

Licensing Act Sub-Committee

Agenda

Date: Monday, 21st October, 2013
Time: 10.00 am
Venue: Council Chamber - 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-Chestiki, 4-6 Alderley Road, Wilmslow, SK9 1JX** (Pages 5 - 58)

To consider an application for a new Premises Licence by Chestiki Ltd in respect of Chestiki, 4-6 Alderley Road, Wilmslow, Cheshire, SK9 1JX.

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

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

Notes

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

Summary of Procedure

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

CHESHIRE EAST COUNCIL

REPORT TO: LICENSING ACT SUB-COMMITTEE

Date of Meeting:	Monday 21st October 2013 at 10.00am
Report of:	Mrs N Cadman, Licensing Officer
Subject/Title:	Application for a Premises Licence at Chestiki, 4-6 Alderley Road, Wilmslow, SK9 1JX

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 new Premises Licence by Chestiki Ltd in respect of:

Chestiki
4-6 Alderley Road
Wilmslow
Cheshire
SK9 1JX

- 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 Wilmslow West & Chorley

5.0 Local Ward Members

5.1 Cllr W Fitzgerald
Cllr G Barton

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) Modify 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 27th August 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:

- Films
- Live Music
- Recorded Music
- Performance of Dance
- Anything of a similar description to live and recorded music and dance
- Provision of facilities for making music
- Provision of facilities for dancing
- Provision of facilities for entertainment of a similar description to making music and dancing.
- Late night refreshment
- Sale and supply of alcohol

- 10.3 The hours applied for are as follows:

Films (to take place indoors only)

Sunday to Thursday 11.00 to 02.30

Friday and Saturday 11.00 to 03.30

Live Music (to take place indoors only)

Sunday to Thursday 11.00 to 02.30

Friday and Saturday 11.00 to 03.30

Recorded Music (to take place indoors and outdoors to 21.00hrs)

Sunday to Thursday 11.00 to 02.30

Friday and Saturday 11.00 to 03.30

Performance of Dance (to take place indoors only)

Sunday to Thursday 11.00 to 02.30

Friday and Saturday 11.00 to 03.30

Anything of a similar description to live and recorded music and dance (to take place indoors only)

Sunday to Thursday 11.00 to 02.30

Friday and Saturday 11.00 to 03.30

Provision of facilities for making music (to take place indoors only)

Sunday to Thursday 11.00 to 02.30

Friday and Saturday 11.00 to 03.30

Provision of facilities for dancing (to take place indoors only)

Sunday to Thursday 11.00 to 02.30

Friday and Saturday 11.00 to 03.30

Provision of facilities for entertainment of a similar description to making music and dancing (to take place indoors only)

Sunday to Thursday 11.00 to 02.30

Friday and Saturday 11.00 to 03.30

Late night refreshment (to take place indoors only)

Sunday to Thursday 23.00 to 02.30

Friday and Saturday 23.00 to 03.30

Sale and supply of alcohol (for consumption both on and off the premises)

Sunday to Thursday 11.00 to 02.00

Friday and Saturday 11.00 to 03.00

Hours Premises are Open to the Public

Sunday to Thursday 09.00 to 02.30

Friday and Saturday 09.00 to 03.30

Seasonal variations for all licensable activities and opening hours:

An extra hour on the day when British Summer Time begins.

From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.

One additional hour for the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend.

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

10.5 Relevant Representations

Responsible Authorities:

10.6.1 The Police in their response state: Application received 30th August 2013, from Chestiki Limited for a Premises Licence, 4 - 6 Alderley Road, Wilmslow, SK9 1JX. The application is for Regulated Entertainment and the sale and supply of alcohol and late night refreshments. The proposed Designated Premises Supervisor is yet to be named as none of the applicants' representatives have a Personal Licence. In the operating Schedule the applicants have stated: The Premises Licence Holder will ensure that a comprehensive risk assessment is conducted at intervals of not more than 31 days, into the need for door supervisors to be on duty at the premises. Where door supervisors are deemed appropriate by the risk assessment they will be on duty at the premises from 21:00 hours until the premises close to the public and in such numbers as are deemed appropriate by the risk assessment. This risk assessment will be recorded in writing, produced to a Constable on request and a copy retained at the premises for a period of at least 6 months from the date of the assessment. Providing this is met to the

satisfaction of the Police there are no representations. There are no Police objections.

10.6.2 The Environmental Health Officer states in her response: This Service wishes to submit the following comments under the Licensing objective of the “Prevention of Public Nuisance” in respect of the above application - as follows:

This Service would express concern regarding the fact that the application relates to the playing of live and amplified music on each night of the week – terminating at 02.30 hours or 03.30 hours depending on the night of the week. The present building structure appears to have a number of windows on the upper floor which is the area to be used as a dance floor area. There is no supporting evidence with the application in terms of a description as to what is intended in terms of

- a) The containment of sound (structure)
- b) Noise control from amplified music at source
- c) The provision of air conditioning / a ventilation system to provide a comfortable internal environment for patrons without the need to open windows / doors.

We would also express a concern that the accompanying plans indicate that it is intended to install bi-fold doors to the front façade on the ground floor.

In order to prevent public nuisance from the escape of amplified music from the premises and to address the above concerns, it is recommended that the following points form conditions of an approval:

1. All doors, windows and any other acoustically weak areas of the structure to the first floor are to be acoustically treated in order to retain the entertainment and people noise within the licensed premises (this being the nominated dance floor area)
2. In the event that the ground floor is to host live and recorded music at high volume level, then all doors and windows on the ground floor should also be acoustically treated in order to retain entertainment and people noise to within the building premises.
3. All doors and windows to be kept closed during noisy licensable activities to prevent noise outbreak – in which case a suitable and effective air conditioning / ventilation system should be installed within the premises in order to achieve a comfortable internal environment for patrons. Details of the system are to be forwarded to the Public Protection and Health Service.
4. The bi-fold doors are to remain in a closed position whilst live and recorded music is played within the premises apart from when a ‘background level’ volume of music is played on either floor of the premises
5. Details of the noise mitigation measures to be incorporated to all acoustically weak areas (e.g. windows) are to be forwarded to this Service for approval prior to installation.
6. No external speakers to be allowed.

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

Other Persons:

10.6.3 The Council has received 20 written objections from local residents and written objections from Cllr W Fitzgerald and Cllr G Barton, Ward Councillors for Wilmslow West & Chorley Ward and Cllr R Menlove, Ward Councillor for Wilmslow East Ward. Copies of these representations are attached as Appendix 2 of this report.

11.0 Access to Information

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

Name: Mrs N Cadman
Designation: Licensing Officer
Tel No: 01270 685957
Email: nikki.cadman@cheshireeast.gov.uk

APPENDICES

Appendix 1 – Premises Licence application form
Appendix 2 - Letters of objection
Appendix 3 – Map of area.

**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 **CHESTIKI LTD**

(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 4-6 Alderley Road,			
Post town	Wilmslow	Post code	SK9 1JX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£31,500

Part 2 - Applicant Details

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

- | | | |
|-------------------------------------------------|-------------------------------------|-----------------------------|
| 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 checked="" 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 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 CHESTIKI LTD
Address The Vicarage, 31 Great King St, Macclesfield, Cheshire, SK11 6PL
Registered number (where applicable) 08649665
Description of applicant (for example, partnership, company, unincorporated association etc.) LTD COMPANY
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
27	09	13

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)
 We intend the premises to be an up market bar catering for the the general public

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 yes

- | | |
|----------------------------------------------------------------------------------------------------------------|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" 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 entertainment facilities:

- | | |
|----------------------------------------------------------------------------------------------------------------|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K) | <input checked="" 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)			Will the performance of a play 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					
Wed					
Thur			State any seasonal variations for performing plays (please read guidance note 4)		
Fri			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 (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	1100	0230			
Tue	1100	0230			
Wed	1100	0230			
Thur	1100	0230	State any seasonal variations for the exhibition of films (please read guidance note 4) An extra hour on the day when British Summer Time begins. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day. One additional hour for the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend.		
Fri	1100	0330			
Sat	1100	0330			
Sun	1100	0230			
			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 (please read guidance note 5)		

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)			<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			<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)		
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	1100	0230			
Tue	1100	0230			
Wed	1100	0230			
Thur	1100	0230	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) An extra hour on the day when British Summer Time begins. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day. One additional hour for the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend.		
Fri	1100	0330	<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)		
Sat	1100	0330			
Sun	1100	0230			

F

APPENDIX - 1

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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	1100	0230			
Tue	1100	0230			
Wed	1100	0230			
Thur	1100	0230	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) An extra hour on the day when British Summer Time begins. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day. One additional hour for the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend.		
Fri	1100	0330	<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) Outdoors: 11:00 hours to 21:00 hours		
Sat	1100	0330			
Sun	1100	0230			

G

APPENDIX - 1

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)	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	1100	0230			
Tue	1100	0230			
Wed	1100	0230			
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) An extra hour on the day when British Summer Time begins. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day. One additional hour for the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend.		
Thur	1100	0230			
Fri	1100	0330			
Sat	1100	0330			
			<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	1100	0230			

H

APPENDIX -1

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 checked="" type="checkbox"/>
Mon	1100			Outdoors	<input type="checkbox"/>
		0230		Both	<input type="checkbox"/>
Tue	1100		<u>Please give further details here</u> (please read guidance note 3)		
		0230			
Wed	1100				
		0230			
Thur	1100		<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) An extra hour on the day when British Summer Time begins. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day. One additional hour for the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend.		
		0230			
Fri	1100				
		0330			
Sat	1100		<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)		
		0330			
Sun	1100				
		0230			

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)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon	1100	0230	<u>Please give further details here</u> (please read guidance note 3)	
Tue	1100	0230		
Wed	1100	0230	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) An extra hour on the day when British Summer Time begins. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day. One additional hour for the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend.	
Thur	1100	0230		
Fri	1100	0330	<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	1100	0330		
Sun	1100	0230		

J

APPENDIX -1

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input checked="" 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	<u>Please give further details here</u> (please read guidance note 3)	
Mon	1100	0230		
Tue	1100	0230		
Wed	1100	0230		
Thur	1100	0230	<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4) An extra hour on the day when British Summer Time begins. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day. One additional hour for the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend.	
Fri	1100	0330		
Sat	1100	0330	<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)	
Sun	1100	0230		

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 checked="" type="checkbox"/>
Mon	1100	0230		Outdoors	<input type="checkbox"/>
Tue	1100	0230	<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Wed	1100	0230			
Thur	1100	0230			
Fri	1100	0230	<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) An extra hour on the day when British Summer Time begins. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day. One additional hour for the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend.		
Sat	1100	0230	<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	1100	0230			

L

APPENDIX -1

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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	2300	0230			
Tue	2300	0230			
Wed	2300	0230			
Thur	2300	0230	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) An extra hour on the day when British Summer Time begins. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day. One additional hour for the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend.		
Fri	2300	0330	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 (please read guidance note 5)		
Sat	2300	0330			
Sun	2300	0230			

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	State any seasonal variations for the supply of alcohol (please read guidance note 4) An extra hour on the day when British Summer Time begins. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day. One additional hour for the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend. Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Mon	1100	0200			
Tue	1100	0200			
Wed	1100	0200			
Thur	1100	0200			
Fri	1100	0300			
Sat	1100	0300			
Sun	1100	0200			

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

Name To be confirmed	
Address	
Postcode	
Personal Licence number (if known)	
Issuing licensing authority (if known)	

N

APPENDIX -1

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)

None

O

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) An extra hour on the day when British Summer Time begins. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day. One additional hour for the Friday, Saturday, Sunday and Monday of a Bank Holiday weekend.
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	0900	0230	
Tue	0900	0230	
Wed	0900	0230	
Thur	0900	0230	
Fri	0900	0330	
Sat	0900	0330	
Sun	0900	0230	

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)

1. All members of staff shall be trained in the promotion of the four licensing objectives and there shall be an individual record kept for each member of staff authorised to sell alcohol. This record shall be maintained and kept at the premises and retained for a period of at least 6 months after a person leaves employment.
2. The Premises Licence Holder will ensure that a comprehensive risk assessment is conducted, at intervals of not more than 31 days, into the need for door supervisors to be on duty at the premises. Where door supervisors are deemed appropriate by the risk assessment they will be on duty at the premises from 21:00 hours until the premises close to the public and in such numbers are deemed appropriate by the risk assessment. This risk assessment will be recorded in writing, produced to a constable on request, and a copy retained at the premises for a period of at least 6 months from the date of the assessment
3. No person under the age of 18 shall enter or remain on the premises after 21.00 hours unless the premises are exclusively for a pre-booked private function.
4. That no admittance shall be allowed to the premises after 02.00 hours save for people observing the smoking ban on Public Places.
5. An ID Scan system or similar such system will be installed and maintained in working order should such a requirement be made in writing by the Chief Officer of the Police.

b) The prevention of crime and disorder

1. A CCTV system (colour) shall be installed and images will be retained for 28 days and provided to the Police or Licensing Authority on request.
2. Toughened glassware will be used at the premises where available.
3. The Management shall liaise with the local Police as and when necessary.
4. There shall be a door policy not to allow any individual to enter the premises intoxicated.

c) Public safety

5. There shall be regular safety checks carried out.
6. Fire risk assessments shall be in place.
7. Adequate fire fighting and safety equipment shall be located in suitable locations within the premises.
8. The management shall liaise with the Local Fire Authority where necessary.
10. Glassware on any dance floor shall not be allowed.
10. Yearly inspection of electrical installations shall take place.
11. There shall be a first aider on site at all times.
12. Floor staff shall clean any spillages and collect glasses throughout the evening.

d) The prevention of public nuisance

13. Members of staff (including door staff where applicable) shall request that customers leave the premises quietly.
14. Signs shall be positioned at the exits of the premises reminding customers to leave quietly.
15. Queues shall be managed by door staff to ensure potential for noise nuisance is limited.
16. All deliveries and collections shall be timed so as to minimise the risk of noise nuisance.

e) The protection of children from harm

17. All staff shall be trained in the law prohibiting the sale of alcohol to persons under the age of 18 years.
18. Staff shall be trained to accept only suitable forms of identification such as passports, photo driving licences and pass cards.
19. The premises shall operate the Challenge 25 policy.


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	27/8/13
Capacity	DIRECTOR

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)		
<div style="background-color: #cccccc; height: 40px; width: 100%;"></div>		
Post town	Wilmslow	Post code
Telephone number (if any)		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)		

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, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. 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, 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, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

CHESTIKI LTD**Vision**

To open the most popular and highly sought after bar within East Cheshire for a target market of 21+. The bar will be Tiki themed, concentrating on being fun , wacky and not pretentious. We will serve the famous rum and fresh fruit based Tiki cocktails such as Mai Tai and Zombies, as well as the classics such as Mojitos, we will offer a simple but quality food menue throughout the day and early evening. The venue at all times will be dressed from head to toe with the traditional Polynesian beach theme. Our venue is open 6 days and 6 nights a week, taking advantage of the thriving day time trade in the heart of Wilmslow town centre.

Objectives

- To become the first Tiki Bar to open its doors in East Cheshire
- To create a totally different atmosphere to anything else in and around Wilmslow town centre.
- To be a respectable establishment, supported by the community and a proud edition to Wilmslow town centre.
- To establish a sustainable business and become and a long standing brand.

GROUND FLOOR PLAN

Drawing No. **101** Rev. **D**

ended 3/9/13

1

2nd September 2013

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

Dear Sir/Madam

Licence Application for 4-6 Alderley Road, Wilmslow from Chestiki Limited

I see that a licence application has been made for the above premises formerly used by Simon Dunn Chocolatiers.

The licence applied for is from 11.00AM until 2.30AM Sundays to Thursdays and to 3.30AM on Fridays and Saturdays. The licence applied for covers films, live music, dancing performance and similar entertainment. It would seem that Chestiki are attempting to get licensing that would allow them to open a lap dancing club.

I object to this licence application for the following reasons:

- Opening until 2.30AM and 3.30AM will cause people to emerge from the venue in a drunken state which will inevitably cause disturbance in the centre of the town where there are many residents.
- The location of the property on the major road junction in Wilmslow could mean that drunken people cause a danger to themselves and passing traffic.
- The licence for the ST Lounge on Grove Street was not renewed recently reflecting the local population's desire not to have a lap dancing club in the centre of Wilmslow. It would not be consistent to allow this licence application.
- Lap dancing and "Gentlemen's clubs" in general are morally repugnant to a large proportion of society. They promote the objectification of women and a culture where human trafficking is rife. I strongly object to Cheshire East Council supporting such an activity given its stated adherence to Equality legislation and resistance to human trafficking.
- Chestiki Limited was formed on 14th August 2013 and has no trading history. The shareholders and directors listed at Companies House are aged 27 and 25 respectively and their occupations are listed as golf tuition professional and tennis coach. The council would have to be very sure these young men have the experience and maturity to take on such a licence.

From: 17 September 2013 12:12 Page 35 APPENDIX - 2
Sent: LICENSING (Cheshire East)
To: Objection to Licence Application by Chestiki at Alderley Road, Wilmslow
Subject:

Follow Up Flag: Follow up
Flag Status: Completed

I wish to object to the licence application issued by Chestiki Limited at Alderley Road, Wilmslow.

I consider the opening hours to be outside the spirit and reputation of Wilmslow. I consider that the granting of the Licence could create a public nuisance and could affect public safety.

- Noise played outside could create a nuisance to neighbouring shops and shoppers.
- As there is no designated outdoor terrace, people would drink outside on the pavement up till 3a.m, thereby causing an obstruction.
- Customers would smoke outside the premises up to 3a.m. leading to odour and increased litter with cigarette ends and packets on the pavement every night of the week.
- As the new licence application does focus heavily on outside activity all through the day, the pavement outside the premises does not appear to provide ample space for a drinking area outside. In fact if the space was used in this way, it could impede wheelchair users, the visually impaired and families with pushchairs amongst others.
- As the proposed club is on a very busy crossroad junction in the centre of Wilmslow, the clubs' customers could divert drivers' attention, and bottles or glasses from the drinker's outside could roll into the road and under a vehicle. Either could cause a serious accident.

The premises is very small downstairs. As the application is to show films, perform live music and the performance of dance and similar entertainment, there would be little room upstairs for customers. I consider that this must be a Fire and or Health & Safety issue – have the Fire Department been contacted?

The local community would benefit from clear definitions of "Performance" of dance, the type of "films" and "similar entertainment" that has been applied for at these premises.

From: 17 September 2013 14:27
Sent: 17 September 2013 14:27
To: LICENSING (Cheshire East)
Subject: Application - Chestiki Ltd, Alderley Road, Wilmslow

APPENDIX - 2

3

Follow Up Flag: Follow up
Flag Status: Completed

FAO Cheshire East

Dear Sir or Madam,

I wish to object to the above application on the following grounds:

Noise played outside could create a nuisance to neighbouring shops and shoppers.

As there is no designated outdoor terrace, people would be allowed to drink outside on the pavement up till 3a.m, thereby causing an obstruction.

Customers are likely to smoke outside the premises up to 3a.m. leading to unacceptable air quality for passers by and increasing the incidence of litter with cigarette ends and packets on the pavement every night of the week. This is likely to impose an additional burden and cost upon the Local Authorities to alleviate the litter in the area

As the new licence application does focus heavily on outside activity all through the day, the pavement outside the premises does not appear to provide ample space for a drinking area outside

In fact if the space was used in this way, it could impede wheelchair users, the visually impaired and families with pushchairs amongst others.

As the proposed club is on a very busy crossroad junction in the centre of Wilmslow, the clubs' customers is likely to divert drivers' attention; with bottles or glasses from the drinker's outside could likely roll into the road and under a vehicle. Either could cause a serious accident.

There is potential for a licence if granted, to create a nuisance to the local community.

The proposed hours of opening are very long and could prove disruptive to the town and its reputation. Any disruption could have negative trading effects on the incumbent and established traders especially in the area of the club

Please protect our environment and avoid printing this email if possible.

From:
Sent: 17 September 2013 16:18
To: LICENSING (Cheshire East)
Subject: Objection - Chestiki Ltd licence, Wilmslow

APPENDIX - 2

4

Dear Sir/Madam,

I wish to object to the licence application issued by Chestiki Limited at Alderley Road, Wilmslow.

It would appear, from the notice that Chestiki are applying for a licence to enable them to provide films, performance of dance and similar entertainment every night of the week. They have also applied to play recorded music **outdoors** from 11a.m till 9p.m. The company want to supply alcohol **outdoors** till 2a.m Sunday to Thursday and till 3 a.m Friday and Saturday.

My primary objection to the licence is the potential to disturb the surrounding neighbourhood with noise and litter as well as to increase the likelihood of drunk and disorderly behaviour in Wilmslow. Wilmslow is a family town and the council should be encouraging day time trade rather than another drinking establishment. There should be an emphasis on maintaining the peace which I believe this type of licence does not do.

It should also be noted that the new business Chestiki were advertising their licence application in their window before Cheshire East Licensing Department were aware of the application. When Licensing and Wilmslow Town Council were contacted by many members of the public, they were informed that an application had not been received by Licensing. Apparently the company had to resubmit plans and as a result the public are not sure if or when they need to write to voice their concerns.

Furthermore, the local community would benefit from clear definitions of "Performance" of dance, the type of "films" and "similar entertainment" that has been applied for at these premises.

Your sincerely,

From:

Sent: 17 September 2013 22:22

Page 30

APPENDIX - 2

5

To: LICENSING (Cheshire East)

Subject: Licence Application by Chestiki Limited at Alderley Road, Wilmslow

Dear Sirs,

I wish to object to the licence application issued by Chestiki at Alderley Road, Wilmslow.

It would appear that Chestiki are intending to provide films, dance, etc. every night of the week and wish to supply alcohol outdoors until the small hours. They are applying to play recorded music outdoors from 11 a.m until 9 p.m.

My main objections are that this application, if granted, has the potential to create a public nuisance and could affect public safety.

I ask you to consider the disruption and nuisance caused by the noise, customers drinking and smoking outside up to 3 a.m. and the obstruction on the limited pavement area to wheelchair users and families with pushchairs during the day. Furthermore, the activity on the pavement, so close to the busy junction of Alderley Road and Water Lane, could be a dangerous distraction to drivers and any broken glass could end up on the road.

On a broader note, I feel that a retail unit to promote the day-time trade would serve the Wilmslow community better than another alcohol establishment.

I am sure the local community would be interested to know the opinion of the Fire Authorities as to the suitability of this venue, due to its small size.

There is a worrying vagueness in the application notice and the local community really need to have clear definitions of "performance" of dance, the type of "films" and "similar entertainment" intended by the applicants.

Yours faithfully,

)

From:
Sent:
To:
Subject:

18 September 2013 12:55
LICENSING (Cheshire East)
Application for late license - Chestiki, Alderley Road Wilmslow

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APPENDIX - 2

6

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

I wish to object to the license application proposed by Chestiki Limited at Alderley Road, Wilmslow.

From the notice displayed outside the premises, it appears that Chestiki are applying for a licence to enable them to provide films, performance of dance and similar entertainment EVERY NIGHT OF THE WEEK! They have also applied to play recorded music **outdoors** from 11am till 9pm. The company want to supply alcohol **outdoors** until 2am Sunday to Thursday and until 3 am Friday and Saturday.

My main objection is that this application, if granted, would create a massive **public nuisance** and affect **public safety**.

- Noise played outside creates a nuisance to neighbouring shops and shoppers.
- As there is no designated outdoor terrace, people would drink outside on the pavement up till 3am, thereby causing an obstruction.
- Customers would smoke outside the premises up to 3a.m. leading to odour and increased litter with cigarette ends and packets on the pavement every night of the week.
- As the license application focuses heavily on outside activity all through the day, the pavement outside the premises does not appear to have enough space for a drinking area outside and would then impede wheelchair users, the visually impaired and families with pushchairs amongst others.
- As the proposed club is on a very busy crossroad junction in the centre of Wilmslow, the outside customers would divert drivers' attention, and bottles or glasses from the drinker's outside could roll into the road and thereby causing potentially serious accidents.
- There is potential for a license if granted, to create a nuisance to the local community.
- The proposed hours of opening are very long and could prove disruptive to the town and its reputation

The premises is not large. As the application is to show films, perform live music and the performance of dance and similar entertainment, there would be little room upstairs for customers. The local community would welcome the opinion of the Fire Authorities regarding this as an appropriate venue for such entertainment.

The local community would benefit from clear definitions of 'performance of dance', the type of 'films' and 'similar entertainment' that has been applied for at these premises.

Regards,



September 18th 2013

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

Dear Councillors,

Re: 4-6 Alderley Road, Wilmslow

I am writing to object to the granting of a licence for the above as applied for by Chestiki Ltd.

On behalf of the Governors, staff and parents of WPS, I feel that it is inappropriate to grant the licence for the following reasons:

- Our main objection is that this application, if granted, has the potential to create a public nuisance and could affect public safety.
- If we wish to improve the quality of retail trade in Wilmslow, we do not need any more licensed premises.
- The application for 'Making Music, Facilities for Dancing', if accepted, could be open to abuse leading to performances inappropriate to an essentially residential area.
- Outdoor performance of recorded music will have a detrimental impact on nearby businesses.
- The premises are proximate to churches and schools including WPS.
- The very late opening hours requested by the applicant will have a generally negative effect on the locality and may require additional policing at extra costs to the taxpayer.

I look forward to you giving due consideration to rejecting the application.

Yours faithfully

From:

Sent: 18 September 2013 15:59

To: LICENSING (Cheshire East)

Subject: Chestiki licence application.

Page 41

APPENDIX - 2

8

I am writing to object to the licence application by Chestiki ltd at Alderley Road, on the grounds that music played during the day outside and drinking outside in the evening would be a public nuisance.

From: 19 September 2013 11:20
Sent: LICENSING (Cheshire East)
To: Re: Application for a late license by Chestiki
Subject:

APPENDIX - 2

9

Follow Up Flag: Follow up
Flag Status: Completed

With reference to your comments we would submit the following clarification/ amplification of our objections to this proposal.

Our main objection is that this application, if granted, has the potential to create a **public nuisance** and could affect **public safety**.

- Noise played outside could create a nuisance to neighbouring shops and shoppers.
- As there is no designated outdoor terrace, people would drink outside on the pavement up till 3a.m, thereby causing an obstruction.
- Customers would smoke outside the premises up to 3a.m. leading to odour and increased litter with cigarette ends and packets on the pavement every night of the week.
- As the new licence application does focus heavily on outside activity all through the day, the pavement outside the premises does not appear to provide ample space for a drinking area outside. In fact if the space was used in this way, it could impede wheelchair users, the visually impaired and families with pushchairs amongst others.
- As the proposed club is on a very busy crossroad junction in the centre of Wilmslow, the clubs' customers could divert drivers' attention, and bottles or glasses from the drinker's outside could roll into the road and under a vehicle. Either could cause a serious accident.
- There is potential for a licence if granted, to create a nuisance to the local community.
- The proposed hours of opening are very long and could prove disruptive to the town and its reputation

Regards,

From: .
Sent: 11 September 2013 18:18
To: LICENSING (Cheshire East)
Cc: victoria@kingscosts.co.uk
Subject: Application for a late license by Chestiki

9

Dear Sirs

We object to the application by Chestiki for a late license as described in the Cheshire East website. on the grounds that it would demean the ethos of the town.

From:
Sent: 19 September 2013 23:01
To: LICENSING (Cheshire East)
Subject: Application by Chestiki Ltd 4-6 Alderley Road, Wilmslow SK9 1JX

Follow Up Flag: Follow up
Flag Status: Completed

wish to lodge an objection to the above application as follows -

1. The hours of operating for outside use are excessive and should be limited to a midnight close
 - A, Such hours as applied for will only result in an extra burden on the Police Force, who are already overstretched.
 - B. A possible generator of antisocial behaviour, fuelled by alcohol, in the early hours of the morning.

From:
Sent: 22 September 2013 22:42
To: LICENSING (Cheshire East)
Subject: Licence application objection

APPENDIX - 2

11

I wish to object to the licence application issued by Chestiki Limited at Alderley Road, Wilmslow.

Firstly, I would like a definition of the films that the applicant would like to show in the premises. Secondly a definition of the type of "similar entertainment" they wish to employ. The notice on the window states that the applicant would like to play recorded music outdoors from 11a.m till 9p.m. The company want to supply alcohol outdoors till 2a.m Sunday to Thursday and till 3 a.m Friday and Saturday. My main objection is that this application, if granted, has the potential to create a public nuisance and could affect public safety.

A licence to drink every night of the week, outside the premises till 2a.m. or 3a.m. as the application requests, will provide a major change and nuisance to the general public in the vicinity of the club. Firstly, smokers outside will cause increased litter with cigarettes and packets on the pavement. The customers would also be an obstruction to other users of the pavement. People in wheelchairs and mums with prams would have difficulty passing customers on the pavement outside the premises. Finally, this is on a narrow pavement at the junction of the two busiest roads in Wilmslow. As a result, customers' behaviour could cause distraction to drivers, leading to an accident.

The applicant also has requested that music will be played outside the premises all day till 9p.m. I have serious concerns that this could well interfere with the adjacent businesses. The coffee shop, estate agent and phone shop should be consulted directly for their views. But as a local shopper, I would find music outside, a nuisance all day and well into the evening. I also think that the proposed hours are very long and being every night of the week, could potentially create a nuisance in the area. Certainly, these long hours will be disruptive.

It is my understanding that when you give an alcohol licence you automatically give the right for alcohol consumption to **occur outside the premises**. If this is so, then I believe that granting a licence in this location is most likely to cause nuisance. Once a licence has been granted of course, it then becomes an extremely difficult and contentious issue to revoke such a licence. Therefore would the applicant consider some of the empty premises in Wilmslow, that already have an alcohol licence?

Yours sincerely,

From:

Sent: 22 September 2013 23:00

To: LICENSING (Cheshire East)

Subject: Objection to Licence application, Alderley Road, Wilmslow.

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APPENDIX - 2

12

Dear Licensing,

Please do not grant a licence to the premises on Alderley road. I think there are enough drinking establishments in Wilmslow already, but my concern is if you grant a licence to the applicant it will cause a nuisance to the area.

The proposed club, is on a very busy thoroughfare for shoppers and residents. I walk past this area many times a week and as the business has asked to play music every day and evening outside I would find this a nuisance and annoying. I also would not feel comfortable if I am walking back to my retirement apartment with large groups of people drinking outside. This is a very narrow area, there is no outside terrace for drinking, and though there is enough space for shoppers, I think it is not sufficient for drinkers and shoppers.

Finally, this could be unsafe. I think a crowd of people drinking outside so close to the road could cause an accident. Behaviour could get out of hand, or just simply distract drivers attention as this is also the site of the busiest junction of roads in Wilmslow.

Yours sincerely

From:
Sent: 23 September 2013 10:54
To: ITCFNSING (Cheshire East)
Cc:
Subject: 027851 > Application 4-6 Alderley Road, Wilmslow

13 APPENDIX - 2

Further to your letter of 19th September, we write to re-state our **objections** to the application by Chestiki Ltd.

In the context you require, our objections are as follows:

1. **Prevention of Crime & Disorder:** late opening hours requested by the applicant may generate anti-social behaviour, particularly that which is alcohol related. This would in turn lead to the need for additional policing at extra cost to the taxpayer. The application for Making Music, Facilities for Dancing, if accepted could be open to abuse leading to inappropriate performances in an essentially residential area.
2. **Public Safety:** The premises are adjacent to a very busy road junction and the activities for which a licence is sought would create additional numbers of pedestrians in an area already very busy at times. There is only limited parking on the west side of Alderley Road Lack proximate to the premises.
3. **Prevention of Public Nuisance:** Comments at 1. above apply. Also: Outdoor performance of recorded music will have detrimental impact on adjacent businesses. There would be public nuisance caused by increased noise and potentially high levels of pedestrian activity at times restricting the footpath (as already evidenced of an evening at "Revolution" on the opposite side of Alderley Road).
4. **Protection of harm to children:** The premises are proximate to Churches and a major primary school. The pattern of proposed opening / trading is inappropriate in an area frequented by sixth form students from Wilmslow High School.

Please acknowledge receipt of this e-mail. Thank you

signature

From:
Sent: 23 September 2013 15:37
To: SELFE, Vanessa
Subject: RE: Application fro a Premises Licence at the former Simon Dunn Shop Alderley Road Wilmslow

14

Quite obviously my objection would come under the heading of prevention of public nuisance. It would be very difficult to operate my business if there was undue noise during office hours.

I trust therefore that you now have sufficient information to register my objection.

Sent: 23 September 2013 14:02
To: LICENSING (Cheshire East)
Subject: Application fro a Premises Licence at the former Simon Dunn Shop Alderley Road Wilmslow

1

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs

I am writing to register my objection to the granting of a Premises Licence in the terms of the proposed application. Whilst I do not object to the granting of a licence to retail alcohol/ late night refreshment, I am concerned that if music either live or recorded is allowed during the hours of 11am to 7pm then this would cause substantial damage to our business due to noise.

Yours faithfully

From:

Sent: 23 September 2013 14:56

To: LICENSING (Cheshire East)

Subject: Simon Dunn shop

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APPENDIX -2

15

Hi I have received a letter regarding Simon Dunn turning into a bar

I really really am not happy with
the music hours and the drinking hours also there will b lots and lots of litter outside
my shop and I also Rekon my door will b used as a toilet.

I think all this comes under
:crime and disorder
:public nuisance

Sent from my iPhone

From:
Sent: 23 September 2013 18:54
To: SELFE, Vanessa
Subject: RE: Chestiki Ltd. application in Wilmslow

APPENDIX -2 16

I thought I had made it clear in my first letter to you that I think there will be a good chance of public nuisance if people are drinking till two or three o'clock in the morning, and also that as there is no public transport at that sort of time, there is an increased risk of people driving when they are not in a fit state to do so.

(Application made relating to 4-6 Alderley Rd, Wilmslow SK9 1JX)

Dear Sirs,

As a Wilmslow resident, I wish to register my strong objections to the proposal to open a very late night drinking and dancing venue in the absolute centre of our town. I do hope that permission will not be granted. At a time when the police service is having such severe cuts made to its funding, the last thing they want is extra late-night work dealing with loud and drunken people crashing cars or just creating disturbances as they walk home.

We need ordinary shops in our town, not still more places to drink alcohol.

Yours truly,

Via e-mail.

(17)

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

23 September 2013

Dear Sirs

Re 2-4 Alderley Road, Wilmslow. SK91JX

We view the application by Chestiki Ltd with amazement and dismay. To open and run such a facility with the proposed operating hours in this location is completely out of keeping with Wilmslow and its residents living near the facility.

We live in Victoria Road and are disturbed from time to time when the Coach and Four has extended hours however, the proposal for Chestiki to operate their club into the early hours every day is quite unacceptable.

We do not expect to be disturbed directly by noise from the club itself, but are concerned that as the club has no parking some of it will almost certainly spill over into Victoria Road with its noisy members and the slamming of car doors in the early hours which would be quite intolerable.

We are therefore strongly opposed to this application.

From: MENLOVE, Rod (Councillor)
Sent: 23 September 2013 18:43
To: CADMAN, Nikki
Subject: chestiki

Nikki

My objections to the license application are below.

Location the late night economy was first concentrated at the Bank Square area. With Sam Finney/Revolution in Alderley Road this concentration was diluted. The applicant site is in the centre of Wilmslow that is appropriate for retail but not for any addition to the late night economy.

Music no premises have outside music not even those with outside seating. With the site being at a 4-way junction in the centre of Wilmslow it would be noticed by most of the pedestrians, cyclists and motorists visiting Wilmslow. It would qualify as a public nuisance and would also act as a precedent for other premises.

Regards
Rod Menlove

From: 23 September 2013 20:13
Sent: Page 52
To: LICENSING (Cheshire East)
Subject: Chestiki Alderley Road Wilmslow

APPENDIX - 2

19

Follow Up Flag: Follow up
Flag Status: Completed

Dear Cheshire East,

I wish to object to the licence application issued by Chestiki Limited at Alderley Road, Wilmslow.

It would appear, from the notice that Chestiki are applying for a licence to enable them to provide films, performance of dance and similar entertainment every night of the week. They have also applied to play recorded music outdoors from 11a.m till 9p.m. The company want to supply alcohol outdoors till 2a.m Sunday to Thursday and till 3 a.m Friday and Saturday. Firstly, the local community would benefit from clear definitions of "Performance" of dance, the type of "films" and "similar entertainment" that has been applied for at these premises.

My main objection is that this application, if granted, has the potential to create a public nuisance and could affect public safety.

- Noise played outside could create a nuisance to neighbouring shops and shoppers.
- As there is no designated outdoor terrace, people would drink outside on the pavement up till 3a.m, thereby causing an obstruction.
- Customers would smoke outside the premises up to 3a.m. leading to odour and increased litter with cigarette ends and packets on the pavement every night of the week.
- As the new licence application does focus heavily on outside activity all through the day, the pavement outside the premises does not appear to provide ample space for a drinking area outside. In fact if the space was used in this way, it could impede wheelchair users, the visually impaired and families with pushchairs amongst others.
- As the proposed club is on a very busy crossroad junction in the centre of Wilmslow, the clubs' customers could divert drivers' attention, which could cause a serious accident.
- There is potential for a licence if granted, to create a nuisance to the local community.
- The proposed hours of opening are very long and could prove disruptive to the town and its reputation.

The premises is very small downstairs. As the application is to show films, perform live music and the performance of dance and similar entertainment, there would be little room upstairs for customers. Also, we have concerns whether yet another alcohol establishment is required in the centre of Wilmslow, and ask if the town could be better served by a retail unit to promote the day time trade. Would such an establishment be seen to benefit the town by local community leaders such as Wilmslow Town Council?

The new business Chestiki were advertising their licence application in their window before Cheshire East Licensing Department were aware of the application. Therefore there has been confusion as to when the public need to write to voice their concerns.

Yours

TO WHOM IT MAY CONCERN

I wish to object to the licence application issued by Chestiki Limited at Alderley Road, Wilmslow.

It would appear, from the notice that Chestiki are applying for a licence to enable them to provide films, performance of dance and similar entertainment every night of the week. They have also applied to play recorded music **outdoors** from 11a.m till 9p.m. The company want to supply alcohol **outdoors** till 2a.m Sunday to Thursday and till 3 a.m Friday and Saturday.

My main objection is that this application, if granted, has the potential to create a **public nuisance** and could affect **public safety**. It is totally out of keeping with the local environment, and everything that Wilmslow stands for.

- Noise played outside could create a nuisance to neighbouring shops and shoppers.
- As there is no designated outdoor terrace, people would drink outside on the pavement up till 3a.m, thereby causing an obstruction.
- Customers would smoke outside the premises up to 3a.m. leading to odour and increased litter with cigarette ends and packets on the pavement every night of the week.
- As the new licence application does focus heavily on outside activity all through the day, the pavement outside the premises does not appear to provide ample space for a drinking area outside. In fact if the space was used in this way, it could impede wheelchair users, the visually impaired and families with pushchairs amongst others.
- As the proposed club is on a very busy crossroad junction in the centre of Wilmslow, the clubs' customers could divert drivers' attention, and bottles or glasses from the drinker's outside could roll into the road and under a vehicle. Either could cause a serious accident.
- There is potential for a licence if granted, to create a nuisance to the local community.
- The proposed hours of opening are very long and could prove disruptive to the town and its reputation

The premises are very small downstairs. As the application is to show films, perform live music and the performance of dance and similar entertainment, there would be little room upstairs for customers. Has anyone sought the opinion of the Fire Authorities regarding this as an appropriate venue for such entertainment.

We have also concerns whether yet another alcohol establishment is required in the centre of Wilmslow, and ask if the town could be better served by a retail unit to promote the day time trade. Would such an establishment be seen to benefit the town by local community leaders such as Wilmslow Town Council?

The new business Chestiki were advertising their licence application in their window before Cheshire East Licensing Department were aware of the application. I undersand that when Licensing and Wilmslow Town Council were contacted by many members of the public, they were informed that an application had not been received by Licensing. Apparently the company had to resubmit plans and as a result the public are not sure if or when they need to write to voice their concerns.

The local community would benefit from clear definitions of " Performance" of dance, the type of "films" and "similar entertainment" that has been applied for at these premises. On the face of it, this type of venue would seem to be totally out of character and inappropriate for the centre of Wilmslow.

Thank you in anticipation of a fair consideration of the application.

From: FITZGERALD, Wesley (Councillor)
Sent: 24 September 2013 13:22
To: LICENSING (Cheshire East)
Cc: BARTON, Gary (Councillor); MENLOVE, Rod (Councillor)
Subject: Chestiki Application Alderley Road Wilmslow

Follow Up Flag: Follow up
Flag Status: Completed

As a Ward Councillor for the above area I wish to register my objection to this application for the following reasons:-

1. Playing music outside these premises will cause public nuisance
2. The introduction of this type of trade to this central retail location will cause nuisance to shoppers and some neighbouring premises.

Best wishes

Wesley Fitzgerald, Cllr.

Wilmslow West and Chorley Ward.

From: BARTON, Gary (Councillor)
Sent: 24 September 2013 14:05
To: LICENSING (Cheshire East)
Subject: RE: Licensing Application - Chestiki Ltd, 4 - 6 Alderley Road, Wilmslow, SK9 1JX

Follow Up Flag: Follow up
Flag Status: Completed

Hi,

As a ward Councillor for this application I wish to register my objection to this application for the following reasons:

1. Playing music outside these premises will cause public nuisance and is out of character with Wilmslow town centre and other licensed venues the area.
2. The introduction of this type of trade to this central retail location will cause nuisance to shoppers and to neighbouring premises.

If this license is granted I would also request that alcohol consumption on any outside seating arrangement is prohibited after midnight and that Sunday opening hours are limited to midnight to maintain the character of the town and to limit public nuisance caused.

Kind regards,

Gary

From: 24 September 2013 16:08
Sent: Page 57
To: LICENSING (Cheshire East)
Subject: Fwd: Planning application by Chestiki Ltd

APPENDIX - 2

23

Follow Up Flag: Follow up
Flag Status: Completed

Date: 24 September 2013 13:42:00 RST

From:

Subject: Planning application by Chestiki Ltd

To whom it may concern

I would like to object to the licence application issued by Chestiki Limited at Alderley Road, Wilmslow.

It would appear, from the notice hanging in the old Simon Dunn shop that Chestiki are applying for a licence to enable them to provide films, performance of dance and similar entertainment, every night of the week. They have also applied to play recorded music outdoors from 11am to 9pm and want to supply alcohol outdoors until 2am from Sunday to Thursday and 3am on Friday and Saturday.

My main objection to the application, if granted would have the potential to create a public nuisance and affect public safety.

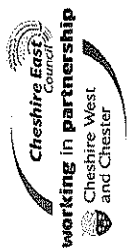
- 1.Noise played outside could create a nuisance to neighbouring shops and shoppers.
2. People would be drinking outside on the pavement until 3am, as there is no designated outdoor terrace.
3. Customers would smoke outside the premises up to closing at 3am, leading to odour and increased litter, including cigarette ends and empty packets of cigarettes.
4. As the new licence application focuses heavily on outside activity through the day, and the pavement outside the premises does not appear to be large enough for a drinking space , it could impede wheelchairs and pushchairs users, walking by.
5. The proposed club is very near to a busy junction in the centre of Wilmslow, and drivers attention could be diverted, when driving passed and could be a safety problem.
6. There is potential to create a nuisance to the local community, if the license is granted.
7. The proposed hours of opening are very long and could prove disruptive to the town and its reputation.

The premise are not large enough to provide enough space to show films, dancing or live entertainment. They could easily become a fire hazard.

The new business Chestiki were advertising their licence application in their shop window before Cheshire East Licensing Department were aware of the application. When Licensing and Wilmslow Town Council were contacted by members of the public, they were informed that the application had not been received by Licensing. Apparently the company had to resubmit plans and as a result the public are not sure if or when they need to write to voice their concerns.

Finally, the local community would benefit from clear definitions surrounding this application, which appear very vague.

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