

CHESHIRE EAST COUNCIL

REPORT TO: LICENSING ACT SUB-COMMITTEE

Date of Meeting:	Friday 5th August at 10.00am
Report of:	Tracey Billington, Licensing Enforcement Officer
Subject/Title:	Application to Vary a Premises Licence at The Angel Inn, 98 King Street, Knutsford. WA16 6HQ.

1.0 Report Summary

- 1.1 The report provides details of an application to vary a new premises licence and the proposed operating schedule together with details of relevant representations received in relation to the application.

2.0 Recommendations

- 2.1 The Licensing Act Sub-Committee is requested to determine the application to vary a Premises Licence by Joseph Holt Limited in respect of:

The Angel Inn
98 King Street
Knutsford
Cheshire
WA16 6HQ

- 2.2 Acting in the capacity of Licensing Authority, Members must seek to promote the Licensing Objectives, and where Members consider matters have engaged one or more of the objectives, they may exercise their discretion. The licensing objectives are:

- (a) The prevention of crime and disorder
- (b) Public safety
- (c) The prevention of public nuisance
- (d) The protection of children from harm

- 2.3 Members of the Licensing Sub-Committee are reminded that they may not exercise discretion in any case, merely because it considers it desirable to do so. Careful consideration should be given to application and relevant representations in light of the current and proposed operating schedules.

- 2.4 The Sub-Committee in respect of this application must have regard to the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy.

- 2.5 Finally, Members are also reminded that in determining the application in accordance with the Licensing Act 2003, Members must also have regard to:

- The rules of natural justice
- The provisions of the Human Rights Act 1998

3.0 Reasons for Recommendations

- 3.1 The Licensing Act Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003 and the Council's Constitution.

4.0 Wards Affected

- 4.1 Knutsford

5.0 Local Ward Members

- 5.1 Cllr Tony Dean
Cllr Stewart Gardiner
Cllr Hayley Wells-Bradshaw

6.0 Policy Implications

- 6.1 The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.

- 6.2 Whilst having regard to the general principles within the Statement, Members may wish to consider the following:

- 6.2.1 The representations received relate to the Prevention of Public Nuisance. The Licensing Authority sets out a paragraph 9 of its Statement of Licensing Policy how it will deal with representations under this objective.

- At paragraph 9.1 the Statement of Licensing Policy confirm that a broad interpretation of what constitutes a public nuisance will be taken
- In considering the potential impact of licensed premises on the surrounding locality the Licensing Authority, when in receipt of any Relevant Representations will take into account the type of entertainment activity proposed hours of operation, the capacity of the premises, the character of the areas and the proximity to local residents. Consideration will be given to the potential steps which could be taken to reduce the risk of nuisance occurring. This will particularly apply in areas where there is residential accommodation in the proximity of the premises. Para 9.2
- The Statement of Licensing Policy has a specific section relating to noise nuisance. This section is reproduced for the benefit of the sub-committee at Appendix 4
- The representation also states their concerns regarding the hours applied for in the application. This section is also reproduced in Appendix 4

- 6.2.2 The Statement of Licensing Policy also deals with issues of Anti-social behaviour at paragraph 6.

- 6.3 Members should provide reason(s) for any decision taken and should set out they reasoning where they determine to depart in any way from the Policy or Guidance.

7.0 Financial Implications

7.1 Not applicable.

8.0 Legal Implications

8.1 In accordance with the provisions of section 35 of the Licensing Act 2003 the Licensing Authority must, having regard to the representations, take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. Subsections 35(3) and 35(4) provide that the authority may:

- (a) Grant the application for the variation
- (b) Reject the whole or part of the application to such extent as the Authority considers appropriate for the promotion of the Licensing Objectives
- (c) Modify the conditions of the licence to such extent as the Authority considers appropriate for the promotion of the Licensing Objectives

8.2 Modification of conditions can be by omission, alteration or the addition of further conditions. Members are reminded that should any conditions be added, they should be practical, enforceable and appropriate to promote the Licensing Objectives.

8.3 Members are also reminded of the statutory obligation placed on the Local Authority under section 17 of the Crime and Disorder Act 1998 to through all of its various functions, and Licensing is one of those functions to do all that it can to prevent Crime and disorder, Anti-social Behaviour, behaviour adversely affecting the environment and re-offending.

9.0 Risk Management

9.1 Section 181 and Schedule 5 of the Licensing Act 2003 make provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority.

10.0 Background and Options

10.1 The application, received on the 20th June 2016, is an application for the variation of a Premises Licence under section 34 of the Licensing Act 2003.

10.2 The variation seeks to:-

- Extend the terminal hour for the sale of alcohol, provision of regulated entertainment, indoor sporting events, performances of dance and provision of late night refreshment on Thursday from Midnight to 1am and on Friday and Saturday evenings from 1am to 2am.
- To add film as a permitted activity from 10am to Midnight on Sunday to Thursday, 10am to 1am on Thursday, and 10am to 2am on Friday and Saturday.
- To permit the sale of alcohol and such regulated entertainment authorised by the licence on New Years Eve commencing 10.00 31st December until 02.00 on the 1st January.

The existing Premises Licence authorises Live Music, Recorded Music, Performance of Dance, Indoor Sports, Sale and Supply of Alcohol, Provision of Facilities for Making Music, Late Night Refreshment.

The Live Music Act 2012 removed the licensing requirement for the provision of facilities for making music and dancing.

The existing Premises Licence Summary and conditions are attached as Appendix 1.

10.3 The hours applied for are as follows:

The sale of alcohol, provision of regulated entertainment, indoor sporting events, performances of dance, films and provision of late night refreshment (to take place indoors only)

Sunday, Monday, Tuesday and Wednesday	10.00 to 00.00
Thursday	10.00 to 01.00
Friday and Saturday	10.00 to 02.00

Hours Open to the Public

Sunday, Monday, Tuesday and Wednesday	07.00 to 00.30
Thursday	07.00 to 01.30
Friday and Saturday	07.00 to 02.30

10.4 A copy of the application form is attached as Appendix 2.

10.5 Relevant Representations

Responsible Authorities:

10.5.1 There were no responses from any of the Responsible Authorities.

Other Persons:

10.5.2 Written objections have been received from 2 people in total.

10.5.3 Copies of the representations are attached as Appendix 3 to this report.

10.6 A map showing the location of the premises and the surrounding area is attached as Appendix 5 to this report.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Tracey Billington

Designation: Licensing Enforcement Officer

Tel No: 01270 686722

Email: tracey.billington@cheshireeast.gov.uk

APPENDICES

Appendix 1 –	Existing Premises Licence Summary and conditions
Appendix 2 -	Premises Licence Variation application form
Appendix 3 -	Written objections from neighbouring residents.

Appendix 4 - Relevant Sections from The Statement of Licensing
Appendix 5 - Map of the area



Premises Licence

Premises Licence Number:

PR/0266

Part 1 - Premises Details

Postal address of Premises or, if none, ordnance survey map reference or description:	
The Angel Inn 98 King Street	
Post Town: Knutsford	Post Code: WA16 6HQ
Telephone Number:	

Where the Licence is time limited, the dates:
Not applicable

Licensable activities authorised by the Licence:
Live Music Recorded Music Performance of Dance Indoor Sports Sale and supply of alcohol Provision of facilities for making music Late Night Refreshment

The times the Licence authorises the carrying out of licensable activities:
Live Music (to take place indoors) Sunday to Thursday 10.00 to 24.00 Friday and Saturday 10.00 to 01.00 Recorded Music (to take place indoors) Sunday to Thursday 10.00 to 24.00 Friday and Saturday 10.00 to 01.00 Performance of Dance (to take place indoors) Sunday to Thursday 10.00 to 24.00 Friday and Saturday 10.00 to 01.00

Indoor Sports

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

Sale and supply of alcohol

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

Provision of facilities for making music (to take place indoors)

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

Late Night Refreshment (to take place indoors)

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

The opening hours of the Premises:

Sunday to Thursday 07.00 to 00.30

Friday and Saturday 07.00 to 01.30

Where the Licence authorises supplies of alcohol, whether these are on and/or off supplies:

Sale of alcohol for consumption both on or off the premises

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of Premises Licence:**

Joseph Holt Ltd
The Brewery
Empire Street
Manchester
M3 1JD

Tel No: 0161 827 7254 E-Mail: Edwin.partridge@joseph-holt.com**Registered number of holder, for example company number, charity number (where applicable):**

Registered company number: 182757

Name, address and telephone number of designated Premises Supervisor where the Premises Licence authorises for the supply of alcohol:

Chloe Dickinson
The Angel Inn
98 King Street
Knutsford
Cheshire
WA16 6HQ

Personal Licence number and issuing authority of Personal Licence held by designated Premises Supervisor where the Premises Licence authorises for the supply of alcohol:

Personal Licence Number: PL2682

Issuing Authority: Wigan

Issued: 24th May 2016

Signed by Mrs Vanessa Selfe
on behalf of Cheshire East Borough Council

Annex 1 - Mandatory Conditions (as applicable)

1. No supply of alcohol may be made under this Premises Licence –
 - a) at a time when there is no designated premises supervisor in respect of the Premises Licence, or
 - b) at a time when the designated premises supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under this Premises Licence must be made or authorised by a person who holds a Personal Licence.

Where a Village Hall is exempt from needing DPS under s.19 Licensing Act 2003

Every supply of alcohol under the premises licence must be made or authorised by the Management Committee.

Mandatory condition where the licence authorises the exhibition of films

The admission of children to the exhibition of any film must be restricted in accordance with section 20 of the Licensing Act 2003. Admission of children must be restricted in accordance with any recommendation made by the British Board of Film Classification or the Licensing Authority.

Prohibited conditions: plays

1. In relation to a premises licence which authorises the performance of plays, no condition may be attached to the licence as to the nature of the plays which may be performed, or the manner of performing plays, under the licence.
2. But subsection (1) does not prevent a licensing authority imposing, in accordance with section 18(2)(a) or (3)(b), 35(3)(b) or 52(3), any condition which it considers necessary on the grounds of public safety.

Mandatory condition: Door supervision

Each individual engaged in security activities at the premises must either:

- a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- b) be entitled to carry out that activity by virtue of Section 4 of the Private Security Industry Act 2001.

LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS)(AMENDMENT) ORDER 2014

MANDATORY CONDITIONS

Condition 1

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
 - a) Games or other activities which require or encourage, or are designed to require or encourage individuals to –
 - i. Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. Drink as much alcohol as possible (whether within a time limit or otherwise);

- b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Condition 2

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Condition 3

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- a) A holographic mark, or
- b) An ultraviolet feature

Condition 4

The responsible person must ensure that –

- a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - i. Beer or cider: ½ pint;
 - ii. Gin, rum, vodka or whisky: 25ml or 35ml; and
 - iii. Still wine in a glass: 125ml;
- b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
 - a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - b) 'permitted price' is the price found by applying the formula—

$$P = D + (D \times V)$$

Where —

- i. P is the permitted price,
 - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence—
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - e) 'valued added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the Operating Schedule

Prevention of Crime and Disorder

1. The Designated Premises Supervisor/manager of the premises will become a member of Pubwatch where the police deem it necessary to do so.
2. Drug awareness posters will be displayed.
3. The premises will participate in any local incentives.

Public Safety

4. Full health and safety checks shall be completed on a regular basis.

Prevention of Public Nuisance

5. Notice will be displayed asking customers to leave the premises in an orderly fashion and with respect to the local community.

Protection of Children from Harm

6. No children will be allowed on the premises unless accompanied by an adult.

General – All Licensing Objectives

7. The premises shall be open 24 hours a day for the service of alcohol to Hotel residents and their bona fide guests.

Annex 3 - Conditions attached after a hearing by the Licensing Authority

1. Doors and windows shall be closed at times when live music is taking place, except for purposes of access and egress.
2. A noise-limiting device approved by Environmental Health shall be fitted to the music system (relating to all live and recorded music taking place at the premises) at a level to be agreed with the Environmental Health Department.

Annex 4 - Plans

Attached numbered 1733/18 Rev A

Application to vary a premises licence 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.

We, Joseph Holt Ltd, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number

PR/0266

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Angel 98 King Street	
Post town Knutsford	Post code WA16 6HQ

Telephone number of premises (if any)

Non-domestic rateable value of premises

£28000

Part 2 – Applicant Details

Daytime contact telephone number

Email address
(optional)

Current postal
address if
different from
premises address

The Brewery
Empire Street

Post Town

Manchester

Postcode

M3 1JD

Part 3 – Variation

Please tick *yes*

Do you want the proposed variation to have effect as soon as possible?

☒

If not do you want the variation to take effect from

Day Month Year

--	--	--	--	--	--	--	--

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

(Please see Guidance Note 1)

yes ☐ no ☒

Please describe briefly the nature of the proposed variation (please read guidance note 2)

The purpose of this application is threefold:

1. To extend the terminal hour for the sale of alcohol, provision of regulated entertainment and provision of late night refreshment on Thursday from Midnight to 1am and on Friday and Saturday evenings from 1am to 2am.
2. To add film as a permitted activity from 10am to Midnight on Sunday to Thursday, 10am to 1am on Thursday, and 10am to 2am on Friday and Saturday.
3. To permit the sale of alcohol and such regulated entertainment authorised by the licence on New Years Eve commencing 10:00 31st December until 02:00 on the 1st January.

The operator and their staff are experienced retailers promoting responsible retailing within the industry.

It is not believed that the proposed variation will adversely impact upon the licensing objectives

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Please tick π yes

Provision of regulated entertainment

- a) Plays (if ticking yes, fill in box A) ☐
- b) Films (if ticking yes, fill in box B) ☒
- c) indoor sporting events (if ticking yes, fill in box C) ☒
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☒
- f) recorded music (if ticking yes, fill in box F) ☒
- g) performances of dance (if ticking yes, fill in box G) ☒
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

Provision of late night refreshment (if ticking yes, fill in box I)

☒

Sale by retail of alcohol (if ticking yes, fill in box J)

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	π
Day	Start	Finish		Outdoors	
Mon	10:00	00:00	Please give further details here (please read guidance note 4) Exhibition of a film principally video entertainment on screens and TV screens. There shall be no films shown to a close seated audience.	Both	
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur	10:00	01:00			
Fri	10:00	02:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	10:00	02:00			
Sun	10:00	00:00			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	00:00	Restricted to traditional pub games in the presence of an audience, including (but not limited to) darts, pool, snooker, dominos and similar.
Tue	10:00	00:00	State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed	10:00	00:00	N/A - save as below.
Thur	10:00	01:00	Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri	10:00	02:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below).
Sat	10:00	02:00	
Sun	10:00	00:00	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick {Y} (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (Y)</u> (please read guidance note 3).	Indoors	π
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	00:00	Please give further details here (please read guidance note 4) To include live music which may be amplified or unamplified.		
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 5) N/A – save as below		
Thur	10:00	01:00			
Fri	10:00	02:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	10:00	02:00			
Sun	10:00	00:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (Y)</u> (please read guidance note 3).	Indoors	π
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	00:00	Please give further details here (please read guidance note 4) Recorded music, including juke box, with or without a DJ, during normal business hours or as part of functions and including audience participation.		
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for playing recorded music (please read guidance note 5) N/A – save as below		
Thur	10:00	01:00			
Fri	10:00	02:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 6) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	10:00	02:00			
Sun	10:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	π
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	00:00	Please give further details here (please read guidance note 4) To include performance of a dance or a similar activity.		
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for the performance of dance (please read guidance note 5) N/A – save as below		
Thur	10:00	01:00			
Fri	10:00	02:00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 6) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	10:00	02:00			
Sun	10:00	00:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
				Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	π
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4) To include the provision of hot food and drinks for consumption on and off the premises at the Manager's discretion and in the areas identified.		
Mon	23:00	00:00			
Tue	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5) N/A – save as below		
Wed	23:00	00:00			
Thur	23:00	01:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Fri	23:00	02:00			
Sat	23:00	02:00			
Sun	23:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 8)	On the premises	
				Off the premises	
				Both	π
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) N/A – save as below		
Mon	10:00	00:00			
Tue	10:00	00:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) To permit the sale of alcohol and such regulated entertainment authorised hereunder on New Years Eve commencing 10:00 until 02:00 on the 1 st January.		
Wed	10:00	00:00			
Thur	10:00	01:00			
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	00:00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9) None.
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L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5) Please see box J above.
Day	Start	Finish	
Mon	07:00	00:30	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) The premises will close 30 minutes after the end of the non-standard timings identified in box J above
Tue	07:00	00:30	
Wed	07:00	00:30	
Thur	07:00	01:30	
Fri	07:00	02:30	
Sat	07:00	02:30	
Sun	07:00	00:30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

None

Please tick π yes

I have enclosed the premises licence



I have enclosed the relevant part of the premises licence



If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 10)

No new steps have been identified in relation to the four licensing objectives.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed.

c) Public safety

No further risks have been identified which need to be addressed.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed.

e) The protection of children from harm

No further risks have been identified which need to be addressed.

I have made or enclosed payment of the fee

- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- 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 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. (Please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners.....

Date: 17th June 2016

Capacity: Solicitors

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature:

Date:

Capacity:

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

John Gaunt & Partners
Omega Court
372 Cemetery Road

Post town
Sheffield

Post code
S11 8FT

Telephone number (if any)
0114 267 1151

If you would prefer us to correspond with you by email your email address (optional)
c.g@john-gaunt.co.uk

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

Notes for Guidance

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
4. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

APPENDIX 3

From: Objector 1

Sent: 27-Jun-2016 12:26

To: LICENSING (Cheshire East)

Subject: Representation re Application for Minor Variation of Premises Licence - Angel Inn, Knutsford.

Please find attached representations re the Application for Minor Variation of Premises Licence relating to the Angel at 98 King Street, Knutsford, Cheshire, WA16 6EH.

This document has also been sent by first class post at 11.55am this morning.

If you have any problems reading the attachment, or wish to clarify anything in it please contact me by email telephone or mobile

LICENSING ACT 2003

Representation re Application for Minor Variation of Premises Licence

Premises Name and Address: **Angel at 98 King Street, Knutsford, Cheshire, WA16 6HQ**

From: Objector 1

Interest: **Resident**

Address:

email:

Telephone:

Concerns: My family and I are concerned that the proposed variations will create a general increase in the public nuisance of noise and a particular reduction in the quality of our home life.

Our house is on the opposite side of King Street approximately !! yards from The Angel Inn, and the window of our main bedroom is !! yards from the main door of the Angel. In the past amplified music has caused problems, particularly in the summer months when the Angel's door and windows are left open, and especially if the music has a loud repetitive beat. Proposal 1 extending this to 1 am on Thursdays and 2 am on Fridays and Saturdays would turn a nuisance into a major oppression.

We cannot judge the effect of Proposal 2 without knowing what kind of films would be shown and what volume the sound would be set at.

We do not object to Proposal 3 recognising that this a special celebration only occurring once a year.

**CHESHIRE EAST COUNCIL STATEMENT OF LICENSING POLICY
(LICENSING ACT 2003)**

POLICY DATED JANUARY 2014 TO JANUARY 2019.
Section 9.5 states that:

Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to:

- a) Restrict the generation of any noise within the premises and from activities associated with the premises in the vicinity, or from an open air site
- b) Limit the escape of any noise from the premises or open air site
- c) Restrict any noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping

Past experience has shown that these measures have not been adequate, and the extension of the offending activities into the small hours of the morning would go beyond what is reasonable.

26 June 2016

(Sent by post and email)

From: Objector 2

Sent: 13-Jul-2016 17:35

To: LICENSING (Cheshire East)

Subject: Application for Minor Variation of Premises Licence relating to the Angel at 98 King Street, Knutsford, Cheshire, WA16 6EH.

Re the Application for Minor Variation of Premises Licence relating to the Angel at 98 King Street, Knutsford, Cheshire, WA16 6EH.

We live at ! King Street Knutsford WA16 6HD which is approx !! yards form the Angel .

We object to the extension of the hours due to the likelihood of excessive noise which would affect us as The "Arch" conducts noise down to our house.

Regarding the showing of films this would depend on the sound level but could become a nuisance if windows opened and volume too high

Please can I register my objections

Regards

Relevant Sections from Cheshire East Licensing Policy

Noise and Vibration

9.3 In order to enforce the provisions of the Environmental Protection Act 1990 (which relate to noise nuisance) the Police, Environmental Health Officers and Licensing Officers will liaise to ensure that adequate control measures are properly used to protect the local environment. Any action taken will be conducted in accordance with relevant enforcement policies

9.4 Consideration will be given to whether the operating schedule contains adequate measures to prevent noise and vibration, generated from within the premises, outside it, or from an open site, that may cause disturbance. Stricter conditions will be considered on premises in areas that have denser residential accommodation or have residential accommodation close to them. Noise includes music and human voices. Measures in the Operating Schedule may include installation of soundproofing, air conditioning, acoustic lobbies, sound limitation devices or locking doors at specified hours. If the proposed operating schedule fails to address noise nuisance issues, the Environmental Health Department may request that an independent acoustic report is conducted. Environmental Health may use any recommendations from such a report to propose amendments to the Operating Schedule or suggest conditions for the consideration of any (Sub) Committee.

9.5 Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to:

- Restrict the generation of any noise within the premises and from activities associated with the premises in the vicinity, or from an open air site
- Limit the escape of any noise from the premises or open air site
- Restrict any noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping

Minimise and control any noise from customers arriving and departing from the premises

9.6 The Licensing Authority will not impose conditions on licensed premises that cannot be directly controlled, or on matters not related to the vicinity of the premises.

9.7 If it is considered that any noise emanating from within the curtilage of a licensed premises is causing a public nuisance, under the provisions of the Anti-Social Behaviour Act 2003, an Authorised Officer can require its immediate closure for a period of up to 24 hours. It should be noted that the 'test' is a lesser one than that required to determine a Statutory Noise Nuisance and the statutory defence of 'best practicable means' is not available.

14. Operating Schedule

14.1 It is recommended that that applicants contact Responsible Authorities when preparing their operating schedules. This is likely to reduce subsequent objections.

14.2 This Statement of Licensing Policy sets out criteria and considerations, which relate to the Licensing Objectives, which applicants should have in mind when drawing up their Operating Schedule.

15. Hours of Operation

15.1 The Licensing Authority will determine licensing hours based on the individual merits of each application.

15.2 The Licensing Authority will consider whether longer licensing hours will achieve a gradual dispersal of people leaving licensed premises and therefore promote the Licensing Objectives.

15.3 The Licensing Authority recommends that applicant's indicate within the operating schedule that consideration has been given to the impact the licensing hours applied for will impact on local residents and the surrounding area.

15.4 The Licensing Authority will consider licensing shops, stores and supermarkets to sell alcohol for consumption off the premises at any time when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting the hours. Consideration may be given to restricting the licensing hours of

individual shops in circumstances where representations received indicate that the premises is a focus of disorder and disturbance.



Appendix 5 - Map of Area

