

# **The Wheatsheaf, 1 Hightown, Sandbach, CW11 1AG**

## **APPLICATION FOR A VARIATION LICENCE: LICENSING ACT 2003**

**Notice is hereby given that we, Wheatsheaf (Sandbach) Ltd have applied on 27 July 2017 to Cheshire East Council in respect of the premises known as The Wheatsheaf, 1 Hightown, Sandbach, CW11 1AG. The full variation seeks to change:**

- To extend the licensable area**

**Any person wishing to make representation in relation to this application may do so in writing by 24 August 2017 to:**

**The Licensing Section  
Cheshire East Council  
Municipal Buildings  
Earle Street  
Crewe  
CW1 2BJ**

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Dear Sirs,

It is my understanding that The Wheatsheaf plans to use the outside area for approximately 50 diners, included in this application to extend the licensable area. Having been a local resident for 15 years, we have experienced much personal disruption and noise as a result of outside entertainment at The Wheatsheaf and in other local pubs / restaurants. We therefore request that the following points are considered in respect of local residents such as ourselves within the Conservation Area of Sandbach.

Our concerns are particularly focused on the noise from outside dining / entertainment at the Wheatsheaf. The CHESHIRE EAST COUNCIL, STATEMENT OF LICENSING POLICY (LICENSING ACT 2003) - POLICY DATED JANUARY 2014 TO JANUARY 2019 highlights the following;

In relation to Environmental Protection Act 1990 (which relate to noise nuisance)

“Section 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.”

With respect to measure to manage noise ....section 9.5 includes the following,

“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”

My home is approximately 100 yards from the Wheatsheaf, and I anticipate a significant increase in noise pollution as a result of outside dining. The expected increased noise levels is based on experience: we have previously experienced high noise from customers of the Wheatsheaf and attended a Licensing Committee meeting in 2005 which resulted in conditions being attached to the Wheatsheaf License agreement. Previously, we often experienced high noise from customers drinking and eating outside, as well as from music in the outside area, which stopped us from sleeping and affected our wellbeing.

The conditions previously added to the license worked well in reducing noise to acceptable levels and avoiding noise during unsociable hours. The conditions were;

1. No noise to leave the Wheatsheaf premises after 10pm each evening (This entailed all outside music being switched off and windows and doors being closed to limit noise disturbance)
2. Music and outside dining / entertainment to stop by 10pm (noise after 10pm was considered unsociable)

Whilst it seems that the outside dining area is well enclosed, noise does travel across The Gardens and Hope Street. Both ourselves and other residents have spoken to landlords and commented on licensing applications previously with The Wheatsheaf, The Lion, The George and the Mill. We take this matter very seriously as we know the detrimental impact high noise levels can have on sleep and way of life for local residents, should it not be controlled in a satisfactory way.

We are not suggesting that outside dining should be declined. However, we do anticipate high noise during unsociable hours if it is allowed to continue into the late hours of the evening (past 10pm).

Whilst it seems less likely for this to be an issue for a restaurant establishment, any outside conversations, whether from pub drinkers or diners, is often loud and leads to unpleasant noise pollution. I’m sure we have all experienced being in restaurant where it is hard to hear conversations because of the noise levels. The only

difference with outside dining is that this noise escapes and impacts the local community, often becoming a public nuisance.

Also, the ownership of premises can change and we feel it is important to have some control over noise pollution equally in case the premises is used very differently in future.

In summary, we request that conditions outlined above (including \*other noise screening /management approaches) are included in the license agreement, such that the Wheatsheaf business can continue to grow and develop, whilst managing noise pollution that would be detrimental to ourselves and other local residents. If this is not the case, it is based on experience that local residents will be negatively impacted by the noise pollution during unsociable hours.

\*Other noise screening/management approaches could be;

- No emptying of bottle banks after 10pm, currently happens at 11/1130pm each night and is very loud.
- Closing of the outdoor dining canopy and windows by 10pm latest or as dusk onsets.

We welcome the opportunity to discuss this with the License officer / committee and owner if that would help.

I look forward to your reply.

Best regards,

**Catherine Cowey & Paul Holt**

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