

Licensing Department
Cheshire East Council
Municipal Buildings
Earle Street
Crewe
Cheshire
CW1 2BJ

8th September 2014

Dear Sir or Madam,

Ref Applicant - V Bar, 26, West Street, Congleton, CW12 1JR

I am writing with regard to the above premises and their application to extend the existing licence to serve alcohol and play music until 03.30 AM.

I wish to register my objections to this application.

As a senior citizen in my eighties living next door but one to the bar, I am most concerned that this 03.30am application may be approved. The application is totally inconsiderate of the streets residents asleep in their own homes.

I feel that it would be ill considered to increase the drinking hours and entertainment license of this bar to such a late 03.30am hour of the morning on a **weekly basis every weekend**. As it stands now the existing noise situation is at times intolerable, let alone extending it! This bar plays very loud music and has even hosted events like an extremely noisy live striptease show (a copy of the advert attached). **Hardly a use that one would describe as functions or wedding receptions as the applicant's representatives advised to the Licensing Sub Committee when applying for the initial license, along with advising that the premises is not going to operate as a nightclub?** All as clearly stated in the full transcript of the decision from the Licensing Sub-Committee.

Should this type of extended drinking and entertaining with loud music playing not be confined to purpose built night clubs in their correct locations? Surely not in the middle of a residential area where the outfall is intolerable for the surrounding community thus spoiling decent people's lives.

In the past numerous complaints by me and other residents have been made to Stephanie in the environmental health department, but all to no avail! My neighbours and myself feel that we have been completely ignored and let down by the Council. We now no longer even bother keeping diaries of noise issues as suggested, or phoning in with complaints anymore, as it appeared to be a pointless waste of time!

I ask that you please give my objections to this application your most serious consideration.

Yours sincerely,

COPY OF STRIPTEASE ADVERT

LADIES NIGHT AT



Introducing STRIPPERAMA - A live male stripper!
Thursday 5th July from 7.30pm
(live shows start from 9pm)
Including a disco, drag show and 'The Full Monty'

Tickets only **£10**

Tickets include 20% off
at Tiamo Restaurant
(pre-book only)

Discount for large
parties - 12 tickets for
£100! (pre-book only)

Pick up your tickets from Tiamo Restaurant or V Bar
26 West Street, Congleton - or reserve by calling 01260 274027

STRIPPERAMA

01260 274027

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9th September 2014

Licensing Department
Municipal Buildings
Earle Street
Crewe
Cheshire
CW1 2BJ

Application Reference: - V Bar, 26, West Street, Congleton, CW12 1JR.

Dear Sir or Madam,

I am writing with respect to the above license application to extend the licensing and music entertainment hours up until a 03.30am in the early hours of the morning. I wish to register my objection to this application.

As the owner and resident of number 46, West Street, Congleton, for the past 59 years I have enjoyed living in our family home which is situated in a **Conservation Area** surrounded by other residential period and listed properties.

I am very concerned about the excessive licensing hours which have been applied for. The application licensing hours in which to play music and consume alcohol on a **weekly Friday/Saturday night basis until 03.30am** would seemingly be far more appropriate to the requirement of a nightclub establishment as opposed to a public bar.

I would like to bring to your attention that when the Licencing Sub-Committee made the initial licence decision to grant a licence, they were informed as follows and I now quote from your own transcript decision correspondence which you sent to me.

"The applicant's representatives have advised that they wish to open a restaurant and bar of such nature as to encourage the older generation back into Congleton. The applicants have advised that they do not propose to operate the premises until 02.00 each day of the week and that the application has been made in broad terms to allow flexibility. The applicant has advised that the premises is not going to operate as a nightclub and that the bar at the rear is intended for use for functions, such as wedding receptions".

I have attached a copy of the full transcript of the decision for your appraisal and it was on these perceived conditions put before the Sub-Committee that the license was granted and not as a (hoodwinked) **03.30am weekend nightclub!**

- **"Bar of such nature as to encourage the older generation back into Congleton"?**
- **"The applicant has advised that the premises is not going to operate as a nightclub and that the bar at the rear is intended for use for functions, such as wedding receptions"?**

My neighbours and myself, having attended the licensing meeting, most certainly did not envisage the possibility of any unsociable hours disruption of early morning revellers at 03.30am or even later spilling out onto a residential street on a potential **carte blanche weekly weekend basis!** In my opinion the V Bar's existing licensing hours are already very lenient for the location, especially with residential properties being situated either side. There is also an open outside public area to the bar, which if used for entertainment could cause a further noise nuisance to residents who already are affected by noise pollution from the venue, my neighbour now uses ear plugs to get sleep! This is a last resort despite having made numerous noise complaints to the relevant Council Department, all of which proved futile, not achieving anything other than what appeared to be lip service! I myself now on many nightly occasions have to keep my home windows shut, even on hot summer evenings despite the unpleasantness, but as a basic necessity just to keep the venue's late night noise out!

I am extremely concerned about yet further loud noise later in the quiet and still of night combined with any potential alcohol related anti-social behaviour that may occur. Another concern which I have is related to possible vandalism and property damage which is often associated to late night drinking, **especially at weekends;** Only recently there has been a spate of broken shop front windows in the vicinity.

Could you please give serious consideration to my objections. I am a retired senior citizen and at this time in my life to have my nightly sleep pattern being constantly disturbed on a **weekly/weekend basis throughout the year** would be intolerable to say the least.

Yours sincerely,

No. 1 The Courtyard, West Street, Congleton

The decision of the Sub-Committee taking into account:

- The Secretary of State's Guidance under section 182 Licensing Act 2003
- Cheshire East Borough Council's Statement of Licensing Policy
- The four licensing objectives (namely the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm)

upon hearing the evidence in this case was as follows:

DECISION

The Licensing Act Sub-Committee has been asked to consider the application for a Premises Licence under section 17 of the Licensing Act 2003.

The Sub-Committee have taken careful consideration of all the evidence presented in this matter, in particular we have heard evidence in person from representatives of the Applicant and from a number of interested parties.

The application seeks a Premises Licence for the sale and supply of alcohol and certain forms of regulated entertainment between the hours of 09.00 to 02.00 Monday to Sunday together with late night refreshment between the hours of 23.00 and 02.00 Monday to Sunday. The application also includes a proposed extension of the terminal hour in relation to all of the licensable activities applied for until 03.30 for New Years Eve.

* The applicant's representatives have advised that they wish to open a restaurant and bar of such a nature as to encourage the older generation back into Congleton. The applicants have advised that they do not propose to operate the premises until 02.00 each day of the week and that the application has been made in broad terms to allow flexibility. The applicant has advised that the premises is not going to operate as a nightclub and that the bar at the rear area is intended for use for functions, such as wedding receptions.*

The Sub-Committee has heard that, following discussion with the Police and Environmental Health Service, the applicant has agreed a number of conditions as follows:

The Police Conditions:

1. The proof of age scheme Challenge 25 will be operated for all sales of alcohol.
2. The Designated Premises Supervisor will regularly attend, or delegate another responsible member of staff to attend, meetings of the local Pubwatch and actively support its aims
3. A CCTV system will be installed at the premises to the satisfaction of the Police Licensing Officer and it must record at all times the premises are open to the public. Unedited images must be securely retained for at least 28 days and copies made freely available upon request to a constable or an employee of the Police Authority, Local Authority or SIA.
4. At all times the premises are open to the public there will be a member of staff on duty who is competent to operate the CCTV system and provide any copies requested.

5. Every Friday and Saturday and on New Years Eve there will be at least one door supervisor employed at the premises from 8 pm until the premises close to the public, except when the ONLY part of the premises open to the public is the Tiamo restaurant at the front of the premises when this condition will not apply.

6. The premises licence holder shall take all responsible steps to ensure that no open vessel is taken out of the premises onto any public footway or highway.

The Environmental Health Conditions:

1. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby residents.

2. Refuse such as bottles shall be disposed of from the premises at a time (i.e. between 08.00 to 20.00) when it is not likely to cause a disturbance to residents in the vicinity of the premises.

3. There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.

4. Whilst regulated entertainment is taking place, all doors and windows shall remain closed.

5. Regulated entertainment outside to cease by midnight (00.00).

The Sub-Committee has heard from local residents concerns about the operation of the licensable activities applied for in a residential area. The residents have stated that they would not object to the operation of a restaurant, however they have very serious concerns about the potential for public nuisance as a result of the terminal hours applied for. Concerns relate not only to noise emanating from the premises but also to the potential for noise from patrons leaving the premises in the early hours of the morning.

The Sub-Committee notes, that the subject to the agreed conditions the Police and the Environmental Health Department have no further representations in relation to the application.

The Sub-Committee has taken careful consideration of all the evidence in this matter and has determined that the operating schedule as amended below will be sufficient to prevent harm to the licensing objectives and therefore grants the application on the following basis:

1. The hours for the sale and supply of alcohol and the forms of regulated entertainment applied for will be as follows:

Sunday to Thursday 09.00 to midnight

Fridays, Saturdays and Sundays preceding Bank Holidays 09.00 to 02.00

New Year Eve 09.00 to 03.30

2. The hours for late night refreshment will be as follows:

Sunday to Thursday 23.00 to midnight

Fridays, Saturdays and Sundays preceding Bank Holidays 23.00 to 02.00

New Year Eve 23.00 to 03.30

3. The hours the premises are open to the public shall be:

Sunday to Thursday 09.00 to 00.30

Fridays, Saturdays and Sundays preceding Bank Holidays 09.00 to 02.30

New Year Eve 09.00 to 04.00

The Sub-Committee has determined to impose the terminal hours referred to above in order to prevent harm to the objective of the prevention of public nuisance, in the light of the close proximity of residential properties.

4. The Designated Premises Supervisor or other nominated member of staff, shall take reasonable steps to regularly monitor the level of noise emanating from the premises, with particular regard to the level which can be heard at the boundary of the nearest residential property.

5. Regulated entertainment outdoors after 22.00 shall be at 'background' level only.

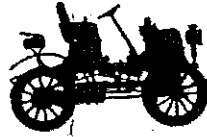
6. The Designated Premises Supervisor or other nominated member of staff, shall take reasonable steps to ensure that open vessels are not taken into the courtyard area after midnight.

These conditions have been imposed in order to prevent harm to the objective of the prevention of public nuisance.

7. The conditions suggested by the Police and Environmental Health Department, and agreed by the applicant, are imposed on the grant of the licence.

The Committee would wish to highlight the fact that should problems relating to the licensing objectives be linked to the operation of licensable activities at this premises then Responsible Authorities or Interested Parties may call for a review of the licence at any time.

Parties who made relevant representations have the right to appeal this decision to the Magistrates Court within 21 days as does the Applicant.



Coach House Valeting

PROFESSIONAL CAR VALETING SERVICE
WEST STREET CAR PARK, WEST STREET
CONGLETON, CHESHIRE. CW12 1JR.
TELEPHONE: 01260 299776

Licensing Department
Cheshire East Council
Municipal Buildings
Earle Street
Crewe
CW1 2BJ

10th September 2014

Application Reference – V Bar, 26, West Street, Congleton, CW12 1JR.

Dear Sir or Madam,

As the property owner and sole business proprietor of Coach House Valeting which is sited in close proximity to the applicant, I would like to object to the licensing hours applied for in relation to above application.

I am extremely concerned with respect to a 3.30am weekly weekend finish and the consequences it may entail with the consumption of alcohol until this unsociable hour of the morning on what would be entitled to be a regular Friday and Saturday night weekend occurrence, if the existing license is extended.

At present West Street at 3.30am is virtually silent in the still of night and should remain this way to ensure that its residents are embellished the entitlement of a peaceful night's sleep and properties remain to a certain extent untroubled by destructive vandalism.

As statistics clearly show alcohol consumption often fuels - noise, public urinating, vomiting, verbal abuse, wilful vandalism, violence and crime. We have all seen TV footage and media coverage of this type of despicable behaviour that affects so many of our cities and towns, especially apparent in the early hours of the morning when groups of people exit premises onto our streets and the vast expenses incurred in public services stretched to their limits in trying to contain these diabolical situations.

Only recently in the past few months there has been a spate of late night/early hour's shop window smashing incidents in the vicinity of West Street.

There are residential properties in very close proximity to the V Bar, which also has an adjacent outside area. Perhaps this factor and even the opening of the bars windows or doors, as smokers frequently go to the outside area to smoke, should be taken into consideration regarding playing music/entertainment and possible uncontained outside noise disturbance up until 3.30am, or even later as the premises is then vacated. There is also the associated factor of taxis/vehicle noise and peoples voices shouting in the still of night and early hours to be considered from West Street residents' perspective.

Congleton is a market town and West Street is primarily a residential area which has an abundance of properties of architectural heritage. West Street is sited within the towns conservation area and I would ask consideration be given to this and other aforementioned concerns.

Yours Sincerely,



David J. Smith

HINTON, Amanda

From: Gordon Baxendale
Sent: 16 September 2014 10:32
To: LICENSING (Cheshire East)
Subject: License extension for Vbar West road Congleton

Could you please add my objections to the extension for the above license hours extension for the premises known as the V bar on West road Congleton. This bar was first licensed under a statement of intent to add a restaurant and bar established for the older generation and not another night club . I have constituents who have written to me to ask that this application be refused for extended hours over and above those already granted and I would be happy to support this refusal at any time.

Very best regards
Gordon Baxendale
Congleton West ward

Sent from my iPad

No 5.

HINTON, Amanda

From: LICENSING (Cheshire East)
Sent: 18 September 2014 15:09
To: HINTON, Amanda
Subject: FW: V Bar 26 West Street Congleton

From: CllrRolandDomleo Contact
Sent: 18 September 2014 15:06
To: LICENSING (Cheshire East)
Subject: V Bar 26 West Street Congleton

18 September 2014

Dear Amanda,

I sent in an e-mail on the 8th of August expressing my concern about alcohol consumption and music playing in the outside courtyard area of this premises as late as 03.30. I have now had time to give more consideration to this application, I have visited the site again and I have received representations from neighbours.

I wish to make several points:

- a) This area may be near the town centre but it is not in the town centre. People live in the area and some live very close to the V Bar. I did not object to the 18 Lawton Street application as I regarded that as a town centre location where one would expect to find such businesses operating.
- b) The applicant has been treated very generously in having on Friday and Saturday nights of up to 02.30. An extension to 03.30 cannot be justified in a mixed residential area such as this.
- c) The applicant originally stated that it was to be a restaurant and bar of such a nature as to encourage the older generation back into Congleton. I fully support that aim, but in the evening and not the early hours of the morning. Most older people will have been in bed for over three hours by the time this closes at 03.30.
- d) We have to be very careful with applications that say they are going to do something and that the hours offered are all they need, which leads to approval. This can often be followed by an application for "just an extra hour". Had they applied for the later time originally they would have been unlikely to have got it. It is "application creep".
- e) Do we have any evidence for "need" such as the place being full at 02.30 and the customers complaining about having to leave?

I realise that many applicants do not wish to use their late hours very often, but if they have them they do not need to make a new application each time they have a special event. I would be sympathetic to a licence that would allow say 4 to 6 late nights to 03.30 to accommodate private parties and special events, but I do not know if the committee has the power to give that.

I think that this application is a step too far for that location.

Best Regards

Roland Domleo Ward Councillor

Cllr Roland M. Domleo, Congleton West Ward, Cheshire East Council