

APPENDIX 01

CADMAN, Nikki

From: Bollington Town Council [bollington.tc@btconnect.com]
Sent: 11 October 2011 11:13
To: CADMAN, Nikki
Cc:

Subject: Cafe Waterside Clarence Mill Bollington - Premises Licence

Hi Nikki

At the meeting of the Town Council last week this item was considered and residents of Clarence Mill were present. The residents were concerned about potential noise and disturbance and it was felt that noise from customers and music, particularly outside during the evening, could cause nuisance and this should be strictly controlled.

I am now aware that Environmental Health have proposed conditions (shown below) and I am also aware that the residents would be happy for the application to be approved subject to these conditions being applied.

These conditions address the Town Council's concerns and we will support this application subject to them applied and enforced.

1. The use of any outdoor areas by members of the public for the purpose of eating or drinking shall terminate at 21.30 hours
2. The playing of live music outdoors shall be restricted to acoustic instruments only (i.e. no amplified instruments / amplified voice) and should terminate at 18.00 hours on any day
3. The playing of recorded music indoors shall be background music only
4. The playing of live music indoors shall be restricted to acoustic instruments only (i.e. no amplified instruments / amplified voice).
5. Regular monitoring shall be made by the management to ensure that noise from the premises is controlled - for the purpose of ensuring that nuisance is not caused to the residents of the nearest properties.

David Naylor
Town Clerk

From:
Sent: 10 October 2011 10:28
To: CADMAN, Nikki
Subject: Re: PREMISES LICENCE APPLICATION - CAFE WATERSIDE,
CLARENCE
MILL, BOLLINGTON

Dear Nikki

Thank you for the update.

As I mentioned in my original Email I have no axe to grind with the owner nor do I have any concerns in the way the current owner manages her premises. I'm sure that the conditions mentioned below will be adhered to and I am considerate to the fact that businesses, in this current economic climate, need to diversify to survive and grow. For these reasons I think the adjustments detailed below are reasonable and, on the basis they will form part of the enforceable conditions, I therefore formally withdraw my objection.

I trust this clarifies matters

Kind Regards

On Mon, Oct 10, 2011 at 10:08 AM, CADMAN, Nikki
<nikki.cadman@cheshireeast.gov.uk> wrote:

From: CADMAN, Nikki
Sent: 10 October 2011 10:09
To:
Subject: PREMISES LICENCE APPLICATION - CAFE WATERSIDE, CLARENCE
MILL,
BOLLINGTON

Dear

Further to your email of 7th October 2011 regarding the above application. I write to inform you that our Environmental Health Officer has requested that the following conditions be placed on the Premises Licence. The applicant, Miss Taylor has agreed to these conditions in writing, so they will now form part of the enforceable conditions on the Premises Licence. In light of this amendment to the original application, I wonder if you could let me know if you would like to make any changes to your representation/objection.

I look forward to hearing from you at your earliest convenience.

Yours sincerely

Nikki Cadman

Licensing Officer

Cheshire East Council

As residential properties are situated within Clarence Mill, I would wish to ensure that noise nuisance / loss of residential amenity is not caused to the occupiers of the nearest dwellings and would therefore recommend that the following conditions are attached to an approval of this application.

1. The use of any outdoor areas by members of the public for the purpose of eating or drinking shall terminate at 21.30 hours
2. The playing of live music outdoors shall be restricted to acoustic instruments only (i.e. no amplified instruments / amplified voice) and should terminate at 18.00 hours on any day
3. The playing of recorded music indoors shall be background music only
4. The playing of live music indoors shall be restricted to acoustic instruments only (i.e. no amplified instruments / amplified voice).
5. Regular monitoring shall be made by the management to ensure that noise from the premises is controlled - for the purpose of ensuring that nuisance is not caused to the residents of the nearest properties.

From:

Sent: 07 October 2011 02:12

To: CADMAN, Nikki; LICENSING (Cheshire East)

Subject: Cafe Waterside, Clarence Mill, Bollington

Dear Nikki

I would like to object against the application for a licence to serve alcohol and live / recorded music until 10 p.m at Cafe Waterside, Clarence Mill, Bollington. I have no axe to grind with the current owner and have no issues with the way in which the Cafe is being managed at the moment. I cannot reasonably object to alcohol being served with food up until 5pm, it's current closing time but it is simply not an appropriate venue for the serving of alcohol and playing live and recorded music in the evening time. I believe that it would

constitute a public nuisance if the licence was allowed in it's current proposed form.

There are presently 39 licensed premises in Bollington according to figures provided by yourselves. According to the 2001 census the population of Bollington is 7095 (presumably this figure includes children). Figures quoted online suggest the 2011 figure, although not officially confirmed, is 7300. The adult population of Bollington is more than adequately provided for by the current number of licensed premises, many of whom I should imagine are struggling to survive in the current economic climate. On the main road through Bollington you will find a licensed premise every few hundred yards.

Many of the residents here justifiably feel 'under siege' at the moment. Despite numerous objections to the recent applications for a new church and 19 new apartments here at Clarence Mill (many of which cited the lack of capacity in the car park to cope with the huge increase in demand for car parking spaces if planning permission was granted) permission was granted after an appeal (following an initial refusal by Cheshire East Council) to the Planning Inspectorate. If Cafe Waterside were to be granted the licence they seek then this would put even more pressure on the quality of life and available car parking.

Quite simply, a unit within a Grade 2 Listed Building where every noise, car doors slamming etc. is magnified, is not the place for live and recorded music to be played. If you live in one of the apartments on the car park side of the mill you can hear every noise in the car park. Similarly if you live in one of the canal side apartments above the Cafe you are able to clearly hear every conversation of people sat outside the cafe or walking past. If a licence was granted to serve alcohol and play music until 10 p.m. this would be a real public nuisance. You only have to observe people seated or stood outside of a pub late at night to observe behaviour, including shouting and loud voices, which causes a public nuisance. The effect here at Clarence Mill would be magnified such are the acoustics of the site coupled with the canal running alongside the entire length of the mill.

I think that it should be made known that there is a S106 (Town and Country Planning Act 1990) Deed of Agreement in force (dated 27th March 2001) which specifies planning obligations (for the Mill site) that shall be binding and enforceable - this is currently being investigated by the Cheshire East Council Planning Enforcement Officer and their Solicitor after it was brought to their attention. Included in the list of obligations of this Agreement is the "Commercial Unit Usage Class", which should be limited to B1 Class Use or Residential use on the site in order to provide protection for the residential

element.

The only real peace residents here have is evenings and weekends when all of the commercial users of the site, except Canalside Community Radio, have gone. If Café Waterside were granted the licence they seek then whether live or recorded music was played inside the cafe or outside it would have a very real and significant effect on the quality of life for residents here, some of whom have simply had enough and have put their homes up for sale.

Yours Sincerely

APPENDIX 03

CADMAN, Nikki

From:
Sent: 10 October 2011 16:41
To: CADMAN, Nikki
Cc:
Subject: Fw: Cafe Waterside (Clarence Mill) Application
Follow Up Flag: Follow up
Due By: 11 October 2011 09:30
Flag Status: Red
Attachments: CafeWaterside1Email20111010.jpg; CafeWaterside2Email20111010.jpg

Dear Ms Cadman,

We write to object against the Application for a premises licence to allow the playing of live/recorded music and the sale and supply of alcohol until 10 pm Monday to Sunday at the Cafe Waterside, Clarence Mill, Bollington.

Please find attached email to you which certain Clarence Mill residents whose signatures appear at the end of this document fully endorse. The majority of the undersigned reside in Canalside Apartments above the Cafe. This document we and collectively composed and therefore we fully support the comments made.

Yours sincerely,

Friday, 7 October, 2011 2:13

From: [REDACTED]
Date: Fri, Oct 7, 2011 at 2:11 AM
Subject: Cafe Waterside, Clarence Mill, Bollington
To: "CADMAN, Nikki" <nikki.cadman@cheshireeast.gov.uk>, licensing@cheshireeast.gov.uk

Dear Nikki

I would like to object against the application for a licence to serve alcohol and live / recorded music until 10 p.m. at Cafe Waterside, Clarence Mill, Bollington. I have no axe to grind with the current owner and have no issues with the way in which the Cafe is being managed at the moment. I cannot reasonably object to alcohol being served with food up until 5pm, it's current closing time but it is simply not an appropriate venue for the serving of alcohol and playing live and recorded music in the evening time. I believe that it would constitute a public nuisance if the licence was allowed in it's current proposed form.

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APPENDIX 03

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Yours Sincerely

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APPENDIX 04

CADMA

From:**Sent:** 11 October 2011 08:21**To:****Cc:** CADMAN, Nikki;

jlemall.com

Subject: Re: Cafe Waterside, Clarence Mill, Bollington - objection against application of Cafe Waterside

Nikki,

I also object to this application for the reasons cited below.

Kind regards,

On 10 Oct 2011, at 21:38

Hello Nikki

I would like to object against the application for a licence to serve alcohol and live / recorded music until 10 p.m at Cafe Waterside, Clarence Mill, Bollington.

My reasons are stated below and you will see that I am in agreement with other residents who have objected against this licence application.

I have no axe to grind with the current owner and have no issues with the way in which the Cafe is being managed at the moment. I cannot reasonably object to alcohol being served with food up until 5pm, it's current closing time but it is simply not an appropriate venue for the serving of alcohol and playing live and recorded music in the evening time. I believe that it would constitute a public nuisance if the licence was allowed in it's current proposed form.

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11/10/2011

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Yours Sincerely

CADMA

From:**Sent:** 10 October 2011 21:38**To:** CADMAN. Nikki**Cc:****Subject:** Cafe Waterside, Clarence Mill, Bollington - objection against application of Cafe Waterside

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11/10/2011

APPENDIX 05

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Yours Sincerely

APPENDIX - G

Clarence Terrace

Clarence Mill Business Park

El Sub Sta

Rock Bank Rise

Swing-bridge

Chy

LB

Bowling Green

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