

Licensing Act Sub-Committee

Agenda

Date: Tuesday, 26th March, 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 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

1. **Appointment of Chair**

To appoint a Chair 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 to Vary a Premises Licence - The Vault, 19 Crewe Road, Alsager, Cheshire, ST7 2EP (Pages 7 - 62)**

To consider the above application.

Membership: Councillors D Edwardes, A Heler and J Place

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 | <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

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

Licensing Act Sub-Committee**26th March 2024**

**Application to Vary a Premises Licence
– The Vault, 19 Crewe Road, Alsager,
Cheshire, ST7 2EP**

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

Purpose of Report

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

The Vault, 19 Crewe Road, Alsager, Cheshire, ST7 2EP

Executive Summary

- 2 The report provides details of an application to vary an existing 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.

In making its decision the Licensing Act Sub-Committee has the power to:

- Modify the conditions of the licence
- Reject the whole or part of the application

Background

- 3 On 1st February 2024 an application was received by the Licensing Department for the variation of a Premises Licence known as The Vault, 19 Crewe Road, Alsager, ST7 2EP. The application was sent for consultation the same day (01st February 2024). The last date for representations to be made was 29th February 2024. A copy of the full application and plan is attached to this report at **Appendix 1**.
- 4 Licensing records show that a Premises Licence currently exists in relation to The Vault at Crewe Road, Alsager, ST7 2EP. Premises Licence Number PREM1450 refers, and a copy is attached to this report at **Appendix 2**.
- 5 The application seeks to extend the times of licensable activities (as set out in paragraph 8 below) and to remove condition 16 of Annex 2.
- 6 A map of the area in which the premises is located is attached to this report at **Appendix 3**.
- 7 The operating schedule indicates that the relevant licensable activities that will be subject to change if this application is successful are:
 - Sale of Alcohol
 - Recorded Music
 - Late Night Refreshment
- 8 The amended hours applied for are as follows:
 - Sale of alcohol (for consumption on the premises)
Monday to Thursday – 12:00hrs to 00:00hrs
Friday and Saturday – 9:30hrs to 01:00hrs the following day
Sunday – 09:30hrs to 22:00hrs
 - Provision of Recorded Music (Indoors)
Monday to Thursday - 12:00hrs to 00:00hrs
Friday and Saturday – 09:30hrs to 01:30hrs the following day
Sunday – 09:30hrs to 22:30hrs
 - Provision of Late Night Refreshment (Indoors)
Monday to Thursday – 23:00hrs to 00:00hrs
Friday and Saturday – 23:00hrs to 01:30hrs

Consultation and Engagement

- 9 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, has been inspected by a Licensing Officer on 04th February 2024 and confirmed to be present, and met the requirements under the regulations. The Public Notice has also been duly advertised in The Chronicle newspaper, as required.

10 Responsible Authorities:

The Licensing Authority received a representation from Environmental Health who have engaged with the applicant and agreed proposed conditions. A copy of the agreed condition is attached to this report at **Appendix 4**.

No further representations were received from other Responsible Authorities.

11 Other Persons:

The Council received four representations against the application, from members of the public. A copy of the representations are attached to this report at **Appendix 5**.

Reasons for Recommendations

- 12 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.
- 13 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

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

Implications and Comments

Monitoring Officer/Legal

- 15 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.
- 16 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.
- 17 Section 35 (4) provides that the authority may:
- Modify the conditions of the licence
 - Reject the whole or part of the application
- 18 Members are reminded that should any conditions be added or amended, they should be practical, enforceable and appropriate to promote the Licensing Objectives.
- 19 Members may not extend the period for which the licence has effect.
- 20 Members may not vary substantially the premises to which the licence relates.
- 21 Members may vary the premises licence so that it has effect subject to different conditions in respect of different parts of the premises or different licensable activities.
- 22 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.
- 23 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.
- 24 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.

25 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

26 There are no financial implications.

Policy

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

28 The Licensing Authority must also have due regard to the guidance issued under section 182 of the Licensing Act 2003.

29 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

30 There are no equality implications

Human Resources

31 There are no human resources implications.

Risk Management

32 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

33 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)

34 There are no implications for children and young people.

Public Health

35 There are no direct implications for public health.

Climate Change

36 There are no implications for climate change.

| Access to Information | |
|------------------------------|--|
| Contact Officer: | Amanda Andrews Licensing@Cheshireeast.gov.uk 0300 123 5015 |
| Appendices: | Appendix 1a-b – Application & Plan Appendix 2 – Existing Premises Licence Appendix 3 – Map of area Appendix 4a-c - Environmental Health Proposed Conditions Appendix 5 – Objections 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 |



Cheshire East
Application to vary a premises licence
Licensing Act 2003

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

* required information

Section 1 of 18

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

Not Currently In Use

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

Your reference

The Vault

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

Julie

* Family name

Lancaster

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

☒ 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

14146932

Business name

The Vault (Cheshire) LTD

If your business is registered, use its registered name.

VAT number

- 424653500

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

Legal status

Private Limited Company

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 (£)

15,475

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.

A licensed restaurant in the middle of Alsager with an Asian style theme. We are wanting to extend our license hours and remove the condition of under 18's having to be off the premises before 21:00. We have changed our business dynamic and are now more so a restaurant than a late night bar.

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

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start End Start End

SATURDAY

Start End Start End

SUNDAY

Start End 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.

Playing of recorded music in the full restaurant including the enclosed new extension. The music will be played through our sound system at a background noise level (controlled by a decibel limiter)

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.

N/A

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.

N/A

Section 10 of 18**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
Section 11 of 18

*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.

TUESDAY

Start 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.

The provision of hot and cold drinks for customers after their meals. Late night buffets for potential private party bookings.

State any seasonal variations.

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

N/A

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.

N/A

Section 13 of 18**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol 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.

TUESDAY

Start

End

Start

End

Continued from previous page...

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

Will the sale of alcohol be for consumption?

☒ On the premises
 ☐ Off the premises
 ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

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

N/A

Non-standard timings. Where the premises will be used for the supply of alcohol 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.

N/A

Continued from previous page...

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.

N/A

Section 15 of 18**HOURS PREMISES ARE OPEN TO THE PUBLIC****Standard Days And Timings**

MONDAY

Start 12:00

End 00:00

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.

TUESDAY

Start 12:00

End 00:00

Start

End

WEDNESDAY

Start 12:00

End 00:00

Start

End

THURSDAY

Start 12:00

End 00:00

Start

End

FRIDAY

Start 09:30

End 01:30

Start

End

SATURDAY

Start 09:30

End 01:30

Start

End

SUNDAY

Start 09:30

End 22:30

Start

End

State any seasonal variations.

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

Continued from previous page...

N/A

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.

N/A

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

"All customers under 18 must be accompanied by a responsible adult and will not be permitted inside the premises after 21:00"

We would like to remove the 21:00 cut off for under 18's. After a year of trading we have made changes to the way we promote and work at The Vault. We are more of a restaurant than a late night bar and are having to ask families to leave before they have finished their meals.

We will make sure that under 18's are accompanied by an adult at all times.

If anyone comes in for a late night drink we sit them in a different area to the customers still having meals. We feel this stipulation can be removed from the current premises license as our restaurant is a safe environment for children.

☐ 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.

Section 16 of 18

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.

We always have at least one first aider and fire marshall on site at all times. When more than one marshall or first aider are on site at the same time they discuss how responsibilities are to be delegated in the case of an emergency before the venue opens for the day.

Training certifications can be provided.

A list of persons licensed to serve alcohol is kept on site and at least one personal license holder is on site at all times.

Continued from previous page...

All staff on site are fully trained on their induction, this training includes:

- Fire safety and evacuation training (including assembly points)
- Alerting staff to who our trained first aiders are and steps they should follow if they come across a first aid situation
- Safe handling and storage of chemicals
- Safe serving of alcohol (including when and how to refuse the service of alcohol and the challenge 25 policy)

We also train our staff to be proactive in cleaning and clearing in order to minimize the amount of glass and crockery on tables. All training is regularly refreshed.

During the opening hours, all areas of the venue will be staffed to ensure all guests are looked after and any hazards that may arise can be spotted and dealt with as soon as possible.

b) The prevention of crime and disorder

A CCTV system shall be used and shall be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises - An Operational Requirement'. This system shall be in operation at all times when licensable activities are taking place.

Recorded CCTV images are maintained and stored for a period of twenty eight days.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show/provide footage to a Police Officer or an authorised officer of the licensing authority data or footage upon request.

Designated supervisors will need to demonstrate that their CCTV system complies with their operational requirements. They will need to be able to demonstrate the following:-

- Recordings are fit for their intended purpose.
- Good quality images are presented to the officer in a format that can be replayed on a standard computer.
- The supervisor has an understanding of the equipment/training
- Management records are kept
- Maintenance agreement and records are maintained.
- Data protection principles and signage are in place.

Risk assessed door staff

When there is regulated entertainment at the premises or when there is any specific local event, the Premises Licence Holder or DPS shall conduct an assessment of the need for door supervisors, taking into account any advice offered by the Police. Where the assessment shows that door supervision is required, supervisors shall be engaged at such times and ratios as are assessed to be necessary.

When such Door Supervision is employed:-

A written record is kept on the premises by the DPS of every person employed on the premises as a door supervisor in a register kept for that purpose. That record contains the following details:

- The door supervisors name, date of birth, contact telephone number 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
- The company which employs the door supervisor
- Each entry is signed by the door supervisor
- Record of all incidents taking place in the venue

The register is available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority

Continued from previous page...

or a Police Constable.

There is CCTV that covers the whole venue both internally and externally. This includes all entrances and exits to the building, the back car park, all rooms in the venue and behind the bar. If such an event arises, we fully comply with the police should they need access to any CCTV footage.

All bottles and empty glasses are cleared from guests' tables as soon as they are finished and bottle bins are not accessible to the public.

We operate a fully seated service in the venue to ensure it is never overcrowded.

Any individuals who are believed to be intoxicated or under the influence of drugs are refused service of alcohol.

c) Public safety

We have conducted a fire assessment with Signal Fire & Safety Ltd to ensure we are fully compliant with fire safety regulations and have all the correct fire safety equipment in place. All emergency exits are clearly marked and fire doors are in place across the site.

Notices explaining the actions to be taken in the event of a fire are prominently displayed and well kept. All staff are trained on fire safety and fire evacuation processes on induction. At least one trained fire marshal is on site at all times.

Fire drill and emergency lighting tests are carried out regularly and a record of these is kept.

First aid equipment is readily available and correctly stocked. The stock levels and dates of these are regularly monitored. At least one trained first aider is on site at all times.

Any form of abuse towards staff or other guests will not be tolerated and any individual who displays abusive behaviour on site is asked to leave the premises by a manager or door supervisor.

d) The prevention of public nuisance

Doors and windows are always kept closed if we have a DJ playing to limit any noise that can be heard from the outside of the building. The venue has air conditioning which is used to ensure guests are kept at a comfortable temperature without having to open any windows or doors. All the windows are double glazed to further assist with controlling noise levels.

No glassware is taken to the outside bins between the hours of 21:00 and 09:00 to minimise any disturbance to nearby houses in the evening.

The new extension is still empty of customers by 22:00 every day. This is to reduce noise levels.

The ventilation systems are designed and maintained as to prevent noxious smells causing a disturbance.

There is a notice at the exit of the venue reminding guests leaving the premises to do so quietly and with consideration to neighbours. Management and or door supervisors are on hand at leaving times to make sure the guests don't loiter outside the building after leaving.

Noise emanating from the premises as a result of entertainment shall not be clearly audible at the boundary of any adjacent residential premises.

e) The protection of children from harm

A strict challenge twenty five system is in place at all times and a record of refusals is kept. The DPS or premises Licence holder checks the register once a week. The register includes the date, time and is stored electronically and is available for inspection by Local Authority Officers and the Police. All staff are trained on the challenge twenty five policy on induction.

The only forms of ID that are accepted (at the discretion of the management) as proof of age are a valid passport, a valid photographic driving Licence, a PASS approved proof of age card, HM Services Warrant Card or other reliable photo ID

Continued from previous page...

(that has been approved for acceptance by the Police or an Officer of the Local Authority.

Publicity materials notifying customers of the operation of the 'Challenge 25' scheme are displayed at the premises.

All customers under the age of eighteen must be accompanied by a responsible adult.

A documented training programme is in place for all staff in a position to sell, serve or deliver alcohol. A written record for each member of staff is kept. This contains the information of the training and is available for inspection at the request of Local Authority Officers and Police.

The DPS or Premises Licence Holder shall conduct six monthly training reviews with all staff members authorised to sell, serve or deliver alcohol in order to reinforce the training and to promote best practice. A written record for each member of staff is kept of the content of such reviews and is made available for inspection at the request of Local Authority Officers or Police.

A list of persons authorised to sell alcohol is kept on site at all times and is available for inspection at the request of Local Authority Officers and Police.

Clearly visible signage is displayed at the entrance and at points of sale indicating it is illegal to sell alcohol to people under the age of 18.

Regulated Entertainment:

The DPS or their representative conducts regular assessments of the noise emanating from the premises and takes steps to reduce the level of noise where it is likely to cause disturbance to local residents.

A written record of these assessments and the remedial action taken is kept on site at all times and includes the date, time of checks and the name of the person carrying out the checks. These are available to Officers of Cheshire East Council or Cheshire Constabulary immediately on request.

Bottles are not removed from the building for disposal between the hours of 21:00 and 09:00.

All other steps offered are welcome and acceptable to the Police and will assist in promoting all four objectives of the Act.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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.

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- 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

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?"

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| | |
|-------------|--|
| * Full name | <input type="text" value="Madeleine Kate Aston"/> |
| * Capacity | <input type="text" value="General Manager"/> |
| * Date | <div>10</div> / <div>11</div> / <div>2023</div> <div>dd</div> <div>mm</div> <div>yyyy</div> |

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.

OFFICE USE ONLY

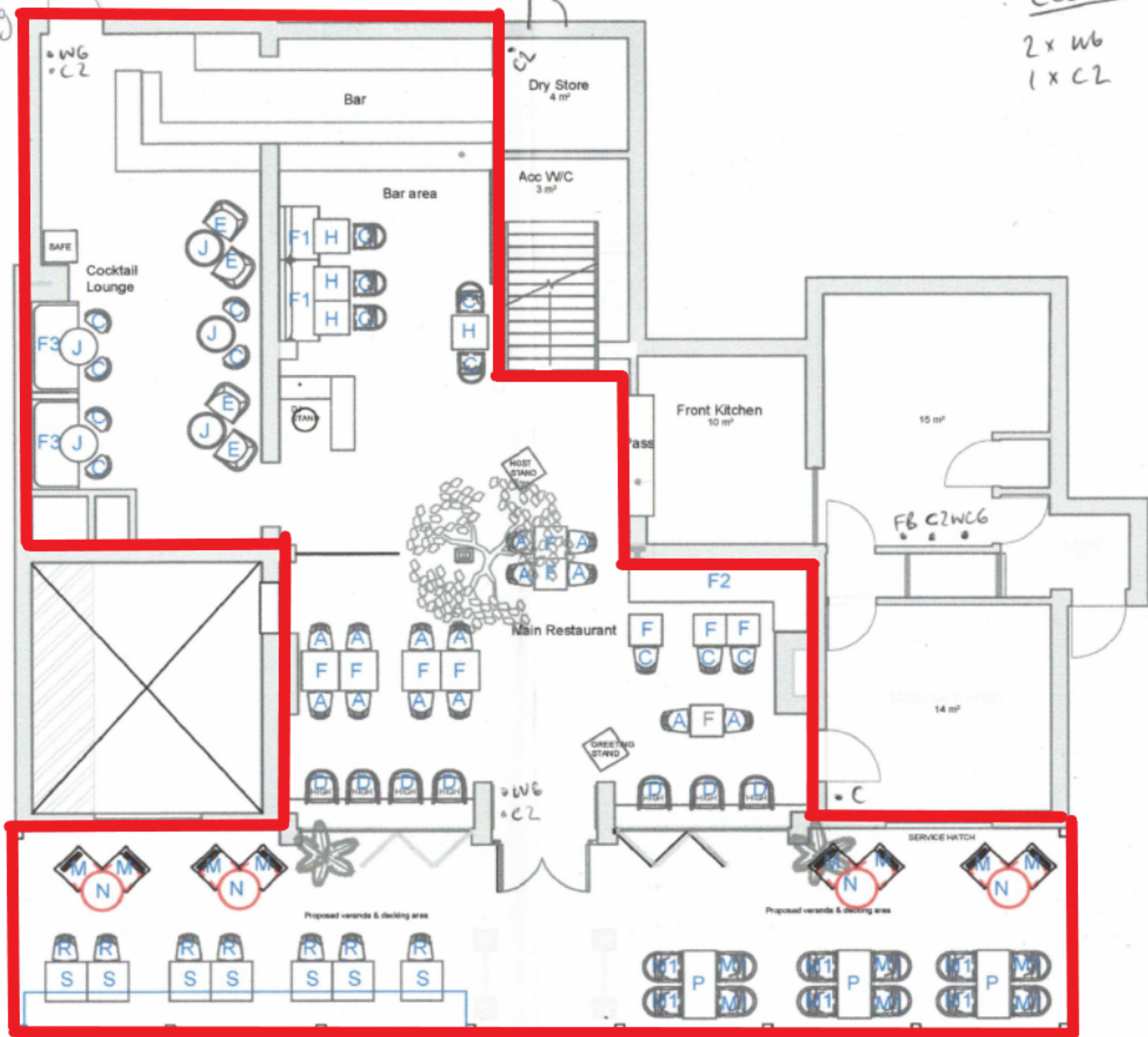
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| Applicant reference number | <input type="text" value="The Vault"/> |
| Fee paid | <input type="text"/> |
| Payment provider reference | <input type="text"/> |
| ELMS Payment Reference | <input type="text"/> |
| Payment status | <input type="text"/> |
| Payment authorisation code | <input type="text"/> |
| Payment authorisation date | <input type="text"/> |
| Date and time submitted | <input type="text"/> |
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Premises Licence

Premises Licence Number:

PREM1450

Part 1 - Premises Details

| | |
|---|--------------------|
| Postal address of Premises or, if none, ordnance survey map reference or description: | |
| The Vault 19 Crewe Road Alsager | |
| Post Town: Alsager | Post Code: ST7 2EP |
| Telephone Number: 01270 877000 | |

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

| |
|---|
| Licensable activities authorised by the Licence: |
| Performance of Live Music Playing of Recorded Music Sale and Supply of Alcohol Provision of Late Night Refreshment |

| |
|--|
| <p>The times the Licence authorises the carrying out of licensable activities:</p> <p>Performance of Live Music (indoors) Thursday - Saturday 21:00 hours - midnight Sunday 12:00 noon - 23:00 hours</p> <p><u>Seasonal Variations:</u> In the event that Christmas Eve, Christmas Day or New Year's Eve fall on a Monday, Tuesday, or Wednesday, the hours for live music will be between 18:00 hours and midnight</p> <p>Playing of Recorded Music Thursday - Saturday 12:00 noon - midnight Sunday 12:00 noon - 23:00 hours</p> <p><u>Seasonal Variations:</u> In the event that Christmas Eve, Christmas Day or New Year's Eve fall on a Monday, Tuesday, or Wednesday, the hours for recorded music will be between 12:00 noon and midnight</p> |
|--|

Sale and Supply of Alcohol (for consumption on the premises)

Thursday to Saturday 12:00 noon - 23:30 hours

Sunday 12:00 noon - 22:00 hours

Seasonal Variations:

In the event that Christmas Eve, Christmas Day or New Year's Eve fall on a Monday, Tuesday, or Wednesday, the hours for sale of alcohol will be between 12:00 noon and 23:30 hours

Provision of Late Night Refreshment (indoors)

Thursday to Sunday 23:00 hours – midnight

Seasonal Variations:

In the event that Christmas Eve, Christmas Day or New Year's Eve fall on a Monday, Tuesday, or Wednesday, the hours for late night refreshment will be between 23:00 hours and midnight

The opening hours of the Premises:

Thursday - Saturday 12:00 noon - midnight

Sunday 12:00 noon - 23:00 hours

The outside courtyard area will close at 22:00 hours each day.

Seasonal Variations:

In the event that Christmas Eve, Christmas Day or New Year's Eve fall on a Monday, Tuesday, or Wednesday, the opening hours will be between 11:00 hours and midnight

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:

The Vault (Cheshire) Ltd
St Marys House
Crewe Road
Alsager
ST7 2EW

Tel No: 07702084110 E-Mail: maddyaston@live.co.uk

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

14146932

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

Miss Madeleine Kate Aston
Tower Hill Farm
Tower Hill Road
Mow Cop
Staffordshire
ST7 3PT

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: PERS1519

Issuing Authority: Cheshire East Council

Licence granted on 26th September 2022



Signed by Amanda Hinton
On behalf of Cheshire East Borough Council

Annex 1 - Mandatory Conditions (as applicable)

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

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

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

Mandatory condition where the licence authorises the exhibition of films

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

Prohibited conditions: plays

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

Mandatory condition: Door supervision

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

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

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

MANDATORY CONDITIONS

Condition 1

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

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

Condition 2

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

Condition 3

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

Condition 4

The responsible person must ensure that –

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

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—

- a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- b) 'permitted price' is the price found by applying the formula—

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

Where —

- i. P is the permitted price,
- ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence—

- i. the holder of the premises licence,
- ii. the designated premises supervisor (if any) in respect of such a licence, or
- iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;

d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

e) 'valued added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

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

Annex 2 - Conditions consistent with the Operating Schedule

Prevention of Crime and Disorder

1. All bottles and empty glasses will be cleared as soon as the contents are empty and bottle bins will not be accessible to the public.
2. We will not overcrowd the venue by mostly operating with seated service.
3. The venue will operate a strict no drugs policy. Frequent toilet checks will be made by staff and security and a drugs register will be maintained.
4. Individuals will be refused service of alcohol if they are believed to be intoxicated or under the influence. If a situation escalates the correct authorities will be contacted.

Public Safety

5. We have conducted a fire assessment and all exit doors are easily accessible without locks.
6. Notices explaining the actions to be taken in the event of a fire will be prominently displayed.
7. Fire drill and emergency lighting tests will be carried out regularly and a record will be kept.
8. First aid equipment will be readily available and correctly stocked.
9. We have a fire marshal and a first aider on site at all times.
10. All staff will be trained fully on what to do when there is a fire (evacuation processes and assembly points). In the event of a first aid situation, staff members will know who the first aiders are and the steps they need to follow.
11. Staff will be pro active in cleaning as they go to reduce glass and crockery etc on tables.
12. Any form of abuse towards staff or other guests will not be tolerated and they will be asked to leave the premises.

Prevention of Public Nuisance

13. Doors and windows will be kept closed when our DJ is playing and the building has air conditioning to avoid the need to open them.
14. All the windows are double glazed.
15. All ventilation systems are designed and maintained so as to prevent noxious smells causing a disturbance.

Protection of Children from Harm

16. All under 18 year olds will be required to be accompanied by a responsible adult and will not be permitted in the premises after 21:00 hours.

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

Prevention of Crime and Disorder

1. A CCTV system shall be used and shall be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called "CCTV in Licensed Premises – An Operational Requirement". This system shall be in operation at all times when licensable activities are taking place.
2. Recorded CCTV images will be maintained and stored for a period of 28 days.
3. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show/provide footage to a police officer or an authorised officer of the licensing authority data or footage upon request.
4. Designated supervisors will need to demonstrate that their CCTV system complies with their operational requirements. They will need to be able to demonstrate the following:
 - Recordings are fit for their intended purpose.
 - Good quality images are presented to the officer in a format that can be replayed on a standard computer.
 - The supervisor has an understanding of the equipment/training.
 - Management records are kept.
 - Maintenance agreements and records are maintained.
 - Data protection principles and signage are in place.

Risk-Assessed Door Staff

5. When there is regulated entertainment at the premises or when there is any specific local event, the Premises Licence Holder or Designated Premises Supervisor shall conduct an assessment of the need for door supervisors, taking into account any advice offered by the police. Where the assessment shows that door supervision is required, supervisors shall be engaged at such times and ratios as are assessed to be necessary.
6. When such door supervision is employed:-
7. 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 for that purpose. That record shall contain the following details:-
 - The door supervisor's name, date of birth, contact telephone number 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;
 - The Company which employs the door supervisor;
 - Each entry shall be signed by the door supervisor;
 - Record of all incidents taking place in the venue.
8. The register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.

Protection of Children from Harm

9. A "Challenge 25" policy shall be operated at the premises at all times.
10. The only forms of ID that shall be accepted (at the discretion of the Management) as proof of age are a valid passport, a valid photographic driving licence, a PASS approved proof of age card, HM Services Warrant Card or other reliable photo ID (that has been approved for acceptance by the Police or an Officer of the Local Authority).

11. Publicity materials notifying customers of the operation of the "Challenge 25" scheme shall be displayed at the premises.
12. The Designated Premises Supervisor or Premises Licence Holder shall operate and maintain an up-to-date Register of Refusals of Sale of Alcohol, indicating the date, time and reason for refusal which shall be made available for inspection by Local Authority Offices and the Police.
13. The DPS or other responsible person shall check and sign the register once a week.
14. Alternatively, an electronic point-of-sale refusals log shall be kept.
15. A documented training programme shall be introduced for all staff in a position to sell, serve or deliver alcohol. A written record for each member of staff shall be kept of the content of such training and shall be made available for inspection at the request of Local Authority Officers and Police.
16. The DPS Premises Licence Holder shall conduct 6-monthly training reviews with all members of staff authorised to sell, serve or deliver alcohol in order to reinforce the training and 2 promote best practice. A written record for each member of staff shall be kept on the content of such reviews and shall be made available for inspection at the request of Local Authority Officers and Police.
17. A list of persons authorised to sell alcohol shall be kept on site and made available for inspection at the request of Local Authority Officers and Police.
18. Clearly visible signage is to be displayed at the entrances and at points of sale indicating it is illegal to sell alcohol to people under the age of 18.

Regulated Entertainment

19. The DPS or their representative shall conduct regular assessments of noise emanating from the premises and shall take steps to reduce the level of noise where it is likely to cause disturbance to local residents.
20. A written record of those assessments and the remedial action taken shall be kept and shall include the date, time of checks and the name of the person carrying out the checks.
21. Records shall be made available to Officers of Cheshire East Council or Cheshire Constabulary immediately upon request.

Prevention of public nuisance

22. 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:
23. Noise emanating from the premises as a result of entertainment shall not be clearly audible at the boundary of any adjacent residential premises.
24. There shall be notices located at the exit(s) requesting customers leaving the premises to do so quietly and with consideration to neighbours.
25. Refuse, including bottles, shall not be removed from the building for disposal between the hours of 21:00 hours and 09:00 hours.
26. Recorded music will be played at background noise level through built-in speakers (controlled by a decibel limiter).

27. The outside area will not have any speakers and no music will be played in this area.

28. The outside courtyard area will close at 22:00 hours each day.

Annex 4 - Plans



Premises Licence Summary

Premises Licence Number:

PREM1450

Premises Details

| | |
|---|--------------------|
| Postal address of Premises or, if none, ordnance survey map reference or description: | |
| The Vault 19 Crewe Road Alsager | |
| Post Town: Alsager | Post Code: ST7 2EP |
| Telephone Number: 01270 877000 | |

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

| |
|---|
| Licensable activities authorised by the Licence: |
| Performance of Live Music Playing of Recorded Music Sale and Supply of Alcohol Provision of Late Night Refreshment |

| |
|--|
| <p>The time the Licence authorises the carrying out of licensable activities:</p> <p>Performance of Live Music (indoors) Thursday - Saturday 21:00 hours - midnight Sunday 12:00 noon - 23:00 hours</p> <p><u>Seasonal Variations:</u> In the event that Christmas Eve, Christmas Day or New Year's Eve fall on a Monday, Tuesday, or Wednesday, the hours for live music will be between 18:00 hours and midnight</p> <p>Playing of Recorded Music Thursday - Saturday 12:00 noon - midnight Sunday 12:00 noon - 23:00 hours</p> <p><u>Seasonal Variations:</u> In the event that Christmas Eve, Christmas Day or New Year's Eve fall on a Monday, Tuesday, or Wednesday, the hours for recorded music will be between 12:00 noon and midnight</p> <p>Sale and Supply of Alcohol (for consumption on the premises)</p> |
|--|

Thursday to Saturday 12:00 noon - 23:30 hours
Sunday 12:00 noon - 22:00 hours

Seasonal Variations:

In the event that Christmas Eve, Christmas Day or New Year's Eve fall on a Monday, Tuesday, or Wednesday, the hours for sale of alcohol will be between 12:00 noon and 23:30 hours

Provision of Late Night Refreshment (indoors)

Thursday to Sunday 23:00 hours – midnight

Seasonal Variations:

In the event that Christmas Eve, Christmas Day or New Year's Eve fall on a Monday, Tuesday, or Wednesday, the hours for late night refreshment will be between 23:00 hours and midnight

The opening hours of the Premises:

Thursday - Saturday 12:00 noon - midnight
Sunday 12:00 noon - 23:00 hours

The outside courtyard area will close at 22:00 hours each day.

Seasonal Variations:

In the event that Christmas Eve, Christmas Day or New Year's Eve fall on a Monday, Tuesday, or Wednesday, the opening hours will be between 11:00 hours and midnight

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:

The Vault (Cheshire) Ltd
St Marys House
Crewe Road
Alsager
ST7 2EW

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

14146932

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

Miss Madeleine Kate Aston

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

All under 18's will be required to be accompanied by a responsible adult and will not be permitted in the premises after 21:00 hours.

Licence granted on 26th September 2022



Signed by Amanda Hinton
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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HASKELL, Tony

From: LICENSING (Cheshire East)
Sent: 23 February 2024 10:03
To: HINTON, Amanda; ANDREWS, Amanda
Subject: FW: The Vaults
Attachments: The Vault Alsager.doc

Importance: High

For info

OFFICIAL

From: PRESTON, Margaret <[REDACTED]>
Sent: Friday, February 23, 2024 10:01 AM
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Cc: EVANS, Kim <[REDACTED]>; VYSE, Mark <[REDACTED]>
Subject: FW: The Vaults
Importance: High

Dear Licensing

Further to the recent email raising an objection to The Vault variation application on Crewe Road, Alsager we would now wish to **withdraw this objection**.

On Wednesday 21st February 2024 a site visit was undertaken to The Vault to check and ensure that there was a sound limiter fitted and operational and I can confirm that this is the case, and as a Division are satisfied that the condition is being complied with.

As part of the discussions, it was agreed with the applicant that a condition be placed on any granted premises licence that no speakers be installed in the front terrace.

If you have any questions or queries, then please do not hesitate to contact me.

Regards
Margaret

Margaret Preston | Cheshire East Council
Senior Enforcement Officer
Regulatory Services, Delamere House, Delamere Street, Crewe, CW1 2LL
[REDACTED]
www.cheshireeast.gov.uk

Non-Working Day – 26th February & 11th & 25th March 2024
Leave – 19th February & 4th & 20th March 2024



Working for a **brighter future** together

OFFICIAL

OFFICIAL

From: VYSE, Mark
Sent: Tuesday, February 6, 2024 4:05 PM
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Cc: PRESTON, Margaret <[REDACTED]> HINTON, Amanda
<[REDACTED]>
Subject: The Vaults

Environmental Protection licensing consultation attached.

Regards

Mark0

Mark Vyse – MCIEH, BSc (Hons) | Cheshire East Council
Environmental Health Officer – Environmental Protection
Delamere House, Delamere Street, Crewe CW1 2LL.

Tel: [REDACTED]

Internal: [Call me using Teams](#)

www.cheshireeast.gov.uk

Upcoming absences – 9th February 2024.



Working for a **brighter future** together

HASKELL, Tony

From: LICENSING (Cheshire East)
Sent: 06 February 2024 16:16
To: HINTON, Amanda; ROWNEY, Jennifer
Subject: FW: The Vaults
Attachments: The Vault Alsager.doc

Follow Up Flag: Follow up
Flag Status: Flagged

OFFICIAL

From: VYSE, Mark <[REDACTED]>
Sent: Tuesday, February 6, 2024 4:05 PM
To: LICENSING (Cheshire East) <licensing_CE@cheshireeast.gov.uk>
Cc: PRESTON, Margaret <[REDACTED]>; HINTON, Amanda
<[REDACTED]>
Subject: The Vaults

Environmental Protection licensing consultation attached.

Regards

Mark0

Mark Vyse – MCIEH, BSc (Hons) | Cheshire East Council
Environmental Health Officer – Environmental Protection
Delamere House, Delamere Street, Crewe CW1 2LL.

Tel: [REDACTED]

Internal: [Call me using Teams](#)

www.cheshireeast.gov.uk

Upcoming absences – 9th February 2024.



Working for a brighter future together

OFFICIAL

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LICENSING ACT 2003

Environmental Health Consultation Response



Working for a brighter future together

EP Ref: ELL/MAV/0602

Date Received: 01/02/2024

Name of Applicant: The Vault (Cheshire) Ltd.

Address to which application relates: 19 Crewe Road, Alsager, ST7 2EP

Conversion: ☐ Variation: ☒ New: ☐

| | |
|-------------------------------------|-------------------------|
| <input type="checkbox"/> | Approve |
| <input type="checkbox"/> | Approve with Conditions |
| <input checked="" type="checkbox"/> | Object to Section - 9 |

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.

When the initial licence was awarded by the Licensing Committee the following condition was attached -

1. Recorded music will be played at background noise level through built-in speakers (controlled by a decibel limiter).

Environmental Protection Officers attempted on a number of occasions to inspect the noise limiter, trying to arrange an appointment with the Vault where an inspection could take place and the volume level be agreed. The inspection didn't take place, so no limit has been agreed or confirmation that the meter is, in fact, fitted and operational.

It is Environmental Protection's opinion that no extension to hours is considered until the outstanding inspection has been completed and volume levels agreed.

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 some **01/11/2023** circumstances

planning.**Date**

Direct Dial:
Email:



Relevant Representations

| | Received on | From |
|--|--|-------|
| | 29 th February 2024 | ***** |
| | <p>Hello.</p> <p>I am objecting to the application for The Vault. The basis for my objection is that granting a variance to their licence for these premises will not promote the licensing objectives, particularly the prevention of crime and disorder, public disorder and public safety. The location is extremely close to quiet residential housing. It will increase noise levels that will increase public nuisance, and a fear of crime taking place. It will disturb the way of life for nearby residents, they will not be able to enjoy their own home environment. There is a risk for increased noise levels from patrons sitting outside the establishment and leaving the establishment. There will be an increased activity involving increased numbers of people, music and alcohol at night is not appropriate for a residential area, especially the properties that back onto The Vault and it will increase a public nuisance and significantly raises the risk of criminal and disorderly behaviour. It is already evident that smokers are not using the designated ashtray, smokers including workers from The Vault are already standing in front of the premises to smoke and an increase in trade for night time drinking will encourage drinkers to stand outside with their glasses and smoke. There has already been one complaint against this premises for noise.</p> <p>Best wishes</p> <p>XXXXXXXXXX</p> <p>XXXXXXXXXX</p> <p>XXXXXX</p> <p>XXXXXXXXXX</p> | |

| | Received on | From |
|--|--|---------------|
| | 28 th February 2024 | XXXXXX XXXXXX |
| | <p>XXXXXXXXXX</p> <p>XXXXXXXXXX</p> <p>XXXXXXXXXX</p> <p>XXXXXX</p> <p>28th</p> <p>February 2024</p> <p>Dear Sirs</p> <p>Re: Objection to extended licensing hours for The Vault 19 Crewe Road Alsager</p> <p>As a property owner of X XXXXXXXX XXXXXX , at the back of The Vault, I would like to object to any extended license application, for the following reasons:</p> <p>1. Representatives of The Vault made promises/agreements in the licensing hearing which can be heard on</p> <p>https://www.youtube.com/watch?v=Ra9Ld_zzFM4</p> <p>Search "The Vault Alsager Recording of Licensing Meeting</p> <p>a) There was an undertaking in that meeting for DPS to take steps to reduce noise, take regular checks of noise levels and record who and when carried out those checks. "Records shall be made to Officers of Cheshire East".</p> <p>The DPS also agreed to work with Environmental Health to install a sound limiter, set a maximum limit and in the transcript liaise with residents to establish suitable sound levels. This was not undertaken.</p> <p>Mark Vyse stated in a recent email the following.</p> <p>"I believe, given the problems we had trying to check the noise limiter, that any approved application should contain a condition stating that the premises cannot open / trade UNTIL the noise limiter has been set and agreed with</p> | |

environmental Protection, otherwise it would be a breach of planning condition.”

The Vault seemingly repeatedly avoided meetings with Mark and the team, however, after this matter reached the public domain and Alsager Town Council became aware and unanimously voted against extending licensing hours, The Vault hurriedly tried to make amends, after 16 months of avoiding their stated documented commitment to the Licensing meeting.

The Vault has not reached out to any of the residents of Lynton Place to the best of my knowledge, despite stating they would do so.

b) The director stated that the car park at the rear was not to be used for customers. Anecdotal evidence would suggest this has also been breached.

The number of cars parked has exceeded the number of staff working, assuming all staff arrive in separate cars.

c) “The car park is not to be used for socialising or smoking”. This is another breach of the current licensing agreement. The designated smoking area at the front of the building was repeatedly blocked in the evening by a large SUV. Staff smoke and socialise at the back of the building as a normal part of an evening shift. Only weeks after this agreement, the owner of The Vault was sitting at the side of the establishment on a wall drinking a pint and smoking. Staff seeming smoke where they want to, and customers smoke outside of the designated area, with seemingly no guidance or supervision.

d) “The premises were to be more of a restaurant than a bar” quoted from the Decision Notice. It was stated in that meeting by me and others that this appeared to be more of a bar than a restaurant. Shutting the kitchen at 9pm and trading until the early hours of the morning does move dramatically away from “...attracting families wishing to use the premises as an eatery”.

e) It was claimed at the time by the DPS The Vault would put in a retrospective planning application and have a “roofed and sealed structure” to keep the sound in. This is not so, the original illegal structure was demolished and now has a structure with a retractable roof, which can be opened letting sound out.

f) The “trained security staff” simply melted away, and are hardly present if at all, and yet this establishment wished to open later than other existing bars around it. Checking recently there are no security staff which was a condition in the decision.

g) It is claimed that the “courtyard” (there never was a courtyard, there was an illegal structure forced to be demolished, that was a conservatory) and all windows would be closed by 10pm. There is no evidence that this took place, unless the DPS is keeping a record to counter that view.

h) It is stated that the noise assessment was “flawed” as it focussed only on extractor fans noise and not music levels.

I suggest, that licensing conditions have been breached, from failed smoking areas to 16 months of seemingly avoiding meetings to incorporate and set the sound limiter. This establishment obtained a license on the basis that it was a “ family restaurant “ and now it wishes to pivot into shutting the kitchen at 9pm and staying open until 1.30am. The original premise to obtain a license in a residential area has now gone, as very few families stay in an establishment without food for 4.30 hours! This establishment is trying to pivot into a late drinking club/ bar it denied it ever wanted to be.

Comments based on the “Statement of Licensing Policy”.

2. a) Section 2.1 “a well-run licensed premises”. Comments made in point 1 may suggest that areas are not “well run”.

b) Behind the venue is an unlit potholed unadopted road, running past 4 houses. This will become a haven for many activities after the “heavy drinking brigade”

| | |
|--|--|
| | <p>(as discussed at Alsager Town Council) make their way home after drinking from 9pm to 1.30 am without food. One main exit into Lynton Place is dangerous to walk through in the dark due to the appalling state of the unadopted road. Over 15 years ago, residents were subject to a legal claim from a pedestrian falling in Lynton Place, this will get far worse after many hours of drink, with perhaps more claims to come.</p> <p>c) Section 2.4 "The Council has a duty to protect the amenity of its residents". Residents are entitled to enjoy a degree of peace and quiet. An establishment which has avoided commitments made in the last decision to grant a license, may not be the most suitable for an extended license. The failed lack of interaction over sound levels with local residents and 16 months of being "unable" to meet with the council to establish the sound limiter, would lead some to suggest that this establishment is not ready or suitable for a late license such as this, which will attract primarily drinkers.</p> <p>d) 2.7 "Crime and anti-social behaviour" A longitudinal study of alcohol use and antisocial behaviour in young people" Young, Sweeting, West 2007, is one of many studies which show that extended drinking leads to anti-social behaviour. These requested extended opening hours will lead to anti-social behaviour if a plethora of peer-reviewed published academic papers are to be listened to.</p> <p>e) The environment impact of this claimed "family restaurant" morphing into a bar/club with a DPS which has so far failed in many of the agreement made to get a license decision, will have a detrimental impact on the centre of Alsager, given the previous comments around management, and current decision making from management. See 2.8 Statement of Licensing Policy. It can be claimed that current failures show an irresponsible approach which run contrary to the needs of local communities.</p> <p>3. I suggest that this application fails to meet the criteria for an extended license as The Vault has failed to adhere to agreements in the original licensing meeting and which formed part of the decision to grant a license, outlined in this document. Later hours will undoubtedly turn this establishment into a drinking bar/club attracting the "heavy drinking brigade" and in turn will impact on public safety, increase public nuisance, and may lead to an increase in crime and disorder often linked to alcohol consumption.</p> <p>The integrity of the local community will be damaged if this application is agreed. The original license I suggest remains suitable for the "family restaurant" which the applicant is documenting as stating that this was the objective, not late-night bar/club.</p> <p>Regards XXXXXX XXXXXXXX</p> |
|--|--|

| | Received on | From |
|--|--|-----------------|
| | 29 th February 2024 | XXXXXX XXXXXXXX |
| | <p>Further evidence that The Vault is not adhering to decision made at the original license application meeting</p> <p>1. Smoking area. This was to be at the front on the left hand side of the building as you look at it. In the evenings the staff smoke at the back with some customers, and also customers at the side of the building and outside at the front. I do not believe it is the staff, it is a lack of enforcement and education. Agreements were made in the original licensing meeting and ignored after the license was granted.</p> <p>The "screenshot" shows staff smoking to the side of the building in the day</p> | |

2. The next attachments show cigarette butts to the side of the building and at the front. There are no cigarettes there today, either because it is not being used or everyone who does use the designated cigarette area is really clean and tidy. From these photos you can see that smoking is being allowed at the front of the property, which if door staff were in place, you would hope would be stopped. Cigarettes then follow a trail up the front of the building which looks dirty and disgusting, at odds with the upmarket approach this establishment wishes to promote. Cleaning away these "mistakes" would take 10 minutes or less





| | Received on | From |
|--|---|-------------|
| | 29 th February 2024 | XXXX XXXXXX |
| | <p>This application by The Vault requests to change the conditions, placed by the environmental health officer on 18th January 2022, on which their planning permission was originally granted. The application asks for permission to play music inside until midnight during the week and until 1.30pm on weekends.</p> <p>Planning permission for the Vault restaurant was permitted on the basis that:</p> <ul style="list-style-type: none"> a) noise levels do not disturb the adjacent residential properties b) it traded as a family friendly restaurant <p>This application would contravene both conditions for the reasons below and is therefore not viable.</p> <p>a) Noise levels. The original licensing conditions were set to reflect the location of the Vault and its proximity to residential dwellings. This proximity has not changed since the previous licensing conditions were set and can therefore not be a basis for the proposed changes. Having recorded music played until midnight four days a week will cause direct and sustained disturbance to residents and significantly reduce the value of our homes. There are children and older people living in this residential area and these changes would directly affect their sleep, safety and wellbeing and cannot be allowed to progress.</p> <p>b) Restaurant status This application asks to serve alcohol without food for several hours per night until the late hours. It therefore represents a change of purpose from a restaurant to a cocktail bar/nightclub and would require a new planning application. Allowing a late-night drinking venue to operate directly in front of residential buildings is not acceptable. There is already considerable disturbance caused by staff and customers leaving the premises at closing time. This existing disturbance will be greatly increased by attracting customers for the late-night drinking leaving after 12.00 each night and after 1.30am every weekend. It is not reasonable to expect residents to tolerate people, who have been drinking, being directly outside their homes in the early hours of the morning every weekday night and weekend. We note that the application is made on the basis that the Vault have operated respectfully within their existing licensing conditions. This is not the case. There is no evidence that the Vault team are willing or able to adhere to licensing conditions in a responsible and considerate manner as they have consistently worked in ways, listed below, that contravene their licence conditions.</p> <p>The application states that there has only been one official complaint regarding noise levels at the Vault. This is not correct. We alone have had to approach the Vault on five occasions to ask that disturbing noise levels be reduced, and the environmental health service have had to make an official visit to enforce their licensing agreement.</p> <p>Building a large extension without planning permission, which they were ordered to remove. Operating without a noise limiter (contravening the licensing agreement)</p> <p>Operating with the windows and back doors fully open (contravening the licensing agreement re noise and smell)</p> <p>Regularly allowing customers to use the staff car park adjoining the residential street</p> <p>Bottling up happens outside of agreed hours</p> <p>Allowing building alarms to go off for long periods of time in the night and early hours, without management.</p> <p>We also note that a significant part of the argument for extending the licensing hours seems to be that the Vault has potentially lost trade on two days out of the year. Would it be sensible to focus their cocktail bar business plan on the Castors branch, which does not sit on a residential street?</p> <p>Regardless of the above issues, this cannot be viewed as a cogent argument for extending opening hours for every day of the year.</p> <p>In summary, the licensing agreement was predicated on noise levels and opening hours being consistent with the location of the Vault in relation to people's homes. This context is unchanged.</p> | |

| | | |
|--|---|---------------|
| | | |
| | Received on | From |
| | 29 th February 2024 | xxxxxx xxxxxx |
| | <p>Dear Sirs</p> <p>I have asked my son to write this objection, as I am not well and not been long out of hospital. I agree with the statements he has made, and do not wish to see the license extended with kitchens shutting at 9pm and drinking until 1.30am, this will attract a different type of customer and I do not believe that over four hours of drinking will be managed successfully, as they have already reneged on their agreements to get the original license. I sleep just XXX XXXX from the back of the car park where I can confirm exactly what is happening if you wish to email or call me.</p> <p>Best wishes</p> <p>XXXXXXXX XXXXXX XX XXXXX XXXXX XXXXX XXXX XXXX (XXXX XXXX XXXX)</p> | |
| | | |

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