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Licensing Act Sub-Committee Agenda

Date: Friday, 13th May, 2022

Time: 10.00 am

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 at the top of each report.

It should be noted that Part 1 items of Cheshire East Council decision making meetings are audio recorded and the recordings will be 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: Karen Shuker **Te**l: 01270 686459

E-Mail: <u>karen.shuker@cheshireeast.gov.uk</u> with any apologies

3. Application for a Premises Licence at House of Beauty, 2 Sunderland Street, Macclesfield, SK11 6JF (Pages 3 - 46)

To consider the above application.

Membership: Councillors D Edwardes, I Macfarlane and L Smetham



Working for a brighter futurë € together

Licensing Act Sub Committee

Date of Meeting: 13th May 2022

Report Title: Application for a Premises Licence at House of Beauty,

2 Sunderland Street, Macclesfield, SK11 6JF

Senior Officer: Paul Bayley –

Director of Neighbourhood & Environmental Services

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 Kerry Anderson, in respect of:

House of Beauty
2 Sunderland Street
Macclesfield,
Cheshire East,
SK11 6JF

- 2.2. The Licensing Act Sub-Committee is requested to consider the application and any relevant representations and determine what steps, if any, it considers are appropriate to promote the Licensing Objectives.
- 2.3. Acting in the capacity of the Licensing Authority, Members must seek to promote the Licensing Objectives and where Members consider that matters have engaged one or more of the Objectives, they may exercise their discretion.

The Licensing Objectives are:

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

3. Reasons for Recommendations

3.1. The Licensing Act Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003 and the Council's Constitution.

4. Other Options Considered

4.1. Not applicable.

5. Background

- 5.1. On 18th March 2022 a valid application was received by the Licensing Department for the grant of a Premises Licence in respect of House of Beauty, 2 Sunderland Street, Macclesfield. The application was sent for consultation the same day on 18th March 2022. The last date for representations to be made was 18th April 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 4**.

- 5.3. The operating schedule indicates that the relevant licensable activities applied for are:
 - Provision of Indoor Sporting Events
 - Supply of alcohol
 - Provision of Recorded Music
 - Provision of Late Night Refreshment
- 5.4. The hours applied for are as follows:
 - Provision of Indoor Sporting Events
 Monday to Sunday 10:00 to 22:00hrs
 - Supply of alcohol (for consumption on the premises)
 Monday to Sunday 10:00 to 24:00hrs
 - Provision of Recorded Music (Indoors)
 Monday to Sunday 10:00 to 24:00hrs
 - Provision of Late Night Refreshment
 Monday to Sunday 10:00 to 22:00hrs
- 5.5. Members of the Licensing Sub-Committee are reminded that the provision of Late Night Refreshment does not become a licensable activity under the Licensing Act 2003 until after 23:00hrs. Therefore, the hours applied for in respect of Late Night Refreshment do not fall within the definition of licensable activity, and as such, are not relevant to the material application for the grant of a Premises Licence. Accordingly, this was reflected in the Public Notices.
- 5.6. Licensing records show that the Public Notice that is required to be displayed at or near the proposed premises in accordance with The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005, has been inspected by a Licensing Officer and confirmed to be present and correct. The Public Notice has also been duly advertised in the Macclesfield Express newspaper, as required.

5.7. Responsible Authorities:

5.7.1. The Licensing Authority has not received representations from any of the responsible authorities, save for Cheshire Constabulary. On 12th April 2022 the Licensing Authority received an email from Cheshire Constabulary confirming they had entered into dialogue with the applicant during the consultation period, and that their proposed conditions had been expressly agreed by the applicant. The proposed conditions, and the applicant's agreement, are set out in **Appendix 2**.

5.8. Other Persons:

5.8.1. The Council has received one representation against the application, from a member of the public. A copy of the objection is attached to this report at **Appendix 3**.

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 much 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 reoffending.

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 – Councillor Liz Braithwaite
 7.2. Macclesfield Central – Councillor 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: Martin Kilduff

Job Title: Licensing Enforcement Officer Email: martin.kilduff@cheshireeast.gov.uk

Appendix 1 – Application & plan of premises

Appendix 2 – Email from Police 12/4/22 – Conditions agreed with applicant

Appendix 3 – Representation from member of the public

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	y time and resume it later. You do not nee	ed 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 b	behalf of the applicant? 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	KERRY	
* Family name	Anderson	
* E-mail		
Main telephone number		Include country code.
Other telephone number		
☐ Indicate here if you we	ould prefer not to be contacted by teleph	one
Are you:		
Applying as a busines.	s or organisation, including as a sole trade	
Applying as an individ	dual	person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.
Applicant Business		
Is your business registered in the UK with Companies House?	n 🔿 Yes 🕟 No	Note: completing the Applicant Business section is optional in this form.
Is your business registered outside the UK?	○ Yes	
Business name	House of Beauty	If your business is registered, use its registered name.
VAT number -		Put "none" if you are not registered for VAT.
Legal status	Sole Trader	

Continued from previous page		
Your position in the business		
Home country	United Kingdom	The country where the headquarters of your business is located.
Business Address		If you have one, this should be your official
Building number or name	2	address - that is an address required of you by law for receiving communications.
Street	Sunderland Street	
District		
City or town	Macclesfield	
County or administrative area	Cheshire	
Postcode	SK116JF	
Country	United Kingdom	
Section 2 of 21		
PREMISES DETAILS		
	ply for a premises licence under section 17 of the premises) and I/we are making this application the Licensing Act 2003.	
Premises Address		
Are you able to provide a posta	al address, OS map reference or description of t	the premises?
AddressOS ma	p reference O Description	
Postal Address Of Premises		
Building number or name	2	
Street	sunderland street	
District		
City or town	macclesfield	
County or administrative area	cheshire	
Postcode	sk116jf	
Country	United Kingdom	
Further Details		
Telephone number		
Non-domestic rateable value of premises (£)	11,500	

Secti	on 3 of 21					
APPI	ICATION DETAILS					
In wh	nat capacity are you applyi	ng for the premises licence?				
\boxtimes	An individual or individua	als				
	A limited company / limit	ted liability partnership				
	A partnership (other than	n limited liability)				
	An unincorporated assoc	iation				
	Other (for example a stat	utory corporation)				
	A recognised club					
	A charity					
	The proprietor of an educ	cational establishment				
	A health service body					
	· -	ed under part 2 of the Care Standards Act n independent hospital in Wales				
	Social Care Act 2008 in re	ed under Chapter 2 of Part 1 of the Health and espect of the carrying on of a regulated ing of that Part) in an independent hospital ir				
	The chief officer of police	of a police force in England and Wales				
Conf	firm The Following					
\boxtimes	I am carrying on or propo the use of the premises for	osing to carry on a business which involves or licensable activities				
	☐ I am making the application pursuant to a statutory function					
	I am making the applicat virtue of Her Majesty's pr	ion pursuant to a function discharged by erogative				
Secti	on 4 of 21					
INDI	VIDUAL APPLICANT DET	AILS				
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			
•	YesNo		Select "No" to enter a completely new set of details.			
First	name	kerry				
Fam	ily name	Anderson				
Is the	e applicant 18 years of age	or older?				
• Yes		○ No				

Continued from previous page		
Current Residential Address		
	similar to) the address given in section one?	If "Yes" is selected you can re-use the details
○ Yes	○ No	from section one, or amend them as required. Select "No" to enter a completely new set of details.
Building number or name		
Street		
District		
City or town	macclesfield	
County or administrative area	cheshire	
Postcode		
Country	United Kingdom	
Applicant Contact Details		
Are the contact details the sam	ne as (or similar to) those given in section one?	If "Yes" is selected you can re-use the details
Yes	○ No	from section one, or amend them as required. Select "No" to enter a completely new set of details.
E-mail		
Telephone number		
Other telephone number		
* Date of birth	dd mm yyyy	
	,,,,	Documents that demonstrate entitlement to
* Nationality	British	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?	01 / 12 / 2021 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	of the premises	

Continued from previous	page	
licensing objectives. WI	here your application incl	ation and layout and any other information which could be relevant to the udes off-supplies of alcohol and you intend to provide a place for ude a description of where the place will be and its proximity to the
coffee shop ,with 10 tak afternoon teas with alco		cclesfield , away from residential properties and wanting to start serving
If 5,000 or more people expected to attend the premises at any one tin state the number expedattend	ne,	
Section 6 of 21		
PROVISION OF PLAYS		
See guidance on regula		
Will you be providing p	olays?	
○ Yes	No No	
Section 7 of 21		
PROVISION OF FILMS		
See guidance on regula	ated entertainment	
Will you be providing fi	ilms?	
○ Yes	No	
Section 8 of 21		
PROVISION OF INDOO		
See guidance on regula	ated entertainment	
Will you be providing in	ndoor sporting events?	
Yes	○ No	
Standard Days And Ti	mings	
MONDAY		Civa timin ma in 24 h avy ala ak
	Start 12:00	Give timings in 24 hour clock. End 22:00 (e.g., 16:00) and only give details for the days
	Start	of the week when you intend the premises End to be used for the activity.
TUESDAY	Start	to be used for the activity.
TUESDAY		
	Start 12:00	End 22:00
	Start	End
WEDNESDAY		
	Start 12:00	End 22:00
	Start	End End
	Jan	LIIU

Continued from previous page.	••		
THURSDAY			
Star	t 12:00	End [22:00
Star	t	End	
FRIDAY			
Star	t 12:00	End [22:00
Star	ι [End	
SATURDAY		-	
Star	t 12:00	End [22:00
Star	t	End	
SUNDAY			
Star	t 12:00	End [22:00
Star	t	End	
		L	e relevant further details, for example (but not
exclusively) whether or not m			e relevant further details, for example (but not
sports events on normal tv			
State any seasonal variations	for indoor sporting even	ts	
For example (but not exclusive	vely) where the activity w	rill occur on ac	dditional days during the summer months.
small function room			
		ed for indoor s	sporting events at different times from those listed in the
column on the left, list below	1		
For example (but not exclusive	vely), where you wish the	activity to go	on longer on a particular day e.g. Christmas Eve.
new years eve and boxing da	у		
Section 9 of 21			
PROVISION OF BOXING OR V	WRESTLING ENTERTAIN	MENTS	
See guidance on regulated en	ntertainment		
Will you be providing boxing	or wrestling entertainme	ents?	
○ Yes	No		

Continued from previous	s page			
Section 10 of 21				
PROVISION OF LIVE M	MUSIC			
See guidance on regul	lated entertainment			
Will you be providing	live music?			
	No			
Section 11 of 21				
PROVISION OF RECO	RDED MUSIC			
See guidance on regul	lated entertainment			
Will you be providing	recorded music?			
Yes	○ No			
Standard Days And T	imings			
MONDAY				Charles to 24 hand a
	Start 10:00	End	24:00	Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days
	Start	End		of the week when you intend the premises
	Start	Liid		to be used for the activity.
TUESDAY				
	Start 10:00	End	24:00	
	Start	End		
WEDNESDAY				
	Start 10:00	End	24:00	
	Start	End		
THURSDAY				
THURSDAY				
	Start 10:00	End	24:00	
	Start	End		
FRIDAY				
	Start 10:00	End	24:00	
	Start	End		
CATUDDAY				
SATURDAY				
	Start 10:00	End	24:00	
	Start	End		
SUNDAY				
	Start 10:00	End	24:00	
	Start	End		

Continued from previous page.	••		
Will the playing of recorded r	nusic take place indoors	Where taking place in a building or other	
Indoors	Outdoors	○ Both	structure tick as appropriate. Indoors may include a tent.
State type of activity to be au exclusively) whether or not m	· · · · · · · · · · · · · · · · · · ·	~	further details, for example (but not
un amplfied			
State any seasonal variations	for playing recorded mu	usic	
For example (but not exclusive	vely) where the activity v	will occur on additional da	ays during the summer months.
Non-standard timings. Where in the column on the left, list	•	ed for the playing of reco	orded music at different times from those listed
For example (but not exclusive	vely), where you wish the	e activity to go on longer	on a particular day e.g. Christmas Eve.
new year and boxing day			
Section 12 of 21			
PROVISION OF PERFORMAN	ICES OF DANCE		
See guidance on regulated e	ntertainment		
Will you be providing perform	nances of dance?		
○ Yes	No		
Section 13 of 21			
PROVISION OF ANYTHING CO	OF A SIMILAR DESCRIPT	TION TO LIVE MUSIC, RE	CORDED MUSIC OR PERFORMANCES OF
See guidance on regulated e	ntertainment		
Will you be providing anythir performances of dance?	ng similar to live music, r	recorded music or	
○ Yes	No		
Section 14 of 21			
LATE NIGHT REFRESHMENT			
Will you be providing late nig	ght refreshment?		
Yes	○ No		
Standard Days And Timings	S		

Continued from previous	page				
MONDAY					Give timings in 24 hour clock.
	Start 10:00		End	22:00	(e.g., 16:00) and only give details for the days
	Start		End		of the week when you intend the premises to be used for the activity.
TUESDAY					
	Start 10:00		End	22:00	
	Start		End		
WEDNESDAY					
	Start 10:00		End	22:00	
	Start		End		
THURSDAY					
	Start 10:00		End	22:00	
	Start	\exists	End		
FRIDAY					
	Start 10:00		End	22:00	
	Start	=	End		
SATURDAY					
	Start 10:00		End	22:00	
	Start		End		
SUNDAY					
	Start 10:00		End	12:00	
	Start		End		
Will the provision of late both?		ent take place i	ndoors or c	outdoors or	
Indoors	Ou ⁻	tdoors	○ Both		Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.
State type of activity to exclusively) whether or		•	_		urther details, for example (but not
unamplified					
State any seasonal varia	ations				
For example (but not ex	cclusively) where	e the activity wil	l occur on a	additional da	ys during the summer months.

Continued from previous	page				
Non-standard timings. \text{\text{those listed in the colur}}				pply of late r	night refreshments at different times from
For example (but not ex	clusive	ly), where yo	ou wish the activity to	go on longer	on a particular day e.g. Christmas Eve.
Section 15 of 21					
SUPPLY OF ALCOHOL					
Will you be selling or su	pplying				
• Yes	•	○ No			
Standard Days And Ti	mings				
MONDAY					Give timings in 24 hour clock.
	Start	10:00	End	24:00	(e.g., 16:00) and only give details for the days of the week when you intend the premises
	Start		End		to be used for the activity.
TUESDAY					
	Start	10:00	End	24:00	
	Start		End		
WEDNESDAY					
	Start	10:00	End	24:00	
	Start		End		
THURSDAY					
	Start	10:00	End	24:00	
	Start		End		
FRIDAY	Start		Liid		
FRIDAY	.	10.00		24.00	1
	Start	10:00	End	24:00	
	Start		End		
SATURDAY					1
	Start	10:00	End	24:00	
	Start		End		

Continued from previous page			
SUNDAY			
Start	10:00	End 24:00	
Start		End	
Will the sale of alcohol be for c	onsumption:		If the sale of alcohol is for consumption on
On the premises	Off the premises	Both	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 exclusive	ely) where the activity will occi	ur on additional da	ays during the summer months.
Non-standard timings. Where to column on the left, list below	:he premises will be used for t	he supply of alcoh	ol at different times from those listed in the
For example (but not exclusive	ly), where you wish the activit	ty to go on longer	on a particular day e.g. Christmas Eve.
new years eve			
State the name and details of t licence as premises supervisor		to specify on the	
Name			
First name	susan		
Family name	Edwards		
Date of birth	dd mm yyyy		

Continued from previous page			
Enter the contact's address			
Building number or name			
Street			
District	cheshire		
City or town	macclesfield		
County or administrative area			
Postcode			
Country	United Kingdom		
Personal Licence number (if known)			
Issuing licensing authority (if known)	wrexham		
PROPOSED DESIGNATED PRE	MISES SUPERVISOR CO	NSENT	
How will the consent form of t be supplied to the authority?	he proposed designated	premises supervisor	
C Electronically, by the pro	posed designated premi	ises supervisor	
 As an attachment to this 	application		
Reference number for consent form (if known)	:		If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.
Section 16 of 21			70.0.0.0.00
ADULT ENTERTAINMENT			
Highlight any adult entertainr premises that may give rise to			ent or matters ancillary to the use of the
	nildren, regardless of whe	ether you intend childr	ary to the use of the premises which may give ren to have access to the premises, for example gambling machines etc.
none at all			
Section 17 of 21			
HOURS PREMISES ARE OPEN	TO THE PUBLIC		
Standard Days And Timings			
MONDAY			Give timings in 24 hour clock.
Start	08:00	End 24:00	(e.g., 16:00) and only give details for the days of the week when you intend the premises
Start		End	to be used for the activity.

Continued from previous page						
TUESDAY						
Start	08:00	End	24:00			
Start		End				
WEDNESDAY						
	08:00	End	24:00			
Start		End				
THURSDAY						
	08:00	End	24:00			
	00.00		24.00			
Start		End				
FRIDAY						
	08:00	End	24:00			
Start		End				
SATURDAY						
Start	08:00	End	24:00			
Start		End				
SUNDAY						
Start	08:00	End	24:00			
Start		End				
State any seasonal variations						
For example (but not exclusively) where the activity will occur on additional days during the summer months.						
sports events that are abroad						
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.						
new year and sports events						
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)						

Continued from previous page				
List here steps you will take to promote all four licensing objectives together.				
CCTV signs , Clear signage stating drugs etc are not ,excepted , pub watch signage				
b) The prevention of crime and disorder				
Train staff to reconise situations that may occur and minimise possible situations,ask for ID Join Pub watch schemes and outdoor lights				
c) Public safety				
Staff will be able to control situations and keep , Enviromental standards high and will have staff trained in first aid and dealing with all situations accordingly ,CCTV				
d) The prevention of public nuisance				
customers will not be served if they become a nuisance , staff will be trained to look for situations before they occur,CCTV Join pub watch schemes , litter patrols				
e) The protection of children from harm				
All children accompanied by adults and left the premises by 8pm,Sufficiant staff ,Proof of ID				
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 your 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 15000-14999 £2,000.00 Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

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

100

* 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

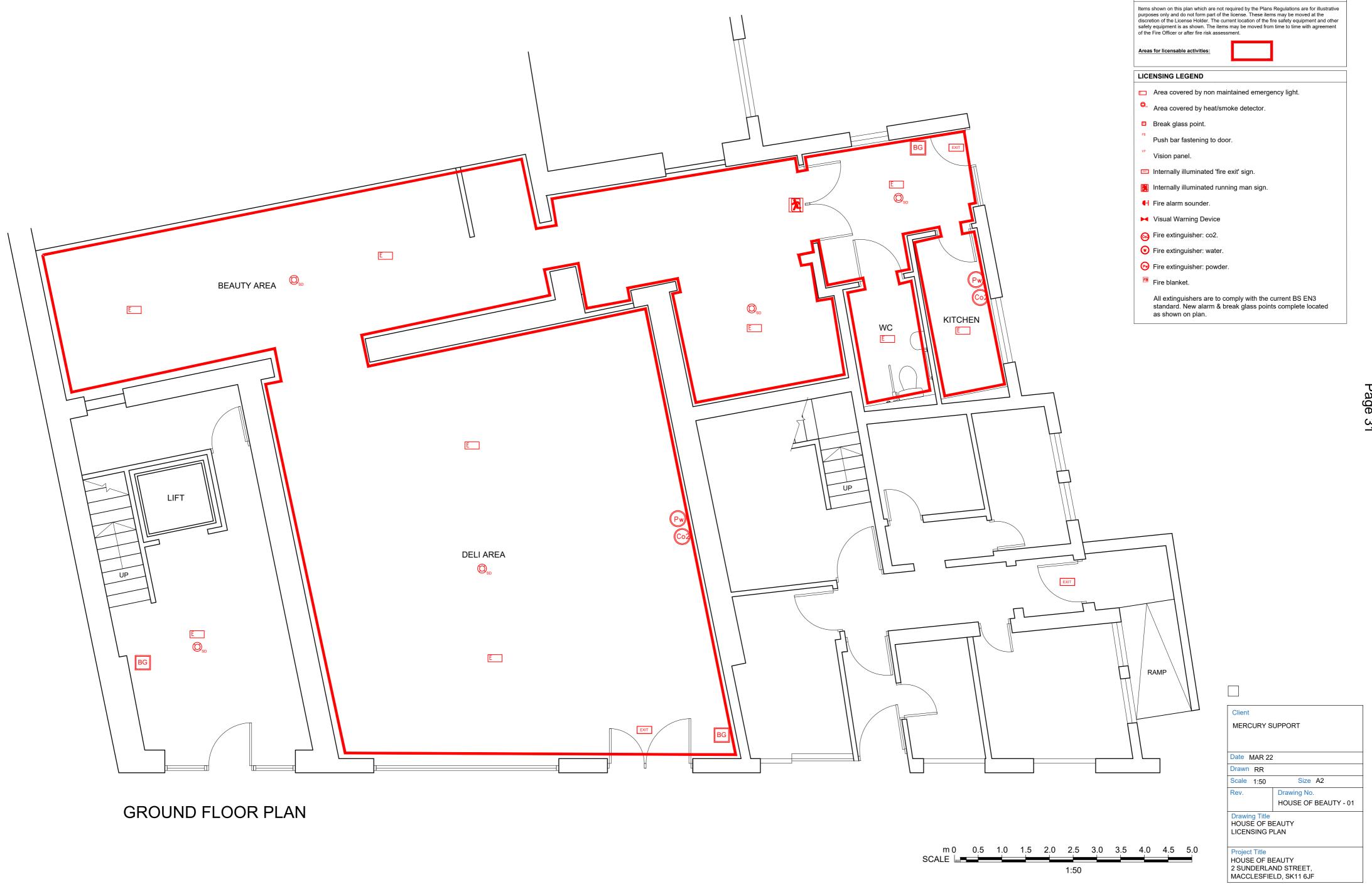
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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	
Applicant reference number	
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	
1 <u>2</u> <u>3</u> <u>4</u>	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next>





LICENSING NOTES



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KILDUFF, Martin

From: Kelly Warburton @cheshire.police.uk> on behalf of Crewe

Licensing < general ge

 Sent:
 12-Apr-2022 16:06

 To:
 HASKELL, Tony

Subject: RE: [EXTERNAL] New Premises Licence Application: House of Beauty, 2 Sunderland

Street, Macclesfield, SK11 6JF ~[OFFICIAL]~

Attachments: House of Beauty.doc; [EXTERNAL] Re: Proposed Conditions - House of Beauty

~[OFFICIAL]~

Follow Up Flag: Follow up Flag Status: Follow up

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.

Good Afternoon,

In relation to the below application for House of Beauty, I have spoken with the applicant and agreed on suitble conditions for the business. We have also agreed to amended the sale of alcohol times, to allow a drinking up time. Please find attached agreed representations form and email acceptance from the applicant. On behalf of Cheshire Constabulary, I can confirm that with these conditions in place I have no objections to the application.

Many Thanks

Kelly

Kelly Warburton – Police Licensing Officer

Mobile 07

Mobile 07

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Crewe Police Station | Civic Centre | Crewe | Cheshire CW1 2DW.

<u>neshire.pnn.police.uk</u>

☐ <u>nire.pnn.police.uk</u>☐ <u>@cheshire.pnn.police.uk</u>☐ <u>heshire.pnn.police.uk</u>

Subject: [EXTERNAL] New Premises Licence Application: House of Beauty, 2 Sunderland Street, Macclesfield, SK11 6JF

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.

Good Morning,

Please find attached a new premises licence for House of Beauty. The last date for consultation is the 15th April 2022.

Please forward any comments to myself by then.

Tony Haskell | Cheshire East Council Licensing Administrative Officer Regulatory Services and Health Municipal Buildings, Earle Street, Crewe, CW1 2BJ

T: 0300 123 5015

E: <u>Licensing@cheshireeast.gov.uk</u>

W: http://www.cheshireeast.gov.uk/business/licensing/licensing.aspx



Working for a brighter future together

Confidentiality: This email and its contents and any attachments are intended only for the above named. As the email may contain confidential or legally privileged information, if you are not the above named person or responsible for delivery to the above named, or suspect that you are not an intended recipient please delete or destroy the email and any attachments immediately.

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https://www.cheshireeast.gov.uk/council and democracy/council information/website information/privacy

-notices/privacy-notice.aspx

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Page 37 CHESHIRE EAST COUNCIL

Representation Form.

Responsible Authority.

POLICE

Your Name	Kelly	Warburton	
Job Title	Police	e Licensing Officer	
Postal and email address	Crewe Police Station,		
	Civic	Centre, Crewe, CW1 2DW	
Contact telephone number			
Contact telephone number			
Name of the premises you are			
making a representation about.	House of Beauty		
Address of the premises you are making a representation about.	2 Sunderland Street, Macclesfield, SK11 6JF		
Which of the four licensing	Yes	Please detail the evidence supporting your representation	
Objectives does your	Or	Please detail the evidence supporting your representation. Or the reason for your representation.	
representation relate to? Please	No	Please use separate sheets if necessary	
state yes or no.	110	Trodoc dec coparate cricote il ricocccary	
The Prevention of harm to children			
	Yes	See Comments	
To provent Dublic Niviana	+		
To prevent Public Nuisance			
To prevent crime and disorder			
	Yes	See Comments bn ;p	
Public Safety			
I dollo Galety			
	10 -		
Suggested conditions that could be	See E	Below:	
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.			
to diednist.			

AMENDMENTS:

The conditions below are to replace the conditions in relation to CCTV, Challenge 25 and staff training offered by the applicant on the application.

The supply of alcohol times will also be amended to allow a 15 minute drinking up time, therefore the sale of alcohol will be the following:

Monday - Sunday: 10:00 - 23:45

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.

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: 12/04/2022



KILDUFF, Martin From: kerry galley Sent: 12-Apr-2022 15:54 Kelly Warburton To: [EXTERNAL] Re: Proposed Conditions - House of Beauty ~[OFFICIAL]~ Subject: 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. All ok by me Thankyou **Kerry Anderson** On Tuesday, April 12, 2022, 3:42 pm, Kelly Warburton Hi Kerry, Following on from our telephone conversation, I have attached a proposed conditions form for, House of Beauty. I have amended/expanded the conditions you offered on your application to ensure they appear as workable conditions on the licence once it is granted and also changed the time for supply of alcohol, to allow a drinking up time. Please have a read through it, if you have any questions at all, feel free to give me a call. If you are happy to accept these conditions, please reply to this email stating your acceptance. Kind Regards, Kelly Kelly Warburton - Police Licensing Officer

Crewe Police Station | Civic Centre | Crewe | Cheshire CW1 2DW.



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Representation 1

From:

Sent: 22-Mar-2022 16:07

To: LICENSING (Cheshire East) <

Subject: Premises License Objection - House of Beauty, 2 Sunderland Street, Macclesfield, SK11

6JF

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.

To who this may concern,

House of Beauty, 2 Sunderland Street, Macclesfield, SK11 6JF

I am emailing to strenuously object regarding the application of the premises license for 'House Of Beauty' my main concerns would be the noise pollution it would being to an already over populated area of the town. The increase in antisocial behaviour would be ten fold, already there are incidents between the hours of 10pm and 3am on a regular basis. There are already more than 6 licensed premises along the short stretch of Sunderland Street, adding another to this is bound to cause more incidents and police presence needed.

I currently above a shop, a few units up from 'House Of Beauty' and already have issues with the noise past 10pm due to local public houses etc. and the many incidents and issues related to alcohol and the consumption of alcohol.

With 'House Of Beauty' being so close to the train station I can see this becoming a hotspot for those coming back to Macclesfield from the city centres. These people are already intoxicated by the time they reach macclesfield and the last thing the town needs is yet another bar for them to gall into in auch close proximity. Especially for the innocent poeple returning to Macclesfield after work and sober. This can, as i have experienced many times be very intimidated to sole travellers.

Personally I think we have more than enough bars around this area of town not to grant another late license. 10pm should be the latest by far. I also see they have a cafe inside house of beauty so I am very unsure to why a alcohol license and music license should be necessary until 12am. Unless they plan to change into a bar open late nights?

My other concern would also be where would the customers of this establishment smoke? As I believe on the streets would massively increase the noise pollution in this area. Not only that the danger of drunken people staggering into the road when there us an extremely busy taxi rank just by the side. Macclesfield already has a large problem of litter and cigarette ends littering the pavement when it's the first impression many get of our town.

Again like I've said earlier I think this area of town is loud enough without other venues becoming licensed.

If you could please take this objection onboard that would be much appreciated as I have a large concern about this being granted.

If I could also be updated regarding this I would also appreciate that.

Thankyou

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