

**CORNES, Jane**

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**From:**  
**Sent:** 15 February 2011 14:28  
**To:** Licensing Mail Box (Congleton)  
**Cc:**  
**Subject:** Wheelock Street  
**Importance:** High

To whom it may concern,

**RE: Planning Application for Nightclub, Wheelock St**

I have received notification today regarding a recent application for a nightclub premises close to the old Alhambra building. As you will be able to appreciate, this is within very close proximity to the Wallcroft Gardens estate, to which I am both a resident and a director.

This will without question have an adverse impact towards the estate which virtually backs onto the proposed venue. We already have severe disruption of a weekend from the opposite side of the estate by the club/bar Chocolate which we have notified you of previously.

On a separate note, we have had issues regarding anti-social behavior and criminal disorder in Middlewich which I am sure you can appreciate, adding another venue of this type will only make matters worse. For a quiet town/village I am amazed that you are even entertaining the idea of this.

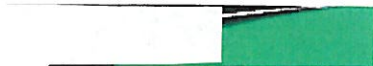
I strongly object to this and if you would like me to get a petition from the whole estate to voice their objection I will. Our house prices have taken enough of a tumble with recent goings on and this will only affect them negatively again.

Can you please lodge my objection on file:

I have copied one of the other directors into this message who will also be writing to you, as well as the managing director of our management company.

Please confirm receipt of this message

Many thanks



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- 0000  
uk

15/02/2011

**CORNES, Jane**

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**From:** [redacted]@com]  
**Sent:** 15 February 2011 13:15  
**To:** Licensing Mail Box (Congleton)  
**Subject:** Objection to Premise License at Variation for Bar 33 at First Floor, 33 Wheelock Street, Middlewich CW10 9AG.

Dear Sir/ Madame,

Please take this as a letter of objection to the granting of a Premise License at Variation for Bar 33 at First Floor, 33 Wheelock Street, Middlewich CW10 9AG.

This is on the grounds of public nuisance due to the extra noise it will cause residents at Wallcroft gardens.

I am a director of Wallcroft Gardens Residents Committee and represent the freeholder of the common areas.

Kind Regards

J MSc  
Management

BLI /PT

15/02/2011

**CORNES, Jane**

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**From:**

**Sent:** 15 February 2011 13:30

**To:** Licensing Mail Box (Congleton)

**Subject:** Objection to Premise License at Variation for Bar 33 at First Floor, 33 Wheelock Street, Middlewich CW10 9AG

Dear Sir/ Madam,

Please take this as a letter of objection to the granting of a Premise License at Variation for Bar 33 at First Floor, 33 Wheelock Street, Middlewich CW10 9AG.

This is on the grounds of public nuisance due to the extra noise it will cause residents at Wallcroft gardens. Residents who are already subjected to untold ongoing public nuisances.

I am a Wallcroft Gardens home owner and director of Wallcroft Gardens Residents Committee.  
Yours faithfully

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15/02/2011

**CORNES, Jane**

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**From:**

**Sent:** 16 February 2011 12:59

**To:** Licensing Mail Box (Congleton)

**Cc:**

**Subject:** Objection to Premise License at Variation for Bar 33 at First Floor, 33 Wheelock Street, Middlewich CW10 9AG.

Dear Sir/ Madame,

**Objection to Premise License at Variation for Bar 33 at First Floor, 33 Wheelock Street, Middlewich CW10 9AG.**

To whom it may concern,

Please take this as a letter of objection to the granting of a Premise License at Variation for Bar 33 at First Floor, 33 Wheelock Street, Middlewich CW10 9AG.

This is on the grounds of public nuisance due to the extra noise it will cause residents at Wallcroft gardens.

I am a director of Wallcroft Gardens Residents Committee and a resident here at Wallcroft Gardens. We already have significant issues with anti social behaviour, criminal activity and noise disturbance on the road. This is clearly reported in crime figures and previous complaints regarding noise disturbance. There is a concerted ongoing effort of police and community police officers to target vandalism and anti social behaviour on the road and surrounding area ie Tesco/ Council run car park area which can only be undermined by new premises of this kind opening and increase the problems for residents living here. Already there is regular disturbances and drunken behaviour happening in that area over weekends that impacts on the residents and my family is awoken almost every Friday and Saturday night / early hours due to this. I don't feel it is acceptable to grant licence for more premises to open that will impact so directly on this family estate where there are numerous young children residing.

Please acknowledge receipt of this complaint.

Kind Regards,

Middlewich

16/02/2011

22<sup>nd</sup> February 2011

Re: Bar 33, 33 Wheelock Street, Middlewich

and knowing that they have responded rather negatively to being approached by Environmental Health before, and heard them arguing aggressively in the street with people from other nearby businesses, I feel very uncomfortable and vulnerable so would like my name and address to be withheld.

I was not surprised but nonetheless extremely distressed to see that this place has a notice of a license application up. In its previous incarnation as Cassie's Lounge it caused me many months of absolute misery. The worst of this was their extremely loud music, often so loud that the lyrics were audible, and the bass vibrated through my building. I couldn't watch TV or listen to the radio as to have it loud enough to hear over the noise was painful. I couldn't sleep, earplugs couldn't block out the noise, especially with the vibrations as well. When the music stopped there would be further huge noise from people yelling in the street, and frequently this also included fighting and sometimes breaking windows of nearby shops, or attempts to do so. It was very common to have police and ambulances arriving. I was kept up by the music until 2am and then the street noise from the crowd hanging around outside their door until at least 2.30, and then it took further time to calm down enough to sleep because that level of noise for hours on end inevitably brings about a physical stress response.

As this went on I would be crying in absolute despair at being subjected to this, even on the quiet nights in the week I kept thinking of what I was going to have to face again the coming weekend. Environmental Health were tremendously helpful, they got a defensive and dismissive response from the person running the place when they visited to raise the problem initially so I had to keep diaries and then they brought round equipment so I could make recordings. Eventually, a year ago, I received this news in a letter from Environmental Health:

"Recently, Cheshire Police undertook a visit to the premises and identified a number of issues. The designated supervisor was informed that the consequences of these findings could result in the premise licence being reviewed. The designated premises supervisor decided that the most appropriate course of action would be to close Cassie's Bar and just operate Alhambra Restaurant."

The relief was overwhelming. Most of last year was blissful, just knowing I didn't have to face this every weekend any more.

Then suddenly, at the beginning of December, it all started again. A new sign went up and I feared the worst, and then one weekend the noise started, just the same as before. On this very first night the glass in their door was smashed and an ambulance was called to a woman I saw lying on the pavement in the freezing cold. I contacted Environmental Health, extremely upset, I couldn't believe that after all I'd gone through they could open up again as if nothing had happened just with a change of name. They informed me that they were operating on Temporary Event Notices and to keep them updated as to how things went, which I have done. Since New Year's Eve they have been shut but I knew this couldn't be the end of it, and then I saw the notice. From the evidence of the

end of last year it is clear they are a nuisance establishment in just the same way as led to them closing before, totally undermining the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder.

## LICENSING ACT 2003

### Environmental Health Consultation Response

Date Received: 26<sup>th</sup> January 2011

Name of Applicant: Man Wai Lee

Address to which application relates: Bar 33  
First Floor  
33 Wheelock Street  
Middlewich  
CW10 9AG

Conversion: ☐ Variation: ☒ New: ☐

☐ Approve

☐ Approve with Conditions

☒ Object

#### Observations

Environmental Health have significant concerns about the impact on local residents that the current application to vary the premise licence may have.

The premise was previously licensed for the proposed hours and Environmental Health undertook a formal investigation into noise nuisance from the premises which resulted in the serving of a Noise Nuisance Abatement Notice for amplified music. The current application for the licence variation, seeks to extend the hours for regulated entertainment and hours of opening back to the original times when we served the Abatement Notice. Furthermore as the business is being run by the same operators, we have no reason to believe the business will be managed any differently this time, if the extension to the hours is granted.

In addition, the premises operated under Temporary Event Notices at the end of last year, to which we received complaints of noise nuisance from local residents.

Therefore there is the potential that the extension of hours and an increase in the frequency and duration of regulated entertainment in the premises, as applied for in this variation, could cause a public nuisance to neighbouring residential dwellings. Consequently Environmental Health must object to the above variation under the licensing objective of the prevention of public nuisance.

SIGNED: Sarah Edge

DATED: 21<sup>st</sup> February 2011



# Cheshire East Borough Council

## Representation Form.

Responsible Authority.

POLICE

Your Name	David Smethurst
Job Title	Police Licensing Officer
Postal and email address	Police Office, Middlewich Road, Sandbach, CW11 1HU <a href="mailto:david.smethurst7541@cheshire.pnn.police.uk">david.smethurst7541@cheshire.pnn.police.uk</a>
Contact telephone number	01244 613580 (mobile 07796 440534)

Name of the premises you are making a representation about.	Bar 33
Address of the premises you are making a representation about.	First floor, 33 Wheelock Street, Middlewich, CW10 9AG

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	The effect of this application will be to return the nature and style of operation of these premises back to a late night licensed bar. When the same operators ran these premises in this way previously it undermined the Crime and Disorder, Public Nuisance and Prevention of Children from Harm licensing objectives and there seems nothing to differentiate its intended use from how it ran previously. Therefore the effect of allowing this application will be to give them the opportunity, once again, to undermine the licensing objectives.
To prevent Public Nuisance	Yes	As above
To prevent crime and disorder	Yes	As above
Public Safety	No	

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.	
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Signed: David Smethurst

Date: 17/02/11