Public Document Pack



Licensing Act Sub-Committee Agenda

Date: Monday, 13th November, 2017

Time: 10.00 am

Venue: East Committee Room - 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 Premises Licence - Dominos, 38-40 Beam Street, Nantwich, Cheshire CW5 5LJ (Pages 7 - 42)

To consider an application for a Premises Licence by AKS Partners Limited in respect of Dominos, 38 - 40 Beam Street, Nantwich, Cheshire CW5 5LJ.

THERE ARE NO PART 2 ITEMS

For requests for further information

Contact: Julie Zientek

Tel: 01270 686466

E-Mail: julie.zientek@cheshireeast.gov.uk



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. (If necessary, applicant will produce any notices required by law. Legal Adviser will draw attention to this if required.)

5	Responsible	Each in turn may ask <u>questions</u> of the applicant, by way of
	Authorities	clarification.
	(who have made	
	,	
	representations)	
6	Other Persons	To be invited to ask <u>questions</u> of the applicant, by way of
		clarification.
	(who have made	
	representations)	It is normal practice for a spokesperson only to speak on
		behalf of a group of residents.
7	Committee Mombers	Fach in turn may ask supptions of the applicant
7	Committee Members	Each in turn may ask <u>questions</u> of the applicant.
8	Applicant	May make a statement or ask his witnesses to clarify any
		matters which he feels are unclear, or may have been
		misunderstood.
9	Responsible	Will make their representations.
	Authorities	
10	Applicant	Or his representative or witnesses to ask guestions of
.0	Applicant	Responsible Authorities represented at the meeting, by way
		of clarification.
		of diaffication.
11	Other Persons	May ask <u>questions</u> of the Responsible Authorities
		represented at the meeting, by way of clarification.
	(who have made	
	representations)	(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
		ı
13	Other Persons	Those who have objected to the application will be invited to
	/b.a. la avez manada	make observations on the application and present the
	(who have made representations)	bases of their objections.
15	Applicant	Or his representative or witnesses may ask questions of the
.0	Applicant	other persons, by way of clarification.
		other persons, by way or diarmountri.
16	Committee Members	May ask questions of the other persons.
17	Chairman	To invite both Responsible Authorities and Other Persons
' '	- Chairman	to make their closing addresses.
		to make their closing addresses.
18	Applicant	Or his representative will briefly summarise the application
	- •	and comment on the observations and any suggested
L	I	, 55

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

Notes

- 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: 10am Monday 13 November 2017

East Committee Room, Municipal Buildings, Crewe.

Report of: Jennifer Knight, Licensing Officer

Subject/Title: Application for a new Premises Licence at Dominos,

38-40 Beam Street, Nantwich, Cheshire, CW5 5LJ

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 premises licence by AKS Partners Limited, in respect of:

Dominos, 38-40 Beam Street, Nantwich, Cheshire, CW5 5LJ

- 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

4.1 Nantwich North and West

5.0 Local Ward Members

Councillor Penny Butterill Councillor Arthur Moran

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
 - The Statement of Licensing Policy has a specific section relating to noise nuisance. This section is reproduced for the benefit of the subcommittee 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 initially received on the 17th August 2017. The application is for a 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:

Late Night Refreshment

10.3 The hours applied for are as follows:

Monday to Sunday

23.00 to 05.00

- 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 not submitted representations
- 10.7 Environmental Protection have not submitted representations

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 – 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/W	AKS F	Partners Limited					
desc relev	y for a ribed in ant lice	name(s) of applicant) premises licence under section Part I below (the premises) ensing authority in accordance emises details	and I/we are i	nakin	g this applica	tion to you as the	
Dom 38 –	inos	ss of premises or, if none, ordn m Street	ance survey ma	ap refe	rence or descr	iption	
Post	town	Cheshire			Postcode	CW5 5LJ	
	_						-
Tele	phone n	umber at premises (if any)					
Non-	-domest	ic rateable value of premises	£32,250				
	se state	plicant details whether you are applying for a	premises licen	ce as		c as appropriate	
а) b)		son other than an individual *		ш	picase comp	icie section (71)	
0)	i i	as a limited company/limited lia partnership			please complete section (B)		
ii as a partnership (other than limi			ited liability)		please complete section (B)		
iii as an unincorporated association			n or		please complete section (B)		
	iv (other (for example a statutory c	orporation)		please comp	lete section (B)	
c)	a reco	ognised club			please comp	lete section (B)	
d)	a cha	rity			please comp	lete section (B)	

e)	the pr	oprieto	or of an	educatio	nal estal	olishment		pl	ease comp	olete section	(B)
f)	a heal	th serv	rice boo	ly				pl pl	ease comp	olete section	(B)
g)	Care S	Standa	rds Act		4) in res	t 2 of the spect of an		l pl	ease comp	olete section	(B)
ga)	a person who is registered under Chapter 2 of Part please complete section (B) 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England										
h)	the chief officer of police of a police force in Description Descri					(B)					
* If you		applyir	ıg as a p	oerson de	escribed	in (a) or (b) p	olease	confi	m (by tick	king yes to o	ne box
premi	ises for	licens	able act	ivities; o	r	business wh	ch inv	olves	the use of	fthe	\boxtimes
I am i	100		plication of	n pursua or	nt to a						П
					tue of H	er Majesty's	prero	gative			
(A) II	NDIVII	DUAL	APPL	ICANTS	S (fill in	as applicable)		V-		
Mr		Mrs		Miss		Ms [itle (for e, Rev)		
Mr Surn:	ame	Mrs		Miss		William 1		ample		y	
Surna	ame of birtl	NACES AND SECTION OF THE SECTION OF		Miss	I am	William 1	name	ample s	e, Rev)	se tick yes	
Surna	HARVA COME	NACES AND SECTION OF THE SECTION OF		Miss	I am	First	name	ample s	e, Rev)	se tick yes	
Surna Date Natio Curre addres	of birtl	ential	from	Miss	I am	First	name	ample s	e, Rev)	se tick yes	
Surna Date Natio Curre addres	of birtle onality ent residents if diffices add	ential	from	Miss	I am	First	name	amples	e, Rev)	ise tick yes	
Date Natio Curre addre premi	of birtle onality ent resid sss if dif ises add	ential ferent ress		Miss		First	name	amples	e, Rev)	ase tick yes	
Date Natio Curre addre premi Post to	of birtle on ality ent resident resident si diffices addition own ime contil addr	ential ferent ress				First	name	amples	e, Rev)	ase tick yes	
Date Natio Curre addre premi Post to Dayti E-ma (optio	of birtly ent resid ess if dif ises add own ime con ill addr onal)	ential ferent ress	elephon	ne numbo	er	First	name	amples	e, Rev)	ase tick yes	
Date Natio Curre addre premi Post to Dayti E-ma (optio	of birtly ent resid ess if dif ises add own ime con ill addr onal)	ential ferent ress	elephon	ne numbo	er	First	name or ove	Po	e, Rev)	ise tick yes	

Date of birth	I am	18 years old or over	☐ Plea	ase tick yes
Nationality				
Current residential address if different from premises address				
Post town			Postcode	
Daytime contact telepho	one number			
E-mail address (optional)	'			
give any registered nun body corporate), please Name AKS Partners Limited				
Address I Thornbury West Ashland Milton Keynes MK6 4BB				
Registered number (wher	e applicable)			
03811498				
Description of applicant (for example, partr	ership, company, un	incorporated a	ssociation etc.)
Limited company				
Telephone number (if any	<i>'</i>)			
E-mail address (optional)		W = T-		
Part 3 Operating Sched	ule			
When do you want the pr	amicas licanca to s	tart?	DD	MM YYYY

	ou wish the licence to be valid only for a limited period, when ou want it to end?	DD MM YYYY								
Plea	se give a general description of the premises (please read guidance	note 1)								
Fast	Fast food store with delivery service.									
	000 or more people are expected to attend the premises at any time, please state the number expected to attend.									
Wha	t licensable activities do you intend to carry on from the premises?									
(plea	se see sections 1 and 14 and Schedules 1 and 2 to the Licensing A	ct 2003)								
Prov	ision 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)	g)								

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			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors			
	guidance note 7)			Outdoors			
Day	Start	Finish		Both			
Mon			Please give further details here (please read gu	idance note 4)			
Tue		2					
Wed			State any seasonal variations for performing plays (please read guidance note 5)				
Thur							
Fri			Non standard timings. Where you intend to under the performance of plays at different times to column on the left, please list (please read guid	those listed in t			
Sat				постоя (пр. Монитов Сове т)			
Sun							

В

Films Standard days and timings (please read			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors			
	guidance note 7)			Outdoors			
Day	Start	Finish		Both			
Mon			Please give further details here (please read guid	ance note 4)			
Tue							
Wed	Wed		State any seasonal variations for the exhibition of films (please read guidance note 5)				
Thur							
Fri			Non standard timings. Where you intend to use the exhibition of films at different times to those column on the left, please list (please read guidar	listed in the	for		
Sat			Vertical de la constant de la consta	erter (1994 - 1994) fran 1995 (1995 €			
Sun							

C

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

D

Boxing or wrestling entertainments Standard days and		nd	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
timings (please read guidance note 7)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 4)	8
Tue					
Wed			State any seasonal variations for boxing or wr entertainment (please read guidance note 5)	estling	
Thur					
Fri			Non standard timings. Where you intend to use boxing or wrestling entertainment at different in the column on the left, please list (please reasons).	times to those	listed
Sat					
Sun					

Live music Standard days and timings (please read			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	ce note 7		(product rous guitament rous of	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guid	ance note 4)	
Tue					
Wed			State any seasonal variations for the performant (please read guidance note 5)	ce of live mus	ic
Thur	200 100 100 100 100 100 100 100 100 100				
Fri			Non standard timings. Where you intend to use the performance of live music at different times the column on the left, please list (please read gu	to those listed	d in
Sat					
Sun					

F

Recorded music Standard days and timings (please read			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	ice note 7			Outdoors [
Day	Start	Finish		Both	
Mon			Please give further details here (please read guid	ance note 4)	
Tue					
Wed			State any seasonal variations for the playing of (please read guidance note 5)	recorded mus	ic
Thur					
Fri			Non standard timings. Where you intend to use the playing of recorded music at different times the column on the left, please list (please read gu	to those listed	
Sat					
Sun					

 \mathbf{G}

Performances of dance Standard days and timings (please read		nd	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	ce note 7		(produce road guidantee note 5)	Outdoors [
Day	Start	Finish			
Mon			Please give further details here (please read gu	idance note 4)	
Tue					
Wed	18/10/11		State any seasonal variations for the performate read guidance note 5)	nce of dance (p	lease
Thur					
Fri			Non standard timings. Where you intend to u the performance of dance at different times to column on the left, please list (please read guid	those listed in	
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)		that e), (f) or nd read	Please give a description of the type of entertainm providing	ent you will be	
Day	Start	Finish	Will this entertainment take place indoors or	Indoors	
Mon			outdoors or both – please tick (please read guidance note 3)	Outdoors	
	Company (State of State of	Seath Westernamen		Both	
Tue			Please give further details here (please read guid	lance note 4)	
Wed					
Thur			State any seasonal variations for entertainment description to that falling within (e), (f) or (g) (guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the entertainment of a similar description to the (e), (f) or (g) at different times to those listed in left, please list (please read guidance note 6)	at falling withi	in
Sun					

I

Late night refreshment Standard days and timings (please read		nd	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	ce note 7			Outdoors	
Day	Start	Finish		Both	\boxtimes
Mon	23:00	05:00	Please give further details here (please read gui	dance note 4)	*
Tue	23:00	05:00			
Wed	23:00	05:00	State any seasonal variations for the provision refreshment (please read guidance note 5)	of late night	
Thur	23:00	05:00	5		
Fri	23:00	05:00	Non standard timings. Where you intend to use the provision of late night refreshment at diffe listed in the column on the left, please list (please)	rent times, to t	hose
Sat	23:00	05:00	note 6)	8	
			If applicable, an additional hour to the standard at		i
Sun	23:00	05:00	times on the day when British summertime comm		
			From the standard start timing on 31st December timing on 1st January.	to the standard	start

J

Supply of alcohol Standard days and timings (please read		nd	Will the supply of alcohol be for consumption — please tick (please read guidance note 8)	On the premises	
	ice note 7			Off the premises	
Day	Start	Finish		Both	
Mon	H 197, 195, 195, 195, 195, 195, 195, 195, 195		State any seasonal variations for the supply of a guidance note 5)	lcohol (please	read
Tue					
Wed					
Thur			Non standard timings. Where you intend to use the supply of alcohol at different times to those column on the left, please list (please read guidan	listed in the	<u>for</u>
Fri					
Sat	***************************************				
Sun					

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 N/A
Date of birth
Address
Postcode
Personal licence number (if known)
Issuing licensing authority (if known)

	 _	_
_		
-		

K

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

As far as the applicant is aware none of the proposed activities should give rise to concern in respect of children.

L

open t Standa timing	premises o the pub rd days a s (please of ce note 7)	olic nd read	State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	00:00	24:00	
Tue	00:00	24:00	-
Wed	00:00	24:00	Non standard timings. Where you intend the premises to be open
Thur	00:00	24:00	to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Fri	00:00	24:00	
Sat	00:00	24:00	
Sun	00:00	24:00	

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

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

Details of any steps considered appropriate and proportionate to promote the licensing objectives are contained in the relevant sections below.

b) The prevention of crime and disorder

A CCTV system with recording equipment shall be installed and maintained at the premises and operated with cameras.

All recordings used in conjunction with CCTV shall:

- o Be of evidential quality
- o Indicate the correct time and date
- o Be retained for a period of 31 consecutive days

A member of staff trained to use the system shall be on duty at all times, as the recorded images must be made available for inspection and downloading upon request to officers of Responsible Authorities.

All images downloaded from the CCTV system must be provided in a format that can be viewed on readily available equipment without the need for specialist software.

The premises shall remain closed to the public between 0300 and 0500 hours except to allow deliveries.

c) Public safety

The premises will operate in accordance with all relevant legislation which promotes the prevention of public safety objective. For example, the Health & Safety and Food Safety legislation

The premises will liaise and co-operate with the responsible authorities.

d) The prevention of public nuisance

	e premises will operate in accordance with all relevant legislation which promotes the vention of public nuisance objective. For example, Environmental Protection Act 1990).
Th€	e premises will liaise and co-operate with the responsible authorities.	
The	e premises will be adequately ventilated to prevent nuisance.	
Arr	angements for the storage and disposal of refuse will not cause a nuisance.	
Cus	stomers will be encouraged to leave the premises in a quiet and orderly manner.	
e) T	The protection of children from harm	
The	application will not have an adverse effect on this licensing objective.	
Che	ecklist:	
	Please tick to indicate agree	nent
•	I have made or enclosed payment of the fee.	\boxtimes
	I have enclosed the plan of the premises.	\boxtimes
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	\boxtimes
•	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.	\boxtimes
•	I understand that if I do not comply with the above requirements my application will be rejected.	\boxtimes
•	[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).	
	IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MA	12-8125

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.

Declaration	• [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).	
	 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) 	
Signature		
Date	14/072017	
Capacity	Authorised Agent	

For joint applications, signature of 2^{nd} applicant or 2^{nd} 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 previous this application (please read gui	usly given) and postal address for correspondence associated with dance note 14)
Post town	Postcode
Telephone number (if any)	
If you would prefer us to corres	ond with you by e-mail, your e-mail address (optional)

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- 2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
- Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- For example (but not exclusively), where the activity will occur on additional days during the summer months.
- For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

- 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
- 10. Please list here steps you will take to promote all four licensing objectives together.
- 11. The application form must be signed.
- An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
- 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as
 the child of the holder, is a British citizen or a citizen of the UK and Colonies having the
 right of abode in the UK [please see note below about which sections of the passport to
 copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A current Immigration Status Document issued by the Home Office to the holder with an
 endorsement indicating that the named person is allowed to stay indefinitely in the UK or
 has no time limit on their stay in the UK, when produced in combination with an official
 document giving the person's permanent National Insurance number and their name
 issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least
 one of the holder's parents or adoptive parents, when produced in combination with an
 official document giving the person's permanent National Insurance number and their
 name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home
 Office to the holder with an endorsement indicating that the named person may stay in the
 UK, and is allowed to work and is not subject to a condition preventing the holder from
 doing work relating to the carrying on of a licensable activity when produced in
 combination with an official document giving the person's permanent National Insurance
 number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their
 permission to be in the UK with the Home Office such as the Home Office
 acknowledgement letter or proof of postage evidence, or reasonable evidence that the
 person has an appeal or administrative review pending on an immigration decision, such
 as an appeal or administrative review reference number.

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

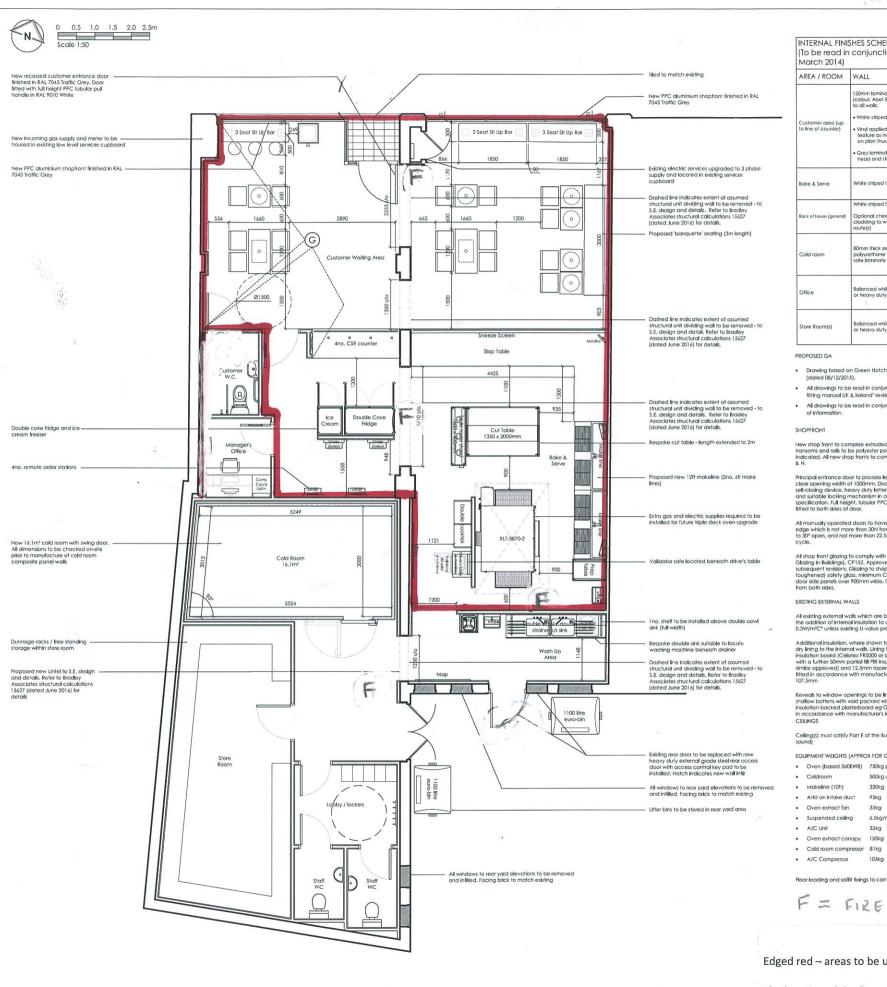
If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.



O

-0011



Proposed GA and Finishes Plan

INTERNAL FINISHES SCHEDULE (To be read in conjunction with the DPG shop fitting manual Revision D, March 2014) ual split and random lay Vinyl applied graphic feature as indicated on plan thus: ay floor in accordanc ske & Serve thite striped feature tiles No vinyl cove upstand to walls behind cold room Height of cold room walls to re approx 200mm above ceiling Alternative wall finish subject to 2no. coats vinyl emulsion point in brilliant white Alternative wall finish subject to confirmation by DPG; minimum 2no. coats vinyl emulsion point in brilliant white

PROPOSED GA

- Drawing based on Green Hatch Group survey 19803-45_01-02_PES (dated 08/12/2015).
- All drawings to be read in conjunction with the DPG "Project star shop fitting manual UK & Ireland" revision D dated March 2014.
- All drawings to be read in conjunction with full shop fitting package of information

Principal entrance door to provide level access with a minimum effective clear opening width at 1,000mm. Door to be fitted with conceeded self-closing device, heavy duty letter plate including drought librg / self-closing device, heavy duty letter plate including drought librg / self-cand suitable locking mechanism in accordance with standard specification. Full height, Tubular PPC RAL 9010 white door handles to be fitted to both sides of door.

All manually operated doors to have an opening force at the leading edge which is not more than 30N from 0° (the door in the closed positio to 30° open, and not more than 22.5N from 30° to 60° of the opening

All shop front glazing to comply with BS 952, BS 6262 [Code of Pracelice for Clazing in Buildings], CP152, Approved Document N and BS6206:1981 and subsequent revisions, Glazing to shop front to be LAMINALED (NOT toughned) solely glass, militarum Class Parallel to BS6206:1981 in doors or door side panels over 900mm wide, Class C elsewhere, Impact resistant from both sides.

0.3W/m²C° unless existing U-value proves to be 0.7W/m²C° or better

Additional insulation, where shown to be accommodated within the new dry lining to the Internal walls. Unling to comprise of continuous 25mm PIR insulation board (Ceolotes F85000 or similar approved), 70mm metal studs with a further 50mm partial fill Rin insulation board (Ceolotes F85000 or similar approved) and 12.5mm tapered edge platterboard finish. All to be fitted in accordance with manufacturer's instructions. Overall thickness 107.5mm

Reveals to window openings to be lined with foil backed plasterboard on shallow batters with void packed with quill or rigid insulation, or lined with insulation backed plasterboard og Gyproc Tremmaline Basic 22mm thick in accordance with manufacturers instructions.

CELINGS

Celling(s) must satisfy Part E of the Building Regulations (Resistance to sound)

EQUIPMENT WEIGHTS (APPROX FOR GUIDANCE ONLY)

٠	Oven (based 360EWB)	750kg per deck (allow for double or triple
	Coldroom	500kg unloaded
	Makeline (10ft)	320kg
	AHU on intake duct	95kg
	Oven extract fan	35kg
	Suspended ceiling	6.5kg/m²

Floor loading and soffit fixings to contractor design.

TOILET PROVISION

Where customer toilet facilities are to be provided, the toilet cubicle lobby layout and position / installation of all sanitary fittings will be in accordance with Approved Document M 2013.

Wheelchair occessible / ambulant disabled toilet door to open outwards and be litted with light-oction privacy bolts on the inside and an emergency release mechanism on the outside.

Where staff toilets are to be provided, Numbers to be in line with table 1, 1992, One cubicle and WHB for 1-5 persons. Two cubicles and two WHB for 6-25 persons.

EQUALITY ACT 2010

DRAINAGE (CONTRACTOR DESIGN)

New drainage and piped services to be designed by specialist, competent sub-contractor and offered for inspection to Building Control at all pertinent stages prior to covering, including:

- Adjustments or extensions to surface water systems above and below.
- · Adjustments or extensions to all foul water systems above and below

SERVICES

Details of all incoming supply and meter locations or sizes are to be confirmed with the Developer or Landford. Contractor to agree meter enclosure details with DPG when locations are established, Electric, gas and water metered supplies will be required.

The following is given as indicative guidance only:

GAS Supply sized to carry simultaneous load of overs and water heaterminimum 14cu.m/hr through a minimum 38mm diameter supply pipe. Gas stop cock to be provided in accessible location and earth bended as required. Contractor to provide gas installation certificate upon completion to be forwarded to 8RCS.

Capacity of existing electrical supply to be confirmed. Supply to be upgraded by tenant as required to provide 3 phase supply, 100 amp per phase. Location of incoming electrical supply and meter positions to be confirmed on site.

TRAILEY TO be provided by "Worcester Bosch Greensto" 28kW gas fred room seeded instructions will-point combit boiler, SEDBUK Band A. producing 1) and the promotion of the provided by the pro

Layout shown is indicalive only. Detailed design to be carried out by specialist subcontractor to satisfy all current Building Regulations (England & Wales) and Local Authority and Environmental Health Officer

MECHANICAL VENTILATION TO TOILETS (CONTRACTOR/SPECIALIST DESIGN)

Mechanical extract from toilets to give 15 l/s air change controlled by light switch with 20 minute overrun, Lobbies to have fresh air supply. Do between toilet and lobby undercut or provided with ventilation grille.

F = FIRE SAFETY EQUIPMENT

Edged red – areas to be used for the provision of late night refreshment.

The location of the fire safety equipment is subject to change in accordance with requirements of Responsible Authority.

MECHANICAL EXTRACTION FROM OVEN

NOTES

. All dimensions and levels are to be checked on site. Any discrepancies are to be reported to the architect before any work commences.

This drawing shall not be scaled to ascertain any dimensions.
Work to figured dims only.

This drawing shall not be reproduced without express written permission from AEW.

DESIGN HAZARD IDENTIFICATION

Proposed layout subject to Building Control approval of lire strategy and access arrangements.

Detail design to satisfy EHO and LA requirements. Oven to be wired so that operation only possible if mechanical extraction to oven hood is operating. New glownised sirel extract duct from oven hood, with internally mounted lars (capable of at least 30-40 air changes per hox All Isings to have anti-vibration mountings. All roof penetrations to be satiobly weathered.

SUPPLY AIR (CONTRACTOR/SPECIALIST DESIGN)

All internal rooms to be provided with forced fresh air via external supply air fan and ductwork at the rate of 10 l/sec/occupant. Where applicable, the rate of air change within the wash area should satisfy its size and

the rate of air change within the wath area should stalkly its size and occupancy. Fresh air system to be designed to replace 80% of extract air volume with tresh air with a maximum velocity of 2.5m/soc, accessible fresh air fifter, duc-howft with ceiling mounted diffusers, axial flow fan, dompers in fire walls, and extremal wall intoke lourve with minimum free area of 50% and bird/rodent goard. Straction is to be via the main ventillation system (min 30-40 air changes/how).

To be installed in all fire resisting or compartment walls, ceilings and floors. Duct to be separated from combustible materials by a minimum of 25mm of non-combustible insulation.

Design of CCTV by specialist is mandatory for all new stores. For details and specification guidance refer to the DPG "Project star shop litting manual UK & Ireland" revision D dated March 2014.

SECURITY ALARM SYSTEM (SUB-CONTRACTOR / SPECILAIST DESIGN)

ACCESS CONTROL - DRIVER'S DOOR

The delivery drivers door must have access control, secured by an electro-magnetic lock that will include a falistate mechanism which, in the event of a power follare, releases the lock. The lock will also be acopable of being manually released than the inside, for normal cast of in the event of a line, by a robust publib button and from the outside by a proximity reader and programmable key fobs or similar device. The locking system will also include a green beed gloss release box which decormacts the power from the door in the event of emergency excape, preventing the lock from operating until it is reset.

C	30/09/2016	BMR	JJS
Updo	ated to suit cor	mments received	from LPA
В	05/07/2016	JP	SLL
	ated following added	Stage 5 prestart a	nchor meetin
Α	12/05/2016	JJS	EOH
Entro	nce door rece	essed	
	16/02/2016	BSC	AC
Initia	lissue		
REV	Date	Drawn by: -	Checke
Status	Purpos	se of Issue	
S2	For 0	Construction	
drawin	ng slage Stag	e 3 - Shopfit	
client			
	Domino's I	Pizza Group	
project		store	
	38-40 Bea		
	Nantwich.	Cheshire	15135
	CW5 5LJ		, M
drawin	na title		
		0.00000	222

05/02/2016 drawn

AEW

AEW ARCHITECTS AND DESIGNERS LTD THE ZENTIM BUILDING. SPRING GARDENS MANCHESTER MZ 1AB TO161 2144370 F01612144371

Any detail shown which is not required by the licensing plan regulations is indicative only and subject to change

This page is intentionally left blank



Domino's, 38 – 40 Beam Street, Nantwich, Cheshire, CW5 5LJ APPLICATION FOR A PREMISES LICENCE: LICENSING ACT 2003

Nantwich Town Council objects to the application for an alteration to the premises licence at Domino's, 38 – 40 Beam Street, Nantwich, Cheshire, CW5 5LJ to provide the following licensable activity:

Late Night Refreshment - Monday to Sunday 23:00 to 05:00

Nantwich Town Council objects to the application in the strongest terms.

Grounds for Representation

It is understood that the premises licence if granted would allow the premises to operate until 5.00am.

Prevention of public nuisance

The existing premises already lead to parking problems in Beam Street with customers ignoring the waiting restrictions. In addition the pavement outside the premises is often littered with food and takeaway packaging as is the service area to the rear. Environmental Health has already received complaints about this issue. Extending the hours of operation will only lead to a replication of the problems currently experienced outside the pizza establishment in Swinemarket. Anti-social behaviour and noise and disturbance to nearby residents will extend further along Beam Street.

Granting of this application will also result in similar applications from other establishments in the town where there are already problems of noise and disturbance and litter problems.

The existing premises operate a delivery service which will also lead to further disturbance if operated beyond the present hours.

Whilst nearby residents acknowledge that this is a town centre location where some noise is inevitable this application will exacerbate the existing situation and subject residents to noise and disturbance over a longer period.

Nantwich Town Council Nantwich Civic Hall Market Street Nantwich CW5 5DG



Relevant Sections of Cheshire East Licensing Policy

6. Anti-Social Behaviour

- 6.1 The Licensing Authority recognises that in addition to the requirements for it to promote the Licensing Objectives, the Council has a duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder within its area.
- 6.2 The objective of the licensing process is to allow the retail sale of alcohol and the provision of other Licensable Activities in a manner that ensures the public's safety and which is neither to the detriment of residents, nor gives rise to loss of amenity. It is the Licensing Authority's aim to facilitate well run and managed premises with premises licence holders displaying sensitivity to the impact of their premises on local residents.
- 6.3 In accordance with the Guidance, the Licensing Authority does not regard this policy as a mechanism for the general control of anti-social behaviour by individuals once they have left the immediate vicinity of the licensed premises.
- 6.4 Recurring problems of alcohol-related anti-social behaviour, crime and disorder or serious public nuisance can occur in an area, which are not directly attributable to specific premises. In such cases, particularly if supported by the Police, the Licensing Authority may consider whether an Early Morning Alcohol Restriction Order (EMROs) might address the problems. These Orders are considered later in this 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.

Appendix 4



September 26, 2017





This page is intentionally left blank