

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Lindsay J Chamberlain

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

Bar 48
48 Crewe Road
Alsager
Stoke on Trent

Post town Alsager

Post code (if known) ST7 2ET

Name of premises licence holder or club holding club premises certificate (if known)

Mikala HOWELL

Number of premises licence or club premises certificate (if known)

883

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Sgt 3641 Lindsay Chamberlain Eastern Partnerships Crewe Police Station Civic Centre Crewe Cheshire CW1 2DQ
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

Seeking a review of the premises under all four licensing objectives to prevent crime and disorder, public safety, prevention of public nuisance and the protection of children and young persons from harm.

Bar 48 is not being managed in a responsible manner this is causing a negative impact on the health and well-being of the local community. Especially those who live in close proximity to Bar 48 . Due to a recent failed test purchase, sold to a 15 year old, there seems to be a lack of understanding and lack due diligence regarding the sale of alcohol to those under eighteen years of age which is harmful to health of young people and children.

As detailed in the information section numerous agencies have been involved with Bar 48 over the 16 months of trading. Individually and jointly, each has tried to persuade and guide the DPS and its owner, Christopher Powell to achieve its legal requirements and obligations. Despite this assistance and support Bar 48 continues to be irresponsible. From the information received from local residents the management of Bar 48 show a total disregard for the law and responsible authorities. the holder of the premise has failed to promote a “safe, Clean and mature drinking environment” as promised when the premises licence was approved.

Please provide as much information as possible to support the application (please read guidance note 3)

Since Bar 48 opened in December 2013 at least five different agencies have been involved with meeting with the DPS and the owner of this premise. The aims of all these agencies was to point out inadequacies and failings with suggestions on how to put things right. Having spent over a year trying to guide the DPS and owner to achieve this there has been little improvement to demonstrate personal responsibility and due diligence.

The time line enclosed illustrates some of the agencies involved and contact with Bar 48.

The Cheshire Constabulary since December 2013 has recorded at least 13 incidents to Bar48. These range from fighting immediately outside the premises, noise nuisance, drink drivers and a positive drugs warrant In addition to these incidents, there has been a rise in incidents of anti-social behaviour (ASB) incidents in Beat code EC17. Bar 48 is located in Alsager town centre which is beat code EC17. See table one , Comparing the 16 months prior to Bar48 opening and after . There has been an increase of 10% in ASB incidents .

Mikala HOWELL took over as the DPS on August 13th 2014 . See table 2 If you compare season for season August to November for 2013 and 2014 there has been increase in ASB by 43% .

Once incident ASB incident received at 2319hrs on 13th February 2015. The initial call receive was fighting in the street next to the Hot Spot , Bar 48 is the premises next to the Hot Spot. Fortunately on this occasion a police patrol was nearby (see statement from PC Roger Need) PC Need witnessed the noisy behaviour and managed to disperse the group . Had the police not been there this noise level would have continued to adversely affect the quality of life of the local community, namely being unable to sleep at night.

Another example of police involvement is Operation Fern. This was a joint operation between the police and trading standards . Police incident 643 of 6/2/2015. A statement from Pc Howard is attached who describes the scene on him entering the premises to issue a Penalty for Disorder to a member of the bar staff for a sale of alcohol to a person under 18. Bar 48 was full of young people celebrating the owners daughters eighteenth birthday party. At this time the bar was overcrowded and had no effect practice in place to be able to identify those who were 18 years of age or older. Again a good example of Bar 48 not promoting a safe, clean and mature drinking environment.

Please see three statements from three members of the local community whose quality of life has been adversely affected by the activities of Bar 48 . In each case it details how the activities of Bar 48 have altered the quality of their homes lives, which were on the whole tranquil before the opening of this establishment. It has had a detrimental effect on their health and well being . Two residents are now on medication a main contributor is the disruption to sleep. One couple are selling their home as they can no longer cope with living in close proximity to Bar 48.

I could have gathered evidence from further residents who would articulate the same detail of events and the same effects. To get a good understanding of the general observations of the residents please read the comments on the Cheshire East Planning applications 14/3757C and 15/0628C. Of note the planning application for this premise to be converted from A1(retail) to A4 (bar) was rejected and Bar 48 has not appealed . Since the closure of this planning case the DPS has put in a change of use from A1 to A3 (café/ restaurant) . Despite this change of use to a café , the incidents of loud music (live and recorded) and disorder outside the premises continue.

Finally to give the panel a real feel for the Bar 48 in full swing please see YouTube clip promoting the club . this includes real footage from the venue . This was posted online in February 2014 but was available to view on 27th April 2015 . The post address is www.djbart.co.uk Bar Forty eight Alsager . It describes the venue as an entertainment hot spot. I have taken the liberty of securing a copy should the panel have difficulty locating the clip. It shows the club with its high tables , very loud music from a DJ , strobe lighting and looks more like a nightclub and certainly does not “promote a safe, clean and mature drinking environment”

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature LJ Chamberlain

.....

Date 3rd May 2015

.....

Capacity applicant

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

See section C

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.