

8th February 2011

The Landlord

Bluebell Public House

Smallwood

Dear Sir,

Following on from our phone conversation, I can confirm that one of our guests increased the music volume at our party on the 5th of February. Your staff informed us immediately and took action to reduce the volume as soon as it happened.

As a resident in Smallwood, I believe a good pub is one of the core facilities at the heart of a rural community. Smallwood has few enough facilities and I am delighted to see a growing, local business offering residents a high quality, professionally run establishment. I am pleased to see that you are planning to build on the recent improvements to the services being provided by the Bluebell and I wish you every success with your application to further improve your facilities.

Yours faithfully,

The Licensing Dept
Cheshire East council
Municipal buildings
Earl Street
Crewe
Cheshire
CW1 2BJ

07/02/11

Re: The Blue Bell Pub Smallwood.

Dear Sir or Madam,

I enclose the letter that I wrote to John Wray in support of the Blue Bell and its expansion.

The village can only benefit from the input of the young and ambitious. There seem to be a lot of people that have objections to the projects but they are possibly from a "not in my back yard" view, this is not the opinion of everyone in the village.

I live opposite the Blue Bell and have done for 22 years approximately. My family and I enjoy the Blue Bell and have no cause to complain, we are very happy to see it trying to expand and develop, in an effort to do well.

Yours faithfully

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RE: Bluebell parking issues

From

Sent: 24 January 2011 11:12:51

To:

Dear John,

I am writing in response to your copied letter to Malcolm McCuaig, I feel that the opinions of Mr Craig are not necessarily those of the whole village. He gives the impression that we are all in agreement. We are not. I very strongly object to the thought of yellow lines, hatching and plastic bollards on our junction.

I feel that maybe Mr Craig is over reacting to the possibility that the pub will be so very busy. I am sure if this did happen, the the landlord would be only too happy to do something about the problem.

I have lived in the village for 22 years and the pub has gone through three different landlords in this time, all of whom thought that they would run the most popular pub in Cheshire. Yes at times it can be very busy but only once every couple of months or so.

When Bob Slack had the pub there were cars parked up the road as far as the Brownlow most Friday and Saturday evenings. There were no complaints then. I am worried that this is turning into a bit of acampaign.

A few years ago a group of villagers tried to get a speed limit or some speed bumps put on the junction so that our children could walk to school, no one would help then, and personally I feel that children walking safely to school is of much more importance. So bearing that in mind, if there are cars parked up the lane on a regular basis the traffic has to slow down, making the junction actually safer.

In my 22 years here I cannot think of one instance when the lane has been blocked, for emergency vehicle or others. There are always two sides to a debate, and the side being driven forward is that of pro yellow lines and bollards. Really a terrible addition to any rural community.

I urge you to please, please think of a more environmentally friendly solution to this possible, potential issue, that would suit all, including the young landlord and his family who are trying to run a friendly and quaint public house that serves good food and good beer.

yours sincerely

Subject: Blue Bell Licence

Date: Monday, February 21, 2011 09:52

From:

To: <licensing@cheshireeast.gov.uk>

Conversation: Blue Bell Licence

For the attention of Jane Corns

Dear Jane,

I am following up our conversation at the end of last week.

Enclosed a letter of representation signed by a number of the residents who live immediately adjacent to the Blue Bell or on the un-adopted Lane. Attached to it are the minutes of a recent meeting between the landlord, police, Highways, two local residents, and John Wray (Rural Councillor). These minutes have been agreed by the landlord, the residents present and the police. Others present have not responded as yet.

For reasons of some immediate local difficulty in scanning documents I have enclosed your attention copies of the documents and as jpgs the final signature pages for the minutes (page5.jpg) and the letter of representation (Rogerla.jpg)

I will separately deliver the same original documents to the Council offices at Sandbach today.

All those living in the vicinity of the Blue Bell effected by the Blue Bell entertainment activities have now commented in writing.

I believe a meeting with residents and other interested parties is now needed so a decision can be taken as to whether the proposed route to manage the Blue Bell entertainment licence going forward is acceptable to Licensing, or whether given the circumstances it would be more appropriate to undertake a full review of the Blue Bell entertainment licence, and indeed the need and scope of the licence should the Restaurant be completed.

I would be grateful if you would confirm receipt of these documents.

Please note that further evidence of public nuisance resulting from Blue Bell activities will shortly be submitted to Vilma Robson in her role of enforcement officer.

Yours sincerely

Roger Craig

Tel:

23 FEB 2011

Modification of Licence for Blue Bell Public House Smallwood. Inclusion of Restaurant following planning consent for application 10/3927C

Dear Sir,

We write as residents living in the immediate locality of the Blue Bell and would express our concerns regarding the scope of activities planned for a relatively small site on a 60mph road at a complex junction of rural roads. As residents we have already expressed our concerns to Licensing regarding how this business is currently being run and associated issues of public nuisance and public safety.

The proposal for a restaurant extension at the Blue Bell has the support of all residents. As stated in correspondence from residents during the consultative phase of the planning application 10/3927C, the Blue Bell is important to the community, and it is recognised that in this day and age such businesses cannot survive on beer alone. However planning permission also encompasses a Marquee, formerly a temporary structure, which is currently used for lunchtime and evening functions.

Evidence collected by residents at the request of Highways during the recent planning process, demonstrates that the current bar/restaurant business plus evening Marquee events leads to displacement of traffic onto the highways leading to obstruction of private drive ways and cars parked dangerously contrary to the highway code. Where drivers have clearly broken the Highway Code, this must be dealt with by the Police as they are the enforcement officers in such instances.

Since the Marquee as a permanent structure now forms part of the new planning consent, any further custom from the proposed restaurant can only result in the displacement of further vehicles onto the public highway.

Recently, residents have held extensive discussions with Highways, the Police, the landlord (Karl D'annunzio Bruns) and John Wray (Rural Councillor Cheshire East) as how best to resolve the impact of the proposed expansion at the Blue Bell on those in the immediate vicinity, whilst ensuring that the business can thrive. Conclusions and action plan are summarised in the agreed minutes of a meeting held on Tuesday the 15th February 2011 (enclosed), the key features being the removal of the Marquee and an increase in on-site parking space. Subject to the actions proposed being carried out within a formal legal framework through attachment of the minutes to the licence, residents would support the inclusion of the proposed new restaurant within the current licence.

In summary residents would be grateful if Licensing would take steps to ensure that the current action plan is implemented at all times by the landlord, and advise whether the recent agreed actions to address residents concerns going forward maybe attached as a condition to the current Blue Bell Licence proposal. The landlord is supportive of this approach. Should this not prove acceptable then a formal review of the License will be requested.

We would also suggest that a meeting is arranged with residents to review enforcement of the current action plan agreed with Vilma Robson in 2009, and how this action plan might be amended once the Restaurant is in operation.

We look forward to your response in due course

Agenda

Blue Bell Review Tuesday 15th February 2011, 2.00pm at
Jubilee House Farm CW11 2XB

Attendees:

Roger Craig (Chairman and Resident)
(Resident)
Russell Thomas (Congleton Police)
John Wray (Congleton Rural Councillor)
Karl D'annunzio Bruns (Publican)
David Chan (Highways)

1. Introduction
2. On-site review of increased car parking options, need for planning permission?
options to rent space on long-term lease
3. Disabled Parking and signage on un-adopted Lane
4. Displacement of cars on the highways. Improved road markings at junctions and
enforcement. Role of Parish Council
5. Status of Marquee post completion of Restaurant
6. Taxis on-site pick-up area?
7. Current operations outside of agreement with residents. Resident concerns on
public nuisance and public safety. Compliance and the revision of conditions of
existing license.
8. Recording evidence for benefit of Licensing, Highways and the Police. The need
for transparency
9. Conclusions and Actions
10. AOB

Minutes of meeting held at 2.00pm Tuesday 15th February 2011 to resolve outstanding issues relating to Blue Bell expansion plans for the mutual benefit of residents and Blue Bell management and staff.

Participants:

Roger Craig (Chairman and Resident)
Resident)
Russell Thomas (Congleton Police)
John Wray (Congleton Rural Councillor)
Karl D'annunzio Bruns (Publican)
David Chan (Highways)

1. Introduction.

Roger Craig welcomed those present and reminded them that proposed expansion plans at the Blue Bell following recent planning consents had caused local concerns in particular related to public safety and public nuisance in the locality of the Blue Bell and the road junction. The purpose of the meeting was to resolve outstanding issues and document the conclusions.

2. Displacement of traffic onto the public highways.

It was agreed that the best approach was to increase on-site parking and consider the possibility of leasing adjacent land for temporary over-spill parking. This would limit the need for parking on the highways.

Karl identified space for an additional 8 on-site parking spaces. Potential space for temporary parking was identified on land owned by [redacted] and [redacted]. Karl would approach the [redacted]s with a view to leasing temporary car park space whilst Roger Craig would raise the matter with [redacted]. Ideally the lease might be for 25 years and the space accommodate 20 or more vehicles.

Karl also identified improvements in the present plans which would increase the width of the current parking area giving more room for manoeuvre and better access for taxi pick-up.

3. Disabled parking and restricted access to the un-adopted lane.

It was agreed that the historical property boundary of the Blue Bell would be the line of cobbles and that this should be extended by a white line to meet the hedgerow on the Blue Bell side of the un-adopted lane. Karl then outlined plans already agreed in principle with the residents to provide four or five disabled parking spaces within the Blue Bell property line positioned head on to the Blue Bell. The final positioning would be agreed following advice from David Chan (Highways).

Signage would be agreed limiting all access to the un-adopted lane to residents, disabled parking and Blue Bell deliveries, and directing all customer traffic to the new Congleton Road entrance and parking space.

Polite notices would also be positioned on the Parlour Cottage wall requesting that there should be no parking so as to maintain access at all times to the un-adopted lane. Final signage to be approved by David Chan (Highways)

Karl agreed he would re-tarmac the Blue Bell forecourt and un-adopted lane as necessary and repair pot-holes, maintenance of the un-adopted lane thereafter to be shared with residents.

4. Parking on the Highways

Russell Thomas emphasised the need for event management, and the use of traffic cones to deter inappropriate parking. It was agreed that as a first step cones would be used on "event" days to deter parking in and around the road junction. Karl would manage this and inform the police where possible one month ahead of the proposed event that cones would be in use at the junction on specified dates.

It was agreed that road lighting should be limited to the new car park entrance, and that in the event traffic problems persisted then further steps would be implemented. This might include white lining but would be reviewed at the time.

To encourage "sensible" parking practice polite notices should be displayed in the Blue Bell, and on Blue Bell literature and booking forms, to remind customers that in the event parking on the roads was necessary that vehicles should be single parked pointing in the correct direction and with a parking light displayed.

5. The Marquee

Karl stated that the Marquee would be removed as a "permanent" structure on completion of the restaurant. The decking would be retained and the Marquee used for one-off functions only, being erected before any given function then taken down the following day. Karl emphasised that he planned to use the Marquee primarily for weekday lunchtime events (Christenings, weddings and funerals) but in the event there was an evening disco function that music would be limited to the use of an MP3 type device and no band/disco sound amplification would be acceptable. Karl expressed the view that the Marquee would not be used for Friday, Saturday and Sunday evening functions since this would overstretch his resources at a busy time for the restaurant.

It was noted (now confirmed) that the Marquee represented a permanent structure under the current planning consent, and that this was not a satisfactory situation. This would be resolved by the submission of a new planning application which set out revised on-site parking proposals and eliminated the Marquee as a permanent structure. The use of the Marquee as a temporary structure as outlined above would then be an acceptable under the licence.

6. Recording incidents

The continuing need for residents to report and record dangerous or obstructive parking and noise pollution was discussed, in particular the discomfort this gave to

certain "regular" customers. It was agreed that the way forward was a consistent message to all that no one who parked in a designated parking space or an acceptable manner on the public highway should be concerned. Where inappropriate parking occurred as a first step the driver should be identified by Blue Bell staff and asked to move and park elsewhere. In the event the customer did not comply then the police would be informed and the incident recorded.

7. It was noted by residents that Karl's compliance with the conditions of the existing licence as set out in the action plan of November 2009 was not always good. Since circumstances were changing Roger Craig was of the view that the best way forward was to ask for a review of the license, and that during this review steps would be taken to ensure that the actions agreed at this meeting were implemented and that a new action plan be agreed and implemented to encompass the expanded business. Emphasis should be placed on noise pollution at Trap House Farm which was particularly exposed to Marquee noise and would be more exposed to noise from taxi pick-ups when all traffic was re-directed to the single car park entrance on the Congleton Road. The use of the Marquee as a temporary structure for lunchtime events only and on-site evening taxis pick-ups should largely resolve this issue. Karl accepted that a new action plan should be agreed but asked that this be done in discussion with Vilma Robson of Licensing (enforcement) as soon as possible so as to avoid the need for a formal review of the license. This was agreed on the proviso that the minutes of this meeting when circulated were agreed in writing by all present as a true reflection of the meeting. The minutes would then be presented to the licensing committee for its imminent review of the Blue Bell restaurant with a covering letter from residents which supported the inclusion of the restaurant under the current license subject to the applicant (Karl) taking agreed actions as set out in these minutes. Roger Craig agreed to prepare a new action plan for discussion with Vilma Robson which reflected the needs of residents and the expanded Blue Bell business going forward.

Russell Thomas emphasised the need for Karl and residents to work together in their mutual interest, and Roger Craig reminded Karl that residents had always supported the new restaurant proposal, but not under circumstances which compromised the interests and well being of residents or at the expense of one or more residents. It was agreed that not everybody's needs could be accommodated all of the time, but with good will and compromise a working solution could be found.

8. The Meeting closed following a site inspection

Actions:

Karl

1. Prepare and submit a new planning application detailing revised customer on-site parking, the restaurant and no Marquee. Dismantle Marquee on completion of the Restaurant

2. Initiate negotiations with regarding a lease of land for over spill/temporary parking for 20 or more vehicles

3. Arrange a meeting as soon as possible between residents and Vilma Robson to review and agree a new action plan, the basis of the entertainment license going forward. Discuss and agree improved Blue Bell documentation highlighting the need for considerate customer parking on the highways
4. Agree with Highways new signage for the redirection of customer traffic to the Blue Bell car park using access off the Congleton Road
5. Agree with Highways the positioning of up to five disabled parking spaces within the Blue Bell property line adjacent to the un-adopted lane. Mark out, re-tarmac and repair potholes.
6. Source traffic cones and advise police of planned events.
7. Discuss issues of noise pollution with (Trap House Farm). Explain new plan and address any concerns raised.

Roger Craig

1. Discuss with the possibility of Karl leasing land for temporary car parking
2. Agree with Highways and residents all new signage limiting access to the un-adopted lane, to residents, disabled parking and deliveries
3. Prepare new Licensing action plan for discussion with Karl, Vilma Robson and other residents

These minutes reflect the discussions which took place and the actions agreed

Signed:

Name: I

Date: 16/02/2011

16/2/11

18/2/11

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