

Licensing Act Sub-Committee

Agenda

Date: Friday, 24th May, 2013
Time: 10.00 am
Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

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

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

1. **Appointment of Chairman**

To appoint a Chairman for the meeting.

2. **Declarations of Interest**

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

3. **Application for a Premises Licence - Meriton Road Park, Meriton Road, Handforth, SK9 3HA** (Pages 5 - 64)

To consider an application for a Premises Licence by The Friends of Meriton Road Park in respect of Meriton Road Park, Meriton Road, Handforth, SK9 3HA.

4. **Application for a Premises Licence - The Cheese Yard, 69 King Street, Knutsford, WA16 6DX** (Pages 65 - 102)

To consider an application for a Premises Licence by Sarah Jane Peak in respect of The Cheese Yard, 69 King Street, Knutsford, WA16 6DX.

THERE ARE NO PART 2 ITEMS

For requests for further information

Contact: Julie Zientek
Tel: 01270 686466
E-Mail: julie.zientek@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	Local residents (ie. defined as “interested parties”)	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	Local residents (ie. defined as “interested parties”)	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 local residents should be stating their objections.)
12	Committee Members	May ask <u>questions</u> of the Responsible Authorities represented at the meeting
13	Local residents (ie. defined as “interested parties”)	The local residents who are objecting 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 Local Residents, by way of clarification.
16	Committee Members	May ask <u>questions</u> of the Local Residents.
17	Chairman	To invite both Responsible Authorities and Local Residents to make their closing addresses.
18	Applicant	Or his representative will <u>briefly summarise the application</u> and comment on the observations and any suggested conditions.
19	Committee	<u>Will retire</u> to consider the application. The Committee may request the Legal Advisor to advise on legal issues.
20	Committee	Will return to <u>give its decision</u> , with reasons, which will be announced by the Chairman and subsequently confirmed in writing to the applicant and to all the parties that made representations.

		In cases where a decision cannot be given at the end of the hearing, parties will be advised of the decision within five working days.
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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 **Local residents** (defined as interested parties) 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.

CHESHIRE EAST COUNCIL

REPORT TO: LICENSING ACT SUB-COMMITTEE

Date of Meeting: Friday 24 May 2013 at 10:00 a.m
Report of: Peter Simester, Licensing Administration Officer
Subject/Title: **Application for a Premises Licence at
Meriton Road Park, Meriton Road, Handforth, SK9 3HA**

1.0 Report Summary

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

2.0 Recommendations

- 2.1 The Licensing Act Sub-Committee is requested to determine the application for a Premises Licence by The Friends of Meriton Road Park in respect of:

Meriton Road Park
Meriton Road
Handforth
SK9 3HA

- 2.2 Acting in the capacity of Licensing Authority, Members must seek to promote the Licensing Objectives, and where Members consider matters have engaged one or more of the objectives, they may exercise their discretion.
- 2.3 Members of the Licensing Sub-Committee are reminded that they may not exercise discretion in any case, merely because it considers it desirable to, and should provide reason(s) for any decision taken, or where they might consider departing in any way from the Policy or Guidance.

2.4 Licensing Objectives / Guidance / Policy Considerations

- 2.4.1 The relevant representations engage the licensing objectives. The Sub-Committee in respect of this application is referred to the Guidance issued under Section 182 of the Licensing Act 2003, specifically those sections relating to the licensing objective, premises licenses and hearings. The licensing objectives are (a) the prevention of crime and disorder; (b) public safety; (c) the prevention of public nuisance; and (d) the protection of children from harm.

2.5 Statement of Licensing Policy

- 2.5.1 Members should carefully consider the relevant sections of the Council's Statement of Licensing Policy.

2.6 Members are reminded that should any conditions be added, they should be practical, enforceable and appropriate to promote the Licensing Objectives.

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

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

3.0 Reasons for Recommendations

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

4.0 Wards Affected

4.1 Handforth

5.0 Local Ward Members

5.1 Cllr B Burkhill
Cllr D Mahon

6.0 Policy Implications

6.1 The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003 and Guidance issued under section 182 of the Act.

7.0 Financial Implications (Authorised by the Director of Finance and Business Services)

7.1 Not applicable.

8.0 Legal Implications (Authorised by the Borough Solicitor)

8.1 In accordance with the provisions of section 18 of the Licensing Act 2003 the Licensing Authority must, having regard to the representations, take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. Section 18(4) provides that the authority may:

- (a) Grant the licence subject to the relevant mandatory conditions and conditions consistent with the operating schedule
- (b) Modified the application to such extent as the Authority considers appropriate for the promotion of the Licensing Objectives
- (c) Exclude from the scope of the licence any of the Licensable Activities to which the application relates
- (d) Refuse to specify a person in the licence as the Premises Supervisor
- (e) Reject the application.
- (f)

9.0 Risk Management

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

10.0 Background and Options

- 10.1 The application, received on the 3rd April 2013, is for the grant of a Premises Licence under section 17 of the Licensing Act 2003.
- 10.2 The operating schedule indicates that the relevant licensable activities applied for are:
- Live Music
 - Recorded Music
 - Performances of dance
 - Entertainment of a similar description to the above.
- 10.3 The hours applied for are as follows:
- **All licensable activities**
Friday to Monday 11:00 to 20:00 hours
 - **Opening Hours of the Premises**
The park is unlocked and open to the public for 24 hours each day.
- 10.4 A copy of the application form is attached as Appendix 1.
- 10.5 Relevant Representations

Responsible Authorities:

- 10.5.1 The Police Licensing Officer has requested that the following condition is added to the licence before it is granted:

Any licensable activity which the Premises Licence Holder anticipates will involve 1,000 or more people may only take place when a minimum of 28 days written notice has been given by the Premises Licence Holder to the Licensing Authority, Police, Fire Authority and, where appropriate, the Ambulance Service (or First Aid Provider) notifying them of the nature of the event, the location of marquees, stages etc, on a plan of the park; the hours of each activity, the numbers anticipated to attend and include the Risk Assessments for Health and Safety and Public Order.

The applicant has agreed to this condition.

- 10.5.2 The Environmental Health team at Cheshire East Council have asked for the following three conditions to be added to the licence before it is granted.

1. Licensable events will be limited to two events per calendar year.
2. There will be a minimum of four Area Stewards on duty at each of the events. The Area Stewards will be supported by a suitable number of Event Marshalls. The Area Stewards and Event Marshalls will remain on duty whilst licensable activities take place.
3. Hot food vendors must be positioned away from boundaries of domestic dwellings to prevent cooking odours causing a public nuisance.

The applicant has agreed to these three conditions.

Other Persons:

10.5.3 The Council has also received the following representations:

- 18 valid objections
- 1 invalid objection
- 13 letters of support
- 10 letters of support received after the consultation period ended.

Following agreement to condition 2 with the Environmental Health team (i.e. limiting the number of licensable events to two per annum), a letter was sent to all objectors on 30 April 2013 to advise them of the up-to-date situation. This letter is shown as Appendix 2.

In response to the letter of 30 April, two persons withdrew their objections and two persons confirmed that they still wish to continue with their objections. There were no further firm responses.

The remaining 16 valid objections are attached to this report as Appendix 3.

The 13 letters of support are attached to this report as Appendix 4.

11.0 Access to Information

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

Name: Peter Simester
Designation: Licensing Administration Officer
Tel No: 01270 371378
Email: peter.simester@cheshireeast.gov.uk

APPENDICES

- Appendix 1 – Premises Licence application form.
- Appendix 2 – Letter of 30 April 2013 to objectors.
- Appendix 3 – Letters of objection to the application.
- Appendix 4 – Letters in support of the application.
- Appendix 5 – Plans of the park and surrounding area.

[Insert name and address of relevant licensing authority and its reference number (optional).]

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

We Friends of Meriton Road Park

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Grid Ref: SJ8559683699 Meriton Road Park Meriton Road Handforth Cheshire			
Post town	Handforth	Postcode	SK9 3HA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

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

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over			<input type="checkbox"/> Please tick yes		
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name Friends of Meriton Road Park
Address c/o Mrs. Sheila Rovira (Chairperson) 49 Ullswater Road Handforth Cheshire SK9 3NG
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) The Friends of Meriton Road Park can be best described as an unincorporated association of like minded people who seek to support their local park and its continued upkeep and development.
Telephone number (if any) 01625 526151
E-mail address (optional) Sheila@rovira.biz

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Meriton Road Park is the principal park in Handforth situated at the rear of the Paddock shopping complex and adjacent to Meriton Road. We would like stage a Mayfest and other similar events in the park where live music, music played by a DJ, dance demonstration and competition takes place. We also wish to allow storytelling to children and Churches Together to allow young children to play with small musical instruments. We also expect that donkey rides and various games will take place. For example a tug-of-war, stocks, coconut shy, and for children bouncy castle, skittles game and other similar games will be on offer. The public will be able to purchase food and drink from vendors who will not be allowed to participate without their own up-to-date public liability insurance.

Plus events of a similar nature

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

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

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

Provision of regulated entertainment

Please tick any that apply

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

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

Supply of alcohol (if ticking yes, fill in box J) ☐

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2) Throughout the day there will be bands and artists performing live amplified music.	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	11.00	20.00			
Tue					
Wed					
Thur			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Fri	11.00	20.00			
Sat	11.00	20.00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	11.00	20.00			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
			Throughout the day there will be a DJ playing recorded amplified music.		Outdoors	<input checked="" type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon	11.00	20.00				
Tue						
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)			
Thur						
Fri	11.00	20.00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat	11.00	20.00				
Sun	11.00	20.00				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	11.00	20.00		Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed			<u>Please give further details here</u> (please read guidance note 3)		
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri	11.00	20.00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Sat	11.00	20.00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	11.00	20.00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2) We expect to have various dance groups performing on the day. Furthermore we are organizing a Psy Gangam Style Dance -off competition.	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	11.00	20.00			
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri	11.00	20.00			
Sat	11.00	20.00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	11.00	20.00			

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Tue					
Wed			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4) Meriton Road Park, Handforth, is open and unlocked to the public between 00.01 and 24.00 hours each day.
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Mon	11.00	20.00	
Tue			
Wed			
Thur			
Fri	11.00	20.00	
Sat	11.00	20.00	
Sun	11.00	20.00	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

We will place in the local Wilmslow Express a notice advertising the event advising that if any person has concerns regarding the staging of the event they can raise their concerns with Cheshire East Council Licensing Department by a specified date.

We will place in Meriton Road Park notice board and entrance gates a notice advertising the event and that if any person has concerns regarding the staging of the event they can raise their concerns with Cheshire East Council Licensing Department by a specified date. This will be on blue papers as instructed.

We will provide the Cheshire East Council departments, Cheshire Constabulary and Cheshire Fire Service with a copy of the notice advertising the event and that if any person or body has concerns regarding the staging of the event they must raise their concerns with Cheshire East Council Licensing Department by a specified date. This will be on blue papers as instructed.

b) The prevention of crime and disorder

The Friends of Meriton Road Park have discussed the provision of policing with our local Cheshire PSCO Gareth Harding who will be arranging this with his superiors on our behalf.

c) Public safety

Mr Terry Walsh (a member of The Friends of Meriton Road Park) has undertaken a detailed risk assessment concerning all aspects of the event and those who seek to provide services on the day and their location on site. Furthermore we will be arranging the site to be monitored by our Marshalls throughout the event and the local police will be in attendance. Utilizing the PA system we will announce procedures for public safety and lost children etc. We have also arranged for the St Johns Ambulance and or Red Cross to be present on the day to deal with minor injuries etc. that may occur. The Friends of Meriton Road park will also provide area co-ordinators and marshall's and assistants to assist with the safe and smooth running of the event.

We have also informed Cheshire Fire Service of this event informally.

d) The prevention of public nuisance

We will seek to ensure that no public nuisance occurs by the intervention of the local police throughout the event.

The Friends of Meriton Road park will also provide area marshall's and assistants to report to the police any concerns in this respect.

Where any member of the public raises issues regarding the event we will note their concerns and refer them to the appropriate person and or authority in alleviating their concerns.

e) The protection of children from harm

We will be ensuring that all activities for children there are appropriate procedures for child protection. We will however expect that all children are accompanied by a parent or appropriate adult to ensure their safety. The Friends of Meriton Road Park will make arrangements for any lost child to be collected from a safe area designated for this purpose.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☐
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	<i>Michael Thompson</i>
Date	<i>3/4/2013</i>
Capacity	Member of the Friends of Meriton Road Park group

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Mr. Michael Thompson
2 Elm Grove
Knowle Park
Handforth
Cheshire

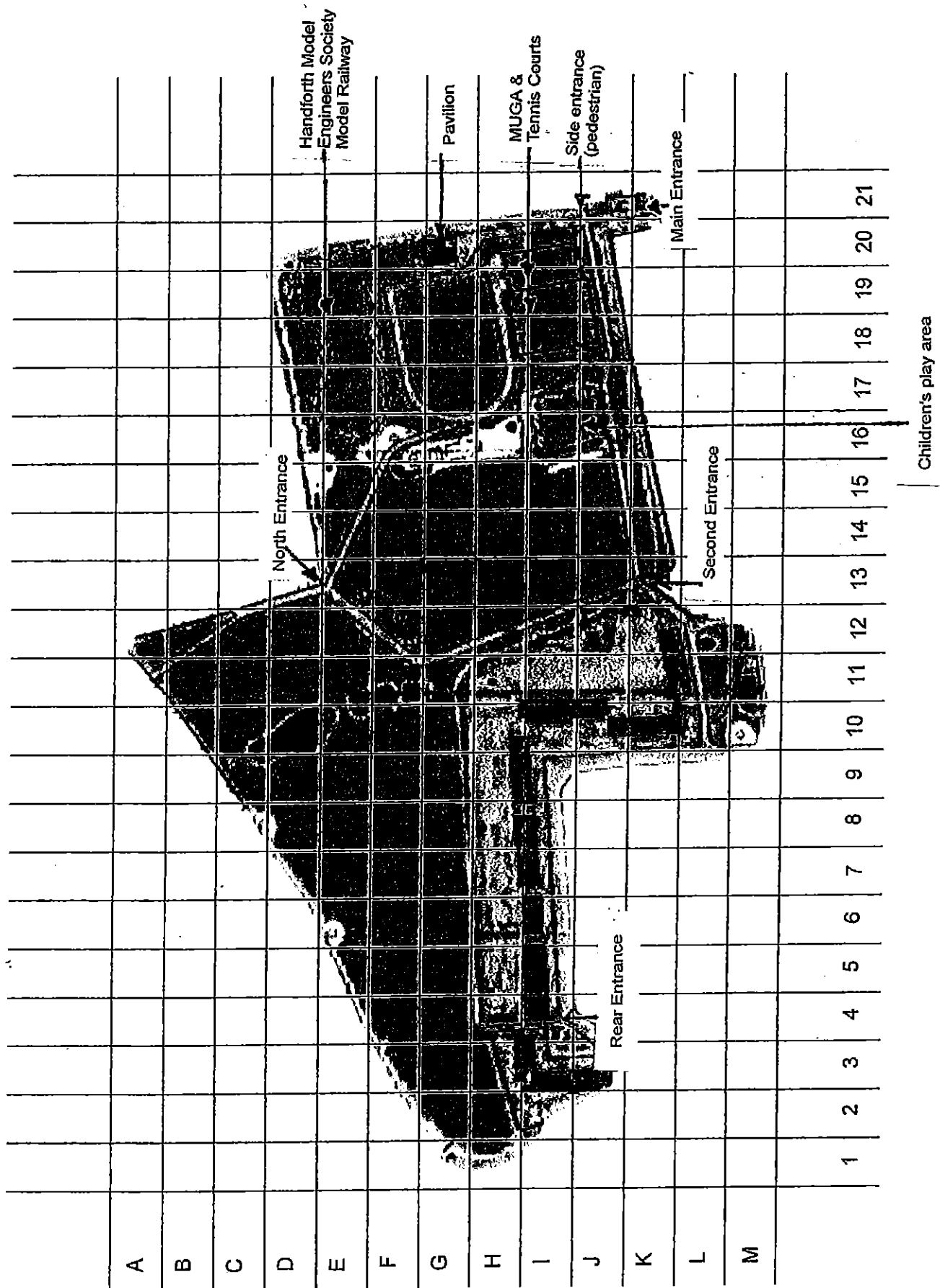
Post town	Handforth	Postcode	SK9 3DY
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Telephone number (if any)	01625 251069
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
Mike28451@ntlworld.com

Notes for Guidance

1. 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.





Licensing Section
Westfields
Middlewich Street
Sandbach
Cheshire, CW11 1HZ

Tel: 0300 123 5015

licensing@cheshireeast.gov.uk

Date: 30 April 2013

Dear

**Licensing Act 2003 – Application for a Premises licence
Meriton Road Park, Meriton Road, Handforth, SK9 3HA**

Thank you for your letter regarding the above application.

The applicant, Friends of Meriton Road Park, contacted this Council in March for information about how to licence a 'Mayfest' event they hope to hold on 27 May this year. They also advised that they hope to hold a further event in September this year. They were informed that they need to apply for a Premises licence.

There is an initial cost and an annual fee for a Premises licence. Also, there is a requirement to advertise the application in the local press and this is expensive. It is, therefore, good practice to apply for a licence that is flexible for the future. The Friends of Meriton Road Park have applied for their Premises licence to cover Fridays, Saturdays, Sundays and Mondays to enable events on weekends and Bank Holidays. The times shown on the application are the maximum hours available to them to carry out licensable activities. However, they have advised the Council that they only plan to hold a maximum of two licensable events each year.

The Environmental Health team at Cheshire East Council have requested that three conditions are added to the Premises licence before it is granted. One of these conditions is:

- **Licensable activities will be limited to two events per calendar year.**

The applicant has agreed to this condition along with the other conditions shown in the enclosed appendix. This means that there will be a maximum of two events involving licensable activities such as amplified live music in any calendar year. I hope the addition of this condition will ease any concerns you may have regarding the use of the park and activities permitted by the Premises licence should it be granted.

Please turn over.

Does the addition of the conditions affect your objection? If you are happy that there will only be two events each year and you wish to withdraw your objection please let me know as soon as possible. I can be contacted in writing at the address shown on this letter or, if you prefer, by e-mail on licensing@cheshireeast.gov.uk

If you still have a valid objection to the granting of the Premises licence you will be invited to express your concerns at a meeting of the Licensing Sub-committee which will be arranged to hear this case and decide whether or not to grant a licence. This will take place on a date to be arranged during May. The Licensing Sub-committee will only consider evidence relating to activities that may be carried out under the authority of the Premises licence and not consider any other activities that take place in the park.

I hope this letter helps to explain the up-to-date situation and look forward to hearing from you as soon as possible. If you have any questions please let me know. I can be contacted on 0300 123 5015.

Yours sincerely

Peter Simester
Licensing Administration Officer

Appendix

Conditions agreed with Environmental Health team at Cheshire East Council:

1.	Licensable activities will be limited to two events per calendar year.
2.	There will be a minimum of four Area Stewards on duty at each of the events. The Area Stewards will be supported by a suitable number of Event Marshalls. The Area Stewards and Event Marshalls will remain on duty whilst licensable activities take place.
3.	Hot food vendors must be positioned away from boundaries of domestic dwellings to prevent cooking odours causing a public nuisance.

Condition agreed with Police Licensing Officer:

1.	Any licensable activity which the Premises Licence Holder anticipates will involve 1,000 or more people may only take place when a minimum of 28 days written notice has been given by the Premises Licence Holder to the Licensing Authority, Police, Fire Authority and, where appropriate, the Ambulance Service (or First Aid Provider) notifying them of the nature of the event, the location of marquees, stages etc., marked on a plan of the park; the hours for each activity, the numbers anticipated to attend and include the Risk Assessments for Health and Safety and Public Order.
----	---

11th APRIL 2013

Appendix 3

RECEIVED

11 APR 2013

10th APRIL 2013

REF. PLEASE SEE OVERLEAF.

DEAR SIR,

I KNOW I'M WASTING MY TIME, BUT I STRONGLY OBJECT TO THE APPLICATION BY THE 'FRIENDS OF MERITON ROAD PARK' FOR MUSIC, DANCE AND SIMILAR IN THE PARK.

THERE IS ALREADY TOO MUCH NOISE FROM THE PARK. A METAL CAGE WAS CONSTRUCTED YARDS FROM MY HOUSE WITHOUT CONSULTATION, AND I HAVE TO ENDURE FROM DAWN TILL DUSK FOOTBALLS BEING SMASHED AGAINST THE CAGE VERY NOISILY. THAT IS ALL THAT CAN BE HEARD NON STOP WHEN IN MY GARDEN. I WORK SHIFTS, SO THE LAST THING I NEED IS ANY MORE NOISE. ADDED TO THAT, THE PARK IS JUST ABANDONED BY THE COUNCIL DURING THE HOURS OF DARKNESS AND IS VERY OFTEN FULL OF YOUTHS WHO SHOUT AND SCREAM AT VARIOUS TIMES DURING THE NIGHT.

WHOEVER THE 'FRIENDS OF MERITON ROAD PARK' ARE, I BET NONE OF THEM BACK ON TO THE PARK WHERE I HAVE TO ENDURE THE ABOVE. I VERY STRONGLY OBJECT TO ANYTHING WHICH WOULD INCREASE THE ALREADY HIGH AND CONSTANT NOISE LEVELS FROM THE PARK WHICH WILL AFFECT ME EVEN MORE THAN I AM NOW.

YOURS



The Honford Star

A Newsletter from The Handforth Ratepayers Association



New and Variation of Premise Licenses Under Consultation

This page lists all new Premise Licence applications and applications to vary Premise Licences during the 28 day consultation period on this page. These applications will be removed when the consultation period ends.

Friends of Meriton Road Park, Meriton Road, Handforth, SK9 3HA

Licensing Act 2003 : Application for a new Premises licence

Notice is hereby given that We, Friends of Meriton Road Park have applied on 03 April 2013 to Cheshire East Council in respect of the premises known as Meriton Road Park, Meriton Road, Handforth, Cheshire, SK9 3HA for a Premises Licence to provide the following licensable activities:

The playing of live music, recorded music, performances of dance and similar entertainments on any Friday, Saturday, Sunday and Monday between the hours of 11:00 and 20:00 within the park which is open to the public between 00:01 and 24:00 hours daily.

Any person wishing to make representation in relation to this application may do so in writing by 01 May 2013 to: The Licensing Section, Cheshire East Council, Macclesfield Town Hall, Market Place, Macclesfield, Cheshire, SK10 1DS.

A copy of the application for the above licence is kept by the Licensing Section of Cheshire East Council, Westfields, Middlewich Road, Sandbach, Cheshire, CW11 1HZ and may be viewed at any time during office hours.

It is an offence knowingly or recklessly to make a false statement in connection with an application; the maximum fine for which a person is liable on summary conviction being £5,000.

Dear Resident,

We have received notice of the above application of which we believe you should be made aware. As it may affect your amenity and possible peaceful enjoyment of your property, you may wish to send in your representations to Cheshire East Licensing at the given address. Unless Cheshire East Council is aware of any objections the application is likely to be approved. You or your representative may also appear at the Licensing Committee meeting when this application is to be determined, to give your views in person to the committee. For further information please contact the Licensing Administration Officer, email : uk

Cllr. Barry Burkhill
Cllr. Dennis Mahon

Handforth Ward Councillors (Cheshire East Council)

From:
Sent:
To:
Subject:

7/5/13

Re: Application for a Premises licence Meriton Road Park, Meriton Road, Handforth, SK9 3HA.

Dear Mr Simister,

With ref to the letter you sent further outlining the proposals involved in this application, no I have not changed my mind and still object to it for the reasons I stated in my original letter.

But I am in no doubt that you will grant the application, despite my objection.

In your letter you state that you will only consider evidence relating to activities that may be carried out under the Premises licence, but I object because of the cumulative effect of noise and disruption which the granting of the licence would bring, along with the cage, and general unruliness in the park, especially at night. All very disturbing and annoying as I work various shift patterns.

The only thing that would change my mind would be if the council looked after the park properly, for instance not leave it unsupervised at night, when it turns into bandit country. It's all very well people coming from far and wide to an event, and then going home, not having to live next to the park. As I say, the reasons that I put in my letter have not changed.

Yours faithfully,

Home]

April 13, 2013

The Licensing Section
Cheshire East Council
Macclesfield Town Hall
Market Place
Macclesfield
Cheshire
SK10 1DS

Dear Sir,

Re: Friends of Meriton Road Park, Meriton Road, Handforth SK9 3HA
Licensing Act 2003: Application for a new premises licence.

We would like to state our objection to the above application.

We use the park and live on the boundary of its fields. We feel that the playing of live music would be an unacceptable obtrusion to users of the park and to residents.

We are keen gardeners and enjoy the tranquility of our own garden, listening to the birds and enjoying the peace and quiet. We have an 8 year old daughter who plays in our garden and so we have our french doors open to the house. If there was music playing in the park it would be an annoyance and obtrusion to our family life and well being. We do not want to have to listen to someone else's choice of music in our own garden or home. It seems that the licence would be for the weekends or bank holidays, a time when we would want to make the most of our own garden and entertain family and friends.

It should also be noted that although the application is to play music between the hours of 11:00 and 20:00 Friday to Monday, it is not always the case that this would be the most acceptable times. A lot of people work weekends and indeed work shifts so will be sleeping during the day.

We use the park for a walks and picnics and use the playground. We have taken part in the planting of bulbs and were excited to hear of plans for a woodland walk. We feel there could be so many other improvements to the park that would and should put the need for music to be played to the bottom of the list if on the list at all!

As a park we would like it to be a tranquil place to go, somewhere for the children to play, a space to enjoy with friends and family.

We can think of many areas to be improved for example:

New up to date play equipment with separate areas for younger and older children.

More planting would be such a pleasure, herbaceous borders take care of themselves so do not need re[planting every year, Rhododendrons and Azaleas would be a beautiful sight in spring and early summer along with blossom trees.

A coffee and ice cream kiosk would be great, with more seating so parents can sit with a drink and watch the children play or the elderly can stroll out and socialise.

Specific areas for dogs would be good (once too often we have tried to play frisbee but it just became too difficult to dodge the dog poo so we gave up)

A fenced pond to encourage wildlife and ducks to feed would be fantastic.

A marked path to walk the whole of the park with interesting planting to enjoy along the way, or the odd hidden wood carving for children to spot.

As you can see we can think of so many things to improve the park that would not impact on neighbouring properties, music is just not one of them.

May I also draw your attention to the Noise Policy Statement for England 2010.

The vision states: Promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development.

Noise Policy Aims

Through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development:

- avoid significant adverse impacts on health and quality of life;
- mitigate and minimise adverse impacts on health and quality of life;
- and where possible contribute to the improvement of health and quality of life

Unnecessary noise only damages good health, we all know how irritating it is when neighbours are too loud, it leads to stress and anxiety within your own home environment which is totally unacceptable and in this case fully avoidable.

Sincerely yours,

The Licensing Section
Cheshire East Council
Macclesfield Town Hall
Macclesfield
Cheshire
SK10 1DS

19 April 2013

Dear Sir/Madam,

Ref: Application by Meriton Road Park, Meriton Road, Handforth SK9 3HA, for a new premises license

I am writing to raise an objection to the recent license application made by Friends of Meriton Road Park under the Licensing Act 2003 to provide licensable activities on Friday, Saturday, Sunday and Monday in the park.

As a local resident we feel that if this application is approved it will seriously affect the enjoyment of our property and it will have a negative impact on our children's wellbeing.

We live directly behind the park and would be able to hear any of the activities in our property and in the garden. We have two young children, 1 year and 3 years who go to bed before the suggested hours that the activities would finish. If you were to approve this application the noise levels will affect my children's sleeping patterns and could impact on their development.

We also feel that if this license is approved it will also have a negative impact on the value of my property. Having spoken to a number of conveyancing solicitors and estate agents they have agreed that if this license was approved it would have a considerable negative impact on the value of my property as its existence would be brought up on the local area searched and would turn many potential buyers off.

Live music events are also accompanied by the potential for the misuse of alcohol and drugs. This will result in a dramatic rise in anti-social behavior, the potential for litter, discarded beer cans and bottles, drugs and needles and the potential for damage to property particularly in close proximity to the park, such as our property as a result of alcohol or drug fueled behavior. As we have very young children we feel that this is not the environment or activity we would like them to be exposed to.

Currently there is very limited car parking available in Handforth. The main car parking area is the Paddock which has a restriction on parking time and only a limited number of spaces. As is already evident by the once a month Farmers

Market in Handforth parking is becoming a great problem. People attending the Farmers Market are now parking on streets adjoining the centre of Handforth, such as Grangeway, and becoming a great nuisance to local residents by blocking driveways and restricting road access by inconsiderate parking.

If the license was to be approved it would dramatically increase the number of people coming to the centre of Handforth by car and would exacerbate the current parking problems on local roads.

In view of the above I would urge the council to reject this application. I would be grateful if you would acknowledge receipt of this letter and inform us of how you plan to proceed.

Kind Regards 

The Licensing Section
Cheshire East Council
Macclesfield Town Hall
Macclesfield
Cheshire
SK10 1DS

7th May 2013

Dear Mr

Ref: Application by Meriton Road Park, Meriton Road, Handforth SK9 3HA, for a new premises license - Response to additional appendix.

Thank you for your letter updating us with regard to the above applications and the addition of the appendix to limit the license to two events, however, we still wish to object to the application and many of the points raised in my previous letter dated the 19th April still stand and I have expanded on them below in light of this new information.

We still believe that the application for a license will have a significant impact on the enjoyment of our property and it will have a negative impact on our children's wellbeing.

The limitation of the application to "two events" does not provide enough clarity, is "an event" a single day, or could it last from Friday to Monday?

We live directly behind the park and would be able to hear any of the activities in our property and in the garden. We have two young children, 1 year and 3 years who go to bed before the suggested hours that the activities would finish. If you were to approve this application the noise levels will affect my children's sleeping patterns and could impact on their development.

We also feel that the granting of the license, even for the "two events" a year, which are likely to be May bank holiday and August bank holiday, will effect our enjoyment of property and its gardens over these public holidays, which we have worked hard to create and wish to enjoy on a bank holiday weekend. By granting of this license you are inflicting on us long periods of discomfort and distress, effectively you will be driving us from our homes over the bank holiday periods.

We also feel that if this license for the "two events" is approved it will also have a negative impact on the value of my property. Having spoken to a number of conveyancing solicitors and estate agents they have agreed that if this license was approved it would have a considerable negative impact on the value of my property as its existence would be brought up on the local area searches and would turn many potential buyers off. Many Estate agents

I have spoken to raised the point that to potential buyers the risk that this could be the thin edge of the wedge and that once the license is granted it would be much easier to expand the number of dates.

Live music events are also accompanied by the potential for the misuse of alcohol and drugs. This will result in a dramatic rise in anti-social behavior, the potential for litter, discarded beer cans and bottles, drugs and needles and the potential for damage to property particularly in close proximity to the park, such as our property as a result of alcohol or drug fueled behavior. As we have very young children we feel that this is not the environment or activity we would like them to be exposed to. I would also query as to whether the applicant has considered the cost of tidying up after such an event to return the park and the surrounding area to the condition it was beforehand and the disposal of litter and waste. Handforth has a substantial litter problem now and I feel that this will exacerbate the problem.

Currently there is very limited car parking available in Handforth. The main car parking area is the Paddock which has a restriction on parking time and only a limited number of spaces. As is already evident by the once a month Farmers Market in Handforth parking is becoming a great problem. People attending the Farmers Market are now parking on streets adjoining the centre of Handforth, such as Grangeway, and becoming a great nuisance to local residents by blocking driveways and restricting road access by inconsiderate parking. As the license application anticipates attendance of 1,000 or more people there has been little consideration made as to where these people will park. There are no obvious parking areas around Handforth to accommodate this number of people and the park itself is prone to becoming saturated due to the clay soil in the area making it unsuitable for parking in wet conditions.

If the license was to be approved it would dramatically increase the number of people coming to the centre of Handforth by car and would exacerbate the current parking problems on local roads.

In view of the above I would urge the council to reject this application. I would be grateful if you would acknowledge receipt of this letter and inform us of how you plan to proceed.

Kind Regards

The Licensing Section - Cheshire East Council
Macclesfield Town Hall
Market Place
Macclesfield
Cheshire
SK10 1DS

23rd April 2013

Re: Application for a new Premises License for Meriton Road Park, Meriton Road, Handforth SK9 3HA

Dear Sir/Madam,

I am writing to raise a serious concern in reference to the above application to enable to playing of live music, recorded music, performances of dance and similar entertainments on any Friday, Saturday, Sunday and Monday.

Currently the park is enjoyed by families, kids, dog walkers and the like and provides a wonderful amenity to the community. There is also a significant benefit to residents surrounding the park who enjoy the view, the peace and tranquillity it provides and the enhancement to their properties.

Running what would effectively be a very loud, disruptive and potentially dangerous series of concerts/events would completely destroy this and significantly reduce the value of this amenity to the community and its residents.

With a baby less than 1 year old and a lot of families nearby in a similar situation the noise and disruption caused would be simply unacceptable and would raise significant concerns around the safety of the area during these events, given the volume of people and type of activities that would take place.

We are already served by a useful and well used space in the Paddock, where a weekend market is successfully providing much needed revenue and interest to the area. Should further options be required there are a number of areas surrounding the Handforth Dean shopping centre which are well removed from residential areas and better served by the road network without encroaching on a public park.

I would strongly implore you to consider the weight of opinion that is along the same lines and the concern that other residents rightly feel to this invasion of their privacy and amenity.

Yours Sincerely,

OBJECTION

From:
Sent:
To:
Subject: ON - FRIENDS OF MERITON PARK

From: [redacted].com]
Sent: 08 April 2013 19:45
To:
Subject: PREMISES LICENCE APPLICATION - FRIENDS OF MERITON PARK

Please record our objection to the above application on the grounds that the playing of live or recorded music, alcohol consumption, performance of dance and similar entertainment between the hours of 1100 and 2000 on Fridays, Saturdays, Sundays and Mondays will disrupt our peaceful enjoyment of our house and garden.

As I am disabled and in a wheelchair my tranquil home environment is particularly important to me, especially time spent in my quiet restful garden. Any loud music/noise drifting across from the park would seriously spoil my recuperative rest time in my garden.

Ack via e-mail 9/4/13.

SIMESTER, Peter

From: [redacted]
Sent: 01 May 2013 16:57
To:
Subject: Re: Application for a Premises licence - Meriton Road Park

Thanks for the reply. I am reassured by your response. If my peaceful house and garden is disturbed by noisy crowds, loud music, smelly food vans, troublesome parking or excessive litter, I will be sure to let you know!

Let's hope for the best.

[redacted] wrote:

Good afternoon

I have attached a letter to update you on the current situation regarding the application for a Premises licence for Meriton Road Park.

Can you please let me know if you have any comments as soon as possible.

Thank you.

Licensing Administration Officer

Cheshire East Council

Westfields

Middlewich Road

Sandbach

CW11 1HZ

1/10

25th April, 2013

RECEIVED
RECORDED

Dear Sirs,

RECEIVED

26 APR 2013

FRIENDS OF MERITON ROAD PARK LICENCE APPLICATION

Application for Premises Licence to provide the playing of live music, recorded music, performances of dance and similar entertainments on a Friday, Saturday, Sunday and Monday between the hours of 11.00 and 20.00 within the park which is open to the public between 00.01 and 24.00 hours daily.

We, as Handforth Residents of Grangeway, whose gardens back onto Meriton Park, strongly object to the above application. The grounds being that during the summer months we would have to put up with loud music blaring out from speakers at the weekends which would be totally unacceptable. This could also lead to food smells and alcohol abuse making an even greater general nuisance.

We are already being affected by the noise and fumes from the steam engines from the Miniature Railway Society, who were only supposed to operate on Wednesdays and Sundays, but seem to now come on Saturdays or anytime they feel fit to do repairs.

We would also like to point out that there is a covenant in force on the Conveyance attached to the deeds of the Grangeway houses in which the vendor of the land to the Council stipulated that the Council shall not allow any noise or nuisance to occur that would impinge on the residents of property backing onto Meriton Park and forbidding the sale of liquor. (Copy attached.).

There are a list of concerns raised by the residents regarding a number of issues relating to the use of the park which we intend to pursue with the Council. However our immediate concern is the Premises Licence.

Yours faithfully,

GRANGEWAY RESIDENTS

Cc: Copy Conveyance + Resident Comments

RESIDENTS COMMENTS

RECEIVED

26 APR 2013

The covenant in the deeds of the Grangeway houses regarding nuisance to neighbours and also forbidding the sale of liquor.

Happy to see park used as a venue for enjoyment and family activities but concerns for potential for park to be open beyond the hours where families would use it. To propose events as late as 8 pm may encourage a very different part of the community to outstay their welcome.

We all benefit from the open space, playground, dog walking etc. The primary use of the area was intended to be everyday recreation. If there are to be concerts/fairs/fun days we would like some reassurance that additional waste disposal would be implemented to restore the park for normal use (bins emptied, broken glass removed etc.) as well as relevant security and policing facilities.

A main concern is for neighbours, some of whom live alone, to feel secure in their own homes and surrounding area.

There are families with very young children who would be disturbed by music late in the evening.

Shift workers and home workers would be disturbed.

Residents from 23-35 Grangeway would be affected by the noise of people entering/exiting the park through the entrance on Grangeway. Also there could be parking issues, litter (bottles/cans) and any subsequent anti-social behaviour around this gate at the end of events. A suggested solution to this problem would be locking of the gates into the residential areas and making the exit through the Paddock in the evening.

We would prefer applications per event rather than a carte blanche permission for every weekend, or a limit of the number of events per year.

There was no 24 hours access to the park in the past. Financial cutbacks have meant no park keeper and no locking of gates at dusk.

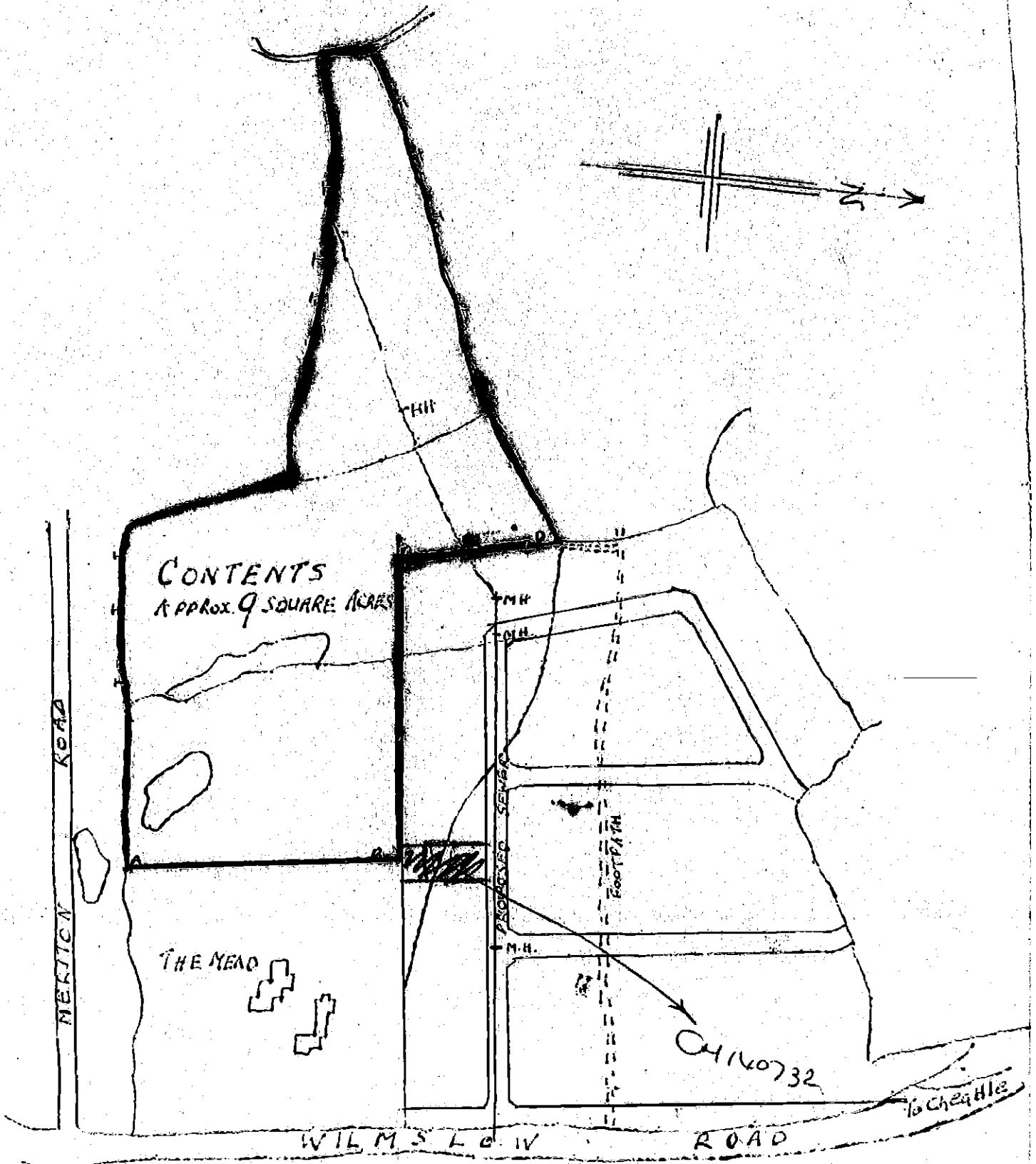
There are people who would prefer a park to be a quiet, peaceful, pleasant place to walk or sit.

GRANGEWAY RESIDENTS

List of 16 names and signatures provided from 11 different households.

© p 428

930 4 AM REFERRED TO



SCALE 1/2500

⑥ p. 5 of 8

PARKS. BPT. 01625 504-519. CEISTINE.
Planning Dpt.

Leisure Services.

(ii)

DATED 23rd December 1935

W. H. CROSS ESQ.,

-to-

THE URBAN DISTRICT COUNCIL OF
HANDFORTH

Copy/

CONVEYANCE

of a plot of land situate near to
Wilmslow Road Handforth in the
County of Chester.

Boyster Addington Morgan
Manchester.

THIS CONVEYANCE is made the 23rd day of December 1935 BETWEEN WILLIAM HASLAM CROSS of 77 King Street in the City of Manchester Chartered Surveyor (hereinafter called "the Vendor") of the one part and THE URBAN DISTRICT COUNCIL OF HANDFORTH in the County of Chester (hereinafter called "the Council") of the other part. WHEREAS :-

(1) The Vendor is seized in fee simple in possession free from incumbrances of the plot of land hereinafter described and intended to be hereby conveyed

(2) The Council has under the powers of the Public Health Acts 1875 to 1925 agreed with the Vendor to purchase the said plot of land hereinafter described and the fee simple thereof in possession free from incumbrances for the purposes authorised by the said Acts at the price of £900 NOW THIS DEED WITNESSETH as follows :-

1. IN pursuance of the said agreement and in consideration of the sum of £900 on or before the execution of these presents paid by the Council to the Vendor (the receipt whereof the Vendor hereby acknowledges) the Vendor as Beneficial Owner hereby conveys unto the Council ALL THAT plot of land situate near to Wilmslow Road Handforth aforesaid containing in the whole approximately 9 acres or thereabouts and which as to the boundaries and abutments thereof is particularly delineated in the plan drawn hereon and is therein edged red TOGETHER with full and free right and liberty for the Council and the grantees and licensees of the Council with or without horses and other animals motor cars and other vehicles at all times and for all purposes to pass and repass over and along the intended roads shown by red lines on the said plan and when the said intended roads are made And over and along a strip of the Vendor's adjoining land of at least 6 yards in width from such a point between the points marked "B" and "C" on the said plan to the adjacent intended road shown by red lines on the said plan in such a position as shall be mutually agreed upon between the Vendor and the Council if and when the said intended roads are made as aforesaid And to connect with tie into and make use of all drains and sewers to be laid under the said intended roads and the said strip of land of at least 6 yards in width if and when the said intended roads sewers and drains are made and laid Together also with (until the said intended roads are so made as aforesaid) full and free right and liberty for the Council and the Grantees and licensees of the Council to pass and repass at all times and for all purposes over and along the adjoining land of the Vendor shown by green dotted lines on the said plan from the footpath to the point marked "D" on the said plan TO HOLD the same unto the Council in fee simple.

2. THE Council hereby covenants with the Vendor in manner following that is to say :-
 - (a) That the Council will when ^{requested} required in writing by the Vendor and within one calendar month thereafter well and effectually fence off the plot of land hereby conveyed from the adjoining lands of the Vendor or other owner or owners along the lines from A to B, B to C, and C to D shown on the said plan with good and substantial walls hedges and/or fences of such heights and of such materials as shall be agreed upon between the Council and the Vendor or other adjoining owners and the said walls hedges and/or fences dividing the land hereby conveyed from the adjoining land of the Vendor shall be erected in accordance with plans to be submitted to and approved of by the Vendor or his surveyor and will at all

* times thereafter ~~maintain and keep the same walls hedges and/or fences in good repair and condition~~

(b) That the Council will not remove from the land hereby conveyed any stone sand clay or earth except such as may be necessary for the purpose of forming foundations for buildings which may hereafter be erected thereon or for the purpose of levelling the surface of the said land

(c) That the Council will not permit or cause any overflow or effluent or any other drainage from the land hereby conveyed to discharge upon or flow on to or percolate to the adjoining lands of the Vendor or other owner or owners except that the Council shall be at liberty to lay any necessary surface water drains in the said land and to connect the same to any existing field or other drains thereunder

(d) That the Council will not put out or place any windows lights doors or other openings in any buildings or erections hereafter to be erected on the land hereby conveyed so as to prevent the Vendor at any time hereafter from erecting buildings up to the extreme boundary of his adjoining lands And further that if in the erection of the said buildings or erections on the land hereby conveyed windows shall be placed overlooking the adjoining land belonging to the Vendor the access of light and air thereto and the enjoyment of the same shall be deemed to be made by and with the consent and express license of the Vendor and the Council shall not by the enjoyment thereof acquire any right or easement in respect thereof as against such adjoining land of the Vendor as aforesaid

(e) That the Council will not use the land hereby conveyed for any other purpose than as an Open Public Space to be used as a Recreation Ground with a caretaker's house and all necessary pavilions shelters and equipment for the purposes of sports and games which are usually erected on Recreation Grounds or open spaces to be used as such but so that such user shall not be deemed to constitute a nuisance or annoyance under Clause (f) hereof.

* (f) That the Council will not permit or suffer any building or buildings to be erected on the land hereby conveyed which may be deemed a public nuisance or private annoyance nor permit or suffer the same land or any buildings to be erected thereon to be used for the purpose of the sale of spirituous malt or other liquor nor for the purpose of carrying on any noisome or offensive trade or business or for any other purpose to the nuisance or annoyance of the inhabitants of any of the adjoining or neighbouring messuages or dwellinghouses

(g) If and when the Vendor shall erect messuages dwellinghouses and/or buildings on his adjoining land on the northerly side of the land hereby conveyed (the streets for such intended buildings being shown by red lines on the said plan) the Council will upon the request in writing of the Vendor and within three calendar months therefrom make at the Council's own expense a gateway entrance in the boundary wall or fence between the points marked "B" and "C" on the said plan and in a position to be mutually agreed upon by the Vendor and the Council as aforesaid for the purpose of giving to the tenants owners or occupiers of premises access to the intended Recreation Ground.

(h) That the Council will at all times hereafter duly discharge the tithe rents of Ten shillings and ten pence Eight shillings and four pence and Four shillings and two pence (original values) payable in respect of some portions of the land hereby conveyed and keep the Vendor and his

estate and effects indemnified therefrom and from all actions claims demands and liability in respect thereof.

3. IT IS HEREBY AGREED AND DECLARED that the Vendor may vary any of the terms and conditions of selling any land adjoining or neighbouring to the land hereby conveyed to such an extent and in such manner as he may consider expedient without thereby releasing the Council from any of the covenants and provisions herein contained or giving to the Council any right of action against the Vendor or any other person or persons whatsoever
4. THE Vendor hereby acknowledges the right of the Council to production and delivery of copies of a Conveyance made the 26th October 1903 between Louis Henry Symonds of the one part and the Vendor of the other part and hereby undertakes with the Council for the safe custody thereof.
5. IN THIS DEED where the context admits the expressions "the Vendor" and "the Council" shall be deemed to include in addition to the Vendor and the Council the persons deriving title under the Vendor and the Council respectively

IN WITNESS whereof the Vendor has hereunto set his hand and seal and the Council has caused its Common Seal to be hereunto affixed the day and year first before written.

SEALED & DELIVERED by the
in the presence of :-

W. HABIAM CROSS

L.S.

B. Shotton
Clerk to A. & G. W. Fox.
Solicitors
Manchester.

COMMON SEAL of the Urban
Council of Handforth was
to affixed in the presence of :-

(Common Seal of the Urban
District Council of Handforth)

G. J. Westmacott
Chairman of the Council
Fredk. Ardern
Clerk of the Council.

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From:
Sent: 26 April 2013 08:48
To:
Subject: FW: Friends of Meriton Road Park, Handforth. Application for a new Premises licence.

① p.1 of 1

From:
Sent: 25 April 2013 17:43
To:
Subject: Friends of Meriton Road Park, Handforth. Application for a new Premises licence.

Last year's Gala in the Park was a day that reminded some of our older residents of times gone by, while those of us who are younger enjoyed the day for what it was. We all look forward to this becoming a yearly event that will be part of building our community.

The day was full of activities, excitement for the children and plenty for all to eat, share and get involved in. For those of us who only went to have a peek were captured by the whole enthusiasm and the uniqueness of this wonderful community event that has been long overdue for our Handforth residents.
The young and the old united and enjoyed a day of old-fashioned fun with a modern twist!

I am therefore writing in support of the continuation of events like this and ask to have the Premises Licence Application for the Friends of Meriton Road Park in Handforth duly considered for approval.

② p. 1 of 2.

From:

To:
Licensing Section
Cheshire East Council
Macclesfield Town Hall
Macclesfield
Cheshire
SK10 1DS

Date : 23rd April 2013

Re : Premises Licence Application (Friends of Meriton Road Park, Handforth).

Dear Sirs,

I am writing this out of concern of a note from a newsletter that has been sent to residents and can only be described as biased and incitement for objections to this licence. It has not been clearly communicated that this is only for a one-day event, not as it has been pitched a three-day event that can happen at a whim and be an open house for anything. I have been advised that it is for a one day event that can be picked to happen on a Friday, Saturday or Sunday, not how it has actually been presented.

Last year's Gala in the Park was a day that reminded some of our older residents of times gone by, while those of us who are younger enjoyed the day for what it was. We all look forward to this becoming a yearly event that will be part of building our community.

The day was full of activities, excitement for the children and plenty for all to eat, share and get involved in. For those of us who only went to have a peek were captured by the whole enthusiasm and the uniqueness of this wonderful community event that has been long overdue for our Handforth residents.

The young and the old united and enjoyed a day of old-fashioned fun with a modern twist!

I am therefore writing in support of the continuation of events like this and ask to have the Premises Licence Application for the Friends of Meriton Road Park in Handforth duly considered for approval.

Yours sincerely, —



The Honford Star

A Newsletter from The Handforth Ratepayers Association



New and Variation of Premise Licenses Under Consultation

This page lists all new Premise Licence applications and applications to vary Premise Licences during the 28 day consultation period on this page. These applications will be removed when the consultation period ends.

Friends of Meriton Road Park, Meriton Road, Handforth, SK9 3HA

Licensing Act 2003 : Application for a new Premises licence

Notice is hereby given that We, Friends of Meriton Road Park have applied on 03 April 2013 to Cheshire East Council in respect of the premises known as Meriton Road Park, Meriton Road, Handforth, Cheshire, SK9 3HA for a Premises Licence to provide the following licensable activities:

The playing of live music, recorded music, performances of dance and similar entertainments on any Friday, Saturday, Sunday and Monday between the hours of 11:00 and 20:00 within the park which is open to the public between 00:01 and 24:00 hours daily.

Any person wishing to make representation in relation to this application may do so in writing by 01 May 2013 to: The Licensing Section, Cheshire East Council, Macclesfield Town Hall, Market Place, Macclesfield, Cheshire, SK10 1DS.

A copy of the application for the above licence is kept by the Licensing Section of Cheshire East Council, Westfields, Middlewich Road, Sandbach, Cheshire, CW11 1HZ and may be viewed at any time during office hours.

It is an offence knowingly or recklessly to make a false statement in connection with an application; the maximum fine for which a person is liable on summary conviction being £5,000.

Dear Resident,

We have received notice of the above application of which we believe you should be made aware. As it may affect your amenity and possible peaceful enjoyment of your property, you may wish to send in your representations to Cheshire East Licensing at the given address. Unless Cheshire East Council is aware of any objections the application is likely to be approved. You or your representative may also appear at the Licensing Committee meeting when this application is to be determined, to give your views in person to the committee. For further information please contact the Licensing Administration Officer, email : vanessa.selfe@cheshireeast.gov.uk

Cllr. Barry Burkhill
Cllr. Dennis Mahon

Handforth Ward Councillors (Cheshire East Council)

③ p1. of 1.

RECEIVED
30 APR 2013

28.04.2013

Re.: Application for a Premises Licence for Mariton Rd. Park, Handforth, SK9 3HA

Dear [redacted],

I am writing to you in support of the granting of the above-mentioned licence.

I grew up in Handforth and spent many happy hours on this park. The community of Handforth are very lucky to still have this facility and volunteers who use their time to organise some very successful and popular events within the park.

These events are an opportunity to bring the community together, both young and old. I feel they are especially important in these times when we seem to be losing community spirit and it is good to see that these volunteers are trying to keep it alive.

I hope that the licence will be looked upon favourably so I, and many others, can enjoy another good day out in Meriton Rd. Park.

Thank you.

Yours sincerely,

Licensing Administration Officer
Cheshire East Council
Westfields
Middlewich Rd.
Sandbach
CW11 1HZ

④ p. 1 of 1.

From:

10 of these letters received from local residents.

All individually addressed and signed.

To:
Licensing Section
Cheshire East Council
Macclesfield Town Hall
Macclesfield
Cheshire
SK10 1DS

Date : 23rd April 2013

Re : Premises Licence Application (Friends of Meriton Road Park, Handforth).

Dear Sirs,

Last year's Gala in the Park was a day that reminded some of our older residents of times gone by, while those of us who are younger enjoyed the day for what it was. We all look forward to this becoming a yearly event that will be part of building our community.

The day was full of activities, excitement for the children and plenty for all to eat, share and get involved in. For those of us who only went to have a peek were captured by the whole enthusiasm and the uniqueness of this wonderful community event that has been long overdue for our Handforth residents.

The young and the old united and enjoyed a day of old-fashioned fun with a modern twist!

I am therefore writing in support of the continuation of events like this and ask to have the Premises Licence Application for the Friends of Meriton Road Park in Handforth duly considered for approval.

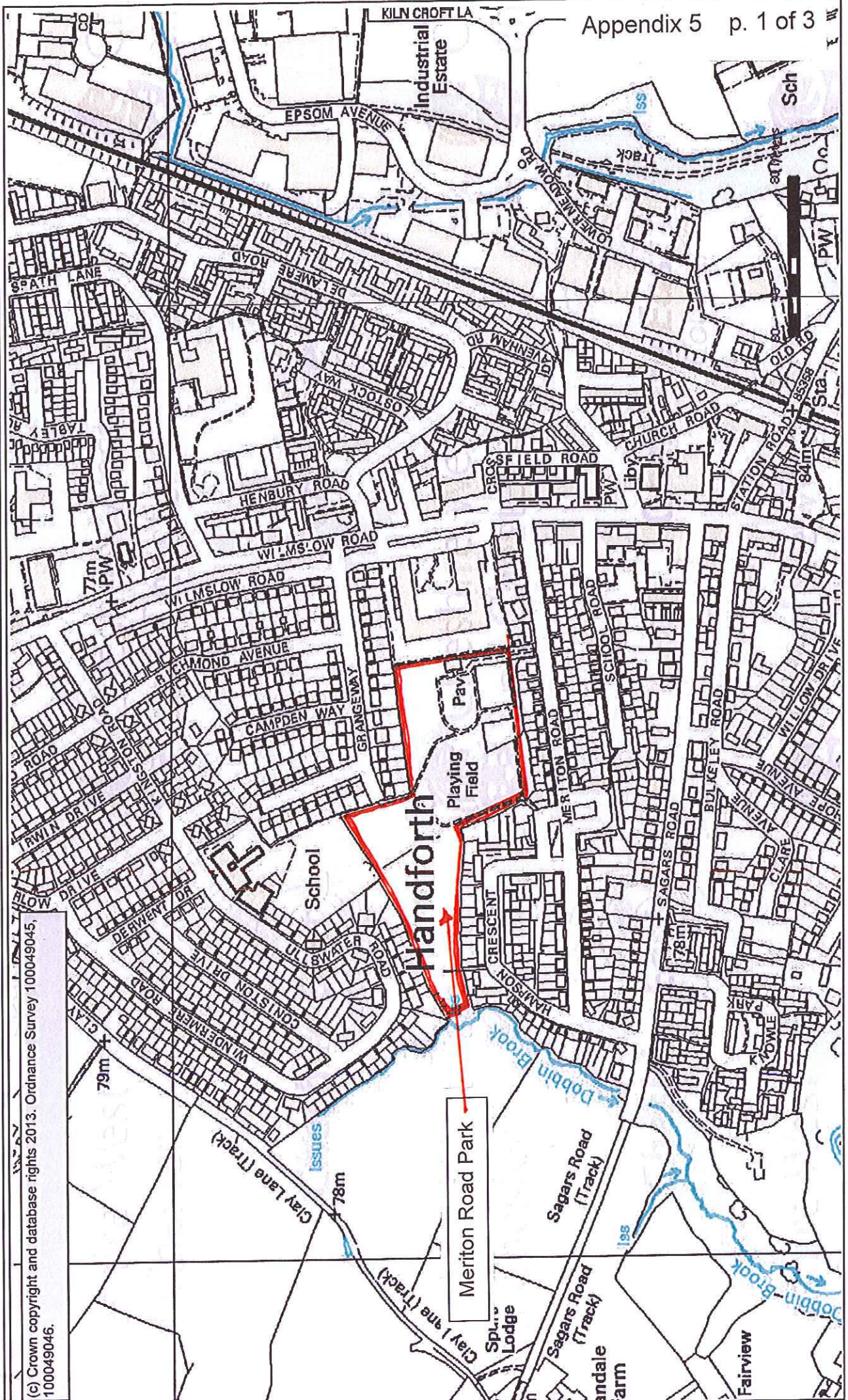
Yours sincerely,

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Cheshire CC WebGIS



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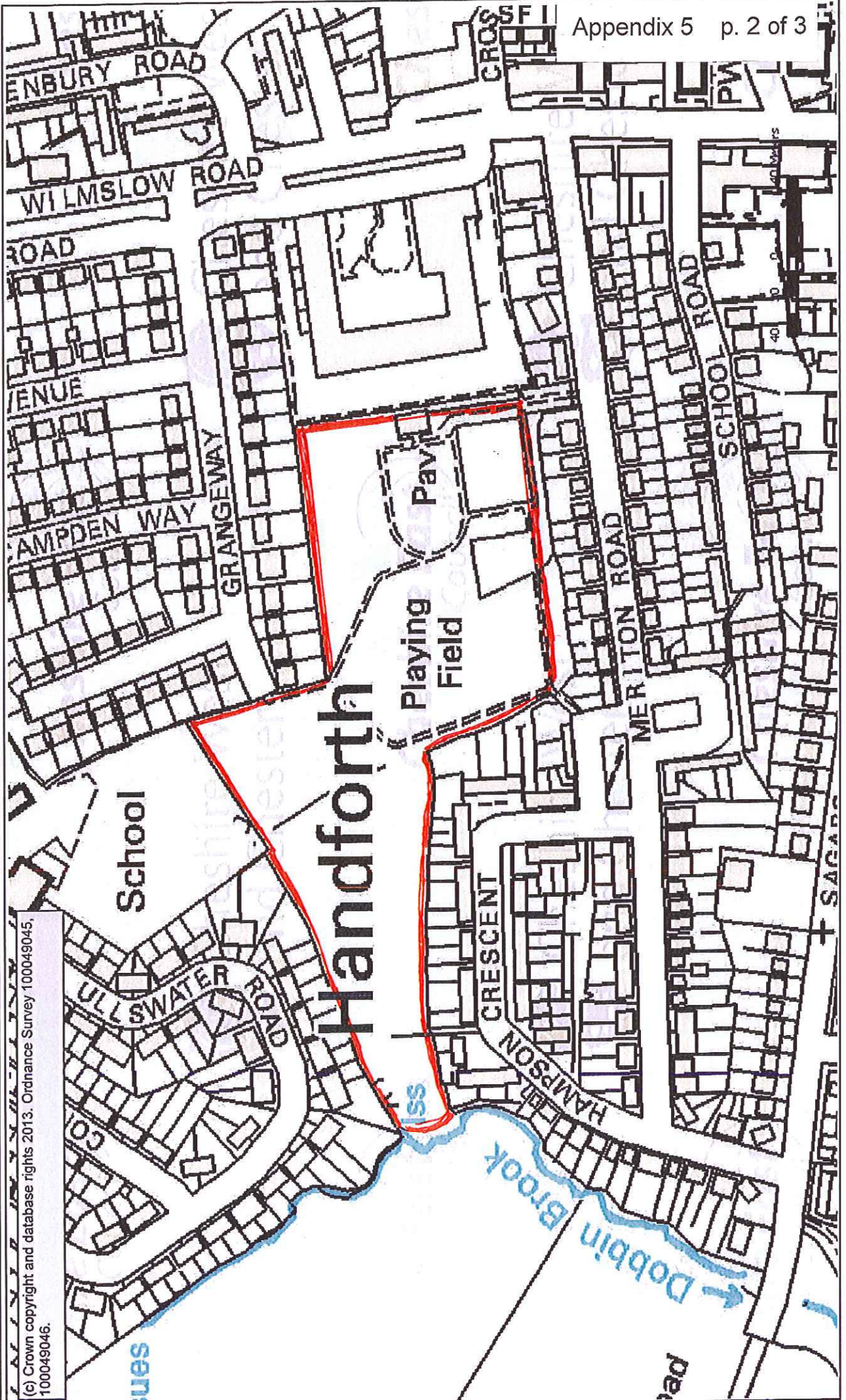




Cheshire CC WebGIS

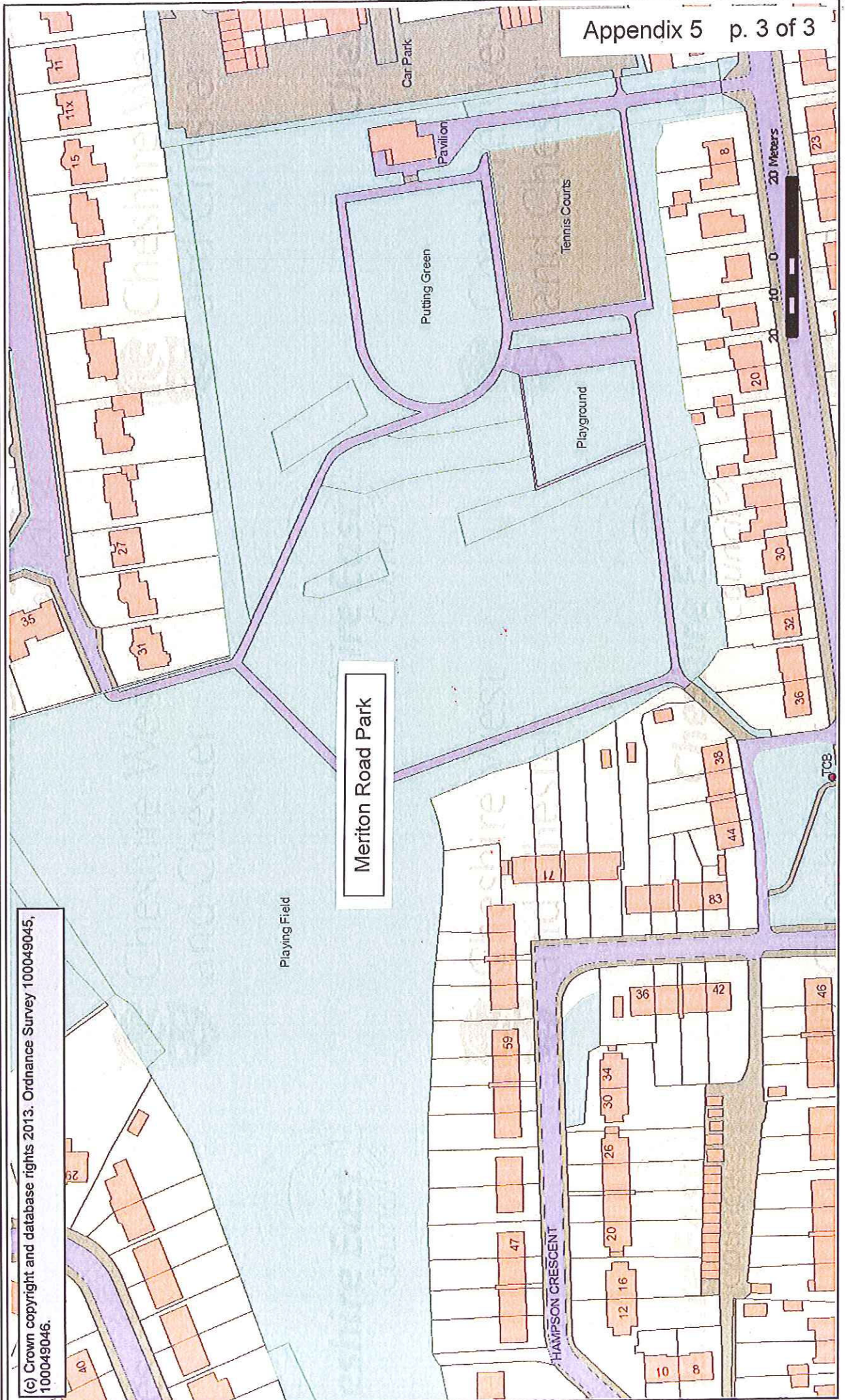


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Appendix 5 p. 3 of 3



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CHESHIRE EAST COUNCIL

REPORT TO: LICENSING ACT SUB-COMMITTEE

Date of Meeting: Friday 24 May 2013 at 1:00 p.m.
Report of: Amanda Hinton, Licensing Administration Officer
Subject/Title: **Application for a Premises Licence at
The Cheese Yard, 69 King Street, Knutsford, WA16 6DX**

1.0 Report Summary

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

2.0 Recommendations

- 2.1 The Licensing Act Sub-Committee is requested to determine the application for a Premises Licence by Sarah Jane Peak in respect of:

The Cheese Yard
69 King Street
Knutsford
WA16 6DX

- 2.2 Acting in the capacity of Licensing Authority, Members must seek to promote the Licensing Objectives, and where Members consider matters have engaged one or more of the objectives, they may exercise their discretion.
- 2.3 Members of the Licensing Sub-Committee are reminded that they may not exercise discretion in any case, merely because it considers it desirable to, and should provide reason(s) for any decision taken, or where they might consider departing in any way from the Policy or Guidance.

2.4 Licensing Objectives / Guidance / Policy Considerations

- 2.4.1 The relevant representations engage the licensing objectives. The Sub-Committee in respect of this application is referred to the Guidance issued under Section 182 of the Licensing Act 2003, specifically those sections relating to the licensing objective, premises licenses and hearings. The licensing objectives are (a) the prevention of crime and disorder; (b) public safety; (c) the prevention of public nuisance; and (d) the protection of children from harm.

2.5 Statement of Licensing Policy

- 2.5.1 Members should carefully consider the relevant sections of the Council's Statement of Licensing Policy.

2.6 Members are reminded that should any conditions be added, they should be practical, enforceable and appropriate to promote the Licensing Objectives.

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

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

3.0 Reasons for Recommendations

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

4.0 Wards Affected

4.1 Knutsford

5.0 Local Ward Members

5.1 Cllr S Gardiner
Cllr O Hunter
Cllr P Raynes

6.0 Policy Implications

6.1 The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003 and Guidance issued under section 182 of the Act.

7.0 Financial Implications (Authorised by the Director of Finance and Business Services)

7.1 Not applicable.

8.0 Legal Implications (Authorised by the Borough Solicitor)

8.1 In accordance with the provisions of section 18 of the Licensing Act 2003 the Licensing Authority must, having regard to the representations, take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. Section 18(4) provides that the authority may:

- (a) Grant the licence subject to the relevant mandatory conditions and conditions consistent with the operating schedule
- (b) Modified the application to such extent as the Authority considers appropriate for the promotion of the Licensing Objectives
- (c) Exclude from the scope of the licence any of the Licensable Activities to which the application relates
- (d) Refuse to specify a person in the licence as the Premises Supervisor
- (e) Reject the application.

9.0 Risk Management

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

10.0 Background and Options

- 10.1 The application, received on the 4th April 2013, is for the grant of a Premises Licence under section 17 of the Licensing Act 2003.

- 10.2 The operating schedule indicates that the relevant licensable activities applied for are:

- Live Music
- Recorded Music
- Sale and Supply of Alcohol

- 10.3 The hours applied for are as follows:

- **Live Music**

Monday to Wednesday 09:00 to 18:00 hours

Thursday to Saturday 09:00 to 19:00 hours

Sunday 10:00 to 17:00 hours

The performance of live music will take place indoors.

Non-standard timings: for cheese and wine tasting evenings on a maximum of one night a week until 22:00 hours.

- **Recorded Music**

Monday to Wednesday 09:00 to 18:00 hours

Thursday to Saturday 09:00 to 19:00 hours

Sunday 10:00 to 17:00 hours

The playing of recorded music will take place indoors.

Non-standard timings: for cheese and wine tasting evenings on a maximum of one night a week until 22:00 hours.

- **Sale and Supply of Alcohol**

Monday to Wednesday 09:00 to 18:00 hours

Thursday to Saturday 09:00 to 19:00 hours

Sunday 10:00 to 17:00 hours

The supply of alcohol will be for consumption both on and off the premises.

Non-standard timings: for cheese and wine tasting evenings on a maximum of one night a week until 22:00 hours.

▪ **Opening Hours of the Premises**

Monday to Wednesday 09:00 to 18:00 hours

Thursday to Saturday 09:00 to 19:00 hours

Sunday 10:00 to 17:00 hours

Non-standard timings: for cheese and wine tasting evenings on a maximum of one night a week until 22:00 hours.

10.4 A copy of the application form is attached as Appendix 1.

10.5 Designated Premises Supervisor: Sarah Jane Peak

10.6 Relevant Representations

Responsible Authorities:

10.6.1 The Police Licensing Officer stated that the application meets the four licensing objectives to the satisfaction of the Police and there are no Police representations.

10.6.2 There were no responses from any of the other Responsible Authorities.

Other Persons:

10.6.3 The Council has also received the following representations:

- i. Two relevant objections, which are attached to this report as Appendix 2
- ii. The applicant emailed a statement to the Licensing Authority to elaborate on her plans for the retail unit in light of the representations. A copy of this statement is attached to this report as Appendix 3. The Licensing Authority forwarded this letter to the two objectors for their consideration.
- iii. In response to the statement of 8th May 2013, the two objectors confirmed that they still wished to continue with their objections.

11.0 Access to Information

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

Name: Amanda Hinton

Designation: Licensing Administration Officer

Tel No: 01270 371116

Email: amanda.hinton@cheshireeast.gov.uk

APPENDICES

Appendix 1 – Premises Licence application form.

Appendix 2 – 2 letters of objection to the application.

Appendix 3 – Applicant's statement
Appendix 4 – Plan of the area

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APPENDIX 01

Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST



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

I/We Sarah Jane Peak

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 69 king Street,			
Post town	Knutsford	Post code	WA16 6DX
Telephone number at premises (if any)		07980769881	
Non-domestic rateable value of premises		£12500	

Part 2 - Applicant Details

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

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

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒
- I am making the application pursuant to a
 - statutory function or ☐
 - a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input checked="" type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Peak			First names Sarah Jane		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		15 MILL HILL AVENUE POYNTON,			
Post Town	STOCKPORT			Postcode	SK12 1EQ
Daytime contact telephone number			07980769881		
E-mail address (optional)		sarahjanepeaky@msn.com			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
0	6	0 5 2 0 1 3

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

Day	Month	Year

Please give a general description of the premises (please read guidance note1)
Specialist Cheese and Wine Shop

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

0

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

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

Provision of regulated entertainment

Please tick yes

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

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

☐

Supply of alcohol (if ticking yes, fill in box M)

☒

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)			
Thur						
Fri						
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sun						

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)			
Wed						
Thur						
			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Fri						
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	0900	1800			
Tue	0900	1900			
Wed	0900	1800	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur	0900	1900			
Fri	0900	1900			
Sat	0900	1900	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) For Cheese and Wine tasting evenings on a maximum of one night a week until 22:00 hours		
Sun	1000	1700			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon	0900	1800				
Tue	0900	1800				
Wed	0900	1800				
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)			
Thur	0900	1900				
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) For Cheese and Wine tasting evenings on a maximum of one night a week until 22:00 hours			
Fri	0900	1900				
Sat	0900	1900				
Sun	1000	1700				

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
			State any seasonal variations for the performance of dance (please read guidance note 4)			
Wed						
Thur						
			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)			
Fri						
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)	
Wed				
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)	
Fri				
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sun				

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>	
Day	Start	Finish		
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>	
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)	
Wed				
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)	
Fri				
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) <u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Cheese and Wine tasting evenings on a maximum of one night a week until 22:00 hours.		
Mon	0900	1800			
Tue	0900	1800			
Wed	0900	1800			
Thur	0900	1900			
Fri	0900	1900			
Sat	0900	1900			
Sun	1000	1700			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Sarah Jane Peak	
Address 15 MILL HILL AVENUE POYNTON,	
Postcode	SK12 1EQ
Personal Licence number (if known) PERS/1683	
Issuing licensing authority (if known) Cheshire East Council.	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

N/A

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) For Cheese and Wine tasting evenings on a maximum of one night a week until 22:00 hours.
Mon	0900		
		1800	
Tue	0900		
		1800	
Wed	0900		
		1800	
Thur	0900		
		1800	
Fri	0900		
		1900	
Sat	0900		
		1900	
Sun	1000		
		1700	

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The company maintains comprehensive regulatory compliance procedures and all aspect of the four Licensing Objectives are covered by these procedures

b) The prevention of crime and disorder

There will be trained staff selling alcohol on the premises

c) Public safety

We will have trained Health and Safety staff on during opening hours re public safety, e.g. cleaning spillages immediately, etc.

d) The prevention of public nuisance

We will ensure that any customers acting in an inappropriate way will be asked to refrain from doing so or asked to leave the premises.

e) The protection of children from harm

An Age Challenge Scheme with an Age Challenge of not less than 25 years is in force for persons who appear to be less than 25.

Please tick yes

- I have made or enclosed payment of the fee ☒
- I have enclosed the plan of the premises ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable ☒
- I understand that I must now advertise my application ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

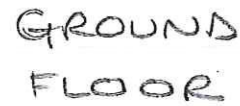
Signature	
Date	
Capacity	

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			



SCALE
1cm : 1m

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RECEIVED

- 3 MAY 2013

2nd May 2013

The Licensing Section
Cheshire East Council
Town Hall
Macclesfield
SK10 1DX.

Dear Sir,

Re: Alcohol and music licence at 69 King Street, Knutsford WA16 6DX

I write with reference to the above mentioned application for an alcohol and music license.

I live

There are a number of issues that force me to strongly object to this application.

1. The main issue being noise;

This would considerably worsen if there was a bar atmosphere, with music being played all day, and into the evening.

2. Drunken behaviour, vandalism and violence as regularly witnessed in other areas in town, where there are drinking/social establishments.
3. These premises are designed as small retail units, and are completely unsuitable for the type of business being proposed. The external areas to these retail units, would lend to an easily created open courtyard setting, which again would create unacceptable noise levels and hinder access to my property.
4. I purchased my apartment in 2001 but only after careful research of the adjoining businesses, and in particular after reading a quote by a local councillor in the Knutsford Guardian stating that no more alcohol licenses would ever be issued in Knutsford.
5. The businesses at that time were: a book shop, a clothes shop and a card shop – they closed at 5pm and didn't open on Sundays, didn't play live music, and didn't serve alcohol. Smokers also did not stand outside at any point. This in turn raises a health issue and surely a right to enjoyment of unpolluted, noise free air!

A further, and equally serious concern, is the approach a number of similar local businesses have used for this sort of business activity. The Canvas lounge; from being a restricted bar with restricted hours, has progressively pushed the boundaries to its current 2 am license. Prima Vera that has evolved to Parma, started with a 7pm license, and has progressed to an 11pm license. A clear pattern has been set here, and I note the application stating "Non-standard timings for cheese and wine tastings to 10pm" thus demonstrating a clear aim.

The applicants are already advertising the new premises on twitter; The Cha Bar - Live soul / jazz music, licensed, private parties, and with a great atmosphere! This appears to me, as a conceited assumption, that all is going ahead regardless of your views as grantors of licenses, and permissions.

I already have experience of noise from The Cross Keys and The Belle Epoch, both which are within 50 metres of my property. I was however, aware of the noise relating to these licensed premises before I made the purchase of my apartment, and this was acceptable too me

Having researched soundproofing in trying to take an open minded and progressive view, I have been unable to find any products that would allow me to continue with reasonable and quiet enjoyment of my property. I am therefore unable to see, how even a condition of the granting of any form of license would resolve this issue of noise.

As a matter of course, I urge you to visit these premises so you are able to understand how valid and relevant to applicable laws my grounds for objection are.

Yours Faithfully

RECEIVED
- 3 MAY 2013

APPENDIX 02

Re 69 King Street
Knutsford
Cheshire
Wa16 6du

RECEIVED
RECORDED

2nd May 2013

Dear Sirs,

With reference to the proposed application for a license to sell alcohol and to play live and recorded indoor music at the above premises.

I wish to oppose the application on the grounds that although the application states indoor music, given the size of the property and nature of the proposed business it is inevitable that the clientele would venture outside the premises. Live music as you are no doubt aware carries, our living quarters are directly opposite and I do believe it would not only have an effect on my family but also on guests who are staying my hotel.

As far as a license to sell alcohol goes I strongly feel that another license premises in such close proximity can only have a detrimental effect on my business.

I trust that you will be sympathetic when considering this application and it will be rejected.

Yours Faithfully,

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From: Sarah.Peak
Sent: 08 May 2013 12:10
To: HINTON, Amanda
Subject: 69 King Street

Dear Sirs,

I am writing in response to your opposition to the premises license application for 69 King Street Knutsford and I would like to share with you my plans for the retail unit.

The business I will be opening is a small specialist cheese shop, selling artisan cheeses and complimentary products such as chutneys, crackers & a small selection of boutique style wines & local beers, the shop will be called "The Cheese Yard" at Knutsford.

The opening hours will be 9am to 6pm Monday, Tuesday, Wednesday & Saturday and 9am to 7pm Thursday & Friday and Sunday 10am to 5pm.

Once a month I would hold a cheese tasting evening inside the shop which would be a small group of people and the numbers would be limited and capped where I would present cheeses from specialist dairy producers, the evening would be focused around tasting and talking about cheeses, these would run from 6pm to 9pm & the shop will be closed straight after the tasting.

The reason I had put the license request in for once a week was in case one month I did not run the tasting but 2 fell into another month, but my intention has always been and will remain that these are monthly cheese tasting evenings.

The live music I am considering in the shop is non amplified and is a piano which would be played for a few hours only once or twice a week as gently background music. If any recorded music is to be played again it would be very subtle background music and would not in anyway cause noise pollution to my neighbour's. I Since the application was posted I have been informed by the council the music license would not be relevant for the premises as the I would not be playing music after 11pm.

Under no circumstances is the unit being turned into a bar and it is not "Cha Bar". I have done no advertising for the business on twitter or facebook.

The customers I intend to shop at The Cheese Yard are people with a real love of food who want to get exceptional knowledgeable service and purchase superb cheeses and products from handcrafted producers, these customers I see would not be drunken or cause any disruption to the area.

I understand your concerns and I assure you my intention for the shop would not have any noise affect on your home life.

I hope you will reconsider your objections with the information I have provided.

Yours Faithfully

Sarah Peak

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The Cheese Yard, 69 King Street, Knutsford, WA16 6DX



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