

# **Licensing Act Sub-Committee**

## **Agenda**

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**Date:** Wednesday, 23rd October, 2019  
**Time:** 9.00 am  
**Venue:** Committee Suite 1 & 2, Westfields, Middlewich Road,  
Sandbach CW11 1HZ

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### **Membership**

**Conservative Councillors:** M Benson and L Gilbert  
**Independent Group Councillor:** D Edwardes

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 are audio recorded and the recordings are 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.

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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)

3. **Application to Transfer a Premises Licence - TNT Bar, 31-33 Nantwich Road, Crewe, CW2 6AF** (Pages 7 - 30)

To consider an application for a Transfer of a Premises Licence by Retro Bar (Crewe) Ltd, in respect of TNT Bar, 31-33 Nantwich Road, Crewe.

**THERE ARE NO PART 2 ITEMS**

## 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.
<b>19</b>	<b>Committee</b>	<u>Will retire</u> to consider the application. The Committee may request the Legal Advisor to advise on legal issues.
<b>20</b>	<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:** 23 October 2019

**Report Title:** Application to Transfer a Premises Licence at TNT Bar, 31-33 Nantwich Road, Crewe, CW2 6AF

**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 Transfer of the Premises Licence, under section 42 of the Licensing Act 2003 and outlines the evidence presented by the parties in relation to the Transfer.

### **2. Recommendations**

- 2.1. The Licensing Act Sub-Committee is requested to determine the application for a Transfer of a Premises Licence by Retro Bar (Crewe) Ltd, in respect of:

TNT Bar  
31-33 Nantwich Road  
Crewe  
CW2 6AF

- 2.2. The Licensing Act Sub-Committee is requested to consider the transfer Application and the relevant representation and determine if it is appropriate to reject the application for the promotion of the prevention of crime and disorder.
- 2.3. Acting in the capacity of Licensing Authority, Members must seek to promote the Licensing Objectives. And where Members consider that matters have engaged one or more of the Objectives, they may exercise their discretion. The Licensing Objectives are:

- a) The prevention of crime and disorder

- b) Public Safety
- c) The prevention of public nuisance
- d) The protection of children from harm

2.4. 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 the application and the evidence presented by the parties in relation to the Transfer of a Premises Licence application.

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 Recommendations**

3.1. The Licensing Act Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003 and the Council's Constitution, and provide 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 by Retro Bar (Crewe) Ltd was received by the Licensing Authority on 13<sup>th</sup> September 2019, The Licensing Authority sent the application for consultation to Cheshire Police on the 17<sup>th</sup> September 2019 as Cheshire Police advised they had not received a copy. The application is to Transfer a Premises Licence under Section 42 of the Licensing Act 2003.

5.2. An application to transfer the licence must be accompanied by the premises licence or, if that is not practicable, a statement of the reasons for the failure to provide the licence. A copy of the application is attached at appendix 1.

5.3. The Licensing Authority received a representation from Cheshire Police on 26<sup>th</sup> September 2019 under section 42(7) of the Licensing Act 2003.

- 5.4. A copy of the Premises Licence setting out the premises licence holder, Designated premises supervisor and conditions etc. is appended to this report at Appendix 3.
- 5.5. At the time of writing this report, the premises licence is subject to an application to review the licence made by Cheshire Constabulary. That application is due to be heard on the 9<sup>th</sup> October 2019. Members have a number of options available, which include changing the terms of the licence. Any decision to change the licence at the Review Hearing will not take effect until after the appropriate appeal period has expired, or in the event of an appeal being filed, until the appeal has been determined.
- 5.6. Responsible Authorities:

5.6.1. Cheshire Police have submitted a representation which is set out at appendix 2.

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

### **6.1. Legal Implications**

- 6.1.1. Sub-section 44(5)a of the Licensing Act 2003 prescribes that before determining an application for a transfer received in accordance with section 42, the Licensing Authority must hold a hearing to consider the application to transfer a premises licence and the relevant representations.
- 6.1.2. Sub-section 44(5)b states that the Licensing Authority must have regard to the notice where it is given under section 42(6), and reject the application if it considers it appropriate for the promotion of the crime prevention objective to do so.
- 6.1.3. By virtue of Schedule 6(2) of the Licensing Act 2003, if the decision of the Sub-Committee is to grant the application to Transfer the Premises Licence, only the chief officer of police or the secretary of state, as the case may be, may appeal against the decision to grant the application.
- 6.1.4 Members are also reminded of the statutory obligation placed on the Local Authority under section 17 of the Crime and Disorder Act 1998 to exercise its various functions, doing all that it can to prevent Crime and disorder, and Anti-social Behaviour, behaviour adversely affecting the environment as well the misuse of drugs, alcohol and re-offending in the Local Environment.

**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 Cheshire Police who have submitted their representation(s) and will make a decision on the basis of the evidence presented to it. The Licensing Act 2003 makes provision for appeal to be made by the Chief Officer of Police or the Secretary of State to the Magistrates' Court if the Licensing Act 2003 Sub-Committee grants the Transfer application.

**6.7. Rural Communities Implications**

6.7.1. There are no direct implications for rural communities.

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

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.

#### **6.10. Climate Change Implications**

6.10.1. There are no direct implications for Climate Change

#### **7. Ward Members Affected**

7.1. Crewe South – Councillor Dorothy Flude

7.2. Crewe South – Councillor Steven Hogben

#### **8. Consultation & Engagement**

8.1. Consultation in respect of submitting an application to transfer 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)

Appendix 1 – Application

Appendix 2 – Representation from Cheshire Police

Appendix 3 – Premises Licence

Appendix 4 – Map of Premises

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## Application to transfer premises licence to be granted under the Licensing Act 2003

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We RETRO BAR (CREWE) LTD

(Insert name of applicant)

apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

PREM 997

## Part 1 – Premises details

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

33-35 NANTWICH ROADPost town CREWEPost code CW2 6AF

Telephone number at premises (if any)

Please give a brief description of the premises (see note 1)

LICENCED BAR

Received

13 SEP 2019

Name of current premises licence holder

MONTA DANIVA

Cheshire East Council

## Part 2 – Applicant details

In what capacity are you applying for the premises licence to be transferred to you?

Please tick ☒ yes

a) an individual or individuals\*

☐ please complete section (A)

b) a person other than an individual \*

i. as a limited company

☒ please complete section (B)

ii. as a partnership

☐ please complete section (B)

iii. as an unincorporated association or

☐ please complete section (B)

- |  |  |
|--|--|
| iv. other (for example a statutory corporation)  | <input type="checkbox"/> please complete section (B) |
| c) a recognised club   | <input type="checkbox"/> please complete section (B) |
| d) a charity   | <input type="checkbox"/> please complete section (B) |
| e) the proprietor of an educational establishment  | <input type="checkbox"/> please complete section (B) |
| f) a health service body   | <input type="checkbox"/> please complete section (B) |
| g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  | <input type="checkbox"/> please complete section (B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in respect of an independent hospital in England | <input type="checkbox"/> please complete section (B) |
| h) the chief officer of police of a police force in England and Wales  | <input type="checkbox"/> please complete section (B) |

\*If you are applying as a person described in (a) or (b) please confirm:

Please tick ☒ yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☐
- I am making the application pursuant to a
  - statutory function or ☐
  - a function discharged by virtue of Her Majesty's prerogative ☐

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

**Surname**

**First names**

**Date of birth**

**Nationality**

**Current residential address if different from premises**

**I am 18 years old or over**

Please tick ☒ yes

☐

address

Post town

Post code

Daytime contact telephone number

E-mail address  
(optional)

**SECOND INDIVIDUAL APPLICANT (fill in as applicable)**

Mr

☐

Mrs

☐

Miss

☐

Ms

☐

Other title

(for example, Rev)

Surname

First names

Date of birth  
Nationality

I am 18 years old or over

Please tick ☒ yes

☐

Current  
residential  
address if  
different from  
premises  
address

Post town

Post code

Daytime contact telephone number

E-mail address  
(optional)

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.



Name	RETRO BAR (CREWE) LTD
Address	33 NANTWICH ROAD CREWE CHESHIRE CW2 6AF
Registered number (where applicable)	
Description of applicant (for example partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	
E-mail address (optional)	

## Part 3

Please tick ☒ yesAre you the holder of the premises licence under an interim authority notice? ☐Do you wish the transfer to have immediate effect? ☒

If not when would you like the transfer to take effect?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please tick ☒ yesI have enclosed the consent form signed by the existing premises licence holder ☐

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?

EXTENSIVE PHONE CALLS AND TEXTS HAVE BEEN  
MADE TO THE EXISTING LICENCE HOLDER WHO  
HAS BEEN WHOLLY OBSTRUCTIVE TO THE PROPERTY  
OWNER AND DISREGARDED LICENSING PROTOCOL  
(SEE COPIES OF TEXT MESSAGES ATTACHED.)

Please tick ☒ yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003) ☒

Please tick ☒ yes

I have enclosed the premises licence ☐

If you have not enclosed premises licence referred to above please give the reasons why not.

THIS HAS NOT BEEN MADE AVAILABLE

- I have made or enclosed payment of the fee ☒
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed ☐
- I have enclosed the premises licence or relevant part of it or explanation ☒
- I have sent a copy of this application to the chief officer of police today ☐
- I have sent a copy of this form to Home Office Immigration Enforcement today ☐

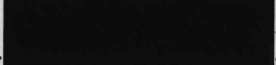
**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

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

I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 2)

**Part 4 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 11 / 4 / 14

Capacity Director

**For joint applicants signature of second applicant, second applicant's solicitor or other authorised agent** (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

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

Post town

Telephone

If you want

**Notes for Guidance**

1. Describe the premises. For example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives.
2. **Right to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership which is not a limited liability partnership who:

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





Monta >

Wed 4 Sep, 17:42

Hi can you sign the transfer form for the premises licence

Please

I'll ring the council and withdraw the license and then they can apply for it

Ok you can do that can you also just sign it

Who's got the paper work that I need to sign?

I have just a signature

Saturday 17:20

Hi any chance you can sign the form please monta shall I bring it to you if you can't come to me

I've emailed to the council and





Monta >

Ok you can do that can you  
also just sign it

Who's got the paper work that I  
need to sign?

I have just a signature

Saturday 17:20

Hi any chance you can sign the  
form please monta shall I bring  
it to you if you can't come to  
me

I've emailed to the council and  
told them that I'm withdrawing  
my license. That's what they  
told me to do because I rang  
them and asked what to do and  
they said I have to write to  
them

That ok you done that just sign  
this form then it's done then

Delivered



## CHESHIRE EAST COUNCIL

## Objection Form.

Responsible Authority.

POLICE

Your Name	
Job Title	Police Licensing Officer
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about.	TNT
Address of the premises you are making a representation about.	33 Nantwich Road, Crewe, Cheshire

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

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	See Below:
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COMMENTS:

The police would like to object to the application to transfer the premises licence for the premises currently known as TNT, 33 Nantwich Road, Crewe because we feel that allowing the transfer to go through would undermine the licensing objectives and in particular the prevention of crime and disorder objective.

Having dealt with the applicants in relation to other premises they manage/have managed we feel that they are not fit and proper to be in charge of this premises, which already has a history of serious crime and disorder and the current PLH also failed to comply with the majority of conditions on the licence which has resulted in the police requesting a review of the premises licence.

The applicant is Retro Bar Crewe Limited and according to companies house it has two directors who are:

Michael Cutler & Jolanta Zawadzka

Michael Cutler is also the director of Hayedays limited who hold the premises licence for the Brunswick hotel, 71 Nantwich Road, Crewe. During the time Mr Cutler has been the PLH there have been a number of issues identified at the Brunswick Hotel including trading without a DPS, unauthorised use of gaming machines and multiple conditions on the premises licence have been breached, some of which could have serious consequences. Both Cheshire East Licensing officers and Police Licensing officers have worked with Mr Cutler offering up solutions to help reduce licence breaches.

On Friday 20<sup>th</sup> September during a multi-agency licensing operation where licence compliance checks were carried out, the police and SIA identified a number of breaches which they are currently reviewing appropriate action to address the breaches.

Jolanta Zawadzka is also involved in the running of the Brunswick Hotel and she has been involved in the management of the Blind Beggar, 1 Pedley Street, Crewe where there were also multiple issues with noncompliance of the conditions on the premises licence and incidents of crime and disorder.

The police feel that as neither Mr Cutler or Ms Zawadzka have demonstrated they can run a premises in accordance with the conditions on the premises licences, the licence breaches above are indicative of their style of management so we would have no confidence that they would do so at this premises. It is our opinion that by allowing this transfer to take place, it would place a greater strain on their management for the premises they currently control and this would lead to further incidents of crime and disorder and licensing offences.

Signed:



Date: 26/09/19



## Premises Licence Summary

**Premises Licence Number:**

**PREM997**

### Part 1 - Premises Details

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

TNT Bar  
31-33 Nantwich Road  
Crewe

Post Town: Crewe

Post Code: CW2 6AF

Telephone Number:

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Recorded Music  
Performance of Dance  
Sale and supply of alcohol

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

**Recorded Music (to take place indoors)**

Sunday to Wednesday 19:00 to 02.30 hours

Thursday to Saturday 19:00 to 03:00 hours

Non-standard timings - Christmas Eve, Boxing Day and New Years Eve extend to 03:00 hours

**Performance of Dance (to take place indoors)**

Sunday to Wednesday 19:00 to 02.30 hours

Thursday to Saturday 19:00 to 03:00 hours

Non-standard timings - Christmas Eve, Boxing Day and New Years Eve extend to 03:00 hours

**Sale and supply of alcohol**

Sunday to Wednesday 12:00 to 02:00 hours

Thursday to Saturday 12:00 to 02.30 hours

The opening hours of the Premises:

Sunday to Wednesday 12:00 to 02.30 hours

Thursday and Friday 12:00 to 03:00 hours

Saturday 11:00 to 03:00 hours

Non-standard timings - Christmas Eve, Boxing Day and New Years Eve extend to 03:00 hours

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

For consumption on the premises only

## Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of Premises Licence:

Monta Daniva  
1 Plane Tree Lane  
Crewe  
Cheshire East  
CW1 4ET

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

Not applicable.

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

Monta Daniva

State whether access to the Premises by children is restricted or prohibited:

No-one under the age of 18 years will be allowed to enter or remain on the premises after 21:00 hours, unless attending a pre-booked private function.

Licence Issued: 13<sup>th</sup> January 2018

Signed By: Mr Tony Haskell  
On Behalf of Cheshire East Borough Council

## **Annex 2 - Conditions consistent with the Operating Schedule**

### **Prevention of Crime and Disorder**

1. No drugs shall be tolerated on the premises and anyone showing antisocial behaviour will be dismissed from the premises.

### **Public Safety**

2. All fire escapes shall be marked and highlighted. Door entrances shall be hazard marked where applicable.

### **Prevention of Public Nuisance**

3. Notices shall be displayed at the exit(s) requesting customers to leave the premises and the area quietly giving consideration to neighbours.

### **Protection of Children from Harm**

4. There shall be notices requesting parents to attend to their children at all times. Staff shall be aware of children present and inform their parents of any issues.

### **General – All Four Licensing Objectives**

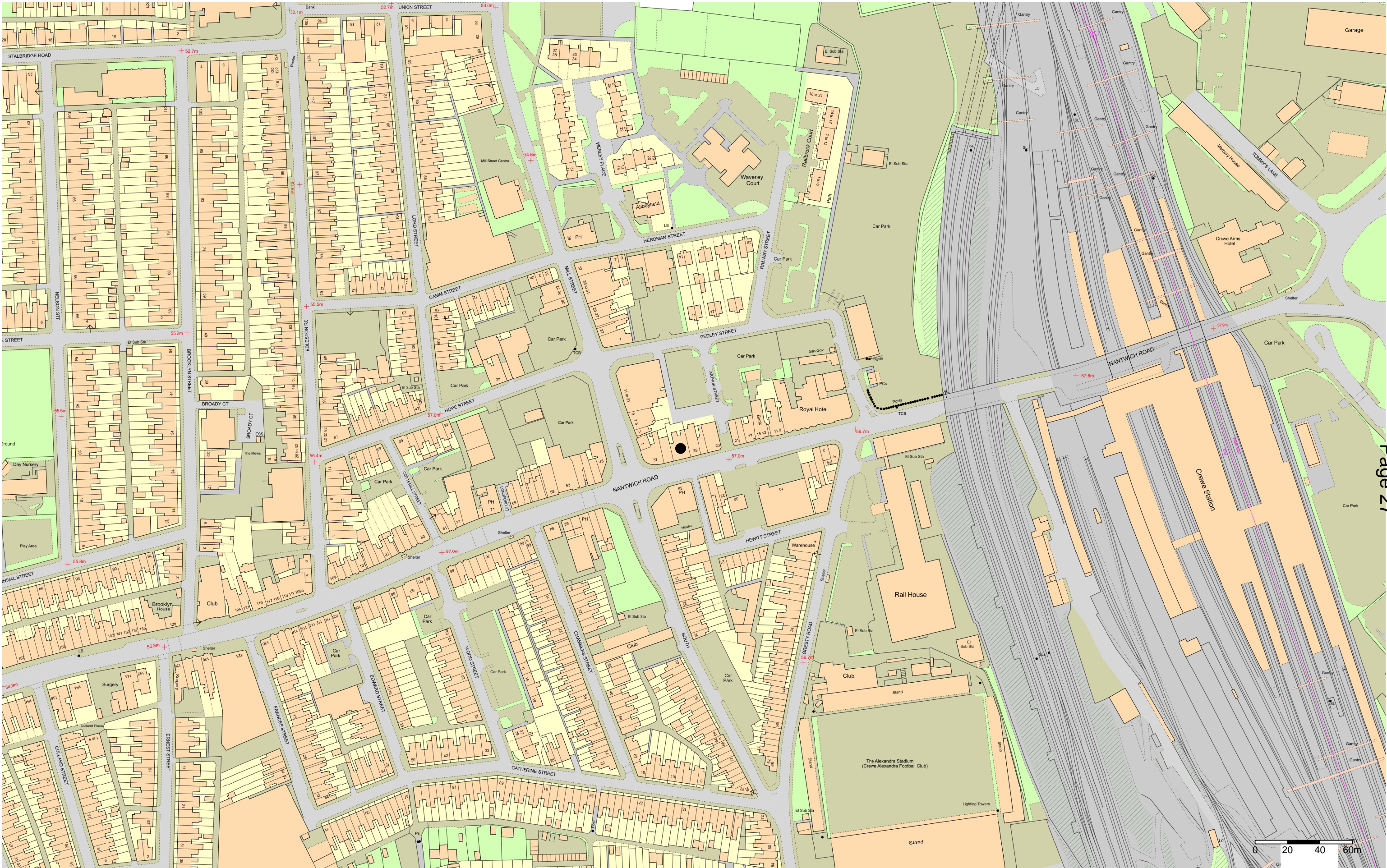
5. The Licensing Objectives shall be clearly outlined to all staff who shall be requested to be vigilant.

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

1. Two Security Industry Authority (SIA) registered Door Supervisors are to be present, on **each** entrance giving access to the premises, from 21:00 hours and until the premises close to the public every Friday and Saturday. A written record shall be kept on the premises by the Designated Premises Supervisor, of every person employed as a Door Supervisor in a register kept for that purpose. The register shall record the following details for every Door Supervisor and this information shall be retained at the premises for a period of at least twelve months.
2. The Door Supervisor's full name, date of birth and home address. His/ her Security Industry Authority licence number. The date and time he/she starts and finishes duty. Each entry shall be signed by the Door Supervisor. The register shall be available for inspection on demand by an employee of the Local Authority, Police Authority or Security Industry Authority or a Police Constable.
3. A tamper proof CCTV system shall be installed at the premises in liaison with and to the satisfaction of the Police Licensing Officer. The CCTV system shall be used to record during all hours that the premises are open to the public and faulty equipment shall be replaced whilst any repairs are carried out. The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 14 days and copies made freely available on demand to an employee of the Local Authority, Police Authority or Security Industry Authority or a Police Constable.
4. The Designated Premises Supervisor or a person nominated by him/her shall be a member of and regularly attend at meetings of the local Pubwatch scheme for the area within which the premises are located.

5. The proof of age initiative "Challenge 25" shall be operated for all sales of alcohol.
6. Public access into the premises shall **only** be allowed by way of the entrance from Nantwich Road into the front of the building after 21:00 hours each night.
7. No-one under the age of 18 years will be allowed to enter or remain on the premises after 21:00 hours, unless attending a pre-booked private function.
8. There will be no entry or re-entry of customers into the premises after **01:00hrs** each night.
9. No music is to be played in the outside drinking area.
10. No customers with drinks may remain in the external drinking area or take drinks out to the external area after midnight every night.
11. Noise emanating from the premises as a result of regulated entertainment shall not be clearly audible at the boundary of any adjacent residential premises.
12. All external windows and doors shall be closed whilst regulated entertainment is taking place, except for normal access and egress. Doors shall not be propped or held open.
13. There shall be notices located at the exit(s) requesting that customers leaving the premises do so quietly and with consideration to neighbours.
14. There shall be no disposal of bottles outside the premises between the hours of 21.00 and 09.00





24/9/2019

Tonic Bar  
Crewe



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