balcony for smoking will definitely be heard in the local residential areas We are not talking of noise within the walls of the club as the open air balcony will mean this noise will carried beyond the immediate area of the club My husband is very disabled and goes to bed by 8,30 pm and if he is kept awake by the noise this will definitely impact on his health I hope this hearing will decide in favour of the residents and not allow the license to be extended to midnight [REDACTED]

[REDACTED]

Sent from my iPad

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