

Licensing Act Sub-Committee

Agenda

Date: Monday, 12th February, 2024
Time: 10.30 am
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 in the report.

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

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT (Pages 3 - 6)

1. Appointment of Chairman

To appoint a Chairman for the meeting.

2. Declarations of Interest

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 a Premises Licence - Welles and Cross, 17 Welles Street,
Sandbach, Cheshire, CW11 1GT (Pages 7 - 60)**

To consider the above application.

Membership: Councillors D Edwardes, A Heler and R Kain

For requests for further information

Contact: Sam Jones
Tel: 01270 686643
E-Mail: samuel.jones@cheshireeast.gov.uk

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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	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. 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.

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

By virtue of paragraph(s) X of Part 1 Schedule 1 of the Local Government Act 1972.

Licensing Act Sub-Committee**12 February 2024**

**Application for a Premises Licence –
Welles and Cross, 17 Welles Street,
Sandbach, Cheshire, CW11 1GT**

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 for a premises licence made under the Licensing Act 2003 for the following premises:

Welles and Cross, 17 Welles Street, Sandbach, CW11 1GT

Executive Summary

- 2 The report provides details of an application for a Premises Licence, under section 17 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 20th October 2023 an application was received by the Licensing Department for a premises licence in respect of a premises known as Welles and Cross, 17 Welles Street, Sandbach. CW11 1GT. The application was sent for consultation on the same day (20th October 2023). The last date for representations to be made was 17th November 2023. As part of the application process the applicant is required to display the notice in a local newspaper within ten working days of the application being made. On 14th November 2023, the applicant confirmed

the notice had mistakenly been displayed in an only online publication and the application was deemed to be invalid.

- 4 The application for a premises licence was restarted on 22nd December 2023 and the last day for representations was 19th January 2024. A copy of the full application and plan is attached to this report at **Appendix 1**.

- 5 Licensing records show a premises licence is currently in place at the premises. The applicant has reported the premises has been closed for several years and the new premises licence application seeks to include a newly refurbished upstairs area which was previously residential.

- 6 The current premises licence allows for licensable activities to take place during the following times (**Appendix 2**):

Monday to Thursday 11:00 - 00:00

Friday and Saturday 11.00 - 01.00

Sunday 12.00 - 00.00

- 7 The new application for a new premises licence seeks to hold the following licensable activities:

Films

Monday to Sunday 17.00 - 23.00

Live Music

Monday to Friday 18.00 to 23.00

Saturday to Sunday 13.00 to 23.00

Recorded Music and supply of alcohol

Sunday to Thursday 11.00 to 00.00

Friday to Saturday 11.00 to 01.00

Late night refreshment

Sunday to Thursday 23.00 to 00.00

Friday and Saturday 23.00 to 01.00

- 8 A map of the area in which the premises is located is attached to this report at **Appendix 3**.

- 9 Members should also be aware the applicant has applied for six Temporary Event Notices for December 2023 and January 2024 until 01.00 hours. Environmental Health have confirmed they have not received any noise complaints relating to the premises.

Consultation and Engagement

- 10 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 relating to the most current application was inspected by a Licensing Officer on 4th January 2024 and confirmed to be present and met the requirements under the regulations. The Public Notice has also been duly advertised in the Congleton Chronicle (Sandbach Edition) on 4th January 2024, as required.
- 11 Responsible Authorities:
- The Licensing Authority has received representations from Cheshire Police and Environmental Health who have agreed conditions with the applicant. A copy of the agreed conditions are attached to this report at **Appendix 4**.
- 12 Other Persons:
- 13 The Licensing Authority has received several representations from members of the public. A copy of the representations are attached to this report at **Appendix 5**.

Reasons for Recommendations

- 14 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.
- 15 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

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

Implications and Comments

Monitoring Officer/Legal

- 17 The Sub Committee must determine this application in accordance with section 18 of the Licensing Act 2003. To do so otherwise would render its determination unlawful and invalid.
- 18 In accordance with the provisions of section 18 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.
- 19 Section 18 (4) provides that the authority may:
 - a) Grant the licence subject to conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives and any mandatory conditions that must be included on the licence in accordance with the Licensing Act 2003;
 - b) Exclude from the scope of the licence any of the Licensable Activities to which the application relates;
 - c) Refuse to specify a person in the licence as the Premises Supervisor;
 - d) Reject the application.
- 20 Members are reminded that should any conditions be added or amended, they should be practical, enforceable and appropriate to promote the Licensing Objectives.
- 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 1 – Application & Plan Appendix 2 – Current Premises Licence Appendix 3 – Map of General area Appendix 4 – Representations from Responsible Authorities Appendix 5 – Representations from Members of the Public
Background Papers:	Revised Guidance issued under section 182 of the Licensing Act 2003 (publishing.service.gov.uk) Council's Statement of Licensing Policy published under section 5 of the Licensing Act 2003 Licensing Act 2003 The Licensing Act 2003 (Hearings) Regulations 2005

Application for a premises licence to be granted under the Licensing Act 2003**Please read the following instructions first**

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

You may wish to keep a copy of the completed form for your records.

I/We NICHOLAS JAMES WHITBY

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description WELLES & CROSS, 17 WELLES STREET,			
Post town	SANDBACH	Postcode	CW11 1GT

Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	£ 6300

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** Please tick as

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	
i	as a limited company/limited liability partnership	<input type="checkbox"/>	please complete section (B)
ii	as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
iii	as an unincorporated association or	<input type="checkbox"/>	please complete section (B)
iv	other (for example a statutory corporation)	<input type="checkbox"/>	please complete section (B)

c)	a recognised club		please complete section (B)
d)	a charity		please complete section (B)
e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities **X**

•
•

(A) individual applicants (fill in as applicable)

Mr			
Surname WHITBY		First names NICHOLAS JAMES	
Date of birth <input type="text"/>		I am 18 years old or over YES	
Nationality BRITISH			
Current residential address if different from premises address		<input type="text"/>	
Post town	KNUTSFORD	Postcode	<input type="text"/>
Daytime contact telephone number		<input type="text"/>	
E-mail address (optional)	<input type="text"/>		

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)

Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

(B) Other applicants

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name

Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	3	0 1 2 0 2 4

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Newly refurbished Public House in Sandbach, the pub had been closed for several years. Now looking to open and cater to a new audience after an extensive refurbishment. Removing the first-floor residency, opening it to a two-floor pub now serving food and drink on the first floor.

Bar is in the same location as previously as is the small terrace to the rear.

Current license is our hand with all correct names and details, however we are requesting a new license due to changes to use of the first floor. License drawing will be attached to this pack.

No open vessels containing alcohol shall be removed from the premises other than to any designated area that has been set aside for the consumption of alcohol.

Tables and chairs shall be made available for all customers.

Entry after 6pm on Friday and Saturdays shall be for over 21's only, unless dining on the first floor and accompanied by an adult

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)		Please tick all that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	X
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)	X
f)	recorded music (if ticking yes, fill in box F)	X
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)	

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	X
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	
		Outdoors				
Day	Start	Finish			Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)			
Tue						
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)			
Thur						
Fri			<u>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</u> (please read guidance note 6)			
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	X
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Like to have the ability to host movie nights on occasion, to help drive the sales if needed.		
Mon	17:00	23:00			
Tue	17:00	23:00			
Wed	17:00	23:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	17:00	23:00			
Fri	17:00	23:00	<u>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</u> (please read guidance note 6)		
Sat	17:00	23:00			
Sun	17:00	23:00			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<u>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</u> (please read guidance note 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
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</u> (please read guidance note 3)		Indoors	X
					Outdoors	
					Both	
Day	Start	Finish				
Mon	18:00	23:00	<u>Please give further details here</u> (please read guidance note 4) A few times a week we plan to have live musicians in the form of a single artists or the occasional duet, mostly acoustic sessions to help create a lovely ambiance.			
Tue	18:00	23:00				
Wed	18:00	23:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)			
Thur	18:00	23:00				
Fri	18:00	23:00	<u>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</u> (please read guidance note 6)			
Sat	13:00	23:00				
Sun	13:00	23:00				

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4) Background music		
Mon	11:00	00:00			
Tue	11:00	00:00			
Wed	11:00	00:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	11:00	00:00			
Fri	11:00	01:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	11:00	01:00			
Sun	11:00	00:00			

G

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

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	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (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 (please read guidance note 3)	Indoors	X
				Outdoors	
				Both	
Day	Start	Finish			
Mon	23:00	00:00	<u>Please give further details here</u> (please read guidance note 4) In case of Coffee or Teas following a meal fall outside of the 23:00 cut off and in case of a meal running later than planned.		
Tue	23:00	00:00			
Wed	23:00	00:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	00:00			
Fri	23:00	01:00	<u>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</u> (please read guidance note 6)		
Sat	23:00	01:00			
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 (please read guidance note 8)	On the premises	X
				Off the premises	
Day	Start	Finish		Both	
Mon.	11:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	11:00	00:00			
Wed	11:00	00:00			
Thur	11:00	00:00			
Fri	11:00	01:00	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)		
Sat	11:00	01:00			
Sun	11:00	00:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name		NICHOLAS JAMES WHITBY
Date of birth		<input type="text"/>
Address		<input type="text"/>
Postcode		<input type="text"/>
Personal licence number (if known)		PERS3146
Issuing licensing authority (if known)		CHESHIRE EAST

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).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	11:00	00:00	
Tue	11:00	00:00	
Wed	11:00	00:00	
Thur	11:00	00:00	Non standard timings. Where you intend 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)
Fri	11:00	01:00	
Sat	11:00	01:00	
Sun	11:00	00:00	

M

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

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

An effective CCTV system should be installed at the Premises and the images recorded by the CCTV system shall be retained in unedited form for a period of not less than 28 days and made available to the Police on request.

Our team will be trained on: Drink Awareness, Drug Awareness, Underage Sales Prevention, Safe Food Handling.

b) The prevention of crime and disorder

We will have a Doorman on Friday and Saturday evenings, we have a new state top of the range cctv system covering all required areas.

Team will be trained on courses relevant to this such as: Drug awareness, underage sales prevention.

We intend to also be in good communication with the local area so we are aware of any key figures that may cause trouble.

c) Public safety

SIA registered Door Supervisors shall be employed at the Premises on Friday and Saturday evenings, along with Christmas Eve and New Year's Eve, to such a number as the management of the premises consider are sufficient to control the entry of persons to the premises and for the keeping of order in the premises when they are used for a licensable activity.

When such staff are employed:

A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor in a register kept for that purpose. That record shall contain the following details:-

- The door supervisor's name, date of birth and home address;
- His/her Security Industry Authority licence number;
- The time and date he/she starts and finishes duty;
- The time of any breaks taken whilst on duty;
- Each entry shall be signed by the door supervisor.
- Record of all incidents taking place in the venue

That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.

The SIA registered security staff shall ensure that persons enter and leave the premises in an orderly fashion

d) The prevention of public nuisance

Ensuring to run a professional business with staff that are trained on alcohol awareness and aware of any key figures likely to cause issues.

CCTV and Intruder Alarm systems.

Signage will be displayed about leaving quietly in respect of our neighbours.

e) The protection of children from harm

There shall be in place for the premises a Challenge 25 proof of age scheme to prevent the sale or supply of alcohol to persons under 18 years of age. The policy shall require any person who appears to be under the age of 25 years to produce a recognised proof of age card, accredited under the Proof of Age Standards (Pass), or, if a proof of age card is not available, a photo driving licence or passport, to prove that they are over the age of 18 years.

Checklist:

Please tick to indicate agreement

•	I have made or enclosed payment of the fee.	X
•	I have enclosed the plan of the premises.	X
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	X
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	X
•	I understand that I must now advertise my application.	X
•	I understand that if I do not comply with the above requirements my application will be rejected.	X
•	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	

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.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Part 4 – Signatures (please read guidance note 11)

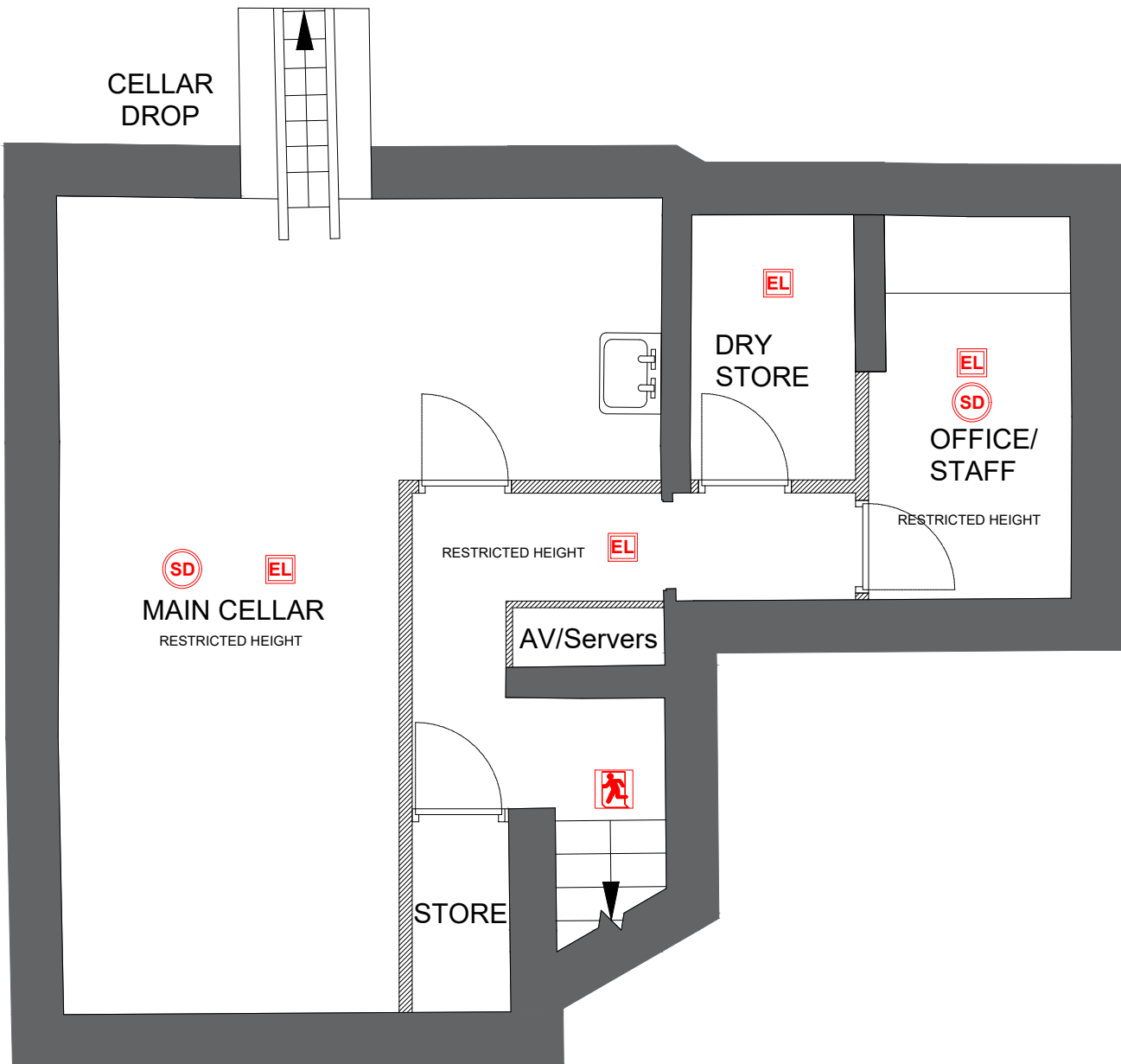
Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	<div style="border: 1px solid red; width: 100px; height: 20px;"></div>
Date	15.12.2023
Capacity	Director

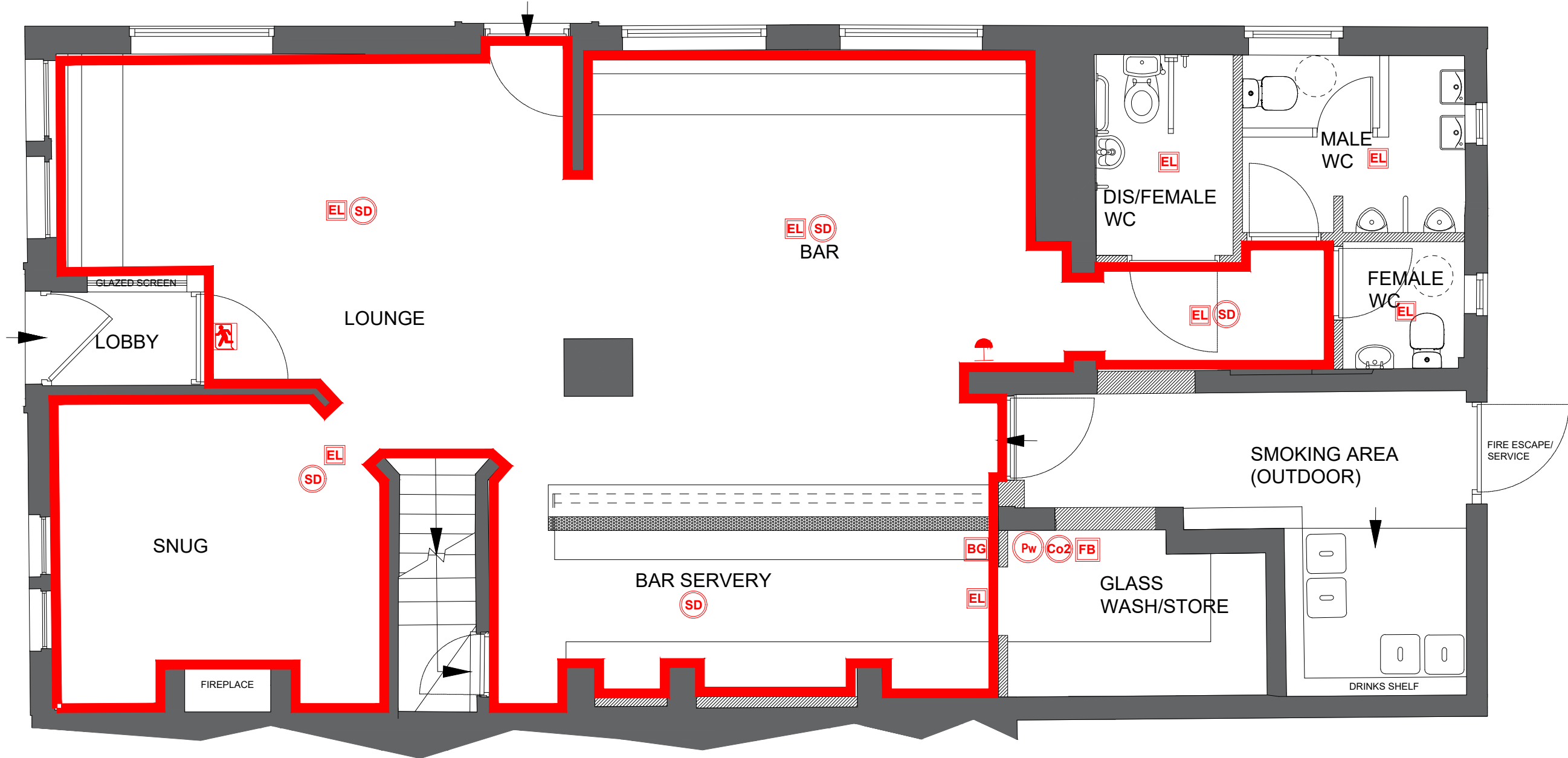
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



PROPOSED BASEMENT PLAN



PROPOSED GROUND FLOOR PLAN

LICENSING NOTES

Items shown on this plan which are not required by the Plans Regulations are for illustrative purposes only and do not form part of the license. These items may be moved at the discretion of the License Holder. The current location of the fire safety equipment and other safety equipment is as shown. The items may be moved from time to time with agreement of the Fire Officer or after fire risk assessment.

Areas for licensable activities:



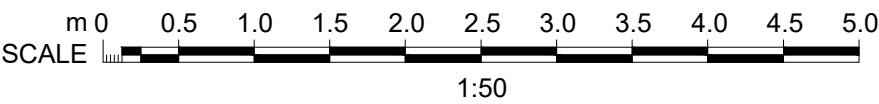
LICENSING LEGEND

- Area covered by non maintained emergency light.
- Area covered by heat/smoke detector.
- Break glass point.
- Push bar fastening to door.
- Vision panel.
- Internally illuminated 'fire exit' sign.
- Internally illuminated running man sign.
- Fire alarm sounder.
- Visual Warning Device
- Fire extinguisher: co2.
- Fire extinguisher: water.
- Fire extinguisher: powder.
- Fire blanket.

All extinguishers are to comply with the current BS EN3 standard. New alarm & break glass points complete located as shown on plan.



PROPOSED FIRST FLOOR PLAN



Client	
NICK WHITBY	
Date	SEPT 23
Drawn	RR
Scale	1:50
Rev.	Size A1
Drawing No. W&C - L-01	
Drawing Title Proposed Licensing	
Project Title Welles & Cross 17 Welles St, Sandbach CW11 1GT	

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Premises Licence

Premises Licence Number:

LAPRE/1298/05

Part 1 - Premises Details

Postal address of Premises or, if none, ordnance survey map reference or description:	
Ring O' Bells	
17 Welles Street	
Post Town: Sandbach	Post Code: CW11 1AT
Telephone Number: 01270 747181	

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

Licensable activities authorised by the Licence:
Supply of Alcohol Exhibition of a Film Indoor Sporting Events Performance of Live Music Performance of Recorded Music Performance of Dance Making Music Provision of facilities for Dancing Late Night Refreshment

The times the Licence authorises the carrying out of licensable activities:
Supply of Alcohol And All Permitted Activities
Monday to Thursday 11:00 - 00:00 Friday and Saturday 11.00 - 01.00 Sunday 12.00 - 00.00
Friday, Saturday, Sunday and Monday, of all Bank or Public Holidays, Christmas Eve and Boxing Day 11.00 - 01.00 New Years Eve 10.00 until the end of New Years Day

The opening hours of the Premises:

Monday	11:00 - 00:30
Tuesday	11:00 - 00:30
Wednesday	11:00 - 00:30
Thursday	11:00 - 00:30
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	12:00 - 00:30

Friday, Saturday, Sunday and Monday, of all Bank or Public Holidays,
Christmas Eve and Boxing Day 11.00 - 01.30
New Years Eve 10.00 until the end of New Years Day

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

Alcohol is supplied for consumption both on and off the Premises

Part 2

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

Mr Shaun David Hall

And

Mr Robert John Hall

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

n/a

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

Mr Shaun David Hall

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: PA1008

Issuing Authority: Newcastle-under-Lyme Borough Council

Licence issued

Signed by
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

General – All Licensing Objectives

- 1 No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.
- 2 Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
- 3 A sign will be located at the exit(s) requesting that customers leaving the premises do so quietly and with consideration to neighbours.
- 4 Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
- 5 No one under the age of 16 will be allowed to enter or remain on the premises after 21.00.

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

Not applicable

Annex 4 - Plans

Plan 1298/05



Premises Licence Summary

Premises Licence Number:

LAPRE/1298/05

Premises Details

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

Ring O' Bells
17 Welles Street

Post Town: Sandbach

Post Code: CW11 1AT

Telephone Number: 01270 765731

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Supply of Alcohol
Exhibition of a Film
Indoor Sporting Events
Performance of Live Music
Performance of Recorded Music
Performance of Dance
Making Music
Provision of facilities for Dancing
Late Night Refreshment

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

Supply of Alcohol And All Permitted Activities

Monday to Thursday	11:00 - 00:00
Friday and Saturday	11.00 - 01.00
Sunday	12.00 - 00.00

Friday, Saturday, Sunday and Monday, of all Bank or Public Holidays,
Christmas Eve and Boxing Day 11.00 - 01.00
New Years Eve 10.00 until the end of New Years Day

The opening hours of the Premises:

Monday	11:00 - 00:30
Tuesday	11:00 - 00:30
Wednesday	11:00 - 00:30
Thursday	11:00 - 00:30
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	12:00 - 00:30

Friday, Saturday, Sunday and Monday, of all Bank or Public Holidays,
Christmas Eve and Boxing Day 11.00 - 01.30
New Years Eve 10.00 until the end of New Years Day

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

Alcohol is supplied for consumption both on and off the Premises

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

Mr Shaun David Hall

Mr Robert John Hall

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

n/a

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

Mr Shaun David Hall

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

Restricted

Licence issued

Signed by
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).

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23/1/2024

Appendix 3

Welles and Cross



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LICENSING ACT 2003

Environmental Health Consultation

Response

Appendix 4



Working for a brighter future: together

Date Received: 22nd December 2023

Name of Applicant: Nick Whitby

Address to which application relates: Welles & Cross, 17 Welles Street, Sandbach, Cheshire, CW11 1GT

Conversion:

☐

Variation:

☐

New:

☒

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

Approve

Approve with Conditions

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:

- When amplified musical entertainment is taking place inside the premises after 22.00pm windows and doors, save for entrance and exit purposes, shall be kept shut.
- No noise generated, nor vibration from plant or equipment shall emanate from the premise such as to cause an unreasonable disturbance to residents living in close proximity.

Unreasonable noise is defined as noise that:

Unreasonably and substantially interferes with the use or enjoyment of a home or injures health or is likely to injure health.

- When regulated entertainment is taking place the Licence Holder/Designated Premises Supervisor or responsible person nominated in charge of the Premise, shall conduct regular assessments to ensure that noise emanating from the premise is not causing a nuisance to residents living in close proximity. A written record shall be made of those assessments in a log book, kept for that purpose and shall include; the time and date of the checks, the person making them and the results including any remedial action.

- There shall be notices located at the exit(s) requesting that customers leaving the premises do so quietly and with consideration to neighbours.
- Ensure notices are placed in prominent places within the beer garden/outdoor drinking area, requesting that customers keep the noise level down, and are considerate of the neighbours.
- There shall be no disposal of bottles outside the premises between the hours of 21.00 and 09.00.

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](https://www.gov.uk). If you have premises in more than one local authority area, you must register with each authority separately.

Signed: Joanna Sherratt | Environmental Protection Officer | Environmental Health

Dated: 18/01/2024

Direct Dial: 07773 594027

Email: Joanna.sherratt@cheshireeast.gov.uk

CHESHIRE EAST COUNCIL**Representation Form.****Responsible Authority.** Police

Your Name	Peter Goring
Job Title	Police Licensing Officer
Postal and email address	Crewe Police Station Crewe Police Station Civic Centre Crewe Cheshire CW1 2DW Peter.goring@cheshire.police.uk
Contact telephone number	07538019771

Name of the premises you are making a representation about.	Welles & Cross.
Address of the premises you are making a representation about.	17 Welles Street, Sandbach. CW11 1GT.

Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
The Prevention of Crime and Disorder.	Yes	To request the inclusion of additional conditions as listed below.
Public Safety.		
The Prevention of Public Nuisance.		
The Protection of Children from Harm.	Yes	To request the inclusion of additional conditions as listed below.

Appendix 4

The applicant has made mention of some of the points below within their application however for the purpose of clarity and to promote the Licensing Objectives in particular The prevention of Crime and Disorder and the Protection of Children from Harm, the Police seek the below worded conditions to be included on the licence

<p>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p>	<p>1 - An effective CCTV system should be installed at the Premises and the images recorded by the CCTV system shall be retained in unedited form for a period of not less than 30 days and made available to the Police on request.</p> <p>2- There shall be in place for the premises a Challenge 25 proof of age scheme to prevent the sale or supply of alcohol to persons under 18 years of age. The policy shall require any person who appears to be under the age of 25 years to produce a recognised proof of age card, accredited under the Proof of Age Standards (Pass), or, if a proof of age card is not available, a photo driving licence or passport, to prove that they are over the age of 18 years.</p> <p>3 – SIA registered Door Supervisors shall be employed at the Premises on Friday and Saturday evenings, along with Christmas Eve and New Year’s Eve, to such a number as the management of the premises consider are sufficient to control the entry of persons to the premises and for the keeping of order in the premises when they are used for a licensable activity. When such staff are employed:</p> <p>A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor in a register kept for that purpose. That record shall contain the following details:-</p> <ul style="list-style-type: none"> · The door supervisor's name, date of birth and home address; · His/her Security Industry Authority licence number; · The time and date he/she starts and finishes duty; · The time of any breaks taken whilst on duty; · Each entry shall be signed by the door supervisor. · Record of all incidents taking place in the venue <p>That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable. The SIA registered security staff shall ensure that persons enter and leave the premises in an orderly fashion.</p> <p>4 - No open vessels containing alcohol shall be removed from the premises other than to any designated area that has been set aside for the consumption of alcohol.</p> <p>5 – Tables and chairs shall be made available for all customers.</p>
---	---

Appendix 4

	6 – Entry after 7pm on Friday and Saturdays shall be for over 21's only, unless dining on the first floor and accompanied by an adult.

Signed: Peter Goring

Date: 25.10.23.

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Relevant Representations

	Received on	From
	03/01/2024	Objector 1
	<p>(Objection 1 from first consultation)</p> <p>Dear Sir/Madam</p> <p>We wish to raise an objection to the proposed late night application for recorded music, supply of alcohol and late night refreshments by: Nicholas James Whitby for Welles & Cross, 17 Welles Street, Sandbach CW11 1GT. The proposal for recorded music and sale of alcohol until 01:00 is totally unacceptable in a residential area. The property is surrounded by flats and houses. The residents of these homes will be adversely affected by the noise of the music and by the drinkers leaving the premises in the early hours of the morning. It will prevent us from sleeping and affect our quality of life. The closest venue selling alcohol, closes at 22:00 (The Beer Emporium) at the latest. The takeaway premises on Green Street were denied late night opening because of their proximity to homes. There is no need or precedence for late night opening. Anything beyond 23:00 is totally unacceptable.</p> <p>Yours faithfully</p> <p>(Objection 2 from second consultation)</p> <p>Dear Sir or Madam</p> <p>We note that a new application has been made for the Welles and Cross, even though we have not been contacted by yourselves to discuss the last application as per you email in November.</p> <p>Welles and Cross have been open since 2nd December. We have no objection to it operating between 1100 and 2300. We are still against its operation until 0100. This is a residential area and music playing until 0100 will considerably disturb the sleep of all those in the local area. As will the arrival and exit of customers during these late hours. In our original email, we note that other establishments in the vicinity, that serve alcohol or food, do not stay open beyond 2300.</p> <p>We still wish our first email objection and this email to be submitted against this application.</p> <p>Yours faithfully</p>	

	Received on	From
	04/01/2024	Objector 2
	<p>(Objection 1 from first consultation)</p> <p>Dear Sir/Madam</p> <p>I wish to strongly oppose this application for the following reasons:-</p> <p>(1) The whole content of the application, as the owners have no consideration whatsoever, for the neighbours. (2) The late hours that the</p>	

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<p>contents entail are not acceptable, some start at 5.00pm and go on to midnight or beyond. (3) The premises are situated in a residential and built up area and to have all that noise going on from Monday to Sunday is not acceptable, and why should we have broken sleep? (4) The premises back on to a row of terraced houses with an alleyway between and the decibels will be very high for those residents in Green Street and Welles Street, especially for those with children. (5) I feel that what the owners are wanting should be away from a residential or built up area. I sincerely hope that this application will not be granted for the peace of all residents of Green Street and Welles Street.</p> <p>Yours faithfully</p> <p>(Objection 2 from second consultation)</p> <p>Dear Mr Haskell</p> <p>Thank you for your email.</p> <p>Yes I certainly want my previous comments to stand and would like to add a further comment :-</p> <p>With the longer Summer days ahead the noise will be much higher as the people will have windows open and the appellant does not appear to consider that this is a residential and built up area. To have music over the weekend and particularly on a Sunday until 1.00am when folk have to be up for work the following day; two of my neighbours have to rise for work at 4.00am.</p> <p>I sincerely hope that attention will be given to these and previous comments when this application is considered.</p> <p>Yours sincerely</p>
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	Received on	From
	09/01/2024	Objector 3
	<p>Hi,</p> <p>I would like to object to the late license for Welles and cross, I live very close to this building and have already experienced problems with noise, as there is no contained smoking area, so people are outside shouting and smoking. There has also been vomit outside and on nearby properties, glasses left on the pavements and rubbish. The late licence just encourages people who have left other pubs to end up here. It is usually a quiet area but not now and that will only get worse as we head towards the summer with windows and doors open.</p> <p>Thanks for considering this.</p>	

	Received on	From
	10/01/2024	Objector 4
	<p>(Objection 1 from first consultation)</p> <p>I wish to object to the licence until 1.00 am on the grounds that there are hundreds of residential properties in the vicinity. Loud music, whether it be</p>	

	<p>live or recorded plus alcohol late into the night, will affect the health and well being of residents in Green Street, Welles Street and apartments in both Welles Street and Bold Street. According to a 2011 study, regular exposure to sleep-interrupting noise can extend the duration of light-stage sleep while reducing the duration and quality of deeper-stage, recuperative sleep. This can result in elevated heart rate and blood pressure, and higher levels of the stress hormones cortisol and adrenalin. Please take the health and well-being of residents in the area into account when considering the application.</p> <p>(Objection 2 from second consultation)</p> <p>Please accept this e-mail as meaning that I still oppose the licensing application by Welles and Cross. My grounds for this application being refused still stand as stated. I also know of residents living near Welles and Cross who are in their 80's and early 90's who retire to bed early and will be affected by the noise, particularly in the summer when windows are open. Similarly there are people living in the area that I know work shifts, including weekends. This means getting a good nights sleep to ensure that they can drive to work safely and operate a 12 hour shift successfully. If they are kept awake until the early hours of the morning and have to be awake for 5.00am, this doesn't seem possible.</p> <p>Regards</p>
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	Received on	From
	14/01/2024	Objector 5
	<p>TWIMC</p> <p>I am writing to express my strong objection to the application for a premises licence extension at The Welles Crosses, 17 Welles Street, Sandbach CW11 1GU. As a resident of Welles Street, I have observed a significant increase in noise pollution since the establishment extended its opening hours.</p> <p>The absence of a designated smoking shelter has led to patrons congregating on the street, resulting in disruptive noise late at night. Regrettably, on Sunday, January 7th, at 1:25 am, an incident occurred where someone vomited down our windows, emphasizing the disturbances caused by the extended hours.</p> <p>The heightened noise from patrons leaving the premises has consistently disrupted our sleep. Granting a licence for extended hours in a residential area is alarming, as it adversely impacts the mental well-being of residents.</p> <p>In addition, we have also noticed a surge in takeaway litter, pub glasses, and bottles on our residential street, further contributing to the deterioration of the neighborhood's cleanliness and ambiance.</p> <p>While supporting local businesses is essential, allowing late licenses in a residential setting jeopardizes the tranquility of the neighborhood. There is a concern that the extended hours will attract individuals from other pubs during the final hour, exacerbating the challenges faced by Welles Street residents. I urge you to reconsider this application, taking into account the</p>	

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	<p>well-being and peace of mind of the residents. The current disturbances are unacceptable, and an extension to the licence would only worsen the situation. Should the licence be granted, we will be contacting our local MP, Fiona Bruce, for further advice.</p> <p>Sincerely,</p>

	Received on	From
	16/01/2024	Objector 6
	(Objection 1 from first consultation)	
	<p>Hello, to whom it may concern with regard to the application for licence at Welles & Cross, 17 Welles Street, Sandbach, CW11 1GT (was known as Ring of Bells). I thought as Welles Street, Green Street and part of Bold Street and Cross Street were residential areas the application would be breaking the law with regard to the noise (decibel) level that would happen if the application was passed in it's entirety. Please need to sleep to function and there would definitely be lack of sleep due to the noise (decibel) level. This application is for a property which is not in or near to a residential area, which when all said and done the Welles & Cross pub is. The decibel act for noise level is there for a reason with regard to residential areas. Thank you. The application does not need to be passed in it entirety please have consideration for the residents thank you again.</p>	
	(Objection 2 from second consultation)	
	<p>To whom it may concern, As I have learnt from a neighbour you are relooking at the Welles & Cross application for the licensing hour they have applied for. My concerns still stand as I wrote to you before. The main ones being Welles & Cross is in a residential area. The Swan & Chequers, although it is at the end of same street, has tallish buildings to buffer the noise that is made in it's premises as do the other pubs in the centre of Sandbach. Also the Welles & Cross will surely be breaking the law having music until one o'clock in the morning on the different days. Please consider the lack of sleep residents will get from the extra opening hours of 11:00 PM – 1:00 AM Welles & Cross are asking for. Also as I said before I had to find out from a neighbour the application was being resubmitted – how many other residents may not know about this? Anyway thank you for your time.</p>	

	Received on	From
	19/01/2024	Objector 7
	<p>Good morning,</p> <p>I am writing this email to raise my concerns on the licence application process for the new public house, Welles & Cross of Welles St in Sandbach.</p>	

As much as I understand and appreciate supporting local businesses, I don't approve of the late licence request until 1am as a resident of Welles Street.

My main concerns are that this is giving people longer periods of drinking time to get intoxicated and then leaving the premises at 1am I have concerns of noise in the street and anti social behaviour. We often get people (especially in the summer months) shouting, swearing and fighting and also causing damage to cars as they cut through Welles St but I fear that this will happen more often with how close this pub is to our property with having a late licence.

I also work shift patterns so my sleep and rest time is crucial as I am a carer and on my feet looking after vulnerable adults.

My other concern is parking for residents, especially with the plans to put pay for parking in the town. The street is already very busy with cars that don't necessarily live here and I fear that people attending the Welles & Cross are likely to park on Welles Street and Green St and potentially leave there vehicles over night causing further parking issues for the residents of the street.

I feel that a late licence is not needed at this time and that the respect of the residents that live here needs to be considered greatly as does a few more hours drinking time really warrant the issues that this could bring. I'm sure that others would not appreciate this happening on the road which they live on.

Kind regards

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