

Licensing Act Sub-Committee

Agenda

Date: Tuesday, 7th November, 2017
Time: 2.00 pm
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

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 Review to the Premises Licence at White Horse Inn, 22 Pillory Street, Nantwich CW5 5BD (Pages 7 - 52)**

To consider an application for a review of the Premises Licence for the White Horse Inn, 22 Pillory Street, Nantwich CW5 5BD.

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:	2pm Tuesday 7 November 2017
Report of:	Council Chamber, Municipal Buildings, Crewe
Subject/Title:	Jennifer Knight, Licensing Officer
	Application for a review to the Premises Licence at
	White Horse Inn, 22 Pillory Street, Nantwich CW5 5BD

1.0 Report Summary

- 1.1 The report provides details of an Application for the Review of a Premise Licence under section 51 of the Licensing Act 2003 and outlines the evidence presented by the parties in relation to the Review.

2.0 Decision Requested

- 2.1 The Licensing Act Sub-Committee is requested to determine the Application for the Review of a Premises Licence by Mr N Dodd, a local resident, in respect of:

White Horse Inn
22 Pillory Street
Nantwich
CW5 5BD

- 2.2 The Licensing Act Sub-Committee is requested to consider the review application and any relevant representations and determine what steps, if any, it considers are appropriate to promote the Licensing Objectives.

- 2.3 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

- 2.4 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

2.6 Members should also consider the following:

- The Local Authority's statutory responsibility under the Health and Social Care Act 2012 for the health of the population of Cheshire East
- Local Authority's statutory duty under the Crime and Disorder Act 1998 to have regard to the need to do all that it reasonably can to prevent crime and disorder, misuse of drugs and alcohol and reoffending in its area.

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

Nantwich South and Stapeley

5.0 Local Ward Members

Councillor Peter Groves
Councillor Andrew Martin

6.0 Policy Implications

The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003. Whilst having regard to the Statement as a whole and the general principles contained within, Members may wish to consider the following:

- This application for the review of a premises licence relates to the undermining of the prevention of public nuisance objective. The Council's policy deals with these matters at paragraph 9.
- Anti-social behaviour, which overlaps with the public nuisance objective, is also addressed within the Council's Policy at paragraph 6.
- The Policy also deals with the reviews of licences and enforcement matters at paragraph 17.

Members should provide reason(s) for any decision taken and should set out their reasoning where they determine to depart in any way from the Policy or Guidance.

7.0 Financial Implications

7.1 Not applicable.

7.0 Legal Implications

Sub-section 52(2) of the Licensing Act 2003 prescribes that before determining an application for review received in accordance with section 51, the Licensing Authority must hold a hearing to consider the review application and any relevant representations.

Sub-section 52(3) states that the authority must, having regard to the application and any relevant representations, take such of the steps mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the Licensing Objectives. The steps set out within sub-section (4) are:

- Modify the conditions of the licence, this could include either imposing further conditions on the licence or changing (for example, further restricting) the hours of certain licensable activities, where this is proportionate and relevant to the licensing objectives. This may also include a requirement that unregulated entertainment becomes regulated again between the hours of 8am and 11pm. For this purpose, the conditions of the licence are modified if any of them are altered or omitted, or any new condition is added.
- Exclude a licensable activity from the scope of the licence
- The Sub-Committee may decide that it is proportionate and relevant to the Licensing Objectives to remove one or more of the licensable activities.
- Remove the designated premises supervisor
- Suspend the licence for a period not exceeding three months
- Revoke the licence

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

8.3 By virtue of section 52(11) of the Licensing Act 2003, any decision of the Sub-Committee to take one or more of the steps set out above does not have Effect:
(a) Until the end of the period given for appealing against the decision or
(b) If the decision is appealed against, until the appeal is disposed of.

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

- 10.1 On the 13th September 2017 an application for a review of the Premises Licence was submitted by Mr N Dodd a resident of Pillory Street, Nantwich. The grounds for review set out within the review application were the Prevention of Public Nuisance. A copy of the review application is appended to this report as Appendix 1.
- 10.2 A copy of the Premises Licence setting out the premises licence holder, Designated premises supervisor and conditions etc. is appended to this report at Appendix 2.
- 10.3 Within the prescribed consultation period in relation to the review, the Licensing Authority has received representations from Responsible Authorities under the Act. Representations have also been received from other person(s) as defined within the legislation.
- 10.4 In reviewing the Premises Licence and making its decision, the Licensing Act Sub-Committee must have regard to the application and relevant representations. The Sub-Committee may take such of the steps referred to within sub-section 52(4) of the Licensing Act 2003 (if any) as it considers appropriate for the promotion of the Licensing Objectives.
- 10.5 On the 30th June 2016 Mr Dodd applied to review the premises licence for this premises. Mr Dodd contented that the premises was undermining the Licensing Objectives for the following reason –
The premises are undermining the prevention of public nuisance licensing objective. The premises is causing a nuisance by allowing music to be heard outside the premises and by allowing groups of people to congregate outside of the premises into the early hours.

The review was supported by Cheshire East Environmental Health, Licensing, and four other persons. At the Hearing, after considering all the evidence and information before it, the Sub-Committee replaced the operating schedule conditions with a new operating schedule prepared on behalf of the premises licence holder. That operating schedule has been in place since the hearing and can be found on the premises licence at appendix 2. Members were of the opinion that the new operating schedule should reduce any undermining of the Licensing Objectives.

10.5 Relevant Representations

Responsible Authorities:

10.5.1 Representations were received from the following Responsible Authorities:

- Cheshire Police - Appendix 3
- Public Health – Appendix 4

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

Other Persons:

10.5.2 The Council also received eleven representations from other persons (appendix 5)

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 – Review Application Form

Appendix 2 – Premises Licence

Appendix 3 – Cheshire Police

Appendix 4 – Public Health

Appendix 5 – Other Persons Representations

Appendix 6 – Map of Premises

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LCREVIEW

Application for the review of a premises licence or club premises certificate 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 NEIL JOHN DODD

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

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

WHITE HORSE PUBLIC HOUSE
22 MILLER STREET

Post town

NANTWICH

Post code (if known)

CW5 5BD

Name of premises licence holder or club holding club premises certificate (if known)

TERACINA SLAUGHTER-HUDSON

Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am

Please tick yes

1) an interested party (please complete (A) or (B) below)

- a) a person living in the vicinity of the premises ☒
- b) a body representing persons living in the vicinity of the premises ☐
- c) a person involved in business in the vicinity of the premises ☐
- d) a body representing persons involved in business in the vicinity of the premises ☐

2) a responsible authority (please complete (C) below) ☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☒ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev)

Surname

DOOD

First names

NEIL

I am 18 years old or over

Please tick ✓ yes
☒

Current postal address if different from premises address

[Redacted address]

Post town

[Redacted town]

Post Code

[Redacted post code]

Daytime contact telephone number

[Redacted telephone number]

E-mail address (optional)

[Redacted email address]

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

[Redacted information for other applicant]

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

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

Please tick yes

Have you made an application for review relating to this premises before ☒

If yes please state the date of that application

Day Month Year

15 08 2016

If you have made representations before relating to this premises please state what they were and when you made them

GROUNDS FOR LICENSE REVIEW AUGUST 2016.

Please tick ☒ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

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.

Part 3 Signature (please read guidance note 5)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date

Friday 8 to September

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)



Post town



Post Code



Telephone number (if any)



If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Cheshire East Council
Municipal Buildings
Barnes Street
Chester CH1 2BJ



LICENSING SECTION

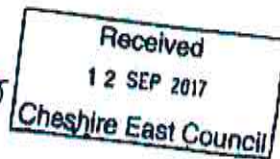
CHESHIRE EAST BOROUGH COUNCIL

MUNICIPAL BUILDINGS

BARNES STREET

CALWGE

CW1 2BJ



Grounds for License Review

After taking the White Horse Public House to Court in August 2016 for License Review due to excessive noise and general rowdiness outside the pub with smokers stood on Pillory street it was pleasing that for many months the problem of late night noise with punters from the White Horse Public House had gone away. Measures put in place by the pub, extra security staff and awareness of their neighbours was noticeably different. During 2015 and 2016 I was in a relationship with a woman from Stoke so not often at home on Pillory Street but that relationship ended in June 2016, so I've been home most nights ever since.

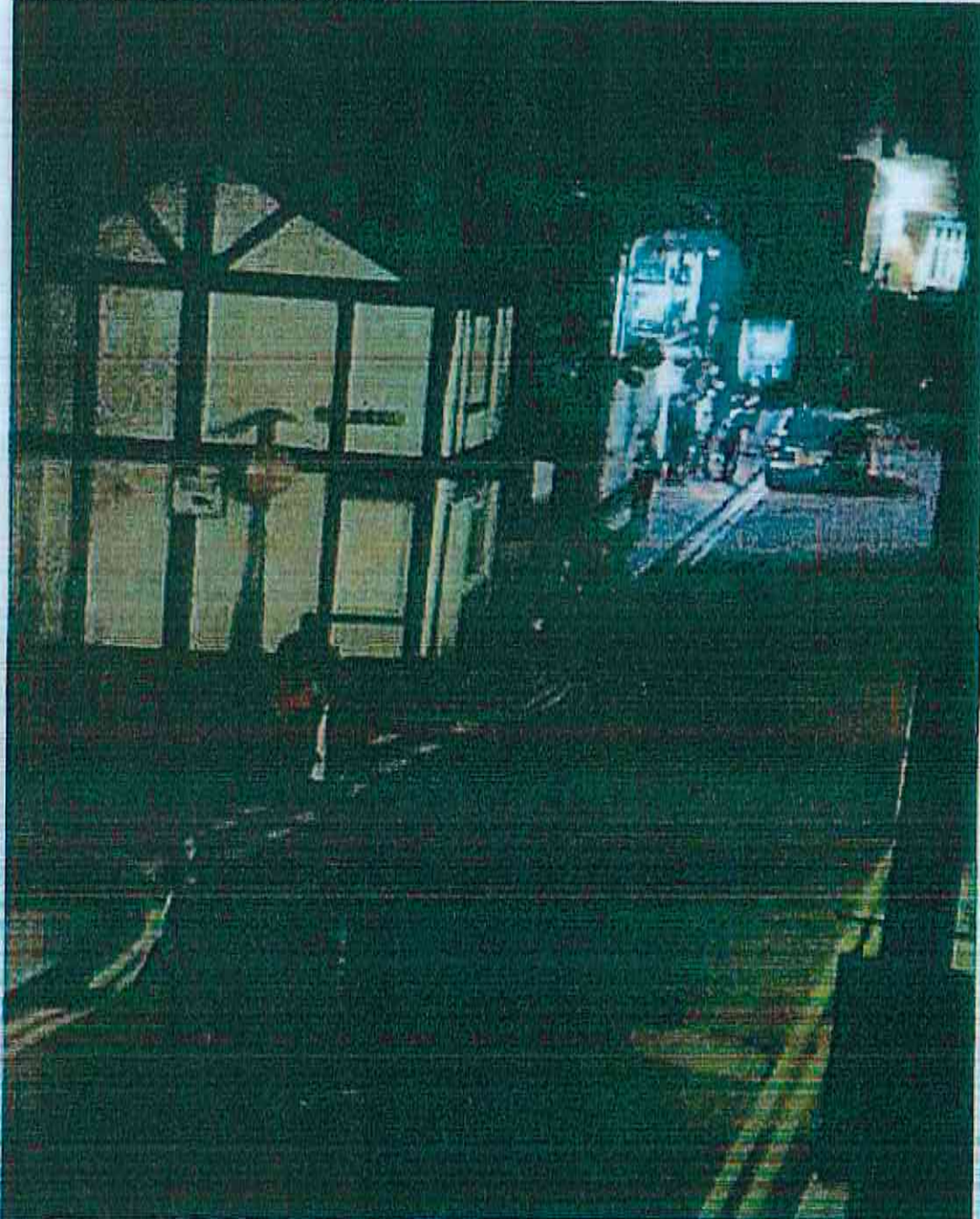
As a professional Railway Manager my job takes me all over the country often with midweek nights away however I'm always at home on a Sunday night and up early for work Monday morning compiling reports for the Executive Team first thing.

Friday and Saturday nights on Pillory Street are often boisterous with people passing along the street on the way home from a night out always without issue.

Sunday nights are the issue with the White Horse Public House being the only pub in town open after 11pm so it attracts Students who I guess don't get up for work on a Monday morning.

At 02:15 Monday 17th July I was awoken by revellers coming out of the White Horse screaming and shouting as they walked passed by apartment. I photographed the individuals to record the event forwarding copies of the pictures to Cheshire East Council Licensing Department and Tess the landlady of the White Horse. Cheshire East Council acknowledged my email saying they would speak with the landlady accordingly. To say I was exhausted at work on that Monday was an understatement. I saw Tess a few days later and we chatted about the rowdy punters most of which she knew by name after looking at my pictures! Tess went on to say she'd started getting complaints from other residences in the Town Square / Mill Street of people making excessive noise after leaving her pub in the early hours. She said she struggled to control people after they left her pub but had asked her Local Police Liaison Officer for a police presence on a Monday morning like other licensed establishments have on a Friday or Saturday night. I asked Tess about the drunken state of the people I had photographed and she replied she just serves them water if they appeared drunk in a bid to sober them up so they can all go home together and not have single girls walking home alone.

Pillory Street 02:13 Monday 17th July 2017



It's a shame the picture doesn't show the people shouting and swearing at the top of their voices.

At 02:10 Monday 7th August I was awoken by shouting. I looked out my bedroom window and saw a crowd stood outside the White Horse Public House with one girl very agitated swearing at the top of her voice. I switched my phone onto video to record the events. The girl swearing walked down Pillory Street towards my apartment still sweating at the top of her voice with approximately fifteen other people young men and woman and then it kicked off with several young men punching each other. This is when I stopped filming and called the Police to report fighting on the street. Police reference 65 / 07082017. Within a few minutes a single Police car arrived on the scene. The single Police Officer was faced with approx fifteen people brawling, one man dressed in dark clothing was put in the back of the police car. Then another Police car arrived again with a single Police Officer. Within twenty minutes the situation was calmed by the Police presence and most people had dispersed. I couldn't tell if the man on the back of the police car had been detained or not. I rang the police back to advise I had full video footage on my iPhone of the disturbance for their reference and they said someone would be in touch in days to come.

I emailed Cheshire East Council at 3am to advise them what had happened. I also text messaged Tess from the White Horse Public House who advised she had requested the Police to be proactive and be outside for closing time but no one had turned up. She advised me that she called the Police herself on seeing the fighting start outside her pub. She also advised she had banned approx twenty people that evening for making excessive noise in the street.

Video still taken at 02:10 Monday 7th August 2017



I have no problem with the White Horse Public House as a pub but the need for it to be open until 02:00 Monday morning and 02:00 weekday nights is not needed for a small historical market town with residence all around. Young predominantly students getting drunk and being served alcohol until they are ready for a fight is not needed in the conservation area that is Pillory Street. To note there is rarely issues on a Friday and Saturday night.

Needless to say Monday 8th August I was exhausted at work thanks to the antics of the minority spoiling it for other and giving the town a bad reputation.

Nell Dodd.
11th August 2017

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Premises Licence Summary

Premises Licence Number:

313

Premises Details

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

White Horse Inn
22 Pillory Street

Post Town: Nantwich

Post Code: CW5 5BD

Telephone Number: 01270 624801

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Supply of alcohol
Provision of regulated entertainment
Provision of late-night refreshment

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

Recorded music, live music, karaoke and facilities for dancing - all indoors

Monday to Sunday 10:00 – 01:00

Late night refreshment – indoors

Monday to Sunday 23:00 – 02:30

Sale of alcohol

Monday to Sunday 10:00 – 02:00

Licensable activities and opening times are extended by one hour on the following days or dates:

On Bank Holiday weekends (ie, Friday, Saturday, Sunday and Monday) and on Maunday Thursday and Christmas Eve.

On 1st March, 17th March, 23rd April and 30th November – subject to the giving of 7 days notice and the agreement of the police

On occasions of local national or international significance or for charitable events (but not more than 10 per year) – subject to the giving of 7 days notice and the agreement

of the police.

The opening hours of the Premises:

Monday to Sunday 09.00 to 02.30

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

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

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

Spirit Pub Company (Leased) Limited

Westgate Brewery
Bury St. Edmunds
Suffolk
IP33 1QT

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

5699544

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

Teracina Slaughter-Hudson

Licence issued : 7th September 2016



**Signed by Kim Evans
On behalf of Cheshire East Borough Council**

Annex 1 - Mandatory Conditions (as applicable)

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

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

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

Mandatory condition where the licence authorises the exhibition of films

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

Prohibited conditions: plays

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

Mandatory condition: Door supervision

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

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

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

MANDATORY CONDITIONS

Condition 1

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
 - a) Games or other activities which require or encourage, or are designed to require or encourage individuals to –
 - i. Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. Drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Condition 2

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

Condition 3

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

a) A holographic mark, or

b) An ultraviolet feature

Condition 4

The responsible person must ensure that –

a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

i. Beer or cider: ½ pint;

ii. Gin, rum, vodka or whisky: 25ml or 35ml; and

iii. Still wine in a glass: 125ml;

b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

b) 'permitted price' is the price found by applying the formula—

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

Where —

i. P is the permitted price,

ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

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

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

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

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

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

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

Annex 2 - Conditions consistent with the Operating Schedule

Replaced with conditions attached after a hearing by the Licensing Authority

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

General

1. The premises licence holder shall require the Designated Premises Supervisor, or in his/her absence other responsible person, to keep an "incident/refusals report register" ('the register') in a bound book in which full details of all incidents are recorded. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The register is to be kept on the premises at all times and shall be produced to a Police or Licensing Officer when requested.
2. The DPS or nominated member of staff shall attend Pub Watch meetings and ensure that Pub Watch bans are identified and where possible reasonable steps are taken to ensure that those persons are excluded from the premises.
3. All authorised staff shall receive training at the commencement of their employment, commensurate with their duties, so that they have awareness of the licensing law and wider social responsibilities attached to the sale of alcohol and the conditions attached to the licence. Such training shall be recorded in writing and refresher training given every 6 months.

Prevention of crime and disorder

1. CCTV equipment shall be installed at the premises, with the number of cameras and citing to be agreed, where possible, in agreement with the Police.
2. Images to be retained for a minimum period as agreed with the police and made available to a Police or Licensing Officer upon request and as permitted under data protection legislation.
3. The CCTV equipment shall be maintained in good working order and continually record during licensable hours and for a period of two hours afterwards.
4. A member of staff technically able to operate the CCTV system shall be available during all licensable hours and shall comply with any reasonable request of an authorised officer of the Council or the Police to view any CCTV "footage" that has been recorded. The Premises licence Holder shall ensure that a member of staff shall be technically able to reproduce CCTV images into a removable format and that such format shall be produced within 24 hours following a request from an authorised officer of the Council or the Police, where such request does not breach data protection legislation.
5. The correct time and date shall be generated onto both the recording and real time image screen of the CCTV.
6. A minimum of 2 SIA door supervisors are to be employed every Friday, Saturday night and Sunday between 20:00 hours and the close of the premises to the public. At all other times that regulated entertainment is provided, the need to employ door supervisors will be risk assessed by the DPS/manager and the number of door supervisors identified as being required shall be employed for the time required by the risk assessment.
7. The premises licence holder shall ensure that where the door supervisors are employed at the premises, they enter in a bound register kept for that purpose their full name, badge number, (including expiry date), the time they commenced their duty and the time they completed their duty, immediately after doing so. This register shall be kept at the premises at all times and made available to a police or licensing officer immediately on requirement. Particulars of duties covering a minimum period of 31 days prior to the requirement shall be available.
8. The premises licence holder shall ensure that all door supervisors employed at the premises wear a current identification badge, issued by the Security Industry Authority, in a conspicuous position to the front of their upper body.

Public Safety

1. The premises licence holder shall ensure that all drinking glasses used within the premises are of the polycarbonate type or toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken.
2. The Premises licence holder shall provide training for all staff to ensure that they are familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises.

Prevention of public nuisance

1. Recorded music shall be played at a reasonable level so that does not disturb any neighbouring residents.
2. For the final 30 minutes of any Dj set due to terminate after midnight, the music levels are to be audibly reduced to affect a 'winding down' period. At the end of their set, Djs to remind customers to leave quietly. The manager on any evening when a Dj is scheduled to play will notify the Dj of this requirement prior to the start of his set and will ensure that the volume is reduced for the required 30 minute winding down period.
3. No speaker for amplification of music or speech shall be placed on the outside of the premises, with the exception of the annual Nantwich Jazz Festival and Nantwich Folk Festival.
4. Except for access and egress all external doors and windows to the front bar shall be kept closed whilst regulated entertainment is being performed at the premises
5. Noise Limiters
A noise limiting device shall be used in relation to all sound amplification equipment used in conjunction with the premises licence.
 - a) The noise limiting device shall be installed and set at a level approved by the Council through an authorised officer of the Pollution Control Team.
 - b) The noise limiting device shall be properly secured so that this can not be tampered with.
 - c) The noise limiting device shall only be reset with the authority of the Council through an authorised officer of the Pollution Control Team. If deemed necessary, the noise limiting device shall be reset to a level approved by the Council through an authorised officer of the Pollution Control Team within 14 days of notification.
6. No nuisance shall be caused by vibrations transmitted through the structure of the premises
7. The outdoor area at the rear of the premises shall not be used by customers after 23.30 hours except for the designated smoking area. After 23.30 hours, no more than 20 customers may use this area at any one time.
8. There shall be no consumption of beverages at the front of the premises after midnight.
9. Customers will not be permitted to congregate outside the front of the premises after midnight. Customers going outside to smoke will be asked to smoke in the designated smoking area to the back of the premises.
10. The premises supervisor, manager or other competent person shall manage the outdoor area to ensure that customers do not behave in a noisy, rowdy or offensive manner.
11. Clear notices must be displayed at the prominent points in all outdoor areas informing customers to respect the needs of local residents and behave in a quiet and orderly manner.
12. A dispersal policy ('the policy') shall be drawn up and implemented at the premises to ensure that customers leave the premises quickly and quietly at the end of the night. When door staff are employed, there will be responsible, along with the manager, for implementation of the policy.
13. Windows and doors at the rear of the premises to be closed after 20:00 hours each evening

14. Activities relating to the placing of refuse, bottles and recyclable material into external receptacles shall only take place between 09.00 hours and 20.00 hours.
15. A complaints book shall be kept at the premises and any complaints received from members of the public will be recorded in it. As a minimum, the record will contain the date, time and nature of the complaint, along with the names of the complainant (if known), the person making the record and any action taken.
16. The licence holder shall ensure that adequate measures are in place to remove litter or waste arising from their customers and to prevent such litter from accumulating in the immediate vicinity of their premises. In particular, where necessary the premises licence holder shall ensure that adequate measures are in place to provide customers with sufficient receptacles for the depositing of waste materials such as etc.
17. Notices shall be displayed at all exits to the premises reminding customers to respect the premises' neighbours and leave quietly.

Protection of children from harm

1. All children must be accompanied and supervised by an adult.
2. Children shall not be permitted on the premises after 21:00 hrs unless attending a pre-booked function or table meal, in which case children can stay until the function ends or the meal is finished.
3. All staff to be trained in the prevention of under age sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or police.
4. An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as "Challenge 21" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 21 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.

Annex 4 - Plans

Attached to the licence

Cheshire East Borough Council

Representation Form.

Responsible Authority.

POLICE

Your Name	David Smethurst
Job Title	Police Licensing Officer
Postal and email address	Police Office, Middlewich Road, Sandbach, CW11 1HU
Contact telephone number	

Name of the premises you are making a representation about.	White Horse
Address of the premises you are making a representation about.	22 Pillory Street, Nantwich, CW5 5BD.

Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
The Prevention of harm to children		
To prevent Public Nuisance	Yes	See statement from Constable Marc Harley and comments below.
To prevent crime and disorder	Yes	See statement from Constable Marc Harley and comments below.
Public Safety		

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	None suggested.
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COMMENTS:

The review application addresses, primarily, issues it attributes to the White Horse, Nantwich which are alleged to have occurred over night on Sunday nights and into Monday mornings.

In order to assist the committee Constable Harley has compiled a summary of incidents reported to Cheshire Police which have occurred on Sunday/Early hours of Monday morning at the White Horse since 01/01/17 and these are included in his statement..

Signed: David Smethurst

Date: 27/09/17

Restricted (when completed)**Cheshire Constabulary****WITNESS STATEMENT**

Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

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URN

Statement of HARLEY, MARC ANDREW

Age if under 18 (if over 18 insert 'over 18') Over 18 Occupation Police service
Constable 4489 M A HARLEY

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:

Date /time : 18:00 26/09/17

Check box if witness evidence is visually recorded

☐Witness personal details should be entered in appropriate section **ONLY**

I am PC 4489 Marc Andrew HARLEY currently stationed at Nantwich Police Station. I am a Beat Management Officer covering Nantwich Town Centre. As part of my role I am involved in the Nigh Time Economy where I oversee the Pub Watch Scheme and also deal with Licensing issues.

I am aware that an application has been made to review a premises Licence for the White Horse Public House, Pillory Street, Nantwich. As such, I have compiled the following summary of incidents reported to Cheshire Police which have occurred on Sunday/Early hours of Monday morning at the White Horse since 01/01/17.

Police Incident 412 02:10 hours Monday 9 January 2017

Brief Details of Incident - Male complaining of being ejected from the premises

Outcome – Lawful ejection, No further Police action.

Police Incident 981 21:38 hours Sunday 2nd April 2017

Brief Details of Incident - Male being abusive to customers - drunk and refusing to leave

Outcome – Male advised Re. his behaviour and left area, No further Police action

Police Incident 718 18:50 hours Sunday 16th April 2017 (Jazz Festival)

Brief Details of Incident – Male alleging that he was assaulted in the beer garden

Restricted (when completed)

Restricted (when completed)

Cheshire Constabulary**WITNESS STATEMENT**

Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

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URN

Statement of HARLEY, MARC ANDREW

Outcome – Crime report submitted

Police incident 41 00:30 hours Monday 17th April 2017 (Jazz Festival)

Brief Details of Incident – Male alleging that he was assaulted in the beer garden

Outcome – Crime report submitted

Police incident 65 01:39hours Monday 6th June 2017

Brief Details of Incident – Door Staff requesting assistance

Outcome – No offences disclosed upon arrival

Police incident 1048 21:13 Sunday 18th June 2017

Brief Details of Incident – Dispute over a bill inside the premises

Outcome – Civil dispute. No criminal offences disclosed

Police Incident 65 02:11 Monday 7th August 2017

Brief Details of incident – Males fighting in the street

Outcome – Crime report submitted

Signature:

,

Signature witnessed by:

,

Statement taken by (print name):

Constable 4489 M A HARLEY

Station:

Restricted (when completed)

Application for the review of a premises licence –

White Horse Public House, 22 Pillory Street, Nantwich, CW5 5BD

I am responding to the application for the review of a premises licence for the White Horse in Pillory street Nantwich, submitted by Neil Dodd on 8th September.

Having reviewed Mr Dodd's application and evidence it would appear that there are grounds for reviewing the licence, specifically in relation to the opening hours on a Sunday and weekdays Monday to Thursday.

The evidence relating to public nuisance - with the land lady allegedly admitting to receiving complaints about noise as well as Mr Dodd's testimony, justifies a review. In addition the disorder and violence reported on 7th August suggests issues in relation to the prevention of crime and disorder and public safety licensing objectives that further warrant the review being undertaken.

Guy Kilminster
Corporate Manager Health Improvement
Public Health Team
Cheshire East Council

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From:
Sent: 19-Sep-2017 13:11
To: LICENSING (Cheshire East)
Subject: Re WHITE HORSE NANTWICH

Dear Licensing Dept,

I passed a lampost with details of the above renewal application.

I feel obliged to strongly object to any relicensing of the premises in its current Form.

I do not use the premises , mainly because it attracts what I would describe as too many ' undesirable individuals '. My observations are that they will serve individuals that have been refused service elsewhere. Either because they have been barred elsewhere or simply because they have been refused service at other premises due to them having been identified as having already consumed enough on that day .

I note it is usually the heavy drinkers last stop of the night.

Other licensed premises are doing their job but The White Horse capitalises on people with alcoholic problems. As a local I know who some of them are.

A recent sighting only 2 weeks ago I had was whilst I was having a coffee outside Enzos on a Sunday Afternoon, a man in his 40s was drunk in the street , he is known locally . He was challenging several teenagers to a fight . This proceeded down the side of the Bookshop but was stopped by a passing individual. The drunk man then proceeded to The White Horse (Customers at Enzos remarked on this in a way that suggested it was atypical " yes hes going to that pub , in he goes ") He was clearly served in there as he did not re emerge in the time we were all there.

This was on a peaceful Sunday Afternoon too. I felt embarassed as some Customers at Enzos were Foreign visitors to our town and it gave off such a terrible impression. I was also (and I am sure others were) horrified and felt intimidated.

I also know from a young lady I spoke to recently who lives in Love Lane that she witnesses totally unacceptable behaviour that is intimidating . I am sure if you question those residents in Love Lane (which you should in case they do not see the notice) she will be testament to how bad living there is because of the fall out from these premises .

It should not be the case people are frightened in their homes in our lovely Town.

I noticed broken glass outside those cottages in Love Lane only last Friday and I thought of her.

I also feel if people want to drink heavily to loud music to the early hours , the middle of the Town is not the right place. It is difficult and expensive to Police when they leave as well as increasing shopkeepers Insurance from glass payne damage which is so unfair to them as they are the heart of our Town.

(we never needed shop shutters in Nantwich for all the years of many drinking establishments, but we do now)

The White Horse is a music venue that should be out of Town but that aside , they let down our Town and other licensees in the way they trade..

The licence should not be renewed.

Yours faithfully,

Sent from my Samsung Galaxy S603 4 powered by O2.co.uk

From:
 Sent: 01-Oct-2017 13:24
 To: LICENSING (Cheshire East)
 Subject: The White Horse. 22 Pillory Street. Nantwich . CW5 5BD. License Review

01/10/17

Dear Sirs

We have lived at the above address for the last 15 years and during that time have had plenty of issues with the White Horse. A lot of the problems stem from the incredibly loud noise level at which their music is played. This has been reported by myself on several occasions and we have also taken it on myself to speak directly to them. We have also on several occasions spoken to Tracy Billington (who has always been most helpful) at Cheshire East Licencing on a Monday am, complaining about the drunks coming out of The White Horse.

I am going to concentrate on what affects us the most and this is by far the licence that they have until 2am on a Monday morning. Just about every Monday morning from 2.10am to 2.40am the screaming, shouting and quite often fighting can be heard from the people vacating The White Horse. Both men and women are generally not just drunk but blind drunk!!!

For example:-

18th September - it started earlier than usual at 1.25am – 4 girls having just left The White Horse were trying to 'kill' each other whilst screaming their heads off!!!

5th June 2017 - police incident number 85 – 2.30am. Fighting, screaming outside my property, having all come from The White Horse

26th June 2017 – police incident number 72 – 2.40am. All hell kicking off outside my property – again punters of The White Horse.

We have stopped phoning the police – all we get is incident numbers and no action!! In fact there is no police presence at all on a Sunday night/Monday early morning and as far as we can remember, there never has been!!! We are now at a point where we are lying in bed almost waiting for the inevitable to happen.....
 Both my partner and I rise for work between 6-6.15am, there have been many Monday mornings when we go into work feeling like 'death warmed up' This is a constant disruption and nuisance (apparently they allow the licencing trade to drink at discounted prices because Mondays are not the busiest of work days for the majority of them. The disruption is only coming from one venue....why are they being allowed to get away with this behaviour and have so many chances to do so?????

They have proven themselves on many fronts that they are not responsible enough to hold a licence until 2am on a Monday morning – no other pub in Nantwich has.

Please make this an 11pm Sunday licence as give us – the residents – of which more are living in central Nantwich – at least a bit of peace in the early hours of Monday morning in readiness for their busy working day ahead. Surely this must be a basic human right????

The White Horse have argued in the past that without this Monday early morning licence their business would not be viable. That is not the residents problem and we would argue that if they have to have a licence (which causes so much disruption to others) that is above and beyond what the other local licensees have, then probably it stands to reason that their business plan is wrong!!!!

We are hardworking rate and tax payers and are asking you to do what is clearly right.

Yours faithfully

Virus-free. www.avast.com

From:

Date: 1 October 2017 at 14:05:52 BST

To: "tracy.billington@cheshireeast.gov.uk" <tracy.billington@cheshireeast.gov.uk>

Subject: The White Horse Public House, 22 Pillory Street, Nantwich . CW5 5BD.
License Review

Dear Sirs

I am aware that the above public house is up for a licence review and would like if possible to put forwards the thoughts of a local resident who, particularly on an early Monday morning has to contend with the noisy, vile mouthed clientele coming out of the above establishment. That in itself is bad enough, but the fact that they have no idea how to behave in a responsible manner where their level of music is concerned is beyond me. Many a time I have phoned them in the early hours of Monday am to ask them to kindly turn the volume down.....more often than not the phones go unanswered, probably due to fact they are unable to hear them!!!! On the odd occasion I speak with someone I get a grunt, the volume is turned down for approx 10 mins before going back to its despicable level. The White horse is in fact noisier and causes far more problems than the studio, which in itself should tell you a lot.

The police just aren't interested regardless of incident numbers I seem to be collecting!!!!!!

Nantwich is now particularly around the main square, a very residential part of the town.....most of the apartments etc being on the first floor and upwards.....just because ground level is commercial, I feel they think that there is nobody to offend. The landlord seems to have no control on just how to manage a public house and certainly shows a lack of responsibility allowing clientele to get into such drunken stupors. Once out of the property they behave like morons shouting, swearing and fighting, vandalising local property and ripping up the flower beds etc. This is just not triggered at males, the females are seemingly as bad..... Something needs to be done sooner rather than later.....

Yours faithfully

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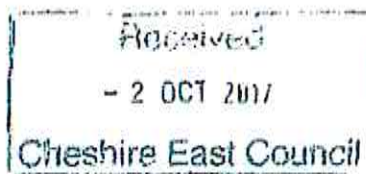
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LCPREMIC

To Whom it may concern,

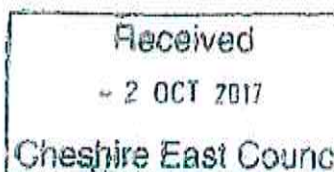
I recently became aware of a licensing review that is taking place for The White Horse, Pillory Street, Nantwich, and would like to offer my opinion on the matter. For several years, I have lived overlooking both the car park at the back of the White Horse, and Pillory Street, and I can quite honestly say that I have never had an issue with noise from the venue. Customers leaving any pub are always a little bit loud, but in my experience, they are moved on as quickly as possible so as not to interrupt the residents. As someone who lives just ■ doors down from the pub, I think I would notice if there had been an issue with noise and anti-social behaviour in the street.

Yours Sincerely



5

LC PREMCO



FAO: Cheshire East Licensing Department

Ref: White Horse Pub Nantwich.

Dear Sir or Madam

I am writing to provide information that I feel may be of relevance to the Licensing review of the White Horse Pub, located at 22 Pillory Street, Nantwich. I am aware that the pub has received a constant complaint from a local resident in relation to noise on a Sunday night.

The White Horse opens as a 'workers bar' on a Sunday evening allowing for people who work in the hospitality industry, (who are usually all working Friday & Saturdays), to meet friends and other colleagues for a drink, catch up and usually a rest after a week's work.

Since the complaint first arose a number of measures have been implemented by the pub that are clearly obvious even to myself as an occasional customer there. I believe some of these measures to try to reduce noise have had a negative effect on the customer enjoyment of the venue and have actually at times put people off going there. This shows that their commitment to ensuring this night continues and that noise is reduced is more important to them than simply making money. Some of these I have noticed are as listed:

- Windows have all been closed shut – on nights in the summer this made the pub unbearable with heat and in effect lost them custom as was simply too hot for people to want to stay there.
- No drinks allowed outside when smoking
- No more than 10 people outside smoking at one point
- No one allowed outside the front of the venue
- Non-smokers asked to go back inside if in the smoking area
- Extra member of door staff – to help ensure anyone outside smoking or leaving is doing so quietly
- Bar manager outside 90% of the night also to help assist ensuring everyone is quiet

In my professional opinion, a lot has changed at this venue over recent months and the noise outside is almost non-existent during the pubs opening times in the evening and also once it has closed and people are dispersing. The bar manager and door staff are also still present after the pub itself is closed ensuring people leave quietly, to the extent of following people down the street to ensure no disturbance is caused to the rest of the town.

I hope this information from an independent source may help to clarify that an effort has been made and actions are constantly in effect at this venue to ensure noise is kept to a minimum and that these actions are working.

Yours sincerely

12

From: [REDACTED]
Sent: 09-Oct-2017 09:53
To: LICENSING (Cheshire East)
Subject: White Horse Pub, Nantwich

Dear Sir or Madam

I am writing to you after hearing that there is a complaint from a local resident in relation to noise on a Sunday night at the White Horse pub in Nantwich.

I live at [REDACTED] in Nantwich and as such The White Horse is my second closest pub, after the Railway pub.

I frequently visit the White Horse on a Sunday with my partner who also works in the local hospitality industry. As she works most Friday and Saturdays it is one of the few chances we get to spend together in an average week and The White Horse provides a great atmosphere for us to enjoy a night out together. As there are quite a few other people from the local hospitality industry there on a Sunday I find that the customers are respectful to their friends in front and behind the bar and not overly loud or antisocial.

I am aware of some of the measures taken to reduce noise for local residents over the last year. These include ensuring all windows and doors stay shut, only smokers allowed outside with no more than 10 at a time, door staff and management constantly policing this in and outside of the building, and doing everything they can to ensure people leave quietly at the end of the night.

I am a smoker and not a fan of having to stand in a queue to go outside, especially when all the windows are closed making the pub hotter, I accept this (as many others do) because I realise that we have to respect the local residents noise pollution and the pub's licensing laws.

I was saddened to hear that despite the pub setting these conditions and my abidance of them that there was still a complaint being made, which led me to write this letter. It is my opinion (as a local resident) that the noise has dramatically reduced over the last year and the management of the conditions and customers is noticeably more organised and effective.

It is apparent that The White Horse has a steady stream of customers even on a Sunday and that the pub should not mean that it should be made a victim of it's own success, which is to be a place for social gathering where I enjoy a drink on Sunday nights.

I hope that you can consider my letter in any future review as it seems to me that the White Horse has done their bit to protect their neighbours.

Yours Sincerely

[REDACTED]

1

Formal notice to make representation in relation to the application for White Horse Inn at White Horse, 22 Pillory Street, Nantwich, Cheshire East, CW5 5BD

Further to your notice to review the application for the above premise I hereby wish to formally lodge mine and my neighbours' representation against the renewing of this licence.

I write as a local resident and on behalf of my neighbour and wish this correspondence to be received as two objections.

[REDACTED]

We write as one and I have full support from [REDACTED] in the content of this letter.

As local residents of Nantwich Town centre, we are constantly disrupted by the noise coming from various licenced premises. In particular we have the Studio on a Tuesday, Friday and Saturday and despite our objections, you have also just granted a licence to another licenced premise within the Studio, namely Craft Ale.

However, this objection is in relation to the White Horse and the disturbance we have on a weekly basis from the fact that they are allowed to operate a 'late' licence on a Sunday evening. Most of us have day jobs and are professional individuals, working hard to be honest and good citizens, however this is jeopardised in the fact that every Sunday night, into the early hours of Monday morning we are disturbed and disrupted by anti-social behaviour.

It is absolutely unacceptable that gangs of people shout and scream throughout the town centre at ungodly hours, just because they have had several drinks in the White Horse – we know it is the White Horse, because they have this so called 'late licence'.

I live in a first floor apartment, and have had people hanging around underneath my apartment, in the overhang of the shops below me, god only knows what they are doing. They are extremely noisy, I have to get up in the morning (usually with only about 4 hours sleep once they have moved on). We are also aware that they are smoking in the overhang, and my other neighbour said that he challenged them a while ago and found them to be smoking something 'strange'!!

Why on earth does a small market Town need another drinking licence on a Sunday night for goodness sake? This is only appealing to a minority of clientele, and probably not the ones who are hard working on a Monday morning.

These loud, foul mouthed people run through the Town centre, shouting and screaming, and I can hear them kicking things over, no doubt causing all sorts of damage. And then on Monday mornings on my way to work there is usually a shop alarm going off because someone had banged into the glass, Holland & Barratt have had their window shattered several times, and there is litter all over the town square.

There are several residential properties surrounding the White Horse both at the front and the rear, and we all have to suffer for their client base.

It is unacceptable that the Council would even consider granting this licence.

Yours sincerely

[REDACTED]

9

From: [REDACTED]
Sent: 10-Oct-2017 14:59
To: LICENSING (Cheshire East)
Subject: Licensing Review White Horse Nantwich

To whom it may concern,

I have worked alongside Teracina Hudson the DPS for many years, both for the same company and through pubwatch, [REDACTED] In my experience, she has always been responsible when it comes to operating a business, from ensuring that customer complaints are handled as best she can, to making sure that bans are followed, and has been seen to go to great lengths to keep residents happy-occasionally to the detriment of the business. She turns up to every pub watch meeting, [REDACTED]

[REDACTED]

Kind regards

[REDACTED]

[REDACTED]

CA

From: [REDACTED]
Sent: 10-Oct-2017 15:48
To: LICENSING (Cheshire East)
Subject: Licencing Review White Horse Pub Nantwich

Dear Sir/madam

I am writing to you in regards to the current licence review for the White Horse pub, 22 Pillory Street, Nantwich. I am aware there has been several noise complaints in the past and in my professional options I have seen certain measures that have been put in place to show a duty of care, the measures that have been taken place have also in my opinion had a negative impact on current trade which shows the venues sincerity for the complaints made.

As a frequenter of the venue on their Sunday evenings, which myself and the team use for a winding down period after a long weekend of trading and no social time at all, I have seen a number of measures taken which is impressive and inspiring, which include the following:

- Increased policing of the front area from the door staff to ensure customers entering and leaving the premises are respectful of neighbours
- Employment of additional staff to ensure the outside area is kept quiet and minimal (regardless of summer nights when trade is crucial to sustaining a business)
- A 10 person cap on smoking out of the rear of the building pat a specific time

All of the above have been supplied at the cost of the business and again in my opinion show a duty of care to the cause and the community

I hope the above shows a positive reflection to the measure taken place and contributes towards the current licence review

Kind Regards

[REDACTED]

JK

To Whom so may concern,

With reference to the application to review
the premises licence of the White Horse Inn 22 Pillory Street Nantwich
CW5 5BD.

My name is [REDACTED]
[REDACTED]

The White Horse is a busy public house, the accounts of groups of
people demonstrating anti social behavior and noise on leaving the
premises into the early hours are not those observed by myself or our
staff. There are groups of people that travel along Pillory Street from
the town centre in the early hours of the morning some in a loud
manner but these can not be attributed just to a individual public house.

We have found the door staff and management act in a professional
manner in the running of this public house.

The CCTV along the street may be helpful in this issue.

Yours Faithfully

8/10/13



Dear Sir or madam,

I was made aware that the White Horse Pub on Pillory Street is up for review and would like to offer my thoughts on the matter. I live on [redacted], my property backs onto the White Horse. In the time I have lived in [redacted] I have heard very little in the way of noise, both from the pub itself, and from customers leaving there. I am aware that they have live music nights, but they have clearly made sure to check whether it is too loud before they start playing as I do not hear it. There is very little trouble down our end of town, far less than the rest of town. The staff are polite and courteous, and from experience, will ask people to keep the noise down as they are leaving and to respect the surrounding residents. Some people choose not to listen, but for the most part, they do.

Sunday nights have never been an issue for me. I am aware that they offer discount to those in hospitality, but it isn't that much of a difference to their normal pricing. I think maybe 20p a pint? I don't hear people screaming as they leave, I don't hear the music. I don't hear much besides traffic and the occasional conversation. It's just people talking as they go home as far as I can tell. I don't know how it is a "public nuisance by allowing people to congregate outside of the premises and demonstrating anti-social behaviour into the early hours" when they won't even let you smoke out the front after midnight. You have to queue to use the smoking area out the back. If it was a public nuisance, surely I would know about it, given my close proximity to the pub...

Yours Sincerely

Received
11/01/2017
Cheshire East Council

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October 16, 2017



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