

OPEN

Licensing Sub-Committee

12th January 2026

**Application for a new Premises Licence;
15 Market Place, Macclesfield SK10 1AG
– Heist Bar Company Limited**

Report of: Chris Allman – Director of Planning and Environment

Ward(s) Affected: Macclesfield

Purpose of Report

- 1 To allow Members of the Sub-Committee to determine a contested application for the new premises licence made under the Licensing Act 2003 for the following premises:

15 Market Place, Macclesfield SK10 1AG

Executive Summary

- 2 The report provides details of an application for a Premises Licence, under section 17 of the Licensing Act 2003, sets out the relevant representations made, and outlines the evidence presented by the parties in relation to the application.

RECOMMENDATIONS

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

Background

- 3 On 12th November 2025 an application was received by the Licensing Department for a new Premises Licence in respect of a premises known as 15 Market Place, Macclesfield SK10 1AG to be known as part of the business name HEIST BAR COMPANY LIMITED.

A copy of the full application and plan is attached to this report at **Appendix 1**.

- 4 Licensing records show the Premises originally submitted the application on 6th October 2025, but this was rejected due to issues with the publication section for the application, the application was re-submitted.
- 5 Images provided by the application in which the premises is located is attached to this report at **Appendix 4** which evidences the area in which the applicant applies to be licenced.
- 6 The applied hours and additional detailed information are documented in **Appendix 1** on pages six to eleven.
- 7 The applicant provided a detailed response by way of email to the objection in which documents discussion they had had with Environmental Health in respects of agreed conditions. Considerations must be given that we only apply the conditions to activities in which are regulated. Conditions cannot be enforced for deregulation activities; as these are not licensable. The email is found on **Appendix 2**.

Consultation and Engagement

- 8 The application was sent for consultation on 14th November 2025. The last date for representations to be made was 12th December 2025.
- 9 Licensing records show that the Public Notice that is required to be displayed at or near the proposed premises in accordance with the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005, has been provided by the applicant on 15th November 2025 and confirmed to be present, and met the requirements under the regulations. The Public Notice has also been duly advertised in the Messenger, as required.
- 10 Responsible Authorities:

The Licensing Authority has received in **Appendix 5** documentation from Environmental Health for recommendations of approval of the licence with conditions on the licence already agreed by the applicant.

11 Other Persons:

The Council received one representation against the application, from a member of the public which will be set out in **Appendix 3**.

Reasons for Recommendations

12 The Licensing Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003 and the Council's Constitution.

13 Acting in the capacity of the 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:

- The prevention of crime and disorder
- Public Safety
- The prevention of public nuisance
- The protection of children from harm

Other Options Considered

14 No other options have been considered because the process for determining contested applications is set by legislation.

Implications and Comments

Monitoring Officer/Legal

15 The Sub Committee must determine this application in accordance with section 17 of the Licensing Act 2003. To do so otherwise would render its determination unlawful and invalid.

16 In accordance with the provisions of section 18 of the Licensing Act 2003 the Licensing Authority Sub Committee must, having regard to the representations, made in this application take such steps (if any) as it considers appropriate for the promotion of the licensing objectives.

17 Section 18 (4) provides that the authority may:

- Grant the licence subject to conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives and any mandatory

conditions that must be included on the licence in accordance with the Licensing Act 2003;

- Exclude from the scope of the licence any of the Licensable Activities to which the application relates;
- Refuse to specify a person in the licence as the Premises Supervisor;
- Reject the application.

- 18 Members are reminded that should any conditions be added or amended, they should be practical, enforceable and appropriate to promote the Licensing Objectives.
- 19 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 reoffending.
- 20 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 application.
- 21 Members must give reasons for their determination and notice of it must be communicated to the parties to this application. If Members depart from the Statutory Guidance or the Council's Statement of Licensing Policy then their decision notice must set out the reasons for doing so.
- 22 Finally, Members are also reminded that in determining the application, consideration also needs to be given to:
- 23 The rules of natural justice
- 24 The provisions of the Human Rights Act 1998

Section 151 Officer/Finance

- 25 There are no financial implications

Policy

- 26 The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.
- 27 The Licensing Authority must also have due regard to the guidance issued under section 182 of the Licensing Act 2003.

- 28 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.

Risk Management

- 29 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.

Other Implications

- 29 No other implications

Access to Information	
Contact Officer:	Jake Orr – Licensing Officer Licensing@cheshireeast.gov.uk
Appendices:	Appendix 1 – Application & Plan Appendix 2 – Email from applicant response to objection Appendix 3 – Representations from member of the public Appendix 4 – Images of licensable area/map Appendix 5 – Representations from Environmental Health
Background Papers:	Revised Guidance issued under section 182 of the Licensing Act 2003 (publishing.service.gov.uk) Council's Statement of Licensing Policy published under section 5 of the Licensing Act 2003 Licensing Act 2003 The Licensing Act 2003 (Hearings) Regulations 2005