

# Licensing Act Sub-Committee

## Agenda

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**Date:** Thursday, 6th September, 2018  
**Time:** 2.00 pm  
**Venue:** West Committee Room - Municipal Buildings, Earle Street,  
Crewe, CW1 2BJ

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

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

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

1. **Appointment of Chairman**

To appoint a Chairman for the meeting.

2. **Declarations of Interest**

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

3. **Application to Vary a Premises Licence - The Wilbraham Arms, 58 Welsh Row, Nantwich CW5 5EJ (Pages 7 - 66)**

To consider an application to vary a Premises Licence by The Wilbraham Arms in respect of The Wilbraham Arms 58 Welsh Row, Nantwich CW5 5EJ.

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

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For requests for further information

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

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## CHESHIRE EAST COUNCIL

**Procedure for Hearings – Licensing Act 2003****The Licensing Committee**

The full Licensing Committee consists of fifteen elected Members of the Council. From this full Committee will be drawn sub-committees of three members to deal with licensing functions under the Licensing Act 2003. The Chairman and Vice Chairman of the Licensing Committee shall have the discretion to refer a matter up to a hearing of the full Licensing Committee.

**Officers at Hearings**

- **The Committee Officer** introduces all parties and records the proceedings
- **The Legal Adviser** provides independent advice to the Members on legal matters and procedure.
- **The Licensing Officer** will introduce the matter and outline the application; the officer will also answer any questions Members may have.

**PROCEDURE**

NOTE: If the Sub-Committee has not already elected a Chairman, that will be the first item of business.

<b>1</b>	<b>Chairman</b>	The Chairman will: (i) call the matter to be considered (ii) call for any declarations of interest (iii) ask all parties to introduce themselves (iv) summarise the procedure to be followed at the hearing (v) will consider any request made by a party for another person to appear at the hearing (v) will advise the parties of any maximum period of time in which it has to present its case (if a maximum is imposed this shall be equal for all parties)
<b>2</b>	<b>Licensing Officer</b>	Will introduce and summarise the application, highlighting areas of contention or dispute.
<b>3</b>	<b>Committee Members</b>	May ask questions of the Licensing Officer
<b>4</b>	<b>Applicant</b>	Will present his/her case, calling witnesses, as appropriate.  <i>(If necessary, applicant will produce any notices required by law. Legal Adviser will draw attention to this if required.)</i>

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

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

### Notes

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

## Summary of Procedure

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



*Working for a brighter future together*

## **Licensing Act Sub Committee**

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**Date of Meeting:** 06 September 2018

**Report Title:** Application for a Variation to a Premises Licence at the Wilbraham Arms, 58 Welsh Row, Nantwich, CW5 5EJ

**Senior Officer:** Frank Jordan - Executive Director Places

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### **1. Report Summary**

- 1.1. The report provides details of an application for a variation to a Premises Licence, and the proposed operating schedule together with details of relevant representations received in relation to the application.

### **2. Recommendation/s**

- 2.1. The Licensing Act Sub-Committee is requested to determine the application for a application for a variation to a Premises Licence by The Wilbraham Arms, in respect of:

#### **The Wilbraham Arms 58 Welsh Row, Nantwich, CW5 5EJ**

- 2.2. Acting in the capacity of Licensing Authority, Members must seek to promote the Licensing Objectives. And where Members consider that matters have engages 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 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, consideration also needs to be given to:
  - a. The rules of natural justice
  - b. The provisions of the Human Rights Act 1998

### **3. Reasons for Recommendation/s**

- 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. the key reasons why the recommendation/s has been made. Link your reasons into appropriate council policies and corporate objectives.

### **4. Other Options Considered**

- 4.1. Not applicable

### **5. Background**

- 5.1. The application was received by the Licensing Authority and sent out for consultation on the 16<sup>th</sup> July 2018. The application is for a variation to a Premises Licence under section 34 of the Licensing Act 2003.

- 5.2. The applicant seeks to vary their licence to include the following:

Provision of Live Music - Indoors

Friday and Saturday 10.00 – 00.00

Provision of Recorded Music – Indoors

Friday and Saturday 10.00 – 00.00

To remove the following conditions:

The rear external drinking area is to be closed to the public from 21:00 every night and is to remain closed until the premises re-open to the public the following day. No open vessel is to be taken outside the premises building after 21:00 and this restriction is to remain in place until the premises re-open to the public the following day.

To replace with new conditions:

The use of glasses will be permitted until 9pm, and no glasses outside thereafter. The back door will be kept closed using a self-closure device to minimize noise pollution and in keeping with fire regulations. Entry to the beer garden will be permitted until 00.00

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

5.4. Responsible Authorities:

5.4.1. Cheshire Police have no objection to the application

5.4.2. The Council's Environmental Protection Team have not submitted a representation

5.5 Other Persons:

5.5.1 The Council has received 22 objections to the application, which are set out at appendix 2.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

6.1.1. 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:

- I. Grant the licence subject to the relevant mandatory conditions and conditions consistent with the operating schedule
- II. Modify the application to such extent as the Authority considers appropriate for the promotion of the Licensing Objectives
- III. Exclude from the scope of the licence any of the Licensable Activities to which the application relates
- IV. Reject the application

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

6.1.3 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.

**6.2. Finance Implications**

6.2.1. There are no financial implications

**6.3. Policy Implications**

6.3.1. The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.

6.3.2. The Licensing Authority must also have due regard to the guidance issued under section 182 of the Licensing Act 2003.

6.3.3. 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.

**6.4. Equality Implications**

6.4.1. There are no direct equality implications

**6.5. Human Resources Implications**

6.5.1. There are no human resources implications

**6.6. Risk Management Implications**

6.6.1. The Licensing Sub-Committee will hear representations made on behalf of both the applicant and the 'relevant person' who has submitted their representation and will make a decision on the basis of the evidence presented to it. The Licensing Act 2003 makes provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority.

**6.7. Rural Communities Implications**

6.7.1. There are no direct implications for rural communities.

**6.8. Implications for Children & Young People**

6.8.1. There are no direct implications for children and young people.

**6.9. Public Health Implications**

6.9.1. There are no direct implications for public health.

**7. Ward Members Affected**

7.1. Nantwich North and West – Councillor Penny Butterill

7.2. Nantwich North and West – Councillor Arthur Moran

## **8. Consultation & Engagement**

8.1. Consultation in respect of submitting a variation to a Premises Licence Application is prescribed in the Licensing Act 2003 and has been fully complied with.

## **9. Access to Information**

9.1. The background papers relating to this report can be made available by contacting the report writer.

## **10. Contact Information**

10.1. Any questions relating to this report should be directed to the following officer:

Name: Jennifer Knight

Job Title: Senior Licensing Officer

Email: [Jennifer.knight@cheshireeast.gov.uk](mailto:Jennifer.knight@cheshireeast.gov.uk)

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**Cheshire East**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact  
 licen@cheshireeast.gov.uk  
 Telephone: 0300 123 5015

\* required information

**Section 1 of 18**

You can **save** the form at any time and resume it later. You do not **need** to be **logged in** when you resume.

**System reference**  This is the **unique** reference for this application generated by the **system**.

**Your reference**  You can **put** what you want here to help you track applications if you make lots of them. It is **passed** to the authority.

Are you an **agent** acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are **applying** on your **own** behalf or on behalf of a **business** you own or work for.

**Applicant Details**

\* **First name**

\* **Family name**

\* **E-mail**

**Main telephone number**

Include **country code**.

**Other telephone number**

☐ Indicate here if you would prefer not to be **contacted** by telephone

Are you:

☒ **Applying** as a **business** or **organisation**, including as a **sole trader**

☐ **Applying** as an **individual**

A **sole trader** is a business owned by one person without any special legal structure. Applying as an **individual** means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your **business** registered in the UK with **Companies House**? ☐ Yes ☒ No

**Note:** completing the **Applicant Business** section is optional in this form.

Is your **business** registered outside the UK? ☐ Yes ☒ No

**Business name**

If your business is **registered**, use its **registered** name.

**VAT number**

Put "none" if you are not registered for **VAT**.

**Legal status**

Continued from previous page...

Your position in the business Partner

Home country United Kingdom

The country where the headquarters of your business is located.

**Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name 58

Street Welsh Row

District Nantwich

City or town Nantwich

County or administrative area Cheshire East

Postcode CW5 5EJ

Country United Kingdom

**Section 2 of 18****APPLICATION DETAILS**

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

Premises Licence Number 336

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address
 ☐ OS map reference
 ☐ Description
**Postal Address Of Premises**

Building number or name 58

Street Welsh Row

District Nantwich

City or town Nantwich

County or administrative area Cheshire East

Postcode CW5 5EJ

Country United Kingdom

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable  
value of premises (£)

28,500

## Section 3 of 18

## VARIATION

Do you want the proposed  
variation to have effect as  
soon as possible?☒ Yes☐ NoDo you want the proposed variation to have effect in relation to the  
introduction of the late night levy?☐ Yes☒ NoYou do not have to pay a fee if the only  
purpose of the variation for which you are  
applying is to avoid becoming liable to the  
late night levy.If your proposed variation  
would mean that 5,000 or  
more people are expected to  
attend the premises at any  
one time, state the number  
expected to attend

## Describe Briefly The Nature Of The Proposed Variation

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.

The Wilbraham Arms is a Public House situated on Welsh Row, Nantwich. We are applying for an extension to the late night entertainment part of our license. We are currently licensed until 11pm on a Friday and Saturday night. We are applying to extend this to 12am.

## Section 4 of 18

## PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to  
vary is successful?☐ Yes☒ No

## Section 5 of 18

## PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to  
vary is successful?☐ Yes☒ No

## Section 6 of 18

## PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 7 of 18

### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 8 of 18

### PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

☒ Yes ☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

##### SATURDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

SUNDAY

Start End Start End 

Will the performance of live music take place indoors or outdoors or both?

☒ Indoors☐ Outdoors☐ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State 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.

Friday - Karaoke and Northern Soul/Motown Disco

Saturday - Professional Live Singer/Act

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

## Section 9 of 18

## PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☒ Yes☐ No

## Standard Days And Timings

MONDAY

Start End Start End 

Provide 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.

TUESDAY

Start End Start End

Continued from previous page...

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State 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.

Friday - Karaoke and Northern Soul/Motown Disco

Saturday - Professional Live Singer/Act

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings: Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

**Section 10 of 18****PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

**Section 11 of 18****PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

**Section 12 of 18****PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☐ Yes ☒ No

**Section 13 of 18****SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☐ Yes ☒ No

**Section 14 of 18****ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

**Section 15 of 18****HOURS PREMISES ARE OPEN TO THE PUBLIC**

Standard Days And Timings

Continued from previous page...

MONDAY

Start 10:00

End 00:00

Start

End

Provide 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.

TUESDAY

Start 10:00

End 00:00

Start

End

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:30

Start

End

FRIDAY

Start 10:00

End 00:30

Start

End

SATURDAY

Start 10:00

End 00:30

Start

End

SUNDAY

Start 10:00

End 00:30

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months

The hours above are our current Premises Opening Hours. These will not be effected by the application of variance.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

\* VARIATION TO SMOKING OUTSIDE IN THE BEER GARDEN AFTER 9PM\*

This is a request to extend the times Customers are currently permitted to use the beer garden area to smoke. The request is to extend to 00:00am. The use of glasses will continue to be permitted up until 9pm and no glasses outside thereafter.

Continued from previous page...

The back door will be kept closed using a self-closure device to minimize noise pollution and in keeping with fire regulations.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

**\* VARIATION TO SMOKING OUTSIDE IN THE GARDEN AFTER 9PM\***

Entry to the beer garden after 9pm being permitted will be removed from the license to enable Customers to use the garden up until 00:00am.

☒ I have enclosed the premises licence

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

**Section 16 of 18**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Ben and Wayne will work alongside the community to ensure music kept to a level of which can be enjoyed inside the Pub, taking into consideration those who reside around the Premises.

All staff are trained to a level of which shows courtesy to those living near the premises

Customers will be reminded of the importance of keeping noise to a minimum when entering/leaving the Premises

We would like to work together to ensure there is a safe, fun local venue for people to enjoy live music at weekends with good service.

b) The prevention of crime and disorder

All staff are trained not to serve those who are intoxicated

No tolerance to drug use in or around the Premises is operated

Police are informed of all incidents as they occur and advice taken where required

All staff are trained in Challenge 25 program

c) Public safety

Ben and Wayne are on the premises every Friday and Saturday night to oversee licensed activities.

Our strict management approach in the past has resulted in no incidences occurring since running The Wilbrahams.

All glasses to remain inside the pub within the designated times.

d) The prevention of public nuisance

Keep all doors and windows closed after 21:00pm

Keep music to a general acceptable level

Ensure those leaving the premises are reminded to respect neighbors and residents living near the pub

**Continued from previous page...**

Music to be finished within the proposed times and earlier wherever possible  
 All glasses to remain in the Premises where individuals are leaving the pub for cigarettes

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

All children must be accompanied by a dedicated adult during their time at the Premises.  
 All Children under the age of 18 are not permitted to be in the premises after 21:00pm each night.  
 Challenge 25 is implemented to avoid underage alcohol consumption

**Section 17 of 18****NOTES ON REGULATED ENTERTAINMENT**

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:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o 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.
  - o 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.
  - o 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.
  - o 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:
  - o 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.

*Continued from previous page...*

- 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:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o 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;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o 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.

**Section 18 of 18****PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000-14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

190.00

**ATTACHMENTS****AUTHORITY POSTAL ADDRESS**

Continued from previous page...

Address

Building number or name

WILKINSON APTS

Street

58 WELSH ROW

District

CHESHIRE EAST

City or town

NANTWICH

County or administrative area

CHESHIRE EAST

Postcode

CW5 5ED

Country

United Kingdom

## DECLARATION

☒ I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

[REDACTED]

\* Capacity

DPS

Date (dd/mm/yyyy)

13/7/18

\* Full name

[REDACTED]

\* Capacity

Landlord

Date (dd/mm/yyyy)

13/7/18

Remove this signatory

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/cheshire-east/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**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.**



### PREMISES LICENCE SUMMARY

<b>Premises licence number</b>	336
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#### Premises details

Postal address of premises, or if none, ordnance survey map reference or description			
Wilbraham Arms 58 Welsh Row			
Post town	Nantwich	Post code	CW5 5EJ
Telephone number	01270 626419		

#### Where the licence is time limited the dates

Not applicable

#### Licensable activities authorised by the licence

Sale by retail of alcohol  
Provision of late night refreshment

#### The times the licence authorises the carrying out of licensable activities

Monday	)	Please see tables on page 3
Tuesday	)	
Wednesday	)	
Thursday	)	
Friday	)	
Saturday	)	
Sunday	)	

#### The opening hours of the premises

Monday	10:00	to	00:00
Tuesday	10:00	to	00:00
Wednesday	10:00	to	00:00
Thursday	10:00	to	00:30
Friday	10:00	to	00:30
Saturday	10:00	to	00:30
Sunday	10:00	to	00:00

**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 the premises licence**

Mr Ben Lawrence Taylor-Jones  
7 Pen Lan  
Towyn  
Abergele  
LL22 9LW

Mr Wayne Christopher Taylor-Jones  
7 Pen Lan  
Towyn  
Abergele  
LL22 9LW

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

Not applicable

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Wayne Christopher Jones

**State whether access to the premises by children is restricted or prohibited**

No unaccompanied children under 16 are allowed in premises licensed to sell alcohol for consumption on the premises.

Accompanied children will be allowed access to licensed premises where alcohol is sold for consumption on the premises - subject to the Personal licence holder's discretion.

Issued on: 26<sup>th</sup> June 2018



Signed by Amanda Fallows  
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 Operating Schedule

1. No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.
2. Refuse such as bottles shall be disposed of from the premises at a time when it is not likely to cause a disturbance to residents in the vicinity of the premises.
3. There shall be placed at all exits from the premises, in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.
4. The rear door will be fitted with a self closing mechanism and will not be propped open at any time.
5. Hotel residents:

The supply of alcohol and provision of hot food & drinks are available to residents of the hotel and their guests for 24 hours a day.

### IMPORTANT

See additional conditions added after a hearing of the Licensing Authority at Annex 3.

L	Late night refreshment		
	Will the provision of late night refreshment take place indoors or outdoors or both.		Indoors
			x
			Outdoors
			Both
Day	Start	Finish	Details
Mon	23:00	00:00	
Tue	23:00	00:00	
Wed	23:00	00:00	Seasonal variations
Thur	23:00	00:30	
Fri	23:00	00:30	Non standard timings
Sat	23:00	00:30	New Year's Eve: 23:00 to 05.00 on New Year's Day
Sun	23:00	00:00	

M	Supply of alcohol		
	Will the supply of alcohol be for consumption	On the premises	
		Off the premises	
		Both	x
Day	Start	Finish	Details
Mon	10:00	23:30	
Tue	10:00	23:30	
Wed	10:00	23:30	Seasonal variations
Thur	10:00	00:00	
Fri	10:00	00:00	
			New Year's Eve: 10:00 to normal start time on New Year's Day
Sat	10:00	00:00	
Sun	10:00	23:30	

Hours premises are open to the public			
Day	Start	Finish	Seasonal variations:
Mon	10:00	00:00	
Tue	10:00	00:00	
Wed	10:00	00:00	Non standard timings:
Thur	10:00	00:30	
Fri	10:00	00:30	New Year's Eve: 10:00 to normal start time on New Year's Day.
Sat	10:00	00:30	
Sun	10:00	00:00	

1. The rear external drinking area is to be closed to the public from 21:00 every night and is to remain closed until the premises re-open to the public the following day.
2. All tables, chairs, umbrellas and other paraphernalia are to be removed from the front of the premises from 21:00 every night and this restriction is to remain in place until the premises re-open to the public the following day.
3. No open vessel is to be taken outside the premises building after 21:00 and this restriction is to remain in place until the premises re-open to the public the following day.
4. No drinks may be sold or supplied to customers in a sealed vessel after 21:00 and this restriction is to remain in place until the premises re-open to the public the following day.

### IMPORTANT

See mandatory conditions and other conditions at Annex 1 and 2 of this licence.

### **Annex 4 - Plan**

Drawing no: 875.02 Rev A



## **Licensing Act 2003 – Premises Licence**

### **Duration of a Premises Licence**

A premises licence has effect until such a time that it is suspended, revoked or surrendered.

### **Duty to notify change of name or address**

The holder of a premises licence must, as soon as is reasonably practicable, notify the relevant licensing authority of any change of name or address.

Where the designated premises supervisor (DPS) under a premises licence is not the holder of the licence, he should notify the licensing authority of a change in name or address as soon as possible. The DPS must also notify the holder of the premises licence.

*Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie£500)*

### **Duty to keep and display licence**

The holder of a premises licence must ensure that the licence or a certified copy of it is kept at the premises in the custody of or under the control of the holder of the licence or a person who works at the premises whom the premises licence holder has nominated in writing. A notice should be prominently displayed at the premises specifying the position of any such nominee.

The premises licence holder has a duty to ensure that a summary of the licence or a certified copy of that summary is prominently displayed at the premises.

*Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)*

### **Duty to produce licence**

A constable or an authorised person may require production of the premises licence for examination. An authorised person must, if requested, produce evidence of his authority to exercise the power.

*Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)*

### **Theft or loss of premises licence**

Where a premises licence or summary is lost, stolen, damaged or destroyed, the holder of the licence may apply to the relevant licensing authority for a copy of the licence or summary. A fee of £10.50 is payable in relation to such an application.

Where an application is made for a replacement licence or summary the licensing authority must issue the holder of the licence with a licence or summary if it is satisfied that –

- (a) the licence or summary has been lost, stolen, damaged or destroyed; and
- (b) where it has been lost or stolen, the holder has reported that loss or theft to the police.

### **Surrender of premises licence**

Where the holder of a premises licence wishes to surrender his/her licence he/she may give the licensing authority a notice to that effect. The notice must be accompanied by the premises licence, or where that is not practicable, by a statement of the reasons for the failure to provide the licence. Where a notice of surrender is given, the premises licence lapses on receipt of the notice by the licensing authority.

### **Death, incapacity, insolvency of licence holder**

A premises licence lapses if the holder of the licence –

- (a) dies,
- (b) becomes mentally incapable (within the meaning of section 13(1) of the Enduring Powers of Attorney Act 1985)
- (c) becomes insolvent,
- (d) is dissolved, or
- (e) if it is a club, ceases to be a recognised club

(subject to provision for re-instatement in certain circumstances).

**Custody of Premises Licence  
Licensing Act 2003 – S.57 (3)(b)**

In accordance with Section 57 (2)(b) of the Licensing Act 2003

I/We ..... being the  
holder(s) of/Director of the company holding

Premises Licence number .....

relating to the premises known as .....

.....

.....

hereby nominate .....

as custodian of the said Premises Licence.

To conform with Section 57 (3)(b) of the Licensing Act 2003 this authorisation is hereby displayed.

.....  
Signed

.....  
Position

**S.57 Duty to keep and produce licence**

*(2) The holder of the premises licence must secure that the licence or a certified copy of it is kept at the premises in the custody or under the control of-*

*(b) a person who works at the premises and whom the holder of the licence has nominated in writing for the purposes of this subsection*

*(3) The holder of the premises licence must secure that-*


*(b) a notice specifying the position held at the premises by any person nominated for the purposes of subsection (2), are prominently displayed at the premises.*

*(4) The holder of a premises licence commits an offence if he fails, without reasonable excuse, to comply with subsection (2) or (3).*

**ELSON, Steve**

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**From:** LICENSING (Cheshire East)  
**Sent:** 10-Aug-2018 11:39  
**To:** KNIGHT, Jennifer  
**Subject:** FW: Complaint/ Rejection of variation to a Premises Licence including Annex 3 Wilbraham Arms, 58 Welsh Row, Nantwich, Cheshire, CW5 5EJ  
  
**Importance:** High

  
**Subject:** Complaint/ Rejection of variation to a Premises Licence including Annex 3 Wilbraham Arms, 58 Welsh Row, Nantwich, Cheshire, CW5 5EJ  
**Importance:** High

**N.B. PLEASE KEEP MY NAME AND ADDRESS CONFIDENTIAL**

Dear sirs

I am writing with respect to the recent application made by the licensees of the Wilbraham Arms pub on Welsh Row, Nantwich to extend live and recorded music/entertainment until midnight on Fridays and Saturdays. Equally I write with respect to their application to remove the existing restriction on outdoors drinking past the existing restriction put in place by Environmental health.

I am not happy to support either of these proposed changes to the licence/applications (and annex 3 section) and wish to strongly reject and complain against them for several reasons including a) increased and excessive noise pollution b) anti-social behaviour, drunkenness, disorder and as a result c) public nuisance from light and litter and again noise pollution and potential crime.

This is a largely residential section of the protected 'conservation area' of Welsh Row, with the entertainment section (nightclubs, late night bars and eateries being at the Waterlode area of the street closest to town). Apart from a fish and chip shop and a very quiet local pub.

By changing the licence, the dynamic of this very neighbourly and peaceful residential area of this road will change substantially, undoubtedly meaning many of its residents - predominantly retired/elderly and young families, will not only be distressed and disturbed, but may wish to sell up and leave the area. We believe this will negatively affect the ability to sell property here and attract new residents too and also affect the look and feel and

overall preservation of the historic Welsh Row, one of the oldest streets in the country and in Cheshire itself.

### The prevention of public nuisance

1. The pub is flanked all around by all residential properties so the extra and late night 'noise pollution' will be too disruptive and distressing. It will be very significant from both the late night music extension at weekends and the people outdoors at any time of the pub's opening hours. This will cause serious sleep deprivation and disturbance as has been proven by a recent episode referenced anecdotally below.
2. The music level will not be monitored and most likely be turned up past what is acceptable so outside drinkers can hear it. In turn the lights from the karaoke systems in the front of the pub and the live music will create 'light pollution' into the residential properties surrounding it, beyond what is currently in place and what I believe to be reasonably acceptable. Especially seasonally (Christmas, New year, public holidays) and in the summer months and during festival times.
3. Litter pollution will increase too. This is a protected conservation area and people choose to live on this historic street as a result of this, especially this section of the historic road. The pub is within 200 metres of several Grade I and II listed properties which need to be protected and do not need extra cigarette buds and litter/glasses left intentionally or as a by product of outdoor drinking across the streets and on their door steps. I believe the council has a responsibility to protect one of the oldest streets in the county and help to ensure this isn't encouraged.

### The prevention of crime and disorder and public safety

1. I am very concerned that outdoor drinking at anytime throughout the week could seriously risk an substantial increase in drunken or disorderly behaviour outside all the local residents houses and lead to the drinkers spreading along the street in front of people's properties, which can naturally occur. with outdoor drinking This is likely to create anti-social behaviour and that may more easily happen outside residential properties (smoking, fights, personal conduct) and challenge to that by residents potentially affect their public safety, especially with longer lengths of time drinking outdoors at any time throughout the week without any set limit.
2. The existing 9pm limitation is reasonable and should not be lifted for these reasons.

Personally, I purchased my property on the street, knowing the whole street was a mixture of commercial and residential properties and supporting them thriving. However, also knowing that the local pub [REDACTED] wasn't a 'nightclub' or late night music venue or even a suitable venue for that.

We want the pub/business to survive and is supported by local residents, but believe that they should be working in harmony with the local residents, and respecting the rights of them to live in safety, peace and quiet, within the existing reasonable boundaries.

The proposed licence changes, especially Annex 3 would threaten and substantially change the environment we live in here.

I have recently personally experienced the affect of the noise and light pollution from the Wilbraham Arms on my family. I have a very young family. I have recently witnessed the distress the loud music from that pub caused my toddler when the level of music exceeded what was acceptable and turned my house into something similar to a nightclub/bar. I could not get my 2 year old to settle until after midnight on the 3 nights this happened and we suffered greatly as a result of the noise disturbing us generally and our sleep. It is very concerning that this could regularly occur with the licence changes. This could affect my family and my young children psychologically.

Although I have no direct proof of the circumstances behind it, I anecdotally understand many residents confronted the pub during those days and asked for the music to be turned down, not off (I myself tried to get in touch, but nobody answered my calls). They refused and the pub was hardly occupied. We understand (again anecdotally) since that the licensees had been away on holiday and the pub management was covered by others who didn't realise and thus not common practice. This has caused a lot of resentment and distress to local residents and an atmosphere of ill feeling and has proven the impact of the affects of some of the proposed changes above.

Yours faithfully

A black rectangular box redacting the signature of the person who wrote the letter.

Dear Licensing Committee,

I am writing to object to the change of hours that has been proposed by the Wilbraham Arms on Welsh Row in Nantwich. There has been an increased level of loud music, and large gatherings of drinkers on the street, steadily increasing over the past 5 or 6 months and regularly extending past the current licensed hour of 11 pm. I understand that the licensing and noise officers have been to visit the pub on at least two occasions, in response to complaints about the level of noise. The landlords have responded with promises of keeping the level of noise down and a willingness to work with neighbours. Two weeks following their promise (on the 14<sup>th</sup> of July), the noise level was louder than ever and at 11:15 pm, a 'conga dance' of pub patrons wound out of the pub, down the street, and then back up and into the pub again. At least 50 people were gathered in the street, holding glass glasses, children racing through the crowds and a little girl lying in Red Lion Lane – all seemingly ignored by adults. I am objecting to this variance on the grounds of the prevention of public nuisance and public safety.

Additionally, I do not believe that the variation posting was clear to passing neighbours and interested parties that the landlord has asked for a variation to hours. The notice was a different shade of blue than the normal pale blue notices and encased in a cloudy menu display cabinet that made it difficult to read.

The Wilbraham Arms is surrounded on all sides by residents – young, and more established families, older people and a block of flats of sheltered housing – all at close quarters. The pub's location in the midst of residential housing means that its entertainment creates a public nuisance to a large number of residents. I wonder if, when new landlords come to view the premises with a view towards managing it, they think that because of the proximity of the Wilbraham Arms to other clubs in Nantwich, that they too will be able to offer loud entertainment. The difference is, that the town centre late-night pubs and clubs are surrounded by shops, and therefore do not provide a disturbance to neighbours in the evening and on Sunday afternoons.

In the past, noise ordinance officers have suggested that the loud music could be mitigated by closing the windows in the pub – but how realistic is this? It has not worked in practice. The date of construction of the pub and the surrounding houses means that windows are single glazed and walls are not insulated against sound.

The landlords have not established a level of trust in the neighbourhood because they have been playing music beyond the licensed hour of 11 pm and the volume of music is played at unacceptable levels (at all hours), even after being repeatedly warned by license/noise ordinance officers. The pub features a live singing act on Sunday afternoons that plays at deafening levels and during school exams week in June, loud music containing vulgar language was being played at 10:30 pm on a Tuesday night. The landlords do not indicate that they have good control over the pub as there is no attempt to minimise loud gatherings in the street (smoking and drinking outside the pub until closing time), nor asking patrons to please recognise that neighbours are attempting to enjoy the quiet of their own homes.

The level of music that is currently being played in the pub is so loud that I am not able to sleep, read, talk on the telephone, or relax in my own home. I am not able to invite my family to visit because they would not be able to sleep in my guest room.

Over the years, landlords at the Wilbraham Arms have attempted to extend the hours, and repeatedly, it has been found that the later hours simply do not work for this residential section of Welsh Row.

The license committee has previously accepted that there are good reasons to restrict the permitted activity and opening hours of a pub surrounded by houses. I see no compelling arguments for a variance at this time and consequently I ask the committee to maintain the current restrictions.

I respectfully ask you to please respect my privacy and not share my identity.




ELSON, Steve

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**From:** LICENSING (Cheshire East)  
**Sent:** 08-Aug-2018 08:50  
**To:** KNIGHT, Jennifer  
**Subject:** [OFFICIAL] FW: Wilbrahams Arms, Nantwich


**Follow Up Flag:** Follow up  
**Flag Status:** Flagged



Dear Sirs

Wilbrahams Arms, Welsh Row, Nantwich.

We write in objection to an application to vary existing conditions on the license for the above premises.


 the premises in question, in what is otherwise an exclusively residential area. While it is good that a thriving business should be operating at the Wilbrahams, so that the building (which is listed) is maintained in good order, however, the licensees have failed to operate within their existing permissions and caused considerable nuisance with noise emanating from the premises. The existing curfew for music is not respected, running on for up to 30 minutes beyond the permitted time, and noise levels can make sleeping difficult. Despite complaints these matters have got worse latterly with doors and windows thrown open, so that high intensity bass sound reverberates down Welsh Row.

To add insult to injury the present application seeks to extend the permitted hours for music. In addition restrictions on outside drinking are sought to be overturned, drinkers already congregate to smoke in front of the pub, leering and making unpleasant innuendo laden comments to passers by, if drinking were to be permitted in front of the pub instead of in the back yard this situation would undoubtedly worsen. Older people and children should be protected from being abused by drinkers outside the premises. Drinking should largely be contained within the premises.

We ask that no relaxation of existing licensing conditions is allowed and that strict enforcement of the existing time limits are monitored. Our objections are on the grounds of public nuisance and the prevention of disorder arising from drunkenness and antisocial behaviour in the light of the failure of the licensees to respect or adhere to existing conditions.

Please maintain our confidentiality in objecting to the application and redact our address from this email if it were to be shared with the applicant.

Yours faithfully



LCPREMCO

7/8/2018

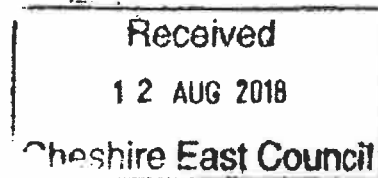
Licensing Department

We would like to bring to your attention our concerns about the Wilbraham Arms pub on Welsh Row. Since the new landlord(s) have taken over, noise levels in the street after 9 o'clock outside and midnight inside have increased enormously. Outside our house and towards the pub the levels of litter, broken glass, destroyed rubbish bags and bins plus plants by our front door pulled out of pots are now of great concern. We have heard an application to the Licensing Department is in existence for an extension to the times originally agreed when the pub was taken over. We will strongly protest offering our support to all the Welsh Row residents affected by what is happening to make their lives miserable.

I would appreciate confidentiality at this stage.

PTD

LC PREMCO



12th August, 2018

Re : Application to vary the licence of the WILBRAHAM ARMS 58 Welsh Row,  
Nantwich, Cheshire, CW5 5EJ

*I would be obliged if my name and address could be withheld.*

I wish to object to the above variation on the grounds of public nuisance from the excessive noise created by the premises both from within and without by patrons frequenting the back yard and the prevention of crime and disorder from the often disorderly hordes spilling into the street at all hours at the front.

Contrary to the belief of the current licensee, neighbours are not inclined to complain at the drop of a hat. Evidence of this comes from the fact that I have lived at my property for over 20 years during which time (and through the tenancy of several landlords) I have only sought to complain about noise levels *twice*; including that of the current licensee. The pub is just *that* - a public house but the current noise levels emanating from the premises both from patrons and the loud music, make it more into a nightclub - which indeed the new variation application would effectively turn it into.

The licensing committee I believe, has recognised on three separate occasions that late hours and loud music for this pub are not conducive to its locale, being as it is, in the centre of a residential community. Nothing has changed since the interim of these judgements. It should also be recognised that there is plenty of choice regarding late night music and late-night hours available in the centre Nantwich, rightly away from concentrated residential properties and in a contained area which is easier to police.

There are late night establishments towards the top of Welsh Row but these do not adjoin properties and are well supervised and contained with, to the best of my knowledge, no outside drinking allowed. Similarly, these have door personnel to ensure orderly conduct at all times. Crucially, I suspect (but the licensing committee will obviously know better), there are no complaints that I am aware of towards these establishments. Again, this is due to their conduct but also the fact that they are not in the midst of a residential area. For the avoidance of doubt, these establishments do not adjoin any residential properties. The Wilbraham Arms on the other hand, is not even a detached building but is literally adjoined to a private resident's home.

Allowing even later music will attract late night revellers further down from the centre of town into the residential community with all the associated and undeniable noise pollution in addition to the detritus and policing problems this will pose to the already stretched authorities.

The current licensees have stated in written communication that the clientele are in the age group of 40-60. Not only is this incorrect but demonstrates naivety that older people, especially when intoxicated, are somehow quiet as a result.

The current licence holders have again claimed in written communication that they comply to the current licence terms "to the letter". This is simply untrue. As a result of persistent breaches e.g. constant drinking outdoors at the rear of the property after 9pm, they have been visited by the licensing authority and environmental health. To ensure verification and avoid any counter claims, a copious amount of photographic and video evidence has been taken by myself of these breaches and also of the noise levels which unequivocally prove (timings from independent sources taken) that they have constantly been in breach of their terms. This has been submitted to licensing for examination under separate cover.

Further breaches include later than allowed music being played, open vessels out of the front of the property, the rear door (Annex 2 point 4) regularly being propped open and windows constantly open (Annex 1 point 1).

This latter point might be understandable given the recent hot weather but one must also consider the fact that during this time, the music has been so loud that I have not been able to enjoy the same luxury in my own property nor more importantly have my children been able to sleep. Indeed, they have often had to be relocated downstairs in order to try and get some respite from the late night noise.

The rear of the property is particularly noisy, even during the day. For the committee's benefit, it is important to note that the rear drinking area is referred to as a "garden" by the licence holders. Whilst this may be acceptable for marketing, the reality is it is in fact a concrete yard originally designed as (and still used!) as a car park rather than a drinking area. The yard has recently seen a considerable influx of beer tables with the addition of some hanging plant pots. Replacing the 9pm restriction would be to reverse a long established determination by the licensing committee that its location is not suitable for outside drinking any later than this due to its immediate proximity to neighbourhood properties. This latter point and the noise pollution this area produces is further evidenced by the licensing authority themselves since in Annex 2 point 2 of the licence it says "Refuse such as bottles shall be disposed of from the premises at a time when it is not likely to cause a disturbance to residents in the vicinity of the premise"

The disposal of bottles not being permitted due to the noise pollution it can cause for neighbours proves the close proximity of the pub. Needless to say, patrons drinking at the back causes even worse noise pollution. Moreover, the nature of conversations, clearly audible, is often of a very unsavoury nature with coarse language. Two such conversations have been recorded on video - a discussion of a crude sexual nature and one regarding the use of violence. None of these is suitable to be heard in public but especially not by children, including for that matter, my own.

Such is the reason that the pub has been served two abatement notices by environmental health in the past (to previous licensees) and demonstrates again that the rear yard is loud and should not be open later than 9pm.

Regardless of the noise levels, current evidence shows that the licensees do not observe the current licence terms and it is hardly likely therefore that this flagrant disregard will change if the variation were awarded.

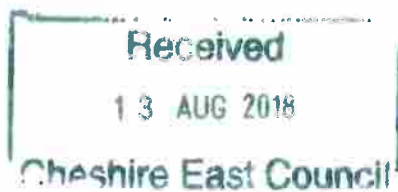
As stated at the start of this objection, no-one is saying the pub should not operate, just that it should do so within the already generous terms it enjoys and in the capacity of a public house not what in effect would be a night-club. The licensing committee has already established this fact in the past and nothing has changed in the interim years, the pub's location still sits in the middle of a residential area and there is plenty of choice for patrons to enjoy late night drinking and music in a more appropriate locale - the centre of town.

I recognise that the committee's job is a difficult one in trying to balance the well-being, needs and rights of members of the public to live in peace with that of a commercial concern. Extended entertainment hours and the replacement of the 9pm restriction would only serve to favour one party and respectfully, for the reasons stated in this communique, would be detrimental to the already blighted neighbours including my children.

I hope and entrust that the committee will reject this variation therefore and continue with what it has already established as a very generous.



LICENCE



11 August 2018

Dear Sir/Madam

I am writing to express my objection to the application by the Wibraham Arms for a variation of the premises licence to have live music and recorded music in the pub on Fridays and Saturdays from 10am until midnight.

I also object to the additional variation request to allow drinking outside at any time on any day of the week. In fact I know that the present restriction that drinking should not take place outside after 9.00pm is regularly breached by the landlord. I live in one of 4 three storey houses overlooking the outside space of the Wilbraham and I have therefore been able to witness personally customers sitting on the outside chairs drinking after 9.00pm, often well after that time.

The outside lights are on 24 hours a day and the security at the back is on and off all night. The noise from the outside 'bar' is amplified and I can hear loud talking, laughing and music all evening. Particularly in the recent warm weather, the outside Windows and back doors are opened up and the noise inevitably is disturbing to the nearby residents

Unlike other pubs along Welsh Row, the Wilbraham is sited adjacent to residential properties and our privacy should be respected. It is not appropriate for the neighbouring houses, where both the elderly and very young children live, to be subjected day and night to constant noise and light pollution. There are times when customers are obviously drunk, disorderly and rowdy with shouting and loud music. As residents we have come to dread the warm evenings as it means we can't open our bedroom windows without being subjected to the noise from the pub.

I hope that you will take on board my comments and ensure that the proposed variance is not approved. Also the current restriction is adhered to so that the residents can start to enjoy more peaceful nights. I appreciate your time in reading this letter and trust that you will take my comments seriously.

Yours faithfully



*Lepra.*

3

Cheshire East Council  
Licensing Section  
Municipal Buildings  
Earle Street  
Crewe  
CW1 2BJ

**Wilbraham Arms Welsh Row Nantwich CW5 5EJ**

Dear Sirs,

I am writing to object most strongly to Wilbraham Arms seeking **Variation To A Premises License : Act2003 to provide** to remove condition 1 at Annex 3 of the license And replace with a new condition. Namely;

**The provision of Live Music Friday and Saturday 10;-00 – 00;00**

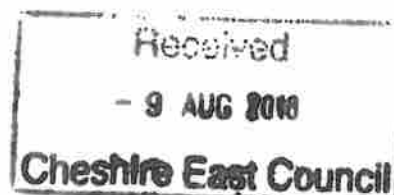
**The provision of Recorded Music Friday and Saturday 10;00 – 00;00**

As I and my wife live in a [REDACTED] Wilbraham Arms our objection is we will be subjected to loud music live or recorded up to midnight on Friday and Saturday nights especially in Summer when the Wilbraham Arms will no doubt have their windows fully open as that has already happened a number of times recently. Beatty Court where we live have retirees living here whose ages range from 60 to over 90 years of age should not be subjected to loud music as late as midnight.

It will also mean more noise as some of their customers make their way home after midnight on Friday and Saturday nights home along Red Lion Lane to Kingsley Village

My Wife and I strongly urge to refuse this application on the grounds of unacceptable noise and nuisance.

Yours faithfully,





7<sup>th</sup> August 2018.

Objection to:

Variation to Premises License Provision of Live Music  
Fri/Sat 10pm - 2.00am

Wilbraham Arms, 58 Welsh Row, CW5 5ET

Reason for objection: Public Nuisance.

We live on the [redacted], [redacted]  
[redacted] the car park at the rear of the  
Wilbraham Arms. The distance involved is 5mtrs appx.  
There are no large buildings or trees between our flat  
and their car park which they have recently converted  
into an external bar with picnic tables & umbrellas. This  
facility is very popular with smokers & families with  
children so the noise level is high.

We are an elderly couple and find the existing permission  
disturbing, we have to close our windows which in this  
hot weather makes the flat unbearable. To extend the  
current license would make our weekends intolerable.



KNIGHT, Jennifer

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**From:** LICENSING (Cheshire East)  
**Sent:** 07-Aug-2018 10:57  
**To:** KNIGHT, Jennifer  
**Subject:** FW: Objection to Variation to Premises License

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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**Sent:** 07-Aug-2018 10:56  
**To:** LICENSING (Cheshire East)  
**Subject:** Objection to Variation to Premises License

WILFRID ARMS

Sent from [Mail](#) for Windows 10

We are writing to object to the provision of Live Music at the above establishment, on the grounds that the noise is a Public nuisance.

We live in [REDACTED] There are no buildings or large trees between us to absorb the noise. When the Live Music, or any music, is being played we have to shut our windows.

[REDACTED] In retirement we should not have to put up with Invasive noise. We already have to put up with the noise from the Outside bar that has been erected in the car park. This constitutes Picnic Tables and Umbrellas. This is open all afternoon and evening and the noise, Singing, shouting laughing etc is a real nuisance. Again we have no protection.

The current provision allows live music until 11pm, on Fridays and Saturdays This already constitutes a Nuisance and to extend the License to 0.0 will make the situation almost intolerable.

LCPEMCS 6



30 July 2018

Cheshire East Council

Licensing Section

Municipal Buildings

Earle Street

CREWE CW1 2BJ

Dear Sirs

Re: VARIATION TO LICENSING ACT 2003

With reference to the above applied for by Wilbraham Arms, Welsh Row, Nantwich I would like to make an objection to this on the grounds of excessive noise late at night. There are already several premises on Welsh Row providing live music and whilst it is commendable that the Wilbraham Arms want to have a stake in this type of entertainment I feel they should also consider the residents in the area. Additionally the Wilbraham Arms have a large open air patio at the rear of the premises and with doors and windows open this area could also accommodate customers for these events.

There would presumably be additional traffic using Red Lion Lane causing not only noise but as on most weekends at the moment, litter and vomit making this pathway very unpleasant for residents in the surrounding area to use. However I appreciate that this problem is not only confined to Wilbraham Arms.

Therefore on these grounds I object to the extension of the License.

Yours faithfully



LCPC/MCO  
Received  
- 5 AUG 2018  
Council

To Whom it May Concern

Application For Variation to a  
Licence at Wilbrahams Arms  
58, Welsh Row, Nantwich, Cheshire

I am writing to object to  
the above Application.

The Wilbrahams is totally  
surrounded by residential  
houses including ours which  
runs parallel to Red Lion Lane  
We have been disturbed by

noise from their extended  
beer drinking area (the car park)  
which is next to Red Lion Lane  
all summer.

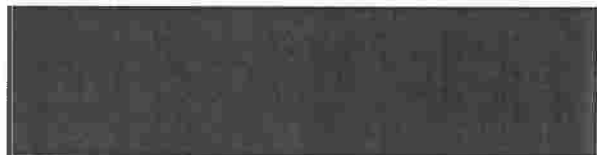
Also we have complained  
along with other neighbours  
about the very loud music  
which can be heard word filtered  
in our house. This is at its  
worst at the weekend going  
on all afternoon / evening until  
23.00 or later.

I am aware that the  
licen~~se~~nce has posted  
comments on social media

regarding their "complaining  
neighbours". This does not  
endear them to people who  
have their private homes there.

Please consider our objections.

Yours Faithfully.

A solid black rectangular box used to redact the signature of the sender.

Received  
- 7 AUG 2018  
Chester East Co

To Whom It May Concern

We the above wish to object to the application for the Wilbraham Arms to extend the hours of live or recorded music on Fridays & Saturdays.

Our apartment is in a block of 63 solely for people over 60 yrs of age and is less than 10 yards from the Wilbraham Arms. The extension in time would coincide with most of the residents retiring for the night.

We hope you will put peoples wellbeing before the quest for yet another penny profit.

Lepanto

9

The Licensing Section,  
Municipal Buildings,  
Garle Street,  
Chesham CW1 2BJ

Copy to Councillor

JS 2756 6574 7GB

SD 1pm



Ref. Wilbraham Arms, 58 Welshgrove, Nantwich: Application  
for a ~~variation~~ Variation to Premises License.

I strongly object to the application from  
Wayne Jones of Wilbraham Arms for the provision of live  
of and Recorded Music 1000 - 0000 on Friday and Saturday.  
I moved to [redacted] about five years ago  
[redacted] in the  
search of a quiet life. I am in 'poor' health and  
81 years of age so need all the rest, sleep and  
quiet that I can get.

I am fearful that the application,  
if granted, with its noise and disturbance throughout  
a Friday and Saturday until midnight will  
be so disruptive to my life that my health  
will be rapidly worsened and my death hastened.  
[redacted] Jones  
onto Red Lion Lane, so is within a very short  
distance of Wilbraham Arms.

- 2 AUG 2018

Cheshire East Council

LC PREMISE  
10

Received

30 JUL 2018

Shropshire East Council

26 July '18

Dear Sir or Madam,

I note in the local press, that an application by the Wilbraham Arms in Wilah Road, Nantwich to remove condition 1 at annex 3 of the licence and replace it with a new condition i.e. provision of live music from 10:00pm to midnight on Friday and Saturday evenings.

I am a resident living in close proximity to the premises. I object to the proposed increase in the hours requested by the public house. I would consider the present hours adequate for live and recorded music. Allowing the licensing hours to be increased to midnight would be noisy and disruptive at this time of night to local residents, many of whom are elderly.

Yours faithfully


**KNIGHT, Jennifer**


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**From:** LICENSING (Cheshire East)  
**Sent:** 27-Jul-2018 10:42  
**To:** KNIGHT, Jennifer  
**Subject:** FW: PREM336

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Sent:** 27-Jul-2018 10:39  
**To:** LICENSING (Cheshire East)  
**Subject:** PREM336

Sir/Ma'am,

I am trying to find an application for Wilbraham Arms, Welsh Row, Nantwich. I believe that residents may make comment on the application, but while I can find the reference, I cannot find link to the actual document, nor can I find an area where comments can be made.

As a resident, I strongly oppose any changes to the current licence agreement, as this public house has a long history of being the cause of late night disturbances (prior to current licensee) and the music currently played in the public house is audible for quite a distance. I live quite remote on [REDACTED] but I can hear music in my house (with windows closed), and this often disturbs my sleep and the sleep of my young children. I see no good reason why residents should be further disturbed by noise, and likely further drunken behaviour due to additional time to consume alcohol, merely for the profit on the licensees. If changes are accepted by yourselves, it will be further encroachment of a plethora of late night drinking establishments into a residential area- accompanied by the regular anti-social behaviour (shouting, fighting, urinating, vomiting etc.).

When the establishment in question was closed some years ago, there was a significant reduction in anti-social behaviour and associated disturbed nights for residents. Recently, with the addition of music to the establishment (which was not allowed originally) the noise element has increased, and on two occasions I have been confronted (in the morning) by vomit- once on my doorstep and once a metre or two from my door- which I had to clean up! While I cannot apportion direct blame to one establishment, the fact remains that increasing drinking time, will clearly increase the likelihood of over-inebriation and the consequences of this state! I hope that the council will see good sense and recognise the increasing intrusion of 'entertainment' provided on this road, which has a significant resident population. I fail to see why establishments that effectively promote inebriation and are then not held to account for damage and disturbances caused by their 'clients' should be allowed to continue and extend licenses, at the clear inconvenience of tax paying residents. I am eager to know the rationale made by the current license for any change to the licence. Please do send someone to look at the state of Welsh Row after weekend frivolities – as one resident now calls the street, not Welsh Row, but Vomit Alley! I am also eager to see how the licensee intends to protect residents from these changes, as to date, he/she has made no effort to engage with local residents. This is not even an establishment aim at local people- it is one that is seeking to attract clients from already established late night inns, closer to town at the bottom of the street, which is mainly commercial area, with fewer houses. The public house in question is right in the middle of a residential area, and we do not require further intrusion; there are more than sufficient establishments already on Welsh Row to cater for those who wish to drink into the late night and early morning hours. Some of us prefer, and should be afforded the opportunity, to SLEEP through the night without disturbance.

Please can you direct me to the relevant link to make more detail comments and review the application.

**KNIGHT, Jennifer**

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**From:** LICENSING (Cheshire East)  
**Sent:** 30-Jul-2018 08:07  
**To:** KNIGHT, Jennifer  
**Subject:** [OFFICIAL] FW: Wilbraham Arms, 58 Welsh Row, Nantwich, Cheshire, CW5 5EJ

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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**Sent:** 29-Jul-2018 14:30  
**To:** LICENSING (Cheshire East)  
**Subject:** Wilbraham Arms, 58 Welsh Row, Nantwich, Cheshire, CW5 5EJ

Dear Sirs

We wish to request in the strongest possible terms that the licence application be denied.

We have been in dialogue with Margaret Hopley from the Environment Agency for some time now with regards to rude , intimidating , loud and disturbing behaviour.

Please let me know any further information you may require.

Sincerely



#### **VARIATION TO A PREMISES LICENCE: LICENSING ACT 2003**

Notice is hereby given that I, Wayne Jones have applied on 16 July 2018 to Cheshire East Council in respect of the premises known as Wilbraham Arms, 58 Welsh Row, Nantwich, Cheshire, CW5 5EJ for a Variation to a Premises Licence to provide the following licensable activities:

- The provision of Live Music Friday and Saturday 10:00 – 00:00
- The provision of Recorded Music Friday and Saturday 10:00 – 00:00
- To remove condition 1 at Annex 3 of the licence and replace with a new condition.

**KNIGHT, Jennifer**

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**From:** LICENSING (Cheshire East)  
**Sent:** 30-Jul-2018 08:09  
**To:** KNIGHT, Jennifer  
**Subject:** [OFFICIAL] FW: Objection to change of licence

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

[REDACTED]  
Sent: 29-Jul-2018 20:25  
To: LICENSING (Cheshire East)  
Subject: Objection to change of licence

Dear Sir/Madam

I would like to raise a strong objection to the proposal by the licensee of the Wilbraham Arms, 58 Welsh Row, Nantwich, to have live and recorded music at the pub all day till midnight on Fridays and Saturdays. I fear we have been here before, and I know that the tenants at the pub have been visited by the licensing people more than once.

I'm sure that most of the nearby residents would agree with me.

This pub is completely surrounded, front, rear, and both sides, by residential properties, many of whom are lived in by older people, some in their eighties and nineties, as well as families with young children.

I feel that 11pm is late enough for the kind of loud music that will be played, and there are plenty of pubs and clubs in the non-residential centre of Nantwich, for those who wish to party till 3am. ( I know this, because I used to be one of them in the 70s. ) There is also the sheltered accommodation for older people at the rear of the pub, who would obviously be disturbed by loud music till midnight.

As we get older, some of us like to be in bed by 11pm, and our peace and quiet to help us sleep is going to be ruined again.

This pub has always been trouble, one way or another, for all the 32 years that I have lived in close proximity to it. We all breathed a sigh of relief when it closed down last year, but the whole sorry saga is starting again.

We shall be very angry, disillusioned and disappointed if their requests are granted. It will be obvious that none of the licensing committee lives in Welsh Row.

Also, I think the curfew of 9pm for drinking outside at the back of the pub was put in place a while ago to protect the residents from unnecessary noise, and they have requested this be changed too.

While the weather has been so hot, it has been necessary to have all the windows open, even at night, and noise from the pub carries in the night air.

I'm not against people enjoying themselves, but if it's at the expense of people who have enjoyed living in Welsh Row for many years, it doesn't seem fair.

I, for one, don't want to imagine I would have to move house to get away from the noise.

It would be great if it was a normal pub, with good food and wine, where people could gather with friends to have a lovely meal, with good conversation, not a place which attracts only the people who want to drink too much, vomit outside our doors on the way out, and generally make a nuisance of themselves.

I beg you not to allow the proposed changes to the licence.

Yours sincerely

[REDACTED]

164

**KNIGHT, Jennifer**

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**From:** LICENSING (Cheshire East)  
**Sent:** 03-Aug-2018 08:31  
**To:** KNIGHT, Jennifer  
**Subject:** [OFFICIAL] FW: Wibraham Arms - Welsh Row

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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**Sent:** 03-Aug-2018 07:33  
**To:** LICENSING (Cheshire East)  
**Subject:** Wibraham Arms - Welsh Row

It has come to our intention that the above premises are applying for live music and recorded music extension.

We wish to object to any extension as when music is played the windows are open in the pub and the noise is bad enough as it is. Any extension to the hours would only provide additional nuisance.

Furthermore there are several other music venues within 300 yards so struggling to see why it is necessary for an additional one particularly as the area around the Wilbraham is totally residential.



17

**KNIGHT, Jennifer**

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**From:** LICENSING (Cheshire East)  
**Sent:** 08-Aug-2018 13:08  
**To:** KNIGHT, Jennifer  
**Subject:** FW: Planning application - Wilbraham Arms, Nantwich

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

-----Original Message-----

[REDACTED]

Sent: 08-Aug-2018 13:06  
To: LICENSING (Cheshire East)  
Subject: Fwd: Planning application - Wilbraham Arms, Nantwich

>  
>  
> The Licensing Office,  
> Cheshire East.  
> Earle St.  
> Crewe.  
>  
>  
> To whom it may concern,  
>  
> I wish to voice my concern at the application by the Wilbraham Arms to extend their live and recorded music entertainment licence until midnight on Friday and Saturday nights, along with removing the restriction on outdoor drinking time.  
> Allowing outdoor drinking until midnight every night will cause considerable nuisance from noise and drunkenness increasing the risk of antisocial behaviour especially as most local residents work and need a reasonable amount of sleep.  
> Welsh Row is not only a conservation area, but mainly residential from St. Annes Lane junction to the Malbank school. The loud music , litter, noise, and disturbance from drunken revellers and taxis etc. from the bridge up to that point already has a detrimental impact on those living nearby and it surely cannot be reasonable to extend this problem.  
>  
> Yours faithfully,  
>  
> [REDACTED]  
>  
>  
>  
>

**KNIGHT, Jennifer**

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**From:** LICENSING (Cheshire East)  
**Sent:** 09-Aug-2018 14:07  
**To:** KNIGHT, Jennifer  
**Subject:** FW: Wilbraham Arms, Welsh Row, Nantwich

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

-----Original Message-----

Sent: 09-Aug-2018 13:59  
To: LICENSING (Cheshire East)  
Subject: Wilbraham Arms, Welsh Row, Nantwich

We write in relation to the application by the licensees of the Wilbraham Arms:

1. to extend until midnight on Friday and Saturday their permission for live and recorded entertainment
2. to remove the restriction on outdoor drinking, at present limited to 9pm, so that outdoor drinking would be permitted until midnight every day of the week.

We object to both proposals, which are likely to result in a public nuisance from noise of music.

We live at [REDACTED] and can clearly hear the music from the Wilbraham Arms. We do not object to the noise during the present permitted hours, but any extension of the hours would be objectionable.

[REDACTED]

**KNIGHT, Jennifer**

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**From:** LICENSING (Cheshire East)  
**Sent:** 13-Aug-2018 08:09  
**To:** KNIGHT, Jennifer  
**Subject:** FW: Wilbraham Arms Pub: Ojection

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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**Sent:** 12-Aug-2018 16:07  
**To:** LICENSING (Cheshire East)  
**Subject:** Wilbraham Arms Pub: Ojection

As a resident of a listed property in Welsh Row I would like to register my objection to the development plans submitted by Wilbraham Arms pub that will result in an increase in late night antisocial behaviour to this highly respected residential conservation area.

Over the past few years we have witnessed a significant increase in anti-social behaviour from the entertainment venues located along Welsh Row, late night noise, drunkenness, lewd behaviour, urinating in public, litter, parking in restricted areas, and criminal vandalism have become the weekend norm.

If the development is permitted to go ahead it will also provide a precedent to other entertainment venues and fast food establishments to extend operating hours and encroach on the restrictions put in place for the very reason of protecting the heritage, conservation and the residents of Welsh Row.

The residents of Welsh Row abide by the rules and restrictions of residing in a conservation area and the responsibilities of being the custodians preserving the heritage for future generations.

Regards



**KNIGHT, Jennifer**

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**From:** LICENSING (Cheshire East)  
**Sent:** 13-Aug-2018 08:12  
**To:** KNIGHT, Jennifer  
**Subject:** FW: Application for variance of license for Wilbraham Arms, Welsh Row, Nantwich

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

-----Original Message-----

Sent: 10-Aug-2018 21:02  
To: LICENSING (Cheshire East)  
Subject: Application for variance of license for Wilbraham Arms, Welsh Row, Nantwich

Dear Sir/Madam

I am writing to you to register my objections to the application by the Wilbraham Arms for a variation of the premises license to have live music and recorded music in the pub on Fridays and Saturdays from 10.00am to midnight.

My objections are as follows:

- the area around the pub is almost exclusively a residential area made up of 3 or more storey houses and flats inhabited by often elderly residents or young families. It is totally inappropriate for the residents to have to put with the current noise and light pollution from the pub. The back outside lights are on 24 hours a day and the back security light goes on and off at all times of the night throwing bright light into the front bedrooms of the 4 town houses in Townwell Court, of which I am a resident.
- the pub already allows drinking outside in the back after 9.00pm which is totally in breach of the current restrictions placed on the landlord.
- at the weekends, in particular, there is often shouting, loud laughter and loud music playing sometimes up to 12 midnight and beyond. This disturbs the local residents especially during warm weather when the back doors and windows are open making it impossible for residents to sleep with their windows open.
- there are many other pubs in the centre of town, away from residential areas, where people can enjoy a drink until the small hours of the morning without disturbing neighbours
- since the new landlords have taken over, the pub is no longer the family orientated pub that it was. It used to welcome young families and their children and the atmosphere was pleasant. Now it is essentially what the landlord has himself advertised as 'a proper pub', meaning for drinkers only as only a very limited food menu is available. Otherwise there is a real danger that the pub will revert to the bad days of constant drunkenness, rowdiness and unsocial behaviour of the past.

In summary I believe that the application should be turned down to prevent further public nuisance and public disorder and the landlord not allowed to resubmit a similar application for at least a number of years. The current restrictions on the license should also be enforced immediately so that the residents can get some peace at night. I trust that you will take into account my comments and that commonsense can prevail.

Thank you for your time

Yours faithfully

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21/8/2018

Wilbraham Arms  
Nantwich



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