



## Premises Licence

**Premises Licence Number:**

**PREM1349**

### Part 1 - Premises Details

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

Proper Sound

8 Chestergate  
Macclesfield

Post Town: Macclesfield

Post Code: SK11 6BA

Telephone Number: 07971 077990

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Sale and supply of alcohol

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

**Sale and supply of alcohol**

Monday to Sunday

10.00 to 19.30 Each day

Extended to 21:00 on days of seasonal events in Macclesfield Town Centre.

Extended to 21:00 for six events in addition to the seasonal events in Macclesfield Town Centre.

The opening hours of the Premises:

Monday to Sunday

09.00 to 23.00 Each day

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

Both On and Off Supplies

## Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of Premises Licence:

Lucie Wright



Tel No: [REDACTED] E-Mail: [REDACTED]

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

N/A

Name, address and telephone number of designated Premises Supervisor where the Premises Licence authorises for the supply of alcohol:

Lucie Wright



Personal Licence number and issuing authority of Personal Licence held by designated Premises Supervisor where the Premises Licence authorises for the supply of alcohol:

Personal Licence Number: [REDACTED]

Issuing Authority: Warwick

Licence Issued: 25<sup>th</sup> October 2022

A handwritten signature in purple ink, appearing to read 'A Hinton'.

Signed by Amanda Hinton

On behalf of Cheshire East Borough Council

### **Annex 1 - Mandatory Conditions (as applicable)**

1. No supply of alcohol may be made under this Premises Licence –
  - a) at a time when there is no designated premises supervisor in respect of the Premises Licence, or
  - b) at a time when the designated premises supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under this Premises Licence must be made or authorised by a person who holds a Personal Licence.

### **Where a Village Hall is exempt from needing DPS under s.19 Licensing Act 2003**

Every supply of alcohol under the premises licence must be made or authorised by the Management Committee.

### **Mandatory condition where the licence authorises the exhibition of films**

The admission of children to the exhibition of any film must be restricted in accordance with section 20 of the Licensing Act 2003. Admission of children must be restricted in accordance with any recommendation made by the British Board of Film Classification or the Licensing Authority.

### **Prohibited conditions: plays**

1. In relation to a premises licence which authorises the performance of plays, no condition may be attached to the licence as to the nature of the plays which may be performed, or the manner of performing plays, under the licence.
2. But subsection (1) does not prevent a licensing authority imposing, in accordance with section 18(2)(a) or (3)(b), 35(3)(b) or 52(3), any condition which it considers necessary on the grounds of public safety.

### **Mandatory condition: Door supervision**

Each individual engaged in security activities at the premises must either:

- a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- b) be entitled to carry out that activity by virtue of Section 4 of the Private Security Industry Act 2001.

## **LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS)( AMENDMENT) ORDER 2014**

### **MANDATORY CONDITIONS**

#### **Condition 1**

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
  - a) Games or other activities which require or encourage, or are designed to require or encourage individuals to –
    - i. Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - ii. Drink as much alcohol as possible (whether within a time limit or otherwise);

- b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

### **Condition 2**

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

### **Condition 3**

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
  - a) A holographic mark, or
  - b) An ultraviolet feature

### **Condition 4**

The responsible person must ensure that –

- a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
  - i. Beer or cider: ½ pint;
  - ii. Gin, rum, vodka or whisky: 25ml or 35ml; and
  - iii. Still wine in a glass: 125ml;
- b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

## **The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—

- a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- b) 'permitted price' is the price found by applying the formula—

$$P = D + (D \times V)$$

Where —

- i. P is the permitted price,
- ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence—

- i. the holder of the premises licence,
- ii. the designated premises supervisor (if any) in respect of such a licence, or
- iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;

d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

e) 'valued added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 - Conditions consistent with the Operating Schedule**

### **Prevention of Crime and Disorder**

1 - CCTV shall be installed, operated and maintained at all times that the premises is open for licensable activities.

- The system shall record in real time and recordings will be date and time stamped.
- Recordings will be kept for a minimum of 28 days and downloaded footage will be provided free of charge to police or authorised council officers on request, (subject to the Data Protection Act 1998) within 24 hours of any request.
- At all times the premises are open for licensable activity, there will be a person on the premises who can operate the system sufficiently to allow police or authorised council officers to view footage on request

2 -Signage stating that CCTV is in operation at the premises will be clearly displayed at the premises.

3 - There will be a zero tolerance approach to any trouble.

4 - Alcohol will be sold responsibly and not sold to drunk people.

### **Public Safety**

5 - Fire Safety equipment will be on site and this will be checked annually.

6 -Promote a safe environment for public and staff.

7 -Staff will have basic first aid knowledge.

8 - Capacity will be kept in line with staffing levels.

### **Prevention of Public Nuisance**

9 – Music will be kept to moderate background level.

### **Protection of Children from Harm**

10 - The premises shall at all times operate a Challenge 25 policy to prevent any customers who attempt to purchase alcohol and who appear to the staff member to be under the age of 25 years without having first provided identification.

11 - Only a valid British driver's licence showing a photograph of the person, a valid passport or proof of age card showing the 'Pass' hologram are to be accepted as identification. Military ID Cards can also be accepted.

12 - Notices and/or posters advertising the Challenge 25 policy shall be placed in prominent positions at the premises.

13 - 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.

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

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

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

16 - The Premises Licence Holder must keep an incident logbook of complaints made pertaining to noise nuisance in which the DPS or other authorised officer must record the following information in respect of such complaints; the name and address of the complainant, a summary of the incident, the date and time it occurred and the steps taken to resolve it. The incident logbook or relevant entries from it must be made available for inspection to a Licensing Officer or Police Officer upon request within 72 hours.

17 - The Premises Licence Holder must submit an up-to-date and correct floor plan of the premises to the Licensing Authority prior to any licensable activity taking place.

### **Annex 4 – Plans**



## Premises Licence Summary

**Premises Licence Number:**

**PREM1349**

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

Proper Sound

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Macclesfield

Post Town: Macclesfield

Post Code: SK11 6BA

Telephone Number: 07971 077990

Where the Licence is time limited, the dates:

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

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09.00 to 23.00 Each day



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

Both On and Off Supplies

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

Lucie Wright



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:

Lucie Wright

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

Licence Issued: 25<sup>th</sup> October 2022

A handwritten signature in purple ink, appearing to read 'A Hinton'.

Signed by Amanda Hinton  
On behalf of Cheshire East Borough Council

## **Licensing Act 2003 – Premises Licence**

### **Duration of a Premises Licence**

A premises licence has effect until such a time that it is suspended, revoked or surrendered.

### **Duty to notify change of name or address**

The holder of a premises licence must, as soon as is reasonably practicable, notify the relevant licensing authority of any change of name or address.

Where the designated premises supervisor (DPS) under a premises licence is not the holder of the licence, he should notify the licensing authority of a change in name or address as soon as possible. The DPS must also notify the holder of the premises licence.

*Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie£500)*

### **Duty to keep and display licence**

The holder of a premises licence must ensure that the licence or a certified copy of it is kept at the premises in the custody of or under the control of the holder of the licence or a person who works at the premises whom the premises licence holder has nominated in writing. A notice should be prominently displayed at the premises specifying the position of any such nominee.

The premises licence holder has a duty to ensure that a summary of the licence or a certified copy of that summary is prominently displayed at the premises.

*Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)*

### **Duty to produce licence**

A constable or an authorised person may require production of the premises licence for examination. An authorised person must, if requested, produce evidence of his authority to exercise the power.

*Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)*

### **Theft or loss of premises licence**

Where a premises licence or summary is lost, stolen, damaged or destroyed, the holder of the licence may apply to the relevant licensing authority for a copy of the licence or summary. A fee of £10.50 is payable in relation to such an application.

Where an application is made for a replacement licence or summary the licensing authority must issue the holder of the licence with a licence or summary if it is satisfied that –

- (a) the licence or summary has been lost, stolen, damaged or destroyed; and
- (a) where it has been lost or stolen, the holder has reported that loss or theft to the police.

### **Surrender of premises licence**

Where the holder of a premises licence wishes to surrender his/her licence he/she may give the licensing authority a notice to that effect. The notice must be accompanied by the premises licence, or where that is not practicable, by a statement of the reasons for the failure to provide the licence. Where a notice of surrender is given, the premises licence lapses on receipt of the notice by the licensing authority.

### **Death, incapacity, insolvency of licence holder**

A premises licence lapses if the holder of the licence –

- (a) dies,
- (a) becomes mentally incapable (within the meaning of section 13(1) of the Enduring Powers of Attorney Act 1985)
- (b) becomes insolvent,
- (c) is dissolved, or
- (d) if it is a club, ceases to be a recognised club

(subject to provision for re-instatement in certain circumstances).

**Custody of Premises Licence  
Licensing Act 2003 – S.57 (3)(b)**

In accordance with Section 57 (2)(b) of the Licensing Act 2003

I/We ..... being the  
holder(s) of/Director of the company holding

Premises Licence number .....

relating to the premises known as .....

.....

.....

hereby nominate .....

as custodian of the said Premises Licence.

To conform with Section 57 (3)(b) of the Licensing Act 2003 this authorisation is hereby  
displayed.

.....  
Signed

.....  
Position

**S.57 Duty to keep and produce licence**

(2) The holder of the premises licence must secure that the licence or a certified copy of it is kept at the  
premises in the custody or under the control of-

(b) a person who works at the premises and whom the holder of the licence has nominated in writing  
for the purposes of this subsection

(3) The holder of the premises licence must secure that-

(b) a notice specifying the position held at the premises by any person nominated for the purposes of  
subsection (2), are prominently displayed at the premises.

(4) The holder of a premises licence commits an offence if he fails, without reasonable excuse, to comply  
with subsection (2) or (3).