








Statement of Licensing Policy Consultation 2024

Summary of responses

Introduction

During April / June 2024 Cheshire East Council undertook a consultation to seek views on the proposed revisions to the statement of licencing policy for 2024 – 2029.

In total 137 completed responses were received.

1. Which of the following best describes who you are you responding as? Please select one box only				
Answer Choices			Response Percent	Response Total
1	A local resident		60.15%	80
2	Cheshire East Employee		2.26%	3
3	A local business		29.32%	39
4	A member of a voluntary or community organisation		1.50%	2
5	An elected town or parish councillor in Cheshire East		3.01%	4
6	An elected Member of Cheshire East		0.75%	1
7	Other (please specify):		3.01%	4
			answered	133
			skipped	4

Change of wording

The following changes of wording were proposed:

- Paragraph 1.3: Wording change to reflect the Corporate Plan aims, e.g., Fair, Open, Green
- Paragraph 2.1: Substitute sustainable entertainment industry for entertainment and hospitality sector
- Paragraph 2.14: 'To achieve its aims' amended to 'To achieve our aims'
- Paragraph 3.1: Licensee substituted with licence holder.
- Paragraph 7.1: Reference to Safer Cheshire East Partnership plan changed to community safety priorities identified by the Safe Cheshire East Partnership
- Appendix 2: Reference to Chairman changed to Chair.

58% of respondents agreed with the revised changes to the wording.

3. How strongly do you agree or disagree with the changes to the wording? Please select one option only							
Answer Choices	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Unsure / don't know	Response Total
	20.31% 26	37.50% 48	32.81% 42	0.78% 1	3.13% 4	5.47% 7	128
						answered	128
						skipped	9
If you have any comments to make on the changes to the wording, please detail below: (8)							
1	Totally unnecessary changes. Making the whole language more subjective						
2	It's hard enough for venues to make a living as it is without the requirement to be a "sustainable entertainment industry"						
3	Do you need to put green in para 1:3						
4	Makes a layman difficult in understanding the lengthy section. Most of it is common sense which you seem to lack in the long-winded bits						
5	Rather pedantic.						
6	Pleased to see you are un-gendering roles, though surprised it's taken till 2024 to recognise the importance of this						
7	No issues with wording						
8	A chair is a piece of furniture - why not say Chairman or Chairwoman?						

Additional wording

The following additional wording was proposed:

- Paragraph 1.7: The Licensing Authority has not designated any area within the Borough as exempt (under schedule 2 of the deregulation act 2015) from the requirement for licensing of the provision for late night refreshment.
- Paragraph 2.12: In cases where a departure occurs, the Licensing Authority shall provide reasons for the departure in the decision notice issued following a determination.

66% of respondents agreed with the additional wording.

4. How strongly do you agree or disagree with the additional wording? Please select one option only							
Answer Choices	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Unsure / don't know	Response Total
	24.81% 32	41.09% 53	23.26% 30	3.10% 4	2.33% 3	5.43% 7	129
						answered	129
						skipped	8
If you have any comments to make on the additional wording, please detail below: (5)							
1	These make sense						
2	It's hard enough for venues to make a living as it is without the requirement to be a "sustainable entertainment industry"						
3	Some areas, highly residential for example, should be exempt.						
4	There needs to be more information available on your portal giving full details of application. We would like to have consistency in opening and closing times. There are householders living in Knutsford town centre and we receive complaints about noise especially the filling of bins with empty glass bottles 01.00-02.00 hours in the morning.						
5	No issues with wording						

New paragraph

The following new paragraphs are proposed:

- Paragraph 7.9: Set out that applicants need to consider spiking of drinks. Results in the renumbering of the remaining paragraphs
- Paragraph 8.11: Establish the Licensing Authority's expectations around measure to prevent terrorist attacks. References Martyn's Law
- Paragraph 9.11: Establish the Licensing Authority's expectations for outdoor events and directs applicants to consider the guidance issued by the Environmental Protection Team
- Appendix 2: Note number 8 added to clarify the situation with a Review Hearing and TEN Hearing
- Appendix 2: Summary of Procedure paragraph 13 added in

71% of respondents agreed with the new paragraphs proposed.

5. How strongly do you agree or disagree with the new paragraphs? Please select one option only							
Answer Choices	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Unsure / don't know	Response Total
	27.91% 36	43.41% 56	16.28% 21	4.65% 6	1.55% 2	6.20% 8	129
						answered	129
						skipped	8
If you have any comments to make on the new paragraphs, please detail below: (11)							
1	It's hard enough for venues to make a living as it is without more environmental red tape						
2	the implementation of Martyn's Law needs to be proportionate between risks and costs.						
3	Surprisingly, parking arrangements are not referred to in the policy. The largest event in the Nantwich area is a fireworks display prior to Bonfire Night that in recent years has gridlocked local streets because of uncontrolled parking.						
4	Again, long winded what happened to common sense and plain English.						
5	I don't support policies that are too restrictive and remove personal responsibility.						
6	Not everyone will know what "Martyn's Law" is.						
7	Environment team needs to follow up on waste, whether it is just left in view of the street and if it is emptied regularly.						
8	<ul style="list-style-type: none"> ▪ That the premises manager and security supervisor/manager can evidence attendance at a Counter Terrorism (CT) Awareness session delivered by Counter Terrorism Policing Northwest (CTPNW) trained personnel as soon as reasonably practicable. - Members of staff will need to attend but not clear when this is at the moment. Please can you direct us to appropriate sessions and timing. ▪ That Designated Premises Supervisors in all cases must have registered to have attended a CTPNW course within 28 days of being named on the licence and be able to evidence this if requested by the Police or an authorised officer of the Council. Staff members will need to undergo this training but no training courses available in the area at the moment. Please can you direct us to appropriate training.						
9	Could a new paragraph be added to direct applicants to the outdoor events guides such as the green guide for sports grounds and the purple guide for outdoor events where appropriate.						
10	Need to define Martyn's Law properly.						
11	Who will pay for these online courses? Are there grants available?						

Additional sample conditions

The following sample conditions have been added:

1. All tables and chairs shall be removed from the outside area by xx:xx hours each day.
2. The external doors of the Premises shall be kept closed except for immediate access and egress and the windows shall be locked shut from xx:xx hours until the Premises closes.
3. Where SIA registered door supervisors are used at the premises, a record shall be kept of their SIA registration number and the dates and times when they are on duty.
4. A copy of the premises licence shall be provided to any company involved in the provision of licensable activities at the premises.
5. The door supervisor[s] shall properly control customers outside the Premises so that they leave quickly and quietly and do not congregate on the pavement outside the Premises [causing noise and nuisance to residents living in the vicinity]

New section giving sample conditions to support Martyn's Law

78% of respondents agreed with the additional sample conditions.

6. How strongly do you agree or disagree with the additional sample conditions? Please select one option only							
Answer Choices	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Unsure / don't know	Response Total
	36.15% 47	42.31% 55	13.08% 17	1.54% 2	3.85% 5	3.08% 4	130
						answered	130
						skipped	7
If you have any comments to make on the sample conditions, please detail below: (12)							
1	Makes sense						
2	It's hard enough for venues to make a living as it is without more red tape from the council						
3	In case of fire why are doors and windows being locked						
4	Most tables on certain pubs take up some of the footway						
5	Item 2 what about fire regs when premises are being used						
6	Excellent and considerate addition.						
7	Windows locked shut? What if there is a fire? Crazy idea.						
8	I'm so pleased Martyn's law is being recognised						
9	These seem fine although I wonder whether windows being locked shut should be amended to just say shut - surely locking them presents a safety risk in the event of an emergency? The risk of noise pollution is surely less significant than the loss of life if people needed to leave via windows, for example in a terrorist attack or fire?						
10	Point 2 - what about during hot weather? Closing windows whilst there are still customers inside may result in customers overheating, becoming uncomfortable and leaving.						
11	No issues						
12	Point 2: some businesses will need their external doors open during operational hours for air flow e.g., on hot days. Will this still be allowed?						

Other revisions

The following revisions are also proposed:

- Throughout: Footnotes added in where appropriate
- Paragraph 1.6: Update, latest Statutory Guidance issued in December 2023. Reference to their website removed and footnote to the policy included.
- Remove paragraph 12.2: No longer any need to specifically confirm that online applications are available. Remaining paragraphs renumbered.
- Annex 1: New document added - guidance for large scale outdoor events prepared by the Council's Environmental Protection Team.

57% of respondent agreed with the other revisions.

7. How strongly do you agree or disagree with the other revisions? Please select one option only							
Answer Choices	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Unsure / don't know	Response Total
	18.75% 24	38.28% 49	34.38% 44	0.78% 1	3.91% 5	3.91% 5	128
						answered	128
						skipped	9
If you have any comments to make on the other revisions, please detail below: (3)							
1	It's hard enough for venues to make a living as it is without more red tape from the council						
2	Again, environmental team need to cover noise levels for neighbours, planning of waste disposal etc at realistic hours, parking and when alcohol selling ends.						
3	Would it be possible to direct applicants to the outdoor events guides such as the green guide for sports grounds and the purple guide for outdoor events where appropriate?						

The policy overall




71% of respondents agreed that the policy addresses all the matters they would expect it to.










8. How strongly do you agree or disagree that the policy addresses all the matters you would expect it to? Please select one option only							
Answer Choices	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Unsure / don't know	Response Total
	18.46% 24	52.31% 68	22.31% 29	0.77% 1	3.08% 4	3.08% 4	130
						answered	130
						skipped	7
What, if anything, was missing from the policy? (12)							
1	Nothing comes to mind						
2	It's hard enough for venues to make a living as it is without more red tape from the council						
3	No mention of smoking or vaping nuisance - will bins be provided						
4	Because the policy can cover an exceptionally wide set of circumstances, the implementation/delivery of certain actions in that policy will depend on individual interpretation, sometimes of necessity on the spur of the moment, and in a challengingly difficult public sector resourcing environment. Hence, the policy can never be fully comprehensive, and will require regular update/review.						
5	See comment on lack of parking control for large-scale outdoor events.						
6	Historically the policy has failed to account for the potential impacts of granting a new licensing application for an existing but unlicensed commercial property a residential area. None of the proposed amends address this						
7	Nothing as such						
8	Too much sub sections then layman can't understand the not so common sensicle						
9	Common Sense.						
10	Licensee and employees to be held responsible for service to intoxicated customers and their subsequent actions which result in offences and criminal actions						
11	It should be made clear that the venue is responsible for cleaning away all the mess that late night drinkers leave behind that night.						
12	A policy banning venues from advertising with fly-posters - i.e. posters illegally put up without the consent of the landowner. This was a problem in Macclesfield some years ago. Venues that use fly-posters should lose their licences.						






Other comments

9. Do you have any other comments to make on the proposed revisions and/or on the policy as a whole? Please write in below			Response Percent	Response Total
Answer Choices			Response Percent	Response Total
1	Open-Ended Question		100.00%	17
1	No			
2	No comment.			
3	No comment.			
4	It's hard enough for venues to make a living as it is without more red tape from the council			
5	None			
6	As a retired licence holder, it's very long winded. The need for sub sections and sections using descriptions is unnecessary. Keep it simple succinct and plain English			
7	Mostly good but the usual bad additions			
8	Public houses to stop serving alcohol by 23.00, clubs to close by 01.00 and providers of late-night food to close by 01.30.			
9	Reading through the changes they all appear to cover what is needed in the policy			
10	Licensing applications on your portal have full applicant details. Consistency in time of late opening/serving times to make our towns safer late at night and awareness of people living in town centres.			
11	More spot checks on public houses in relation to cigarette smoking outside especially at the front of premises and the litter generated			
12	The wording in paragraph 8:11 Establish the Licensing Authority's expectations to prevent "Terrorist Attacks" seems very ambitious and open to misjudgement.			
13	no			
14	no			
15	<p>During the application stage, ensure that applicants are directed to the requirements of the Fire Safety Order 2005 including the need for a suitable and sufficient fire risk assessment detailing the hazards present, people who are at risk and details on any control measures that are in place.</p> <p>In order to make a proper determination on the proposals the provision of better-quality floor plans should be mandated, including the number and width of any fire escape doors, the calculated occupancy of the building and the maximum travel distance to a relative or ultimate place of safety. As well as information on the level of automatic fire detection present and the location of any firefighting equipment (fire extinguishers).</p> <p>This is especially appropriate for any wedding licence applications where larger numbers of people are gathering where alcohol may be served.</p>			
16	This was a misleading survey, as many of the revisions lacked an explanation to what they were referring to.			
17	Keep it simple and understandable for everyone			
			answered	17
			skipped	120

Demographics







11. What is your gender identity? Please select one option only				
Answer Choices			Response Percent	Response Total
1	Male		57.95%	51
2	Female		36.36%	32
3	Prefer not to say		5.68%	5
4	Other gender identity, please specify:		0.00%	0
			answered	88
			skipped	49

12. What age group do you belong to? Please select one option only				
Answer Choices			Response Percent	Response Total
1	16-24		1.14%	1
2	25-34		2.27%	2
3	35-44		3.41%	3
4	45-54		15.91%	14
5	55-64		29.55%	26
6	65-74		20.45%	18
7	75-84		20.45%	18
8	85 and over		1.14%	1
9	Prefer not to say		5.68%	5
			answered	88
			skipped	49




13. What is your ethnic origin? Please select one option only				
Answer Choices			Response Percent	Response Total
1	White British / English / Welsh / Scottish / Northern Irish / Irish		89.53%	77
2	Any other White background		0.00%	0
3	Mixed: White and Black Caribbean / African / Asian		1.16%	1
4	Asian / Asian British		1.16%	1
5	Black African / Caribbean / Black British		0.00%	0
6	Prefer not to say		6.98%	6
7	Any other ethnic group, please specify:		1.16%	1
			answered	86
			skipped	51

13. What is your ethnic origin? Please select one option only

14. Which of the following best describes your religious belief / faith? Please select one option only

Answer Choices			Response Percent	Response Total
1	Buddhist		1.15%	1
2	Christian		55.17%	48
3	Hindu		0.00%	0
4	Jewish		1.15%	1
5	Muslim		0.00%	0
6	Sikh		0.00%	0
7	None		32.18%	28
8	Prefer not to say		6.90%	6
9	Other religious belief / faith, please specify:		3.45%	3
			answered	87
			skipped	50

15. Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months? This includes problems related to old age. Please select one option only

Answer Choices			Response Percent	Response Total
1	Yes		25.00%	22
2	No		68.18%	60
3	Prefer not to say		6.82%	6
			answered	88
			skipped	49