

Licensing Sub Committee

Agenda

Date: Wednesday, 26th June, 2024
Time: 2.00 pm
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

It should be noted that Part 1 items of Cheshire East Council decision making meetings are audio recorded and the recordings will be uploaded to the Council's website

PART 1 - MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Appointment of Chair**

To appoint a Chair for the meeting.

2. **Declaration of Interests**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary interests, other registerable interests, and non-registerable interests in any item on the agenda and for Members to declare if they have pre-determined any item on the agenda.

3. **Application for the Variation of a Premises Licence - CUBAR, High Street, Sandbach, CW11 1AL (Pages 7 - 48)**

To consider the above application.

Membership: Councillors A Heler, R Moreton and J Smith

For requests for further information

Contact: Sam Jones

Tel: 01270 686643

E-Mail: samuel.jones@cheshireeast.gov.uk with any apologies

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CHESHIRE EAST COUNCIL

Procedure for Hearings – Licensing Act 2003**The Licensing Committee**

The full Licensing Committee consists of fifteen elected Members of the Council. From this full Committee will be drawn sub-committees of three members to deal with licensing functions under the Licensing Act 2003. The Chairman and Vice Chairman of the Licensing Committee shall have the discretion to refer a matter up to a hearing of the full Licensing Committee.

Officers at Hearings

- **The Committee Officer** introduces all parties and records the proceedings
- **The Legal Adviser** provides independent advice to the Members on legal matters and procedure.
- **The Licensing Officer** will introduce the matter and outline the application; the officer will also answer any questions Members may have.

PROCEDURE

NOTE: If the Sub-Committee has not already elected a Chairman, that will be the first item of business.

1	Chairman	The Chairman will: (i) call the matter to be considered (ii) call for any declarations of interest (iii) ask all parties to introduce themselves (iv) summarise the procedure to be followed at the hearing (v) will consider any request made by a party for another person to appear at the hearing (v) will advise the parties of any maximum period of time in which it has to present its case (if a maximum is imposed this shall be equal for all parties)
2	Licensing Officer	Will introduce and summarise the application, highlighting areas of contention or dispute.
3	Committee Members	May ask questions of the Licensing Officer
4	Applicant	Will present his/her case, calling witnesses, as appropriate. <i>(If necessary, applicant will produce any notices required by law. Legal Adviser will draw attention to this if required.)</i>

5	Responsible Authorities (who have made representations)	Each in turn may ask <u>questions</u> of the applicant, by way of clarification.
6	Other Persons (who have made representations)	To be invited to ask <u>questions</u> of the applicant, by way of clarification. <i>It is normal practice for a spokesperson only to speak on behalf of a group of residents.</i>
7	Committee Members	Each in turn may ask <u>questions</u> of the applicant.
8	Applicant	May make a <u>statement</u> or ask his witnesses to clarify any matters which he feels are unclear, or may have been misunderstood.
9	Responsible Authorities	Will make their representations.
10	Applicant	Or his representative or witnesses to ask <u>questions</u> of Responsible Authorities represented at the meeting, by way of clarification.
11	Other Persons (who have made representations)	May ask <u>questions</u> of the Responsible Authorities represented at the meeting, by way of clarification. (Note: This is not the point at which they should be stating their objections.)
12	Committee Members	May ask <u>questions</u> of the Responsible Authorities represented at the meeting
13	Other Persons (who have made representations)	Those who have objected to the application will be invited <u>to make observations on the application</u> and present the bases of their objections.
15	Applicant	Or his representative or witnesses may ask <u>questions</u> of the other persons, by way of clarification.
16	Committee Members	May ask <u>questions</u> of the other persons.
17	Chairman	To invite both Responsible Authorities and Other Persons to make their closing addresses.

18	Applicant	Or his representative will <u>briefly summarise the application</u> and comment on the observations and any suggested conditions.
19	Committee	<u>Will retire</u> to consider the application. The Committee may request the Legal Advisor to advise on legal issues.
20	Committee	<p>Will return to <u>give its decision</u>, with reasons, which will be announced by the Chairman and subsequently confirmed in writing to the applicant and to all the parties that made representations.</p> <p>In cases where a decision cannot be given at the end of the hearing, parties will be advised of the decision within five working days.</p>

Notes

1. The hearing shall normally be held in public. There may be occasions on which the Committee find it necessary to exclude members of the press and public; any such decision will be taken on the basis that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing taking place in public.
2. The Chairman may require any person behaving in a disruptive manner to leave the hearing and may (a) refuse to permit that person to return, or (b) permit him/her to return only on such conditions as the authority may specify, but any such person may submit in writing any information which they would have been entitled to provide orally if they had not been required to leave.
3. Prior to the hearing each party shall have given notification and served documentation (eg statements of witnesses or reports of experts) as required. Late representations and evidence will only be considered with the agreement of all parties.
4. Anyone entitled to be heard may be represented by any person, whether or not that person is legally qualified.
5. Hearsay will be permitted but the Sub-Committee will be reminded to give it appropriate weight.
6. Due note shall be taken of the provisions of the Hearings Regulations 2005.
7. The Chair may, in the interests of expediency or convenience of the parties, vary the procedure from time to time, provided notice is given to the parties and the rules of natural justice are observed.

Summary of Procedure

1. Chairman appointed (if this has not been done previously).
2. Chairman to call for declarations of interest and request that all parties introduce themselves.
3. Chairman summarises the procedure for the hearing
4. The Licensing Officer summarises the application
5. Applicant to present his/her case.
6. Applicant to be questioned by all parties (to clarify points only) following which, he/she can clarify any other matters which he/she feels may have been misunderstood when the application was presented.
7. Applicant to be questioned by the Committee.
8. Responsible Authorities to make their representations following which they can be questioned by all parties by way of clarification.
9. Other Persons will be invited to present the bases of their objections, following which they can be questioned by all parties by way of clarification.
10. The applicant will be invited to sum up his/her case
11. Committee/Sub-Committee withdraws to make its decision
12. Committee/Sub-Committee returns to announce its decision to all present.

OPEN

Licensing Sub-Committee

26th June 2024

**Application for the Variation of a
Premises Licence – CUBAR, High
Street, Sandbach, CW11 1AL**

**Report of: Peter Skates, Acting Executive Director – Place
Ward(s) Affected: Sandbach Town**

Purpose of Report

- 1 To allow Members of the Sub-Committee to determine a contested application to a variation of a premises licence application made under the Licensing Act 2003 for the following premises:

CUBAR, High Street, Sandbach, CW11 1AL

Executive Summary

- 2 The report provides details of a variation application for a Premises Licence, under section 34 of the Licensing Act 2003, sets out the relevant representations made, and outlines the evidence presented by the parties in relation to the application.

RECOMMENDATIONS

The Licensing Act Sub-Committee is requested to consider the application and any relevant representations and determine what steps, if any, it considers are appropriate to promote the Licensing Objectives.

Background

- 3 On 14th May 2024 an application was received by the Licensing Department to vary a premises licence in respect of a premises known as CUBAR, High Street, Sandbach, Cheshire CW1 1AL. The application was sent for consultation on the same day (14th May 2024). The last date for representations to be made was 11th June 2024. A copy of the application form and plan is attached as **Appendix 1** to this report.

- 4 Licensing records show that a Premises Licence currently exists in relation to CUBAR, 45 High Street, Sandbach. A copy of Premises Licence Number 1541 is attached to this report at **Appendix 2**
- 5 The operating schedule indicates that the relevant licensable activities that will be subject to change if this application is successful are the provision of live and recorded music.

The amended hours applied for are as follows:

Provision of Recorded Music (indoors and out)

Monday to Sunday 12.00 – 01.00

Christmas Eve and New Years Eve 12.00 – 02.00 hours

The applicant has stated the music will be played as background music via a Sonos 1 mini currently located on the rear of the building – ambience only.

- 6 A premises licence was originally granted for the premises on 18th July 2014 under the name The Folks Bar. The licence was transferred to Cubar Sandbach Limited on 6th September 2019. Cubar Sandbach Limited went into liquidation on 12th October 2023 and due to administration error, the premises licence was not transferred to the new company name of Cubar Cheshire. Consequently, the premises licence lapsed, a new licence was applied for and was granted on 26th December 2023.
- 7 A map of the area in which the premises is located is attached to this report at **Appendix 3**.

Consultation and Engagement

- 8 Licensing records show that the Public Notice that is required to be displayed at or near the proposed premises in accordance with the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005. The notice was inspected by a Licensing Officer on 21st May 2024 and confirmed to be present and met the requirements under the regulations. The Public Notice has also been duly advertised in the Sandbach Chronicle on 16th May 2024.
- 9 Responsible Authorities:

Environmental Health have agreed conditions with the applicant. A copy of the agreed conditions are attached to this report Appendix 4.

Other Persons:

- 10 The Licensing Authority has received three representations from members of the public. A copy of the representations are attached to this report at **Appendix 5**.

Reasons for Recommendations

- 11 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.
- 12 Acting in the capacity of the Licensing Authority, Members must seek to promote the Licensing Objectives and where Members consider that matters have engaged one or more of the Objectives, they may exercise their discretion. The Licensing Objectives are:
- The prevention of crime and disorder
 - Public Safety
 - The prevention of public nuisance
 - The protection of children from harm

Other Options Considered

- 13 No other options have been considered because the process for determining contested applications is set by legislation.

Implications and Comments

Monitoring Officer/Legal

- 14 The Sub Committee must determine this application in accordance with section 35 of the Licensing Act 2003. To do so otherwise would render its determination unlawful and invalid.
- 15 In accordance with the provisions of section 35 (3)(b) of the Licensing Act 2003 the Licensing Authority Sub Committee must, having regard to the representations, made in this application take such steps (if any) as it considers appropriate for the promotion of the licensing objectives.
- 16 Section 35 (4) provides that the authority may:
- Modify the conditions of the licence
 - Reject the whole or part of the application

- 17 Members are reminded that should any conditions be added or amended, they should be practical, enforceable and appropriate to promote the Licensing Objectives.
- 18 Members may not extend the period for which the licence has effect.
- 19 Members may not vary substantially the premises to which the licence relates.
- 20 Members are reminded that they are to determine the variation application before them and cannot change parts of the licence that are not part of the application.
- 21 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 reoffending.
- 22 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 the application and the evidence presented by the parties in relation to the application.
- 23 Members must give reasons for their determination and notice of it must be communicated to the parties to this application. If Members depart from the Statutory Guidance or the Council's Statement of Licensing Policy then their decision notice must set out the reasons for doing so.
- 24 Finally, Members are also reminded that in determining the application, consideration also needs to be given to:
 - The rules of natural justice
 - The provisions of the Human Rights Act 1998

Section 151 Officer/Finance

- 25 There are no financial implications.

Policy

- 26 The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.
- 27 The Licensing Authority must also have due regard to the guidance issued under section 182 of the Licensing Act 2003.

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

Equality, Diversity and Inclusion

- 29 There are no equality implications.

Human Resources

- 30 There are no human resources implications.

Risk Management

- 31 The Licensing Sub-Committee will hear representations made on behalf of both the applicant and the 'relevant person' who has submitted their representation and will make a decision on the basis of the evidence presented to it. The Licensing Act 2003 makes provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority.

Rural Communities

- 32 There are no implications for rural communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 33 There are no implications for children and young people.

Public Health

- 34 There are no direct implications for public health.

Climate Change

- 35 There are no implications for climate change.

Access to Information	
Contact Officer:	Tracey Billington – Licensing Enforcement Officer Licensing@Cheshireeast.gov.uk 0300 123 5015
Appendices:	Appendix 1a, 1b, 1c – Application & Plan Appendix 2 – Copy of the Current Premises Licence Appendix 3 – Map of the area

	<p>Appendix 4 – Representations from Responsible Authorities</p> <p>Appendix 5 – Representations from Members of the Public</p>
Background Papers:	<p><u>Revised Guidance issued under section 182 of the Licensing Act 2003 (publishing.service.gov.uk)</u></p> <p><u>Council's Statement of Licensing Policy published under section 5 of the Licensing Act 2003</u></p> <p><u>Licensing Act 2003</u></p> <p><u>The Licensing Act 2003 (Hearings) Regulations 2005</u></p>



Cheshire East
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@cheshireeast.gov.uk
 Telephone: 0300 123 5015

* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

*Continued from previous page...*Your position in the business Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name Street District City or town County or administrative area Postcode Country **Section 2 of 18****APPLICATION DETAILS**

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description
Postal Address Of PremisesBuilding number or name Street District City or town County or administrative area Postcode Country **Premises Contact Details**Telephone number

*Continued from previous page...*Non-domestic rateable
value of premises (£)

10,200

Section 3 of 18**VARIATION**Do you want the proposed
variation to have effect as
soon as possible?

Yes



No

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

Yes



No

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.If your proposed variation
would mean that 5,000 or
more people are expected to
attend the premises at any
one time, state the number
expected to attend**Describe Briefly The Nature Of The Proposed Variation**

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.

When we transferred the premises license from Cubar Sandbach we have not entered the Recorded Music / Late Night Refreshments as inside / Out - This is a clerical mistake on our part. As Summer is here it is an integral part of our business to ensure we can make profit to stay open. The music will only be played as background via a sonos 1 mini currently located on the rear of the building - Ambience only

Section 4 of 18**PROVISION OF PLAYS**[See guidance on regulated entertainment](#)Will the schedule to provide plays be subject to change if this application to
vary is successful?

Yes



No

Section 5 of 18**PROVISION OF FILMS**[See guidance on regulated entertainment](#)Will the schedule to provide films be subject to change if this application to
vary is successful?

Yes



No

Section 6 of 18**PROVISION OF INDOOR SPORTING EVENTS**

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 7 of 18**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 8 of 18**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 9 of 18**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings**MONDAY**

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

FRIDAY

Start 12:00

End 01:00

Start

End

SATURDAY

Start 12:00

End 01:00

Start

End

SUNDAY

Start 12:00

End 01:00

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☐ Indoors
 ☐ Outdoors
 ☒ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

When we transferred the premises license from Cubar Sandbach we have not entered the Recorded Music / Late Night Refreshments as inside / Out - This is a clerical mistake on our part. As Summer is here it is an integral part of our business to ensure we can make profit to stay open. The music will only be played as background via a sonos 1 mini currently located on the rear of the building - Ambience only

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Xmas Eve & NYE until 02.00

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes
 ☒ No

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Continued from previous page...

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes☒ No**Section 12 of 18****PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☒ Yes☐ No**Standard Days And Timings****MONDAY**Start End Start End

Provide 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.

TUESDAYStart End Start End **WEDNESDAY**Start End Start End **THURSDAY**Start End Start End **FRIDAY**Start End Start End **SATURDAY**Start End Start End **SUNDAY**Start End Start End

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

- ☐ Indoors
 ☐ Outdoors
 ☒ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

When we transferred the premises license from Cubar Sandbach we have not entered the Recorded Music / Late Night Refreshments as inside / Out - This is a clerical mistake on our part. As Summer is here it is an integral part of our business to ensure we can make profit to stay open. The music will only be played as background via a sonos 1 mini currently located on the rear of the building - Ambience only

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Xmas Eve & NYE until 02.00

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- ☐ Yes
 ☒ No

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

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Continued from previous page...

HOURS PREMISES ARE OPEN TO THE PUBLIC**Standard Days And Timings****MONDAY**Start End Start End

Provide 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.

TUESDAYStart End Start End **WEDNESDAY**Start End Start End **THURSDAY**Start End Start End **FRIDAY**Start End Start End **SATURDAY**Start End Start End **SUNDAY**Start End Start End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Xmas Eve & NYE until 02.00

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

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

☒ I have enclosed the premises licence

☒ I have enclosed the relevant part of the premises licence

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

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Continued from previous page...

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NOTES ON REGULATED ENTERTAINMENT

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

ATTACHMENTS**AUTHORITY POSTAL ADDRESS**

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* I/we understand 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.

☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

[Add another signatory](#)

Once you're finished you need to do the following:

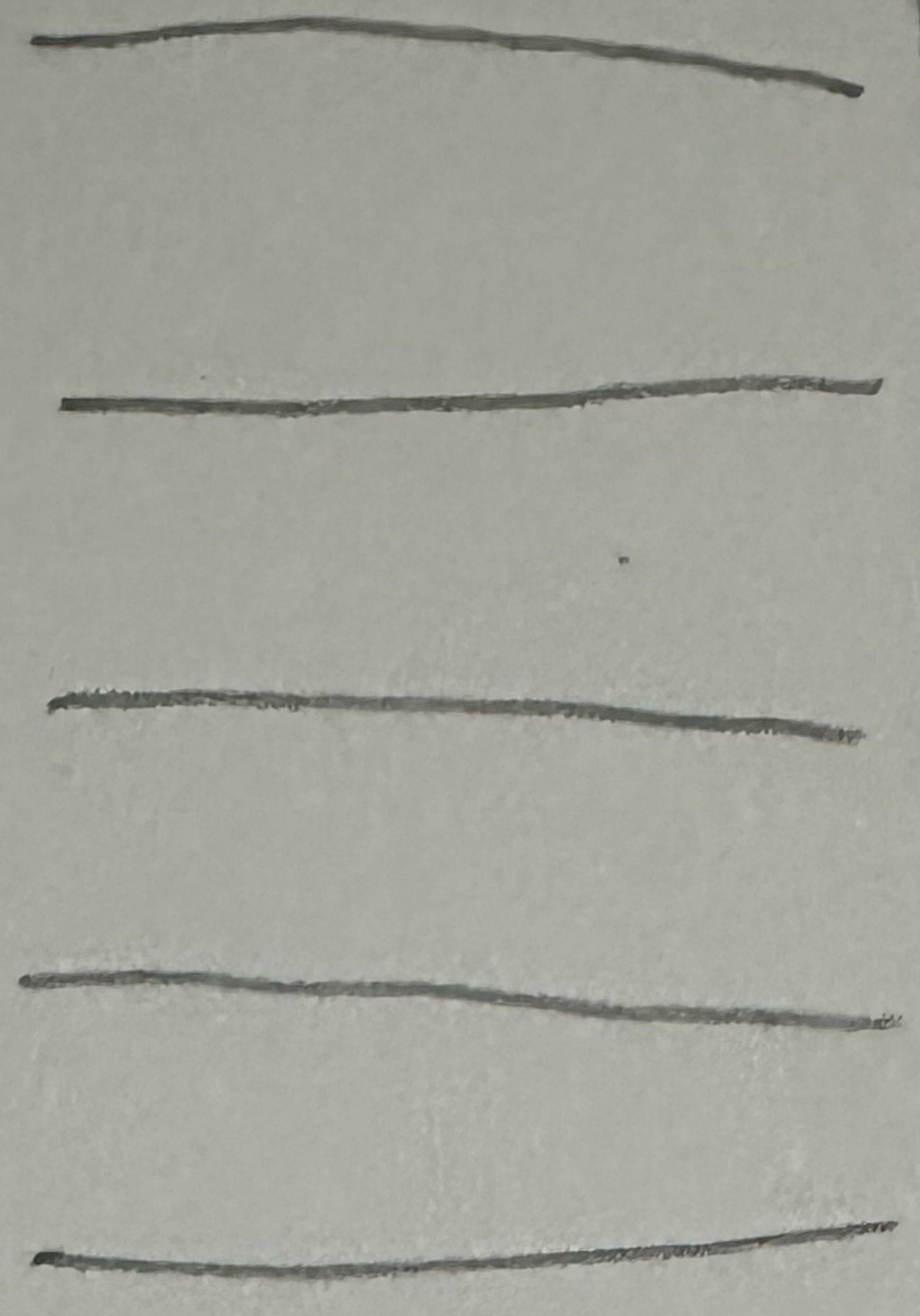
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/cheshire-east/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

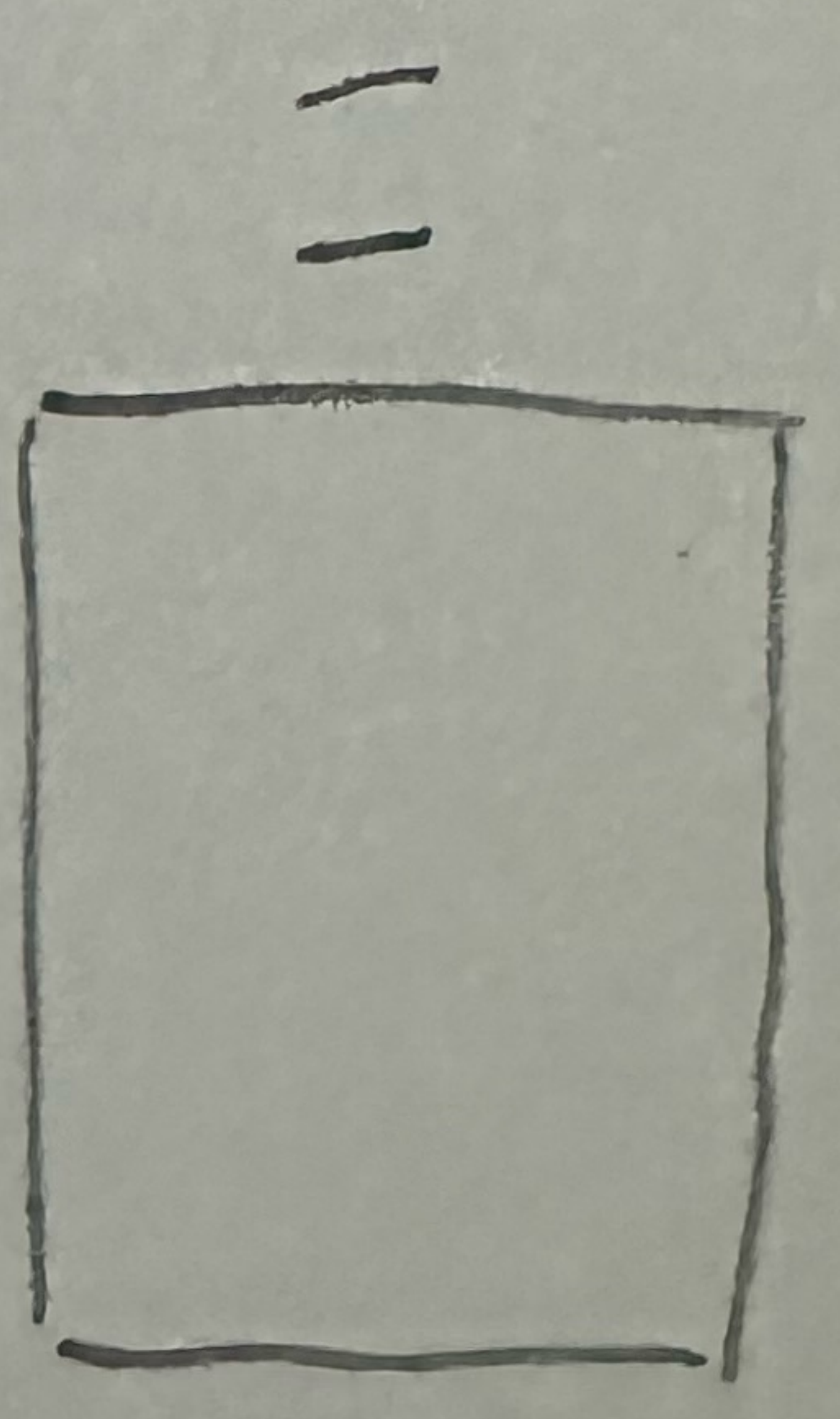
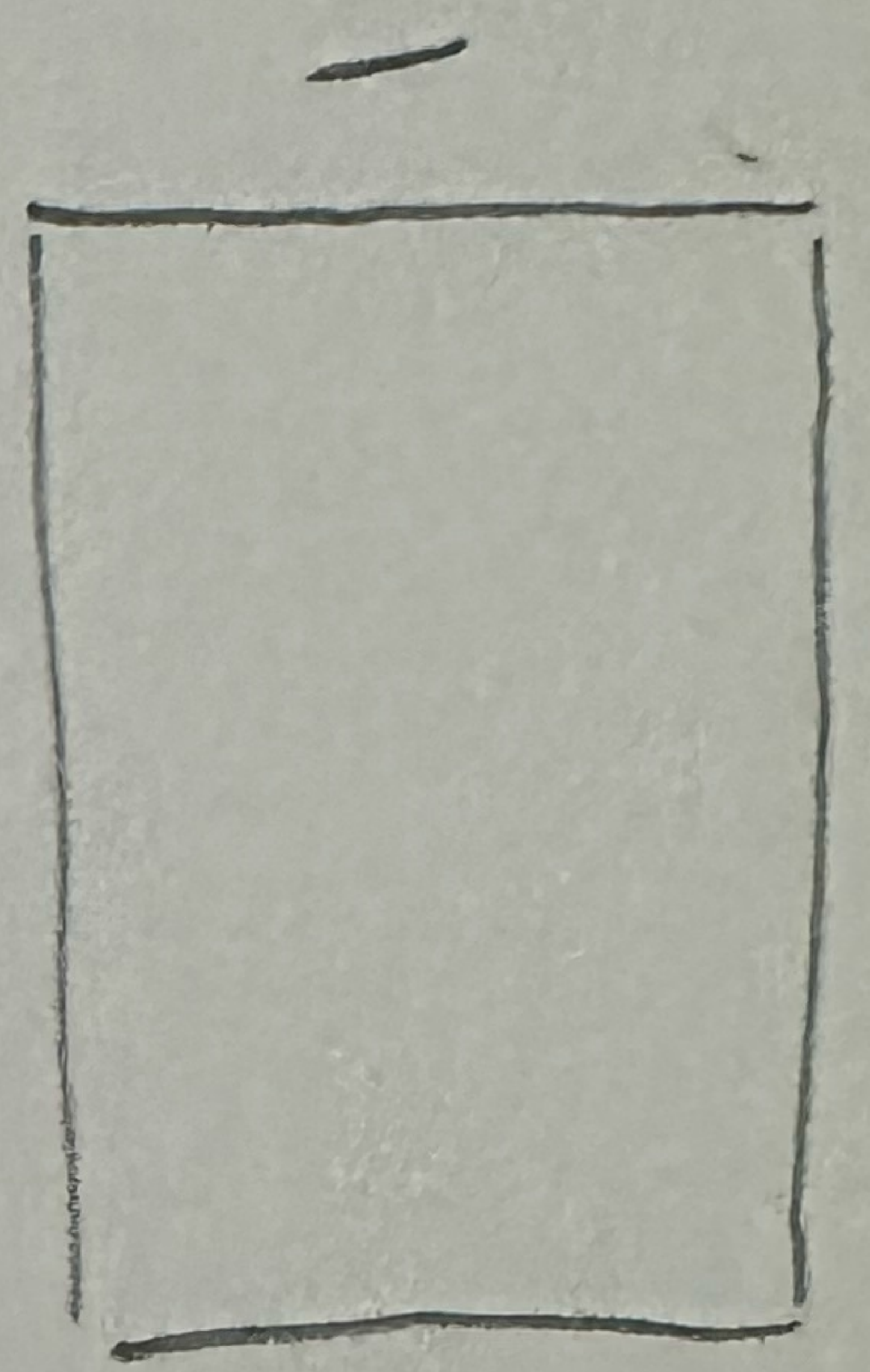
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

FRONT AREA
CARP CHESHIRE
27111

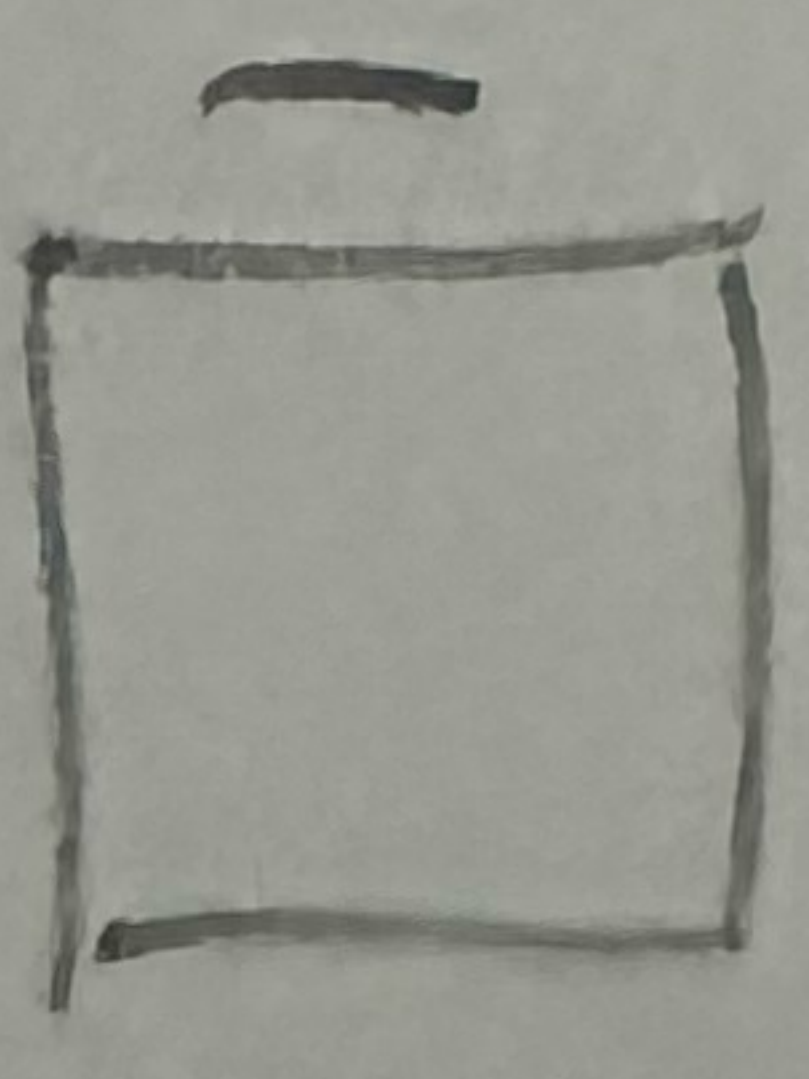
STEPS



6m



4m

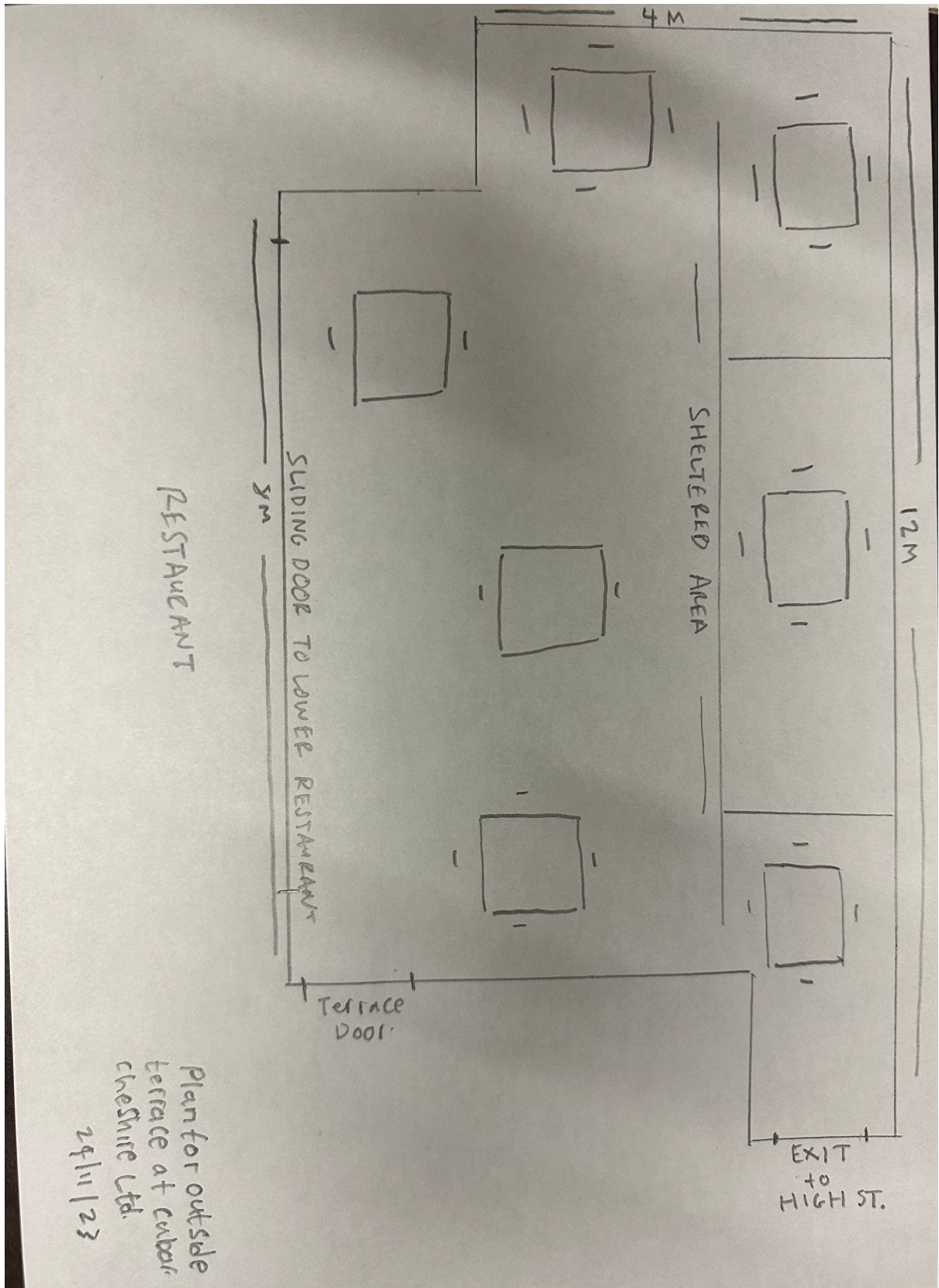


FRONT
DOOR

BAY
WINDOW

CURB BUILDING

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Premises Licence

Premises Licence Number:

PREM1541

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

Cubar, 45 High Street, Sandbach, Cheshire, CW11 1AL

Telephone Number:

Where the Licence is time limited, the dates:

Not Applicable

Licensable activities authorised by the Licence:

Live music
Recorded music
Late night refreshment
Sale/supply of alcohol

The times the Licence authorises the carrying out of licensable activities:

Live music – Indoor - Monday to Sunday 12:00 - 01:00

Recorded music – Indoor – Monday to Sunday 12:00 - 01:00

Late night refreshment – Indoor Monday to Sunday 23:00 - 01:00

Sale/supply of alcohol - For consumption on the premises - Monday 12:00 - 01:00

Seasonal Variations: Christmas Eve and New Years Eve until 02:00am

The opening hours of the Premises:

Monday to Sunday 12:00 - 01:00

Seasonal Variations: Christmas Eve and New Years Eve until 02:00am

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

For consumption on the premises

Part 2

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

Cubar Cheshire Limited
45 High Street, Sandbach, Cheshire, CW11 1AL

Registered number of holder, for example company number, charity number (where applicable):

15038006

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

Yosleydy Lissett Aguila Lopez

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: PERS3262

Issuing Authority: Cheshire East Council

Licence Issued: 26th December 2023

Signed By:

Amy Scott
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 for 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

General

We shall ensure when the premises are open for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. We shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training. We will operate a prove your age policy which will be displayed and challenged.

Prevention of Crime and Disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the Police. We have comprehensive CCTV coverage at the premises and it is operated and maintained at the premises. The CCTV system shall conform to the following points:

1. Cameras must be sited to observe the entrance and exit doors both inside and outside.
2. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
3. Cameras viewing till areas must capture frames not less than 50% of screen.
4. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
5. Be capable of visually confirming the nature of the crime committed.
6. Provide a linked record of the date, time and place of any image.
7. Provide good quality images –colour during opening times.
8. Operate under existing light levels within and outside the premises.
9. Have the recording device located in a secure area or locked cabinet.
10. Have a monitor to review images and recorded picture quality.
11. Be regularly maintained to ensure continuous quality of image capture retention.
12. Have signage displayed in the customer area to advise that CCTV is in operation.
13. Digital images must be kept for 31 days.
14. Police will have access to images at any reasonable time.
15. The equipment must have a suitable export method, e. G. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy, if this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.

Public Safety

Appropriate fire safety procedures are in place including fire extinguishers (foam, H2O and CO2), fire blanket, internally illuminated fire exit signs, numerous smoke detectors and emergency lighting All appliances are inspected and tested twice per year under a service contract.

All emergency exits shall be kept free from obstruction at all times.

Prevention of Public Nuisance

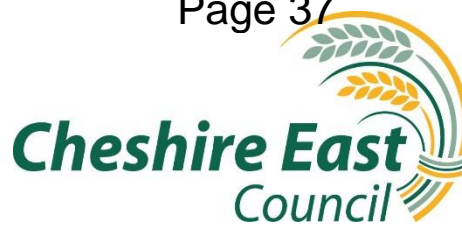
All customers will be asked to leave quietly. We will operate a daily start of shift to inspect not just our premises but for any rubbish / etc and always ensure we keep a clean tidy environment fitting with our surroundings

Protection of Children from Harm

The staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer. All staff will be trained for UNDERAGE SALES PREVENTION regularly.

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

Annex 4 - Plans



Premises Licence Summary

Premises Licence Number:

PREM1541

Premises Details

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

Cubar, 45 High Street, Sandbach, Cheshire East, CW11 1AL

Telephone Number: 07714273751

Where the Licence is time limited, the dates:

Not Applicable

Licensable activities authorised by the Licence:

Live music
Recorded music
Late night refreshment
Sale/supply of alcohol

The time the Licence authorises the carrying out of licensable activities:

Live music – Indoor - Monday to Sunday 12:00 - 01:00

Recorded music – Indoor – Monday to Sunday 12:00 - 01:00

Late night refreshment – Indoor Monday to Sunday 23:00 - 01:00

Sale/supply of alcohol - For consumption on the premises - Monday 12:00 - 01:00

Seasonal Variations: Christmas Eve and New Years Eve until 02:00am

The opening hours of the Premises:

Monday to Sunday 12:00 - 01:00

Seasonal Variations: Christmas Eve and New Years Eve until 02:00am

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

For consumption on the premises

Name, (registered) address of holder of Premises Licence:

Cubar Cheshire Limited
45 High Street, Sandbach, Cheshire, CW11 1AL

Registered number of holder, for example company number, charity number (where applicable):

15038006

Name of Designated Premises Supervisor where the Premises Licence authorises for the supply of alcohol:

Yosleydy Lissett Aguila Lopez

State whether access to the Premises by children is restricted or prohibited:

Not Applicable

Licence Issued: 26th December 2023

Signed By:

Amy Scott
On Behalf of Cheshire East Borough Council

Licensing Act 2003 – Premises Licence

Duration of a Premises Licence

A premises licence has effect until such a time that it is suspended, revoked or surrendered.

Duty to notify change of name or address

The holder of a premises licence must, as soon as is reasonably practicable, notify the relevant licensing authority of any change of name or address.

Where the designated premises supervisor (DPS) under a premises licence is not the holder of the licence, he should notify the licensing authority of a change in name or address as soon as possible. The DPS must also notify the holder of the premises licence.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)

Duty to keep and display licence

The holder of a premises licence must ensure that the licence or a certified copy of it is kept at the premises in the custody of or under the control of the holder of the licence or a person who works at the premises whom the premises licence holder has nominated in writing. A notice should be prominently displayed at the premises specifying the position of any such nominee.

The premises licence holder has a duty to ensure that a summary of the licence or a certified copy of that summary is prominently displayed at the premises.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)

Duty to produce licence

A constable or an authorised person may require production of the premises licence for examination. An authorised person must, if requested, produce evidence of his authority to exercise the power.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)

Theft or loss of premises licence

Where a premises licence or summary is lost, stolen, damaged or destroyed, the holder of the licence may apply to the relevant licensing authority for a copy of the licence or summary. A fee of £10.50 is payable in relation to such an application.

Where an application is made for a replacement licence or summary the licensing authority must issue the holder of the licence with a licence or summary if it is satisfied that –

- (a) the licence or summary has been lost, stolen, damaged or destroyed; and
- (a) where it has been lost or stolen, the holder has reported that loss or theft to the police.

Surrender of premises licence

Where the holder of a premises licence wishes to surrender his/her licence he/she may give the licensing authority a notice to that effect. The notice must be accompanied by the premises licence, or where that is not practicable, by a statement of the reasons for the failure to provide the licence. Where a notice of surrender is given, the premises licence lapses on receipt of the notice by the licensing authority.

Death, incapacity, insolvency of licence holder

A premises licence lapses if the holder of the licence –

- (a) dies,
- (a) becomes mentally incapable (within the meaning of section 13(1) of the Enduring Powers of Attorney Act 1985)
- (b) becomes insolvent,
- (c) is dissolved, or
- (d) if it is a club, ceases to be a recognised club

(subject to provision for re-instatement in certain circumstances).

**Custody of Premises Licence
Licensing Act 2003 – S.57 (3)(b)**

In accordance with Section 57 (2)(b) of the Licensing Act 2003

I/We being the
holder(s) of/Director of the company holding

Premises Licence number.....

relating to the premises known as

.....

.....

hereby nominate

as custodian of the said Premises Licence.

To conform with Section 57 (3)(b) of the Licensing Act 2003 this authorisation is hereby displayed.

.....
Signed

.....
Position

S.57 Duty to keep and produce licence

(2) The holder of the premises licence must secure that the licence or a certified copy of it is kept at the premises in the custody or under the control of-

(b) a person who works at the premises and whom the holder of the licence has nominated in writing for the purposes of this subsection

(3) The holder of the premises licence must secure that-

(b) a notice specifying the position held at the premises by any person nominated for the purposes of subsection (2), are prominently displayed at the premises.

(4) The holder of a premises licence commits an offence if he fails, without reasonable excuse, to comply with subsection (2) or (3)



12/6/2024

CUBAR, High Street, Sandbach

Appendix 3



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LICENSING ACT 2003

Environmental Health Consultation Response



Working for a **brighter future** together

EP Ref: ELL/077327

Date Received: 14th May 2024

Name of Applicant: Cubar Cheshire Ltd

Address to which application relates: 45 High Street, Sandbach, CW11 1AL

Conversion: ☐ Variation: ☒ New: ☐

<input type="checkbox"/>	Approve
<input checked="" type="checkbox"/>	Approve with Conditions
<input type="checkbox"/>	Object to Section(s)

LICENSING OBJECTIVE:

PREVENTION OF PUBLIC NUISANCE

In order to protect the interest of local residents and ensure that the licensing objective of public nuisance prevention is upheld: all necessary steps shall be taken to ensure that any noise from the premises shall not be at a level which could cause a noise nuisance at the boundary of the nearest residential premises, therefore:

1. Any live or recorded music emanating from the premises shall not be clearly audible at the boundary of the nearest residential property.
2. Recorded music after 2300hrs shall be background music only.

INFORMATIVES

PLANNING PERMISSION

- It is your responsibility to obtain other consent/planning permission/approvals which may be required in addition to the necessary Premises Licence.
- There are sometimes circumstances where planning conditions have been set which may impact on your activities. If the Planning Permission and the Premises Licence differ; for example where the Planning Authority have set a terminal hour which is earlier than those conditioned by the Premises Licence; you must abide by the earlier time otherwise you leave yourself open to enforcement action.

FOOD BUSINESS OPERATIONS

- Anyone starting a new food business must register with the Council **at least 28 days before** you start any food operations. You can register your food business online via GOV.UK. If you

have premises in more than one local authority area, you must register with each authority separately.

Signed: **Mark Vyse | Environmental Health Officer | Environmental Protection**

Dated: **21/05/2024**

Direct Dial: 07943 811185
Email: Mark.Vyse@cheshireeast.gov.uk

Relevant Representations

Received on	From
Friday, May 17, 2024	Objector 1
<p>Please not another bar/pub with a late licence to play music outside. I live on the Tatton Estate which is the other side of the park and I can hear the music being played at The Lion/DV8/Market Tavern every weekend and it keeps me awake- if I can hear it and it keeps me awake then I suspect so can everyone in Sandbach within a mile radius and its outrageous, unbelievable that they are permitted to be this disruptive. Please don't permit Cubar to spoil the town even further by allowing this to happen every night. I'm all for a having and busy night time economy, but keep the noise inside.</p>	

Received on	From
	Objector 2
<p>I strongly object to the proposal of amendments to the licensing of outdoor music until 1am.</p> <p>I am a resident, who lives XXXXXXXXXXXX to the Cubar, Bar and Restaurant. We XXXXXXXXXXXXXXXXXXXX</p> <p>Since the establishment opened three years ago, I and other residents have experienced nothing but trouble, to say the least.</p> <p>Documentation can be provided along with photographic evidence, videos of the comings and goings of the Cubar.</p> <p>The licence at present is that no music, recorded or live shall be permitted to be play outside after 11.00pm. Please see attached, highlighted areas for further information, on all points in the licence that they must adhere to.</p> <p>They have shown no interest is abiding to this current licence. I can only imagine how it would be if the licence were to be extended, permitting music to be played and persons been allowed outside until 1am.</p> <p>There are other pubs within the High Street, Sandbach, who have to adhere to a licence of no music and people outside at the beer garden after 10.30pm. This is due to them being in a residential area. I see this as no difference. The Cubar is situated in a residential area.</p> <p>On a personal matter, I have severe mental health problems. I suffer from depression, anxiety, also diagnosed with Borderline Personality Disorder. My anxiety is at another, higher level due to the Cubar.</p> <p>On several occasions I have had to contact the establishment either by phone call, messages to the owner, who is not the named licensee Mr Phil Bebington. Or and if this has not been successful, I have had to go down to the bar in person to complain about the noise. Which to be honest has been shocking, as I have been verbally abused by Mr Phil Bebington and his wife Yosleydy Lopez.</p> <p>It's not only the noise, that is of great concern to me, there are several other concerns, for example overflowing bins, with food waste exposed to the elements. Bottles and glasses left outside the premises. Cigarette buds that litter the street. Vomiting on or very near my front door.</p> <p>Also the noise of the customers leaving the establishment are loud, screaming, swearing and very intoxicated.</p> <p>I urge you and the panel to look into this issue of amendments to the said premises licence further as a matter of urgency.</p> <p>As mentioned my anxiety is at a high level due to this matter.</p>	

	<p>I dread every weekend, knowing that the Cubar is open, knowing that they will be breaching their current licence.</p> <p>My flat is my safe place. I live alone, with hardly any friends or family nearby.</p> <p>Along with fearing for my own safety, I have a dog and cat, which I dread letting them out of an evening when the establishment is open, as I am afraid of what will happen to them, due to the customers being intoxicated, loud and somewhat aggressive.</p> <p>This is mostly due to my mental health, worrying, overthinking, emotional and being afraid.</p> <p>I have been witness to a fight taking place right outside my door.</p> <p>I have had continuous experience of customers knocking on my door.</p> <p>I've walked out of my home to let the dog out, to a customer urinating on my doorstep.</p> <p>Bottles, and glasses left on or around my doorstep.</p> <p>Vomit nearby my doorstep.</p> <p>I have complained on many occasions to Cheshire East Licensing authority, Environmental Health, and the Police with regards to the above complaints.</p> <p>I, as a resident should have the right to feel safe, and happy, in my own home, not constantly battling with an establishment, owners, customers, and the aftermath each and every weekend.</p> <p>Please could you look into this as a matter of urgency.</p> <p>My contact details are XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX</p> <p>I am also actively in touch with Amanda Andrews, with whom I am messaging with regards to a complaint that I made to Cheshire East Licensing authority before the said date of Cubar requesting to amend their licence.</p>
--	--

	Received on	From
	10 th June 2024	Objector 3
	<p>I wish to object to the alteration to existing licence, to add out door activities Monday to Sunday from 23-00 to 01-00 hours each day.</p> <p>i believe it should remain as unchanged.</p> <p>The existing licence with conditions was not to have people drinking and loud music after 23-00 all doors and windows must be closed after 23-00 Monday to Sunday To prevent excessive noise disturbance to local residents, these conditions were attached in order to promote the licensing objective of the prevention of public nuisance licensing own words in a letter to me.</p> <p>Since taking over the licence premises the Cubar have not complied with the conditions which is in breach of the licence already in place,</p> <p>Numerous times people have been outside after 23-00 doors and windows have been open allowing excessive noise to emanate from the premises.</p> <p>Also disposing of bottles in bins after 20-00 hours which is also in breach of the licence</p>	

	<p>I believe that they have shown very little or no respect or consideration to local residents and neighbours, they just do as want to its all about making money. no matter what</p> <p>On numerous occasions have broken the conditions of licence from 15/8/20 up to 1/6/24</p> <p>I have lots of dates and times including video evidence on my phone but files too big to attach to email I could supply a memory stick with the evidence on</p> <p>On many occasions I have had to keep all my doors and windows closed summer or winter, I have had to turn up the volume on the TV to try and drown out the booming music, I have slept downstairs hoping it is a bit quieter upstairs I have even tried sleeping with ear plugs this can not be right it is very stress full its like a nightmare I feel like a prisoner in my home, I sometimes even blocking up landing window and at times sleeping away from home.</p> <p>Living about 20 mt from the property with a clear line of sight many times I have had to clear up broken glasses and bottles from my driveway behind my gate one time empty cooking oil tubs which had fat residue my dog could have eaten.</p> <p>I have seen people from there being sick on driveway and doorways some even urinating at the back absolutely disgusting behaviour.</p> <p>On a personal note I am retired through poor health I need my sleep and rest I am have a on the heart transplant list in the QE hospital Birmingham I have an LVAD fitted to assist me it is very important to keep my stress levels to a minimum</p> <p>I have rung licensing two or three times very little help, I get told its a night time economy and I have to put up with it.</p> <p>this puts you of complaining as no one seems to be interested</p> <p>I thought cheshire east council promote sandbach as a quiet little market town</p> <p>I have lived in my property over 40 years and am sandbach born and bred and have never had any problems with any licensee until now</p> <p>15/8/20</p> <p>Noise from music and people out at rear went on until approx 02-20</p> <p>Until a neighbour went and complained</p> <p>I myself rang police 101 was given an incident number 20000488147, and she could hear the noise, on the phone</p> <p>also rang environmental health on 17/8/20 ref number sr2124900 spoke to Nick Kelly</p> <p>5/6/21</p> <p>people out at rear 00-15 all doors open at rear shouting and swearing was disgusting</p> <p>12/13 /6/21</p> <p>noise from music and people shouting doors open at rear until approx 00-40</p> <p>had to shut all doors and window to try and keep noise down.</p> <p>bottles tip out at 10-45</p> <p>18/19 /6/21</p> <p>lots of noise from music and people shouting at rear all doors open went on until approx 00-30</p> <p>all my windows shut had great difficulty sleeping the next day was told by a neighbour she had rang the police</p> <p>10/7/21</p> <p>doors open at rear people outside shouting another group of approx 15 shouting back over the fence</p> <p>at approx 00-10</p>
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	<p>6/8/21 all doors and windows open at rear people outside 11-55 bottles tip out at 11-00</p> <p>20/8/21 all doors open at rear people outside lots of noise went to bed still outside 12-20 shouting all my doors and windows shut ,still hear the noise</p> <p>21/8/21 all doors open people out at rear loud noise approx 11-55</p> <p>24/8/21 all doors open at rear shouting and screaming, went to bed,all my windows shut could still hear music and shouting at 00-15 bottles tipped out 00-10</p> <p>29/9/21 doors open at rear lots of noise,from loud music and people 00-05 tipping out bottles 00-15</p> <p>18/5/24 doors open at rear people out lot of noise approx 11-45 bottles tipped out 11-30</p> <p>1/6/24 doors windows open at rear people outside shouting loud music went on untill approx 00-15 had to shut all my windows and keep my bedroom doors shut</p>