

# Licensing Act Sub-Committee

## Agenda

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**Date:** Friday, 23rd June, 2017  
**Time:** 1.00 pm  
**Venue:** East Committee Room - Municipal Buildings, Earle Street,  
Crewe, CW1 2BJ

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

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

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

1. **Appointment of 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 - 141 West Street, Crewe CW1 3HH**  
(Pages 7 - 42)

To consider an application for a Premises Licence by Attleborough Leisure Ltd in respect of Wolverton Arms/ the Monkey, 141 West Street, Crewe CW1 3HH.

### **THERE ARE NO PART 2 ITEMS**

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For requests for further information

**Contact:** Julie Zientek  
**Tel:** 01270 686466  
**E-Mail:** [julie.zientek@cheshireeast.gov.uk](mailto: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.

<b>1</b>	<b>Chairman</b>	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)
<b>2</b>	<b>Licensing Officer</b>	Will introduce and summarise the application, highlighting areas of contention or dispute.
<b>3</b>	<b>Committee Members</b>	May ask questions of the Licensing Officer
<b>4</b>	<b>Applicant</b>	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	<b>Responsible Authorities</b>  (who have made representations)	Each in turn may ask <u>questions</u> of the applicant, by way of clarification.
6	<b>Other Persons</b>  (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	<b>Committee Members</b>	Each in turn may ask <u>questions</u> of the applicant.
8	<b>Applicant</b>	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	<b>Responsible Authorities</b>	Will make their representations.
10	<b>Applicant</b>	Or his representative or witnesses to ask <u>questions</u> of Responsible Authorities represented at the meeting, by way of clarification.
11	<b>Other Persons</b>  (who have made representations)	May ask <u>questions</u> of the Responsible Authorities represented at the meeting, by way of clarification.  <b>(Note: This is not the point at which they should be stating their objections.)</b>
12	<b>Committee Members</b>	May ask <u>questions</u> of the Responsible Authorities represented at the meeting
13	<b>Other Persons</b>  (who have made representations)	Those who have objected to the application will be invited <b><u>to make observations on the application</u></b> and present the bases of their objections.
15	<b>Applicant</b>	Or his representative or witnesses may ask <u>questions</u> of the other persons, by way of clarification.
16	<b>Committee Members</b>	May ask <u>questions</u> of the other persons.
17	<b>Chairman</b>	To invite both <b>Responsible Authorities</b> and <b>Other Persons</b> to make their closing addresses.
18	<b>Applicant</b>	Or his representative will <u>briefly summarise the application</u> and comment on the observations and any suggested

		conditions.
19	<b>Committee</b>	<u>Will retire</u> to consider the application. The Committee may request the Legal Advisor to advise on legal issues.
20	<b>Committee</b>	<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**

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<b>Date of Meeting:</b>	<b>23<sup>rd</sup> June 2017</b>
<b>Report of:</b>	<b>Jennifer Knight - Senior Licensing Officer</b>
<b>Subject/Title:</b>	<b>Application for a Premises Licence to be granted for the Premises 141 West Street Crewe CW1 3HH</b>

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**1.0 Report Summary**

- 1.1 The report provides details of an application for a New 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 Attleborough Leisure Ltd, in respect of:

Wolverton Arms/ the Monkey  
141 West Street  
Crewe  
CW1 3HH

- 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. The licensing objectives are:

- (a) The prevention of crime and disorder
- (b) Public safety
- (c) The prevention of public nuisance
- (d) The protection of children from harm

- 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 do so. Careful consideration should be given to application and relevant representations in light of the proposed operating schedules.

- 2.4 The Sub-Committee in respect of this application must have regard to the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy.

- 2.5 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 and the Council's Constitution.

### **4.0 Wards Affected**

Crewe Central

### **5.0 Local Ward Members**

Councillor Irene Faseyi

### **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.
- 6.2 Whilst having regard to the general principles within the Statement, Members may wish to consider the following:
- 6.2.1 The representations relate to the Prevention of Crime and Disorder and the Prevention of Public Nuisance Licensing Objectives. The Licensing Authority sets out at paragraphs 7 and 9 respectively, of its Statement of Licensing Policy how it will deal with representations under these objectives. At paragraph 9.1 the Statement of licensing policy confirm that a broad interpretation of what constitutes a public nuisance will be taken
  - In considering the potential impact of licensed premises on the surrounding locality the Licensing Authority, when in receipt of any Relevant Representations will take into account the type of entertainment activity proposed hours of operation, the capacity of the premises, the character of the areas and the proximity to local residents. Consideration will be given to the potential steps which could be taken to reduce the risk of nuisance occurring. This will particularly apply in areas where there is residential accommodation in the proximity of the premises. Para 9.2
  - The Statement of Licensing Policy has a specific section relating to noise nuisance. This section is reproduced for the benefit of the sub-committee at appendix 3
- 6.3 Members should provide reason(s) for any decision taken and should set out the reasoning where they determine to depart in any way from the Policy or Guidance.

### **7.0 Financial Implications**

- 7.1 Not applicable



## **8.0 Legal Implications**

- 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.
- 8.2 Members are reminded that should any conditions be added, they should be practical, enforceable and appropriate to promote the Licensing Objectives.
- 8.3 Members are also reminded of the statutory obligation placed on the Local Authority under section 17 of the Crime and Disorder Act 1998 to through all of its various functions, and Licensing is one of those functions to do all that it can to prevent Crime and disorder, Anti-social Behaviour, behaviour adversely affecting the environment and re-offending.

## **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 was received on the 3<sup>rd</sup> May 2017. The application is for new 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  
Provision of Late Night Refreshment  
Sale and Supply of Alcohol

- 10.3 The hours applied for are as follows:

### **Live Music**

Monday to Thursday 13.00-02.00  
Friday and Saturday 13.00-02.30  
Sunday 13.00-01.00

**Recorded Music**

Monday to Thursday 09.30-02.00  
Friday and Saturday 09.30-02.30  
Sunday 09.30-01.00

**Late Night Refreshment**

Monday to Thursday 09.30-02.00  
Friday and Saturday 09.30-02.30  
Sunday 09.30-01.00

**Sale and Supply of Alcohol**

Monday to Thursday 09.30-02.00  
Friday and Saturday 09.30-02.30  
Sunday 09.30-01.00

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

10.5 Relevant Representations are attached as Appendix 2.

Responsible Authorities:

10.8 Cheshire Police have supported the application with agreed amended hours and conditions attached at Appendix 4

Other Persons:

10.6 The Council has received one objection to the application

**11.0 Access to Information**

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

Name: Miss Jennifer Knight  
Designation: Senior Licensing Officer  
Tel No: 01270 686337  
Email: Jennifer.knight@cheshireeast.gov.uk

**APPENDICES**

Appendix 1 – Premises Licence Application Form & Plan  
Appendix 2 – Objections  
Appendix 3 – Relevant parts of Licensing Policy  
Appendix 4 – Police Conditions  
Appendix 5 – Site plan of premises

**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 ATTLEBOROUGH LEISURE 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 <u>141 WOLVERTON ARMS   THE MONKEY WEST STREET</u>			
Post town	<u>CREWE</u>	Postcode	<u>CW13HH</u>
Telephone number at premises (if any)		<u>[REDACTED]</u>	
Non-domestic rateable value of premises		<u>£ 8200</u>	

**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/limited liability partnership | <input checked="" type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/> please complete section (B)            |
| iii as an unincorporated association or              | <input type="checkbox"/> please complete section (B)            |
| iv other (for example a statutory corporation)       | <input type="checkbox"/> please complete section (B)            |
| c) a recognised club                                 | <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 in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

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

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; 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		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential 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		



Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
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	ATTLEBOROUGH LEISURE LTD
Address	3 BEVERLT DRIVE COVENTRY CV4 7DJ
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	
E-mail address (optional)	

## Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
15	05	2017

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

DD	MM	YYYY

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

Ban area and Beer garden at  
the back fully secured thru Pub  
So NO CAN TAKE drinks outside.

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

☒

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



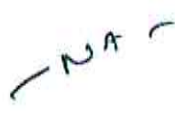
In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)  <i>NA</i>		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					



**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<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 4)  		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
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 6)		
Sat					
Sun					

C

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

## D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<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 4)			
Mon			- N A -			
Tue						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat						
Sun						

E

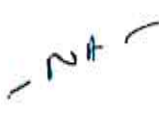
<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)	
Mon	13.00	2.00		
Tue	13.00	2.00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)	
Wed	13.00	2.00	<b>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</b> (please read guidance note 6)	
Thur	13.00	2.00		
Fri	13.00	2.30		
Sat	13.00	2.30		
Sun	13.00	1.00		

F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	9:30	2:00	<b>Please give further details here</b> (please read guidance note 4)		
Tue	9:30	2:00			
Wed	9:30	2:00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur	9:30	2:00			
Fri	9:30	2:30	<b>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</b> (please read guidance note 6)		
Sat	9:30	2:30			
Sun	9:30	1:00			



G

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

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing  <div style="text-align: center;">— N A —</div>	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)	
Wed				
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)	
Fri				
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sun				

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" 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 4)		
Mon	9.30	2.00			
Tue	9.30	2.00			
Wed	9.30	2.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	9.30	2.00			
Fri	9.30	2.30	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	9.30	2.30			
Sun	9.30	2.00			

✓



J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption</u> - please tick (please read guidance note 8)		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 5)			
Mon	9.30	2.00				
Tue	9.30	2.00				
Wed	9.30	2.00				
Thur	9.30	2.00				
Fri	9.30	2.30				
Sat	9.30	2.30				
Sun	9.30	2.00	<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 6)			

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

Name	CHRISTOPHER WESLEY COLBOURNE		
Date of birth			
Address			
Postcode			
Personal licence number (if known)	PERS 1838		
Issuing licensing authority (if known)	CHESHIRE EAST		

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

NA

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	9.30	2.00	
Tue	9.30	2.00	
Wed	9.30	2.00	
Thur	9.30	2.00	
Fri	9.30	2.30	
Sat	9.30	2.30	
Sun	9.30	1.00	

**Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)**

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

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

This Place is shut from long time. and we think it will improve a foot fall on DERBY West STREET, only one PUB left on street. we Always Obeyed RULES.

**b) The prevention of crime and disorder**

We will instal C.C.T.V SYSTEM to make sure People safe in the Premises and we will operate Challenge 21

**c) Public safety**

We will Have a Chalge 21, NO CHILDREN Allowed without ADULT supervision, we will Train our Staff not to serve people if they look Drunk etc.

**d) The prevention of public nuisance**

We will make sure All Door windows shut while music Played, we Put NOICE TO Request customer to Leave quietly. our Neighbors mainly Commercial Buildings.

**e) The protection of children from harm**

We will opake that Children must Be supervised AT ALL Times, and NOT Allowed in PUB without ADULT.



Company Director	
D.P.S is A	

**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. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☐

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

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

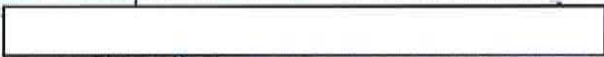
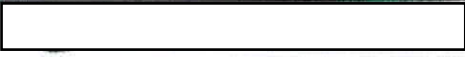
**Part 4 – Signatures** (please read guidance note 11)

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

ATTN: TO JENNY AT Licensing

**Part 4 – Signatures** (please read guidance note 11)

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



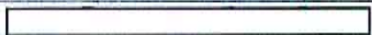
Declaration	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	
Date	02/05/2017
Capacity	DIRECTOR 

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

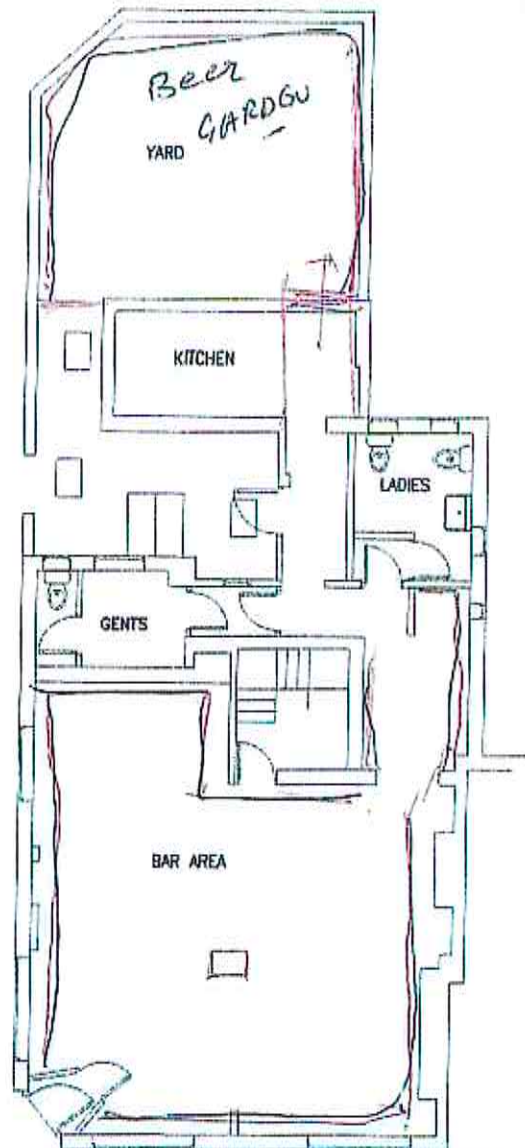
Signature	
Date	
Capacity	

**Contact name** (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)



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





WOLVENTON ARMS/MONKEY  
141 WEST STREET  
Cleeve CV13 4H



Consent of individual to being specified as premises supervisor

I CHRISTOPHER WESLEY COLBOURN  
[full name of prospective premises supervisor]

of



[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE  
[type of application]

by

ATTLEBOROUGH LGHOUR LTD  
[name of applicant]

relating to a premises licence

-  
[number of existing licence, if any]

for

WOLVENTON ARMS/MONKEY  
141 WEST STREET CREWE  
CWA 3HH

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

ATTLEBOROUGH LIME LTD  
(name of applicant)

concerning the supply of alcohol at

141 WOLVENTON ARMS / MONKGT  
West Street Crewe  
CW1 3HH

(name and address of premises to which application relates)

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.


Personal licence number

PERS 1838  
(insert personal licence number, if any)

Personal licence issuing authority

CHESHIRE EAST  
(insert name and address and telephone number of personal licence issuing authority, if any)

Signed



Name (please print)

CHRISTOPHER WISLET COLBOURNE

Date

27/4/2017



**From:** [REDACTED]  
**Sent:** 26-May-2017 21:47  
**To:** LICENSING (Cheshire East)  
**Subject:** 141 West Street, Crewe, Cheshire, CW1 3HH

Dear Sirs

We wish to advise that we have received formal objection to the notice that was outside 141 West Street, Crewe until yesterday,

The notice advised my tenants that loud music and also the sale of alcohol will go on till early hours of the morning

[REDACTED] West Street, Crewe, CW1 3HH  
[REDACTED] West Steet, Crewe, CW1 3HH

Mr [REDACTED] bedroom in [REDACTED] West Street is the next room to the public house and he can hear even people walking around the property due to the lack of sound proofing between a single coarse brick wall. He advises he is very concerned that they are wanting a license to play live music until 2:30 AM some mornings. Additionally to be also allowed to play loud music until similar hours or have people talking loudly in a room while he is trying to sleep.

Knowing the property is a terraced property and the sound issue in the past when it was a practicing public house without music I must stress that should this be permitted adequate sound proofing be installed and tested. Also to ensure a limited is applied to public music.

The prior landlord came to an agreement with myself to close at 11PM to ensure the sound did not encroach on the tenants of the property and did not disturb them in their own home.

Warm Regards

[REDACTED]

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**Relevant Sections of Cheshire East Licensing Policy****9. Prevention of Public Nuisance**

9.1 If Relevant Representations are received the Licensing Authority, when making an objective judgment about what constitutes a nuisance in respect of an application or review of a premises licence or certificate, will take a broad common law meaning when considering matters such as:

- Noise from premises
- Waste
- Litter
- Car parking
- Light pollution
- Noxious odours

9.2 In considering the potential impact of licensed premises on the surrounding locality the Licensing Authority, when in receipt of any Relevant Representations will take into account the type of entertainment activity proposed hours of operation, the capacity of the premises, the character of the areas and the proximity to local residents. Consideration will be given to the potential steps which could be taken to reduce the risk of nuisance occurring. This will particularly apply in areas where there is residential accommodation in the proximity of the premises.

**Noise and Vibration**

9.3 In order to enforce the provisions of the Environmental Protection Act 1990 (which relate to noise nuisance) the Police, Environmental Health Officers and Licensing Officers will liaise to ensure that adequate control measures are properly used to protect the local environment. Any action taken will be conducted in accordance with relevant enforcement policies

9.4 Consideration will be given to whether the operating schedule contains adequate measures to prevent noise and vibration, generated from within the premises, outside it, or from an open site, that may cause disturbance. Stricter conditions will be considered on premises in areas that have denser residential accommodation or have residential accommodation close to them. Noise includes music and human voices. Measures in the Operating Schedule may include installation of soundproofing, air conditioning, acoustic lobbies, sound limitation devices or locking doors at specified hours. If the proposed operating schedule fails to address noise nuisance issues, the Environmental Health Department may request that an independent acoustic report is conducted. Environmental Health may use any recommendations from

such a report to propose amendments to the Operating Schedule or suggest conditions for the consideration of any (Sub) Committee.

- 9.5 Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to:
- Restrict the generation of any noise within the premises and from activities associated with the premises in the vicinity, or from an open air site
  - Limit the escape of any noise from the premises or open air site
  - Restrict any noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping
  - Minimise and control any noise from customers arriving and departing from the premises
- 9.6 The Licensing Authority will not impose conditions on licensed premises that cannot be directly controlled, or on matters not related to the vicinity of the premises.
- 9.7 If it is considered that any noise emanating from within the curtilage of a licensed premise is causing a public nuisance, under the provisions of the Anti-Social Behaviour Act 2003, an Authorised Officer can require its immediate closure for a period of up to 24 hours. It should be noted that the 'test' is a lesser one than that required to determine a Statutory Noise Nuisance and the statutory defence of 'best practicable means' is not available.

**From:** [REDACTED]  
**Sent:** 17-May-2017 14:26  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: Wolverton Arms / The Monkey 141 West St, Crewe CW2 7HR

Hello,

Following consultation please see below email thread that confirms agreement from the applicant to include the following conditions on his licence and amend the hours as below;

Sale of Alcohol / Licensable activities - Monday – Sunday 09.30 to 01.00

Opening hours - Monday to Sunday 09.30 - 01.30

With the addition of a condition that reads;

The opening hours and all licensable activities are extended by one hour into the morning following every Friday, Saturday, Sunday and Monday for each May Day, Spring/Whitsun holiday, August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour every Christmas Eve, Boxing Day and New Years Eve.

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

An effective CCTV system should be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises - An Operational Requirement' CCTV shall record during all hours that licensable activities are taking place and footage from the system shall be made available to the police on request. (document attached)

Premises Licence holders will need to demonstrate that their CCTV system complies with their Operational requirements. A commissioning test must be carried out with the licensing and CCTV Liaison Officers before hand over of the system. The commissioning test will need to demonstrate the following:-

- 1 ) recordings are fit for their intended purpose,
- 2 ) good quality images are presented to the officer in a format that can be

- replayed on a standard computer,  
3 ) the supervisor has an understanding of the equipment/training,  
4 ) management records are kept,  
5 ) maintenance agreements and records are maintained.

Kind Regards

[REDACTED]

[REDACTED]

*Police Licensing Officer  
Chester & Ellesmere Port*

[REDACTED]

**From:** [REDACTED]  
**Sent:** 17 May 2017 13:30  
**To:** [REDACTED]  
**Subject:** Re: Wolverton Arms / The Monkey 141 West St, Crewe CW2 7HR

Good afternoon [REDACTED]  
Thanks for emailing me about my application, I'm happy with your recommendation so please approve, kind regards  
Sent from my iPhone

On 17 May 2017, at 10:09, [REDACTED] > wrote:

Hello,

Am processing your application for the grant of a premises licence at Wolverton Arms / The Monkey 141 West St, Crewe CW2 7HR.

The hours sought in the application extend beyond those currently in existence at other premises in the area.... I would therefore seek to agree with you a reduction in the operating hours to;

Sale of Alcohol / Licensable activities - Monday – Sunday 09.30 to 01.00

Opening hours - Monday to Sunday 09.30 - 01.30

With the addition of a condition that reads;

The opening hours and all licensable activities are extended by one hour into the morning following every Friday, Saturday, Sunday and Monday for each May Day, Spring/Whitsun holiday, August Bank Holiday weekend. A further additional hour

into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour every Christmas Eve, Boxing Day and New Years Eve.

In addition to this you make mention of a couple of points within your application regarding CCTV and a proof of age scheme, for clarity I would ask that those points appear as conditions on the licence as per the below wording;

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

An effective CCTV system should be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises - An Operational Requirement' CCTV shall record during all hours that licensable activities are taking place and footage from the system shall be made available to the police on request. (document attached)

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- 1 ) recordings are fit for their intended purpose,
- 2 ) good quality images are presented to the officer in a format that can be replayed on a standard computer,
- 3 ) the supervisor has an understanding of the equipment/training,
- 4 ) management records are kept,
- 5 ) maintenance agreements and records are maintained.

Could you also confirm if you intend there to be a cut off time for children to be able to remain on the premises?

If you could get back to me on those points I would be grateful as I will have to submit a representation to get the conditions / changes attached to the licence however if we are in agreement with them we would not need to attend a hearing it would just be processed by the licensing Authority as an agreed representation.

Kind Regards

[Redacted]

[Redacted]

*Police Licensing Officer  
Chester & Ellesmere Port*

[Redacted]





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