

Relevant Representations

Received on	From
11 September 2023	XXXXXXXXXXXXXXXXXXXX
<p>The information supplied in support of an application for a variation of licence dated 15th August 2023 has been examined by the Cheshire Fire Authority. We wish to make a representation to the Licensing Authority because we are of the opinion that the public safety objective has not been adequately addressed.</p> <p>The area(s) of concern are as follows:</p> <p>The premises is subject to an Enforcement Notice and a Prohibition Notice from Cheshire Fire and Rescue Service. The premises is prohibited for use by the public due to concerns for the safety of persons within the premises. It is clear that the premises is unsafe for use and the premises is unable to address public safety when the premises is used for an extended period of opening as requested in this licence variation.</p> <p>Should the Enforcement notice and Prohibition notice be satisfactorily complied with then we would remove our objections to this licence variation.</p> <p>Please would you advise us, at your earliest convenience, the date and time of the Licensing Committee hearing.</p> <p>This letter is without prejudice to any enforcement action that Cheshire Fire Authority may take under fire safety legislation.</p> <p>Please contact the inspecting officer named above should you wish to discuss this matter.</p> <p>Yours faithfully,</p> <p>XXXXXXXXXXXXXXXXXXXX</p>	

Received on	From
25 August 2023	XXXXXXXXXXXXXXXXXXXX
<p>Good afternoon,</p> <p>I have been made aware of an application submitted to Cheshire East Council to extend the operating hours of the licence at Capital Walk, High Street, Congleton by a further 2 hours, providing the sale and supply of alcohol and recorded music. I would like to take this opportunity to object not only to the extension of the existing licence but would also recommend a formal review of the original licence.</p> <p>With reference to the extension of the licence, my concerns are raised as the extended hours could affect the occupants ability to recognise hazards and reaction times. As you will be aware, the behaviours associated with alcohol may be detrimental to how occupants exit the building in the event of a fire. Where the building cannot provide a compliant layout and exit strategy in terms of fire safety, then these issues may be compounded during an emergency evacuation of the building.</p>	

I have serious concerns regarding public safety within the property, with particular regards to fire safety. We (Cheshire East Council) have served an enforcement notice under section 36 of the Building Act following a number of site visits where contraventions of the building regulations have been identified at the property. The contraventions include breaches to fire compartmentation, lack of fire resistance to elements of structure and lack of a fire strategy to justify the means of escape and occupancy levels to the property, as well as the construction of a non-compliant extension to the rear of the building. The areas of greatest concern are located within the Dublin Bar and the unit above, this location within the building obviously has particular relevance to the licence with it specifically being a bar area.

Following the issue of the section 36 notice the owners started to undertake minor works in an attempt to commence the required remedial works, they have since undone these measures and the building remains in a state of non-compliance in relation to fire safety. I am aware that Cheshire Fire Service have also issued enforcement notices against the owners and that the owners are continuing to fail to put the necessary measures in place to make the building safe. As such I have great concerns that the owners are not willing to take responsibility for the building and the safety of its occupants.

I understand that the original licence has a condition applied to ensure that they have a fire risk assessment in place. They cannot have a satisfactory FRA currently due to the amount of fire safety issues identified by Cheshire East Council and Cheshire Fire Service.

I would be grateful if you could advise if there is a formal process for recommending a review of the licence and how I may go about this, or if this email is sufficient to initiate a review. Please let me know if you need any further information regarding the issues identified at Capital Walk.

Kind regards

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