

Public Document Pack

Date of meeting Tuesday, 20th October, 2020
Time 10.00 am
Venue via Video - Conference
Contact Geoff Durham 742222



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

Castle House
Barracks Road
Newcastle-under-Lyme
Staffordshire
ST5 1BL

Licensing Sub-Committee

AGENDA

PART 1 – OPEN AGENDA

- 1 APPOINTMENT OF CHAIR
- 2 APOLOGIES
- 3 DECLARATIONS OF INTEREST
- 4 GUIDANCE NOTES - NATURAL JUSTICE (Pages 3 - 4)
- 5 GUIDANCE NOTES - HUMAN RIGHTS (Pages 5 - 6)
- 6 PROCEDURE TO BE FOLLOWED (Pages 7 - 8)
- 7 VARIATION OF A PREMISES LICENCE - THE OFFLEY ARMS, POOLSIDE, MADELEY (Pages 9 - 88)

Members: Councillors Graham Hutton, Ruth Wright and John Williams

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

SUBSTITUTE MEMBER SCHEME (Appendix 9, Section 4 of Constitution)

The Constitution provides for the appointment of Substitute members to attend Committees. The named Substitutes for this meeting are listed below:-

Substitute Members: Gillian Williams

If you are unable to attend this meeting and wish to appoint a Substitute to attend in your place you need to:

Contacting the Council:

Switchboard 01782 717717 . Text 07800 140048

Email webmaster@newcastle-staffs.gov.uk.

www.newcastle-staffs.gov.uk

- Identify a Substitute member from the list above who is able to attend on your behalf
- Notify the Chairman of the Committee (at least 24 hours before the meeting is due to take place) NB Only 2 Substitutes per political group are allowed for each meeting and your Chairman will advise you on whether that number has been reached

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

GUIDANCE NOTES

NATURAL JUSTICE AND FAIRNESS

These are the principles used in the determination of just or fair processes and stem from the common law legal system.

According to Roman law, certain basic legal principles were so obvious that they should be applied universally without the need to be enacted into the law.

The rules of natural justice are now regularly applied by courts in both common law and civil law jurisdictions.

Natural justice operates on the principles that man is basically good, that a person of good intent should not be harmed and one should treat others as they would like to be treated.

Natural justice includes the notion of procedural fairness and may incorporate the following guidelines:-

- A person accused of a crime, or at risk of some form of loss, should be given adequate notice about the proceedings (including any charges);
- A person making a decision should declare any personal interest they may have in the proceedings;
- A person who makes a decision should be unbiased and act in good faith. He therefore cannot be one of the parties in the case, or have an interest in the outcome. This is expressed in the Latin maxim, *nemo iudex in causa sua*: “no man is permitted to be judge in his own cause”;
- Proceedings should be conducted so they are fair to all the parties – expressed in the Latin maxim, *audi alteram* : “let the other side be heard”;
- Each party to a proceeding is entitled to ask questions and contradict the evidence of the opposing party;
- A decision-maker should take into account relevant considerations and extenuating circumstances, and ignore irrelevant considerations;
- Justice should be seen to be done. If the community is satisfied that justice has been done they will continue to place their faith in the courts.

Where a person’s legal rights are concerned, the principles of natural justice are bolstered by Article 6 of the European Convention on Human Rights which is now incorporated into domestic law.

THE RULE AGAINST BIAS

It is elementary to the rules of natural justice that the deciding body is to be free from bias.

The rule is that the body must be and be seen to be impartial, independent and disinterested.

There are two broad categories of bias:

- (a) Actual Bias: when the decision-maker has an economic interest in the outcome of the case (also known as a material or pecuniary interest) subject to the De Minimum doctrine;
- (b) Reasonable Apprehension: unbiased appearance is an essential part of procedural fairness. The test is whether, having regard to the circumstances, a well informed person (“reasonably informed bystander”) would consider that the interest might have an influence on the exercise of the decision-maker’s duties.

GUIDANCE NOTES

HUMAN RIGHTS ACT 1998

In considering allegations against Members you should have regard to the provisions of the Human Rights Act 1998 which embody the rules of natural justice.

Rights and Freedoms to be considered when determining matters

ARTICLE 6: RIGHT TO A FAIR TRIAL

1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgement shall be pronounced publicly, but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.
2. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.
3. Everyone charged with a criminal offence has the following minimum rights:
 - (a) to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;
 - (b) to have adequate time and facilities for the preparation of his defence;
 - (c) to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means, to pay for legal assistance, to be given it free when the interests of justice so require;
 - (d) to examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
 - (e) to have the free assistance of an interpreter if he cannot understand or speak the language used in court.

ARTICLE 8: RIGHT TO RESPECT FOR PRIVATE AND FAMILY LIFE

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

ARTICLE 10: FREEDOM OF EXPRESSION

1. Everyone has the right to freedom of expression. These rights shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

ARTICLE 14: PROHIBITION OF DISCRIMINATION

The enjoyment of the rights and freedoms set fourth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

NB This is not a substantive right, but comes into play if other rights are likely to have been infringed. The prohibition is wide, but not exhaustive

ARTICLE 1: OF THE FIRST PROTOCOL PROTECTION OF PROPERTY

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

NB Possessions, in this context, includes the right to apply for a licence, the right to hold and retain a licence and the goodwill of a business.

NOTE In this context it is also particularly important for members to observe the rule against bias.

PROCEDURE TO BE FOLLOWED BY THE LICENSING SUB-COMMITTEE

NOTE:

All hearings will normally be held in public. However, the Licensing Sub-Committee may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing or that part of the hearing taking place in public. A party or that party's representatives may be treated as a member of the public and therefore excluded from the meeting for all or part of the hearing, and all parties have the right to be represented and to call witnesses.

The Clerk to the Committee will have the right to ask questions on behalf of the Committee of any party to the proceedings.

PROCEDURE:

1. The Chair of the Sub-Committee will open the meeting and introduce the members of the committee and call upon the parties to identify themselves and their representatives and to identify any witnesses they intend to call.
2. The Chair of the Sub-Committee will call upon the Clerk to the Committee to explain to the parties the procedures which will be followed at the hearing. Unless the Chair directs otherwise, each party will normally have a maximum period of one hour in which to give further information and call any witnesses in support of their case. In every case, all parties will have an equal maximum period.
3. The Chair of the Sub-Committee will then normally call upon the interested party or the responsible authority which has made a relevant representation against the grant of an application to provide evidence in support of their representation.
4. The applicant will then have an opportunity to question that person
5. Members of the Sub-Committee will then have the opportunity to question that party or responsible authority.
6. Any person who has made relevant representations will then call any witness in support.
7. The applicant will then have an opportunity to question that witness.
8. Members of the Sub-Committee will then have the opportunity to question that person.
9. Stages 6 to 8 will then be repeated for each person making relevant representations.
10. The applicant will then have the opportunity to give evidence in response to the application and in response to the relevant representations which have been made.
11. The interested party or responsible authority will then have an opportunity to question the applicant.

12. Members of the Sub-Committee will then have the opportunity to question the applicant.
13. Stages 10 to 12 will be repeated for any witnesses on behalf of the holder of the applicant.
14. The interested party or responsible authority will have the right to address the sub committee.
15. The applicant will have the right to address the Sub-Committee in summing up his case.
16. All parties will then leave the room while the Sub-Committee consider their decision.
17. The Sub-Committee will normally make their determination at the conclusion of the hearing, but when this is not possible, will make its determination within the period of five working days beginning with the day on which the hearing was held.

NEWCASTLE-UNDER-LYME BOROUGH COUNCILLICENSING SUB-COMMITTEEDate 20th October 2020 10:00am1. LICENSING ACT 2003Submitted by: Head of Environmental Health ServicesPortfolio: Finance & ResourcesWard(s) affected: Madeley & BetleyPurpose of the Report

To inform the committee of an application to vary a premises licence in relation to the addition of a new beer garden to the premises and the removal of one condition, which has received relevant representations.

Recommendations

In accordance with the Licensing Act 2003, the statutory guidance and the Council's own Statement of Licensing Policy the Sub-Committee must consider the Premises Licence and have regard to the four licensing objectives, as below, when making its decision:

- (i) The Prevention of Crime and Disorder
- (ii) Public Safety
- (iii) The Prevention of Public Nuisance
- (iv) The Protection of Children from Harm

Reasons

An application was received on 25th August 2020 to vary the premises licence at the Offley Arms, Poolside, Madeley, CW3 9DX. During the consultation period conditions were agreed between the applicant and Staffordshire Police, and the Council's Environmental Health Department respectively. Seventeen representations were made which were relevant under the licensing objectives of Prevention of Crime and Disorder and Prevention of Public Nuisance.

1. Background

1.1 The licence information relating to this application is as follows:

Premises:	Offley Arms
Location:	Poolside, Madeley, CW3 9DX
Licence Number:	3141
Applicant:	Joules Brewery Limited
Designated Premises Supervisor:	Mr Mark Nicholls

1.2 An application has been received, attached as **Appendix A**, to vary the premises licence at the Offley Arms. The application was made to extend the licensable area to cover a new beer garden to the South of the premises and remove the condition "A '*designated family*' area of such a size & design that it genuinely provides a suitable area for Customers and their children wishing shall be available". A plan was submitted to accompany the application and is attached as **Appendix B**.

- 1.1 During the consultation period, Staffordshire Police and the Council's Environmental Health department proposed new conditions to be added to the licence. The applicant agreed to these conditions, which are attached as **Appendices C and D** respectively.
- 1.2 There have been 17 (seventeen) relevant representations from interested parties and these are attached as **Appendices E1-E17**. The relevant sections of the representations relate to litter, noise nuisance, smoke and light pollution, which fall into the licensing objective of Prevention of Public Nuisance; and anti-social behaviour, which falls into the objective of Prevention of Crime and Disorder. The criteria discussed in the objections does not invoke concerns in relation to the two other licensing objectives so whilst Public Safety is mentioned it is not considered in the report. All other matters discussed in the representations fall outside the remit of the licensing objectives and are therefore not relevant to this application.
- 1.3 Historically, the premises at Poolside, Madeley, CW3 9DX has been a licensed to sell alcohol both on and off the premises for many years however the premises closed due to fire in April 2018 and the licence was transferred to the current owners Joules Brewery on 19th November 2019. The current licensable hours are shown on the licence, attached as **Appendix F**. The current plan is attached as **Appendix F1** which shows the outside seating which is situated to the North of the premises.
- 1.4 With regards to the licensable activities that will be allowed in the new garden area, the police have required, as one of their conditions, that the outside area is not used for the consumption of alcohol after 23:00 hours. Furthermore the application states that any live music outside would be enacted under the Live Music Act 2012 which, alongside the Licensing Act 2003 (Descriptions of Entertainment)(Amendment) Order 2013, the Legislative Reform (Entertainment Licensing) Order 2014 and Deregulation Act 2015, allows for amplified recorded and live music to be exempt from the requirement to be authorised under a licence when carried out between the hours of 08:00 and 23:00 and for an audience of less than 500 people at premises licensed to sell alcohol.
- 1.5 There is a historic complaint received by the Environmental Health department in relation to noise at this premises from 2016 when the premises licence was held by a previous licence holder. Details of the complaint are attached as **Appendix G**.
- 1.6 A location plan of the premises is attached as **Appendix H**.

2. **Issues**

- 2.1. The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives;
 - (i.) The Prevention of Crime and Disorder
 - (ii.) Public Safety
 - (iii.) The Prevention of Public Nuisance
 - (iv.) The Protection of Children from Harm
- 2.2. The Licensing Act 2003 requires the Council to publish a "Statement of Licensing Policy" that set out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act. Copies of the [Council's Statement of Licensing Policy](#) and the [Government's Statutory Guidance](#) are available online and linked here.
- 2.3. In making their decision on the application the Sub-Committee are obliged to have regard to the Statutory Guidance and the Council's own Statement of Licensing Policy. The Sub-

Committee must also have regard to the representations made and the evidence heard at the hearing. However, the Sub-Committee must disregard any representations that do not relate to the promotion of the four licensing objectives.

3. **Options Considered**

3.1 The relevant options considered in relation to this application are:

- a.) grant the application
- b.) modify proposed and/or agree condition (including timings) and grant the application
- c.) refuse the application

4. **Proposal**

4.1 The Sub-Committee, where it considers that action under its statutory powers is appropriate, may take any of the steps outlined at section 3.1 of the report for the promotion of the four licensing objectives.

4.2 For this purpose the conditions of the licence are modified if any of them are altered or omitted or any new condition is added.

4.3 The Sub-Committee are asked to note that they may not modify the conditions or take any other steps merely because they consider it desirable to do so. Any action taken must be appropriate in order to promote the licensing objectives.

5. **Reasons for Preferred Solution**

5.1 To ensure that the Council promote the licensing objectives in accordance with their statutory duty.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

6.1 *The four corporate priorities are:-*

- Local services that work for local people
- Growing our people and places
- A healthy, active and safe borough
- A town centre for all

7. **Legal and Statutory Implications**

7.1 To power to vary a premises licence falls under Section 34 of the Licensing Act 2003.

7.2 Hearings will be carried out in a fair, proportionate and consistent manner in line with:

Article 6(1) guarantees an applicant a fair hearing
Article 14 guarantees no discrimination

8. **Equality Impact Assessment**

8.1 Not Applicable

9. **Financial and Resource Implications**

9.1 All parties have the right to appeal the decision at the Magistrates Court and if successful could apply for the award of costs.

10. **Major Risks**

10.1 As above

11. **Sustainability and Climate Change Implications**

11.1 Not Applicable

12. **Key Decision Information**

12.1 Not Applicable

13. **Earlier Cabinet/Committee Resolutions**

13.1 The Licensing Committee has previously resolved to have regards to its Licensing Policy

14. **List of Appendices**

14.1 Appendix A – Application to vary a Premises Licence

Appendix B – Plans to accompany application

Appendix C – Police agreed conditions

Appendix D – Environmental Health agreed conditions

Appendix E – Representations

1 A Bricknell

2 B Matthews

3 C Jones

4 D Carr

5 G Thompson

6 J Machin

7 J Green

8 J Martin

9 K Coventry

10 L Hollingworth

11 L Trustrum

12 M Trustrum

13 M Young & J Barnwell

14 M Schofield-Thompson

15 S Blagg

16 S Booth

17 T Sewell

Appendix F – Premises Licence

Appendix G – 2016 Complaint

Appendix H – Location Plan

15. **Background Papers**

15.1 Licensing Policy 2015-2020

15.2 Licensing Act 2003 Statutory Guidance

Appendix A



Newcastle-under-Lyme Application to vary a premises licence Licensing Act 2003

For help contact
licensing@newcastle-staffs.gov.uk
Telephone: 01782 717717

* required information

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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

Not Currently In Use

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

Your reference

Offley Arms

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

Beckie

* Family name

Thackeray

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

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.

Registration number

06492665

Business name

Joules Brewery Limited

If your business is registered, use its registered name.

VAT number

GB 928833194

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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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

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

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

13,500

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VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You 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.

To extend the licensable activity to include the enclosed garden areas at either side of the building. These will be seated areas which are adjacent to the main building and for the use of customers of the Offley. The provision to serve alcohol, provide entertainment and live music externally within the Live Music act.

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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

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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

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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

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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

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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

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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

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PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

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

Yes No

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SUPPLY OF ALCOHOL

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

Yes No

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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.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

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

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

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

A further additional hour into the morning following every Friday, Saturday, Sunday & Monday for each May bank holiday. Spring/Whitsun Bank holiday and every August bank holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday & Monday for the Easter bank holiday weekend. A further additional hour for Christmas Eve & boxing day. New year's day & new years eve to reflect existing hours.

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.

see above

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

A 'designated family' area of such a size & design that it genuinely provides a suitable area for Customers and their children wishing shall be available

- 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.

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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.

Continued from previous page...

We will adhere to and work within all of the 4 key licensing objectives

b) The prevention of crime and disorder

All staff will be trained in the licensing objectives. We will conform to all licensing conditions ensuring that any potential crime and disorder is dealt with in a professional manner and reported to the appropriate authorities in the first instance.

c) Public safety

The site will have cctv on all areas that will hold recording for a minimum of 31 days

d) The prevention of public nuisance

Any entertainment externally will be managed to finish within the permitted hours

e) The protection of children from harm

Children will only be allowed in the pub when accompanied by parents

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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.

Rateable Value Band Fee No rateable value to £4,300 A £100 £4,301 to £33,000 B £190 £33,001 to £87,000 C £315 £87,001 to £125,000 D £450 £125,001 and above E £635

* Fee amount (£)

DECLARATION

* It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a personal licence. (A person is to be treated as making a false statement if he produces, furnishes signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale (£5000).

* NATIONAL FRAUD INITIATIVE The Council is required under Section 6 of the Audit commission act, 1988 to participate in the National Fraud Initiative dated matching exercise. Information provided to determine Licensing applications will be supplied to the Audit Commission and used for cross system, cross authority and other comparison purposes for the prevention and detection of fraud.

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

* Capacity

* Date / /
dd mm yyyy

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/newcastle-under-lyme/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.

Continued from previous page...

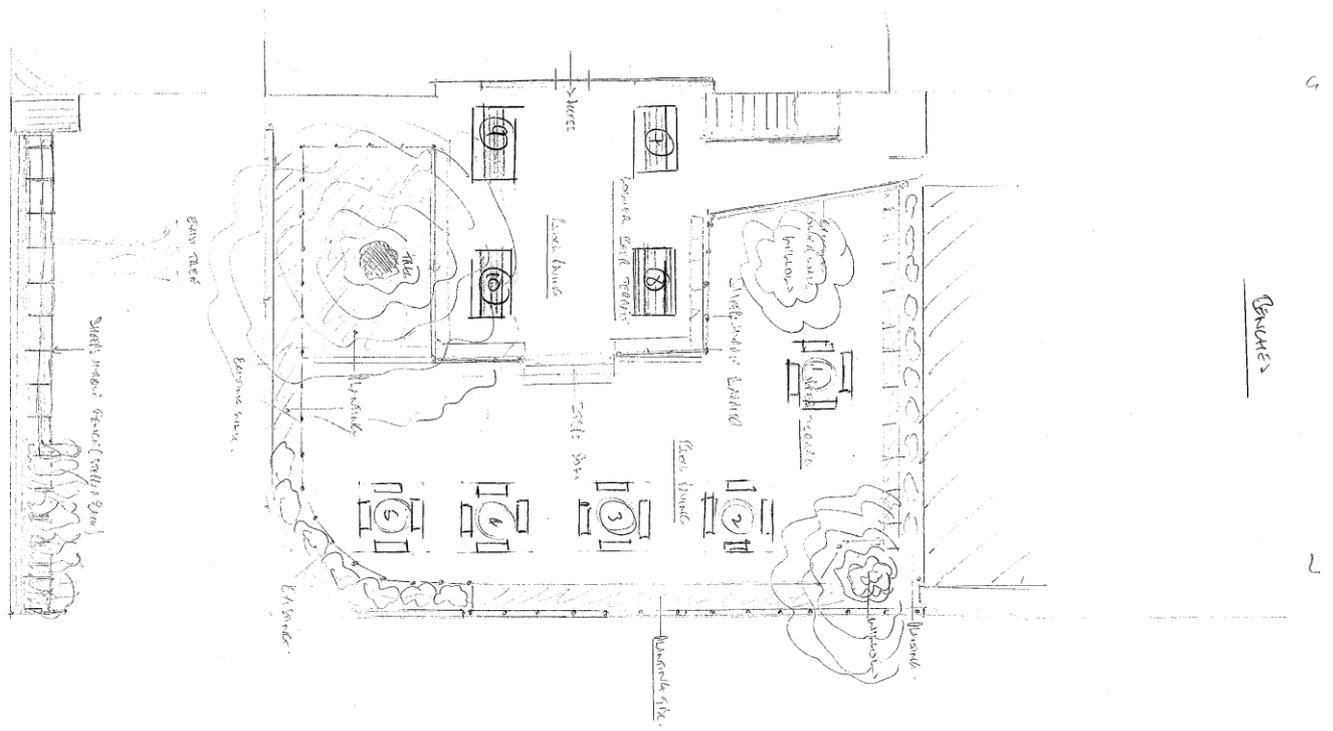
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

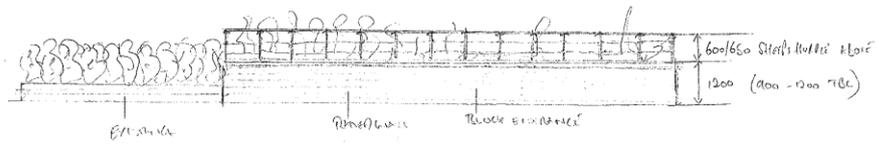
Applicant reference number	<input type="text" value="Offley Arms"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

Appendix B



Sketches



Appendix C

licensing

From: _____@staffordshire.pnn.police.uk>
Sent: 21 September 2020 12:14
To: licensing
Subject: FW: Offley Arms, Poolside, Madeley, Newcastle Under Lyme. Application to vary a premise license. Licensing Act 2003

Categories:)

This email has been received from an address outside the Council, please be very cautious when opening any attachments or clicking on any links herein.

Sent: 18 September 2020 08:51
To: _____newcastle-staffs.gov.uk'
Subject: FW: Offley Arms, Poolside, Madeley, Newcastle Under Lyme. Application to vary a premise license. Licensing Act 2003

Dear Licensing,

[Application to vary a Premises Licence to be granted under the Licensing Act 2003 - Offley Arms, Poolside, Madeley, Newcastle Under Lyme, CW39DX](#)

Staffordshire Police wish to make representations concerning the licence application on the basis that it is considered that the application in its current form would not promote the licensing objectives.

Staffordshire Police have consulted with the Applicant and have agreed amendments to the operating schedule, as outlined in the below email, which it is believed will promote the objectives. As the Applicant and Staffordshire Police are in agreement, subject to there being no representations from other parties, it is respectfully considered that, as this application is now uncontested and both the Applicant and Staffordshire Police agree that a hearing is unnecessary, the Licensing Authority dispense with a formal hearing on the basis of the agreement.

If you have any queries, please do not hesitate to contact me.

Regards

Clive

PC5281 Clive Cooper
Licensing Officer

Early Intervention and Prevention Unit, Licensing Division, Staffordshire Police, Smithfield One,
Leonard Coates Way, Hanley, Stoke-on-Trent, Staffordshire, ST1 4FA.

t: 101 Ext.(_ _)

e: 

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 www.facebook.com/StaffordshirePolice

 www.twitter.com/StaffsPolice www.twitter.com/opdrinksafe

 www.youtube.com/StaffordshirePolice

From: [redacted]@pulesbrewery.co.uk
Sent: 16 September 2020 12:51
To: [redacted]@affordshire.pnn.police.uk>
Subject: RE: Offley Arms, Poolside, Madeley, Newcastle Under Lyme. Application to vary a premise license. Licensing Act 2003

Hi Clive,

Yes we are happy for this to be added.

Kind regards,

Beckie Thackeray
Credit Control Manager



Joule's Brewery | Great Hales Street | Market Drayton | Shropshire | TF9 1JP | T: [redacted]
AWRS Registration number: XDAW00000101243
Please note my new working hours are: Monday – Thursday 8.30am - 5pm, Friday 8.30am – 2pm

From: [redacted]@nn.police.uk>
Sent: 16 September 2020 11:47
To: [redacted]@pulesbrewery.co.uk>
Subject: Offley Arms, Poolside, Madeley, Newcastle Under Lyme. Application to vary a premise license. Licensing Act 2003

Dear Beckie Thackeray, below are the proposed amendments to the premises licence. **Please could you advise, by return email**, if you are in agreement with the conditions (below) being incorporated into the Premises Licence and replacing those in your application?

To amend and incorporate conditions contained in section M (b) The prevention of crime and disorder and (e)The protection of children from harm:

Prevention of Crime and Disorder

- 1) CCTV must be installed and cover all internal areas, including all public entry and exit points and any areas where smokers are allowed to congregate. The CCTV unit must be positioned in a secure part of the licensed premises and not within any private area of the location. Access to the system must be allowed immediately to the Police, Trading Standards or an authorised officer of the Licensing Authority in accordance with the Data Protection Act where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.
The time and date must be set to the correct time relating to BST/GMT
- 2) A competent trained person in the use of and operation of the CCTV must be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system to be able to download at the time of the visit/upon request onto a CD/DVD/USB stick any information requested by any Responsible Authority.
- 3) All CCTV images must be retained for a period of not less than 31 days.
- 4) Clear signage must be displayed at all entrance and exits indicating that CCTV is operating.
- 5) An incident register of all occurrences and ejections from the premises must be maintained at the premises and any details of any incidents of crime or disorder must be recorded. The register must be produced and made available at the time of the visit/upon request to any responsible authority.
- 6) There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, (or members and their guests) notices requiring customers to leave the premises and the area quietly.
- 7) The licence holder shall ensure that no outside drinking shall take place after 23:00 hours.

Protection of children from Harm

- 1) A Challenge 25 policy must be adopted and enforced at the premises where all persons who appear to be under the age of 25 must be challenged for acceptable identification to prove they are over the age of 18 prior to the purchase of alcohol.
- 2) The only acceptable forms of identification are a valid photo driving licence, valid passport or a valid PASS approved proof of age card.
- 3) Challenge 25 posters must be displayed at all entrances to the premises, all areas where alcohol is displayed and at the cash till payment area.
- 4) Posters must be displayed prominently and in sight of customers and staff.
- 5) A refusals register with details of all refusals must be maintained at the premises. The register may be contained on the till but must contain details of the staff member refusing the sale and must be checked on a monthly basis by the Designated Premises Supervisor and signed and dated by the Designated Premises Supervisor.
- 6) The refusals register or when on the till a print out of refusals must be produced and made available for inspection at the time of the visit/upon request by any Responsible Authority.
- 7) Both initial and subsequent refresher training in relation to the sale of alcohol will contain a written or electronic test to be undertaken by the staff member and this record must be signed and dated by both the member of staff and the Designated Premises Supervisor.

If you have any queries please do not hesitate to contact me.

Regards

Clive

PC5281 Cooper

Licensing Officer

Staffordshire Police



"A safer Staffordshire"

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For more information please visit <http://www.symanteccloud.com>

Appendix D

licensing

From: Thomas, Robert
Sent: 21 September 2020 16:44
To: Steadman, Melanie
Cc: Walters, Darren
Subject: [UNCLASSIFIED/ORG] FW: Offley Arms

[Classification: NULBC **UNCLASSIFIED** Organisational]

Mel,

The applicant has agreed to the requirement for a noise management plan to be provided. On that basis, there would be no objection from EH.

Suitable condition is:

A noise management plan shall be developed which identifies all noise sources that have the potential to cause public nuisance and the measures that will be put in place to prevent such nuisance. The plan shall be submitted to the Head of Environmental Services for approval. Following approval, the noise management plan will be implemented, and maintained, in full.

Regards,

Rob Thomas

Environmental Health Officer - Environmental Protection
Newcastle-Under-Lyme Borough Council
Castle House, Barracks Road, Newcastle under Lyme. ST5 1BL

www.newcastle-staffs.gov.uk

It takes 24 trees to produce 1 tonne of paper - think before you print!

This e-mail communication may be intercepted for regulatory, quality control, or crime detection purposes as per the Regulation of Investigatory Powers (RIP) Act. This message is intended only for the use of authorised person(s) ("the intended recipient") to whom it is addressed. It may contain information that is privileged and confidential within the meaning of the applicable law. Accordingly any dissemination, distribution, copying or other use of this message or any of its content by any other person may constitute a breach of civil or criminal law and is strictly prohibited. If you are not the Intended recipient please contact the sender as soon as possible. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Newcastle under Lyme Borough Council.

From: Steve Nuttall
Sent: 17 September 2020 16:51
To: Thomas, Robert ; Beckie Thackeray
Cc: Mark Regan ; Ryles, Claire ; Walters, Darren ; Steadman, Melanie
Subject: RE: [UNCLASSIFIED] RE: Offley Arms

Information - This external email has been identified as fulfilling the necessary security standard for PSN compliance.

Thanks Rob, yes that's all ok, I am sure you will be reasonable.

Steve

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: "Thomas, Robert" <[REDACTED]>
Date: 17/09/2020 16:56 (GMT+01:00)
To: Steve Nuttall <[REDACTED]>, Beckie Thackeray <[REDACTED]>
Cc: Mark Regan <[REDACTED]>, "Ryles, Claire" <[REDACTED]>, "Steadman, Melanie" <[REDACTED]>, "Walters, Darren" <[REDACTED]>
Subject: [UNCLASSIFIED] RE: Offley Arms

[Classification: NULBC UNCLASSIFIED]

Hi Steve,

I've spoken to my manager and I've now had the benefit of reading the planning application that is working its way through the system. The proposed operating times and seating arrangements differ between the two applications

With regards to the licensing application, would you be willing to agree for a condition requiring a noise management plan to be in place? In the absence of this, or the agreement of alternative measures designed to prevent public nuisance, we would be looking to object to the application as it stands.

With regards to the planning application, we would be looking to apply conditions relating to the design of any external lighting scheme, operating hours for the outdoor area and physical noise mitigation measures (in relation to any music and noise from patrons), where necessary. Unfortunately, we would need a noise assessment to be carried out as part of this.

Regards,

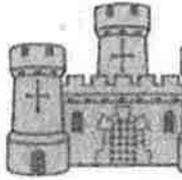
Rob Thomas
Environmental Health Officer - Environmental Protection
Newcastle-Under-Lyme Borough Council
Castle House Barracks Road, Newcastle under Lyme. ST5 1BL

www.ffc.gov.uk

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Appendix E1



NEWCASTLE UNDER LYME RESOURCES DIRECTORATE	
DATE RECEIVED	
22 SEP 2020	
REPLY NEEDED YES/NO	DATE OF REPLY
DEALT WITH BY	FILE REF.

NEWCASTLE UNDER LYME
BOROUGH COUNCIL

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party in the vicinity of the premises to be licensed as detailed below (see note 1 attached).

Your name
Organisation name/name of body you represent (if appropriate)
Postal and email address
Contact telephone number

MR. ADRIAN BRICKNELL
N/A.



Name of the premises you are making a representation about
Address of the premises you are making a representation about.

OFFLEY ARMS
POOLSIDE, MADELEY, CW3 9DX.

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	YES	(SEE ATTACHED).
Public safety	YES	"
To prevent public nuisance	YES	"
To protect children from harm	YES	"

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.
--

(SEE ATTACHED).

Signed: _____ Date: 20.9.20

Reasons for objection to the application for a variation to a premises licence in relation to the Offley Arms Madeley by Joules Brewery Limited.

The entrance to Waterside Close is a narrow residential access, offering limited manoeuvring space and visibility. It is not intended, equipped or adequately proportioned for use as a public leisure space, a formal or informal business access point, a public vehicular parking area, or an area for public vehicular turning.

The inappropriate creation of a public leisure space within the residential entrance to Waterside Close would predictably generate a significant amount of vehicular traffic and public footfall in an area that is not intended to accommodate either.

Legitimate concerns regarding noise pollution, antisocial behaviour and other such inevitable and detrimental impacts upon the immediate residential environment aside, the significantly increased risk of road traffic collisions involving vehicles and pedestrians that such inappropriate usage would create is unsafe, unnecessary and unacceptable.

The significant likelihood that such risks would be magnified by the recreational consumption of alcohol should be of prime concern in this specific instance, particularly when a far safer and previously utilised alternative location for such outdoors activity already exists on the opposite side of the business property in question, safely outwith the residential entrance to Waterside Close.

The speculative overreach represented by the development work and application in question constitutes inconsiderate, inappropriate and foreseeably unsafe use. It is extremely likely that predictable and highly attributable negative outcomes would arise from such misuse of the residential entrance to Waterside Close.

In the hope that such may be avoided, I hereby formally object to the application in question in the strongest possible terms.

Sincerely,



Mr Adrian Bricknell.

20.09.20

Appendix E2

Licensing Act 2003



NEWCASTLE-UNDER-LYME
BOROUGH COUNCIL

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party in the vicinity of the premises to be licensed as detailed below (see note 1 attached):

Your name	Branon Matthews
Organisation name/name of body you represent (if appropriate)	
Postal and email address	CW3 9TH
Contact telephone number	

Name of the premises you are making a representation about	Offley Arms
Address of the premises you are making a representation about.	Podside Madeley CW39DX

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder		
Public safety		THE Pub has very limited parking already and I believe that further parking on a busy road will cause danger to the public and nearby residents.
To prevent public nuisance		The proposed beer garden is at the entrance to a very quiet residential housing area. The noise from the proposed beer garden will cause a public nuisance to all residents.
To protect children from harm		Making the main road busier and parking on the main road will cause danger to all, especially children.

Licensing Act 2003

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	
Signature: _____	Date: 22/9/20

Please see notes attached

NOTES

1. Your representation must relate to one or more of the four licensing objectives:-

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

You must be able to demonstrate that if the premises were granted a new/amended licence it would:

- Add to problems of crime or disorder
- Harm public safety
- Cause a public nuisance
- Put children at risk of harm

2. If you make a representation you will be invited to attend a meeting of the Licensing Sub Committee and possibly any subsequent appeal proceeding. Details of your representation including contact details will be published in the report available to the Committee and the licence applicant. You will be given notice of the hearing before it takes place and will also be given a copy of the committee report.

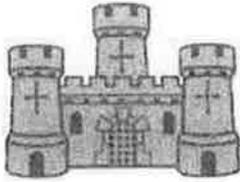
3. The hearing shall take the form of a discussion led by the Licensing Authority. The applicant for the licence will also be at the meeting and it will usually be open to the public and the media.

4. This form must be returned within the statutory period of 28 days from the day after the date the application was given to the Licensing Authority – the deadline should be given in the notice displayed on the premises and in the public notice in a local newspaper or other local publication.

5. Please return this form when completed to:
Licensing Department
Council Depot
Knutton Lane
Newcastle-under-Lyme
Staffordshire
ST5 2SL

Email: licensing@newcastle-staffs.gov.uk
Tel: 01782 717717

Appendix E3



NEWCASTLE UNDER LYME BOROUGH COUNCIL

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party in the vicinity of the premises to be licensed as detailed below (see note 1 attached):

Your name MRS CELIA JONES
Organisation name/name of body you represent (if appropriate)
Postal and email address
Contact telephone number

**Madeley
Brewery**

Name of the premises you are making a representation about
Address of the premises you are making a representation about.

**The Offley Arms
Madeley**

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder		
Public safety	✓ yes	See attached document
To prevent public nuisance	✓ yes	See attached document
To protect children from harm	✓ yes	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.
--

Signed: _____

Date: 20th September 2020

Re: Application for a variation to a premises Licence in relation to the Offley Arms Madeley by Joules Brewery Limited.

I wish to make an objection in respect of the above application on the grounds of Public Nuisance and Public Safety.

Public nuisance.

- The proposed area is intended to be used as a beer garden and public meeting space. It is adjacent to the entrance to a domestic housing area and at the entrance to Waterside Close. The inherent character of a beer garden is that there will be a large amount of noise in the evenings, particularly on fine evenings. If parties and other events take place this will certainly result in great noise and disruption to the lives of local home owners. This is not acceptable in what, until now has been a quiet residential area, which is why many of us came to live here.
- Joules have removed vegetation (including trees and bushes), knocked down a large section of an old c.6ft brick boundary-wall & laid hard core to enable them to create a beer garden. This has already affected the appearance of the entrance to the Close. This has been done without planning permission which will have to be applied for retrospectively.
- The area in question is immediately adjacent to the only pedestrian path into the Close and therefore anyone walking home will have to pass the potential noise and disruption as well as being subject to drifting cigarette smoke and vaping plumes.
- It is also likely that children and others will spill onto the pavement and road further adding to the noise.
- This land was recently acquired by the new owner and therefore all home owners in Waterside Close could not be aware of this when moving to the Close. The impact on the entrance to the Close could well reduce the attractiveness to people considering buying here

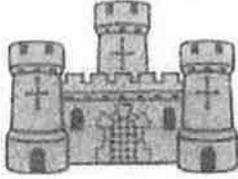
Public safety

- The beer garden will encourage people to the Waterside Close road side of the pub which will hinder sight lines for homeowners or visitors entering or leaving the Close by vehicle.
- It is also probable that as car parking at the pub is extremely limited pub customers will park adjacent to the beer garden meaning that entry and exit from the Close will become dangerous, particularly if adults, and more particularly children, are present.
- Car parking in the Close is already at a premium and the temptation will be for pub visitors to park either in the entrance or in the homeowners' spaces potentially leading to conflict.



20th September 2020

Appendix E4



NEWCASTLE UNDER LYME BOROUGH COUNCIL

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below (see note 1 attached):

Your name	DERETH CARR
Organisation name/name of body you represent (if appropriate)	
Contact telephone number	

Name of the premises you are making a representation about	OFFELY ARMS
Address of the premises you are making a representation about.	

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	✓	
Public safety	Yes	
To prevent public nuisance	Yes	
To protect children from harm	✓	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.
--

Signed: _____

Date: 17/9/20

RE: Offley Arms Madeley : Application for change of use to a premises licence in regard to the above named public house by Joules Brewery.

The building is in the process of being restored in a manner consistent for a property within a conservation area, and which at present enhances the area and has so far been completed in a sympathetic manner.

However I wish to make an objection to the following:-

- Application [or lack of] by Joules brewery for a change to premises in relation to recently acquired land to side of the main building.
- Application [proposed] for change to licensing /entertainment restrictions in relation to the public house and beer garden.

My objections are on the grounds of Public Nuisance and Public Safety . Bearing in mind that the residential area to the side and behind the Offley Arms is at present a quiet residential location with a population who brought property here for that very reason and now see it under threat.

Public Nuisance:

- If these applications go ahead there will be a significant increase in noise pollution especially in the afternoon and evening .The residents of the above mentioned area have a right under the 'Rights under Noise and Statutory Nuisance Act 1993, which needs to be taken into consideration at all levels.
This objection could also be applicable to Public safety as it is bound to cause consternation and possibly antagonism in the area.
- As the only pavement is adjacent to the proposed beer garden any pedestrian would be in direct contact by its very nature with the various forms of pollution generated by presence of a beer garden.

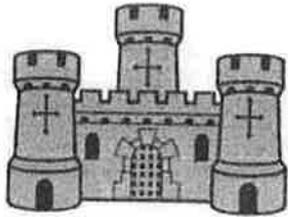
Public Safety:

- The designated beer garden has the potential for serious public safety issues to arise. I refer you to the incident and consequences of the misuse of a similar sized beer garden ,the Crown and Anchor, in Stone over the summer. Do we want that here ?
- Access to and from the close to the main road is already an issue due to work vans etc parked on main road ,this can be extremely dangerous and will only be increased by the inevitable misuse of the access road by people who cannot or will not use the car park due to its being used for entertainment purposes or it has houses on it!
- While parking isn't entirely relevant at this point I would like to flag up the fact that a council official from Newcastle Borough previously ruled that parking in the close was in adequate for residents and consequently blocked a planning application. It certainly doesn't have any spare capacity for customers of the Offley Arms and could cause public safety issues and must be avoided at all cost.

If these applications are passed they will have very little or no implications for the economy but severe implications for residents of Waterside Close.



Appendix E5
Licensing Act 2003



NEWCASTLE·UNDER·LYME
BOROUGH COUNCIL

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party in the vicinity of the premises to be licensed as detailed below (see note 1 attached):

Your name	Gavin Thompson
Organisation name/name of body you represent (if appropriate)	
Postal and email address	Madeley, S
Contact telephone number	

Name of the premises you are making a representation about	Offley Arms
Address of the premises you are making a representation about.	Poolside, Madeley, Newcastle Under Lyme. Staffordshire CW3 9DX

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder		
Public safety		
To prevent public nuisance	Yes	Please see attached sheet
To protect children from harm		

Licensing Act 2003

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	Please see attached sheet
Signed: 	Date: 21 st September 2020

Please see notes attached

NOTES

1. Your representation must relate to one or more of the four licensing objectives:-

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

You must be able to demonstrate that if the premises were granted a new/amended licence it would:

- Add to problems of crime or disorder
 - Harm public safety
 - Cause a public nuisance
 - Put children at risk of harm
2. If you make a representation you will be invited to attend a meeting of the Licensing Sub Committee and possibly any subsequent appeal proceeding. Details of your representation including contact details will be published in the report available to the Committee and the licence applicant. You will be given notice of the hearing before it takes place and will also be given a copy of the committee report.
3. The hearing shall take the form of a discussion led by the Licensing Authority. The applicant for the licence will also be at the meeting and it will usually be open to the public and the media.
4. This form must be returned within the statutory period of 28 days from the day after the date the application was given to the Licensing Authority – the deadline should be given in the notice displayed on the premises and in the public notice in a local newspaper or other local publication.
5. Please return this form when completed to:
- Licensing Department
Council Depot
Knutton Lane
Newcastle-under-Lyme
Staffordshire
ST5 2SL

Email: licensing@newcastle-staffs.gov.uk
Tel: 01782 717717

**Re: Application for a variation to a premises licence in relation to The Offley Arms,
Madeley by Joules Brewery Limited**

Licencing Objective – To prevent public nuisance.

Regarding the licencing application for extended hours: –

- **Standard Days and Timings, extended to: -**
 - Monday, Tuesday and Wednesday - 1100hrs to 2300hrs
 - Thursday, Friday and Saturday – 1100hrs to 0000hrs
 - Sunday – 1200hrs to 2230hrs
 - A further additional hour to 0100hrs every Friday, Saturday, Sunday & Monday for each May bank holiday, Spring/Whitsun bank holiday and every August bank holiday.
 - A further additional hour to 0100hrs following every Thursday, Friday, Saturday, Sunday and Monday for the Easter bank holiday weekend.
 - A further additional hour to 0100hrs for Christmas Eve and Boxing Day
- I believe that the extended hours would personally affect us and our neighbours if permitted within the new beer garden, due to the additional noise before, but specifically after 11pm if parties and / or events took place.
- Waterside Close is very quiet, especially at night, (even when the original Offley Arms was open), and it is one of the main reasons that most residents moved here.
- I have no issue with the original demise of the Offley Arms, including the external area adjacent to car park being permitted the extended hours.

Suggestions: -

- I personally have no objections to the new “beer garden”, but I believe that the licencing hours, within the new “beer garden” should be set to a more reasonable: -
 - Monday, Tuesday, Wednesday and Thursday - 1100hrs to 2200hrs
 - Friday and Saturday – 1100hrs to 2300hrs
 - Sunday – 1200hrs to 2200hrs
- Possibly make the new “beer garden” child and family friendly, banning smoking and vaping.


G. Thompson 21st September 2020

Appendix E6

licensing

From: ([REDACTED])
Sent: 21 September 2020 18:39
To: licensing
Subject: Representation re variation to premises licence - Offley Arms, Madeley

Categories:

This email has been received from an address outside the Council, please be very cautious when opening any attachments or clicking on any links herein.

Dear Sir or Madam,

Re: Application for a variation to a premises licence in relation to the Offley Arms, Madeley by Joules Brewery Limited, Premises Licence Number 3141

Representation by Jane Machin, ([REDACTED] Madeley, [REDACTED])

I wish to make representation and to object to the application on the grounds of Public Nuisance and Public Safety.

Public Nuisance:

- It is intended that the proposed area will be used as a beer garden and public meeting space. It is adjacent to the entrance to a domestic housing area, at the entrance to Waterside Close. The associated character of a beer garden is that there will be a large amount of noise in the evenings, particularly on finer evenings. Parties, music and entertainment will certainly result in a significant level of noise and disruption to the lives of local home owners. This is not acceptable in what, until now, has been a very quiet residential area, and the reason I came to live here in the first place. This pub is not situated in the middle of a town full of commercial properties where significant noise levels may be more acceptable;
- The application also includes a request for extended opening hours and for outside entertainment and live music. This further increases the problem described above and is totally unacceptable in the middle of an otherwise quiet residential area. It should also be noted that this appears to be in total contradiction to sections 8 to 18 in the application where the applicant has answered NO to all changes listed;
- Joules have already removed trees and bushes, knocked down a large section of an old c.6ft brick boundary-wall and laid hard core to enable them to create the beer garden. This has already affected the appearance of the entrance to Waterside Close. This has been done without planning permission which will have to be applied for retrospectively. That is outrageous and Joules seem to be showing us that they have the Council over a barrel;
- Whilst undertaking this work, the contractors have so severely damaged a large mature tree, the local authority have determined it is unsafe and must be taken down. This destruction of a lovely old tree was unnecessary, especially as work should not have commenced yet. It has made many residents query whether this has been a deliberate act to ensure there is more space for the proposed beer garden;
- The area in question is immediately adjacent to the only pedestrian path into Waterside Close and therefore anyone walking home will have to pass the potential noise and disruption, as well as being subject to drifting cigarette smoke and vape plumes (and not to mention cannabis as has been observed in the past with this pub)

- It is also likely that children and others will spill onto the pavement and road further adding to the noise level;
- This land was recently acquired by the new pub owner and therefore all home owners in Waterside Close could not be aware of this when moving to the Close. The impact on the entrance to Waterside Close could reduce the attractiveness to people considering buying here. I do not have any objection to the pub itself - it was open when I bought my property. However, there was no beer garden and people generally gathered outside the side door to the left of the pub (as you look at it from the road) if they wanted to be outside. As this paved gathering area is small, it naturally limited the amount of people able to be there at once and therefore the noise and nuisance was kept to a minimum.

Public Safety:

- The beer garden will encourage people to the Waterside Close side of the pub which will hinder sight lines for homeowners or visitors entering or leaving Waterside Close by vehicle, impacting upon public safety;
- It is also probable that, as car parking at the pub is extremely limited, pub customers will park adjacent to the beer garden. Entry and exit from Waterside Close will become dangerous as cars turn in. We have already encountered this with commercial vehicles being parked there and immediately outside the pub;
- Car parking in Waterside Close is already at a premium and the temptation will be for pub visitors to park either in the entrance to the close or in the homeowners' private spaces, potentially leading to conflict.

As I have said above, I have no objection to the pub re-opening. However, I do object to the beer garden and am very disappointed that Joules have ploughed on with clearing the space for it (including 'accidentally' damaging an established mature tree) without gaining planning permission first. That in itself seems to indicate that there is an assumption that the Council will just approve it because it's been done, or that they have the Council over a barrel. This is akin to a builder starting to build a house without planning permission; it is out of order and makes a mockery of the planning application process.

Interestingly, Joules have claimed on a recent Offley Arms Facebook post that they have consulted with the pub's neighbours regarding the beer garden - I guess I must have been out when they knocked on my door! It appears that a fair few other neighbours were also out at the same time - a blatant lie to mislead people on a public forum.

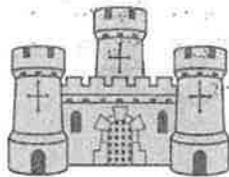
Yours faithfully,
Jane Machin



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Appendix E7

Licensing Act 2003



NEWCASTLE UNDER LYME
BOROUGH COUNCIL

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party in the vicinity of the premises to be licensed as detailed below (see note 1 attached):

Your name	Jayne Green
Organisation name/name of body you represent (if appropriate)	N/A
Postal and email address	[REDACTED]
Contact telephone number	[REDACTED]

Name of the premises you are making a representation about	THE OFFLEY ARMS
Address of the premises you are making a representation about.	POOLSIDE, MADELEY, N-U-L STAFFORDSHIRE, CW3 9DX

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder		
Public safety		
To prevent public nuisance		<p>PROPOSED</p> <p>THE BEER GARDEN IS AT THE ENTRANCE OF A DOMESTIC HOUSING AREA. OF WHICH WE HAVE ALL PAID A PREMIUM TO LIVE HERE.</p> <p>THE NOISE FROM SUCH AN AREA WILL CAUSE A PUBLIC NUISANCE TO ALL RESIDENTS.</p>
To protect children from harm		<p>MAINLY THE ROAD & PARKING WOULD CAUSE DANGER FOR CHILDREN</p> <p>IT IS ON A VERY BUSY ROAD, AND I FEEL THAT PARKING WILL OVERSKILL AN ALREADY LIMITED CAR PARK, ON TO THE MAIN ROAD, CAUSING DANGER TO ALL. VISIBILITY WILL BE VERY IMPAIRED FOR RESIDENTS OR WATER SIDE CLOSE</p>

Licensing Act 2003

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	I FEEL THAT THE CURRENT BEER GARDEN, LOCATED AT THE OTHER SIDE OF THE OFFLEY ARMS WILL BE SUFFICIENT FOR THE PUB.
Signed: _____	Date: 22/9/2020

Please see notes attached

NOTES

1. Your representation must relate to one or more of the four licensing objectives:-

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

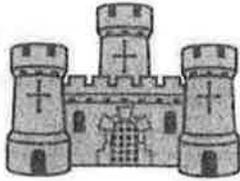
You must be able to demonstrate that if the premises were granted a new/amended licence it would:

- Add to problems of crime or disorder
 - Harm public safety
 - Cause a public nuisance
 - Put children at risk of harm
2. If you make a representation you will be invited to attend a meeting of the Licensing Sub Committee and possibly any subsequent appeal proceeding. Details of your representation including contact details will be published in the report available to the Committee and the licence applicant. You will be given notice of the hearing before it takes place and will also be given a copy of the committee report.
3. The hearing shall take the form of a discussion led by the Licensing Authority. The applicant for the licence will also be at the meeting and it will usually be open to the public and the media.
4. This form must be returned within the statutory period of 28 days from the day after the date the application was given to the Licensing Authority – the deadline should be given in the notice displayed on the premises and in the public notice in a local newspaper or other local publication.
5. Please return this form when completed to:

Licensing Department
Council Depot
Knutton Lane
Newcastle-under-Lyme
Staffordshire
ST5 2SL

Email: licensing@newcastle-staffs.gov.uk
Tel: 01782 717717

Appendix E8



NEWCASTLE UNDER LYME BOROUGH COUNCIL

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party in the vicinity of the premises to be licensed as detailed below (see note 1 attached):

Your name <i>Joyce Martin</i>
Organisation name/name of body you represent (if appropriate)
Postal and email address
Contact telephone number

MADREY, CREWE

Name of the premises you are making a representation about
Address of the premises you are making a representation about

*OFFICE HALLS.
POOLSIDE MADREY, CREWE CHESHIRE.*

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder		
Public safety	<i>YES</i>	<i>SEE ATTACHMENT</i>
To prevent public nuisance	<i>YES</i>	<i>SEE ATTACHMENT.</i>
To protect children from harm	<i>YES.</i>	<i>SEE ATTACHMENT.</i>

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.
--

Signed: _____

Date: *20.9.20*

Re: Application for a variation to a premises Licence in relation to the Offley Arms, Madeley by Joules Brewery Limited.

I wish to make an objection in respect of the above application on the grounds of **Public Nuisance and Public Safety.**

I have lived here for almost 20 years which I bought my property for my retirement. Most of the residents are in retirement and bought for the same reason. Being somewhere quiet to live in a very beautiful part of Madeley Village made up of Mews Houses, also being opposite the pool, and has all the amenities in the Village for retirement and on a Public Bus Route too. Peace and tranquillity to enjoy!

Prior to the close being developed this was agricultural land belonging to Pool Farm, as a working farm the land owned for many years by the same family called Bedsons. As to which the garden in question would only be for residential use, and not commercial which is now being requested for change of use. The land is registered with NUL Planning as residential use.

The area they have purchased was a private garden belonging to a resident in Waterside Close, which had vegetation including trees and bushes. to which Joules have removed, and started building work on their supposedly beer garden without planning permission, also in the process have disturbed a Sycamore Tree, to which the council have told them that it is unsafe and has to be taken down, we are all devastated.

Public Nuisance

- The original proposed request was to be a beer garden and meeting place. But their application now also requests for outside entertainment *and live music and extended opening hours!* which is totally unacceptable in the middle of a residential area.
- The area is adjacent to a public footpath leading into Waterside Close. The residents living there will have to walk past potential noise and music

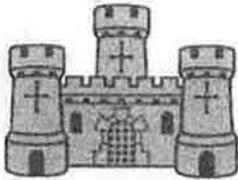
- It is also likely that Children and others will spill onto the pavement and road further adding to noise and disruption, which will be dangerous too.
- This has cause great distress and upset to the people living in the Close, we don't deserve this to happen, all you want when you get older is a quiet life, we thought we were safe here, please give us a bit of thought and respect when making your decisions

Public Safety

- *Even though they have parking for 20 cars on the car park of the Offley Arms. It very much concerns me, as to previously when it was operating as a Pub people would park their cars in Waterside close entrance. As to which caused poor visibility when leaving the Close, which will become dangerous and could cause accidents...*
- Especially if more adults and children are present.
- You also found cars parking on the road on the front of the Offley Arms to which obscured the view when leaving Waterside Close. Which will be an accident waiting to happen. There is also Bus stop outside the front door of The Offley Arms to consider
- Car parking in the close is already very limited and the temptation will be for the pub visitors to park in the entrance or in the "homeowners" spaces. Which will not be acceptable, as the Offley Arms, have their own parking?
- Because of the road parking issues the council may have to consider putting double yellow lines.



Appendix E9



NEWCASTLE·UNDER·LYME BOROUGH COUNCIL

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party in the vicinity of the premises to be licensed as detailed below (see note 1 attached):

Your name	KAY COVENTRY
Organisation name/name of body you represent (if appropriate)	
Postal and email address	[REDACTED]
Contact telephone number	[REDACTED]

Name of the premises you are making a representation about	Offley Arms
Address of the premises you are making a representation about.	Poolside, Nadeley

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder		
Public safety	✓	Disorderly behaviour Parking on road/pavement in residential area
To prevent public nuisance	✓	Noise levels Smoke pollution, light pollution litter + possible vandalism Disruptive behaviour
To protect children from harm		

Intimidating groups

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.
[REDACTED]

Signed: [REDACTED]

Date: 12/09/2020

Offley Arms – proposed beer garden

As a resident of Waterside Close I am very concerned about the proposed changes at the pub.

It seems inevitable to me that the construction of a Beer Garden on Waterside Close will result in the following :

More Smoke pollution

More Noise pollution

Late night disturbances (especially if live music)

Increase in litter

Parking more difficult for residents/visitors

Lower the value of my property due to the Close no longer being a quiet, residential area.

What consideration has been given to the impact of these proposals on the current residents of Waterside Close?

What guarantees can the pub owners give to address the above concerns of residents of Waterside Close.

[REDACTED]

Appendix E10



NEWCASTLE UNDER LYME BOROUGH COUNCIL

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below (see note 1 attached):

Your name M S L. HOLLINGWORTH
Organisation name/name of body you represent (if appropriate)
Contact telephone number

Name of the premises you are making a representation about
Address of the premises you are making a representation about.

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder		
Public safety		encourage The beer garden will use of Wateride Close road side of pubs which will hinder sight lines of home owners entering & leaving plus encourage parking in close.
To prevent public nuisance		The beer garden adjacent to houses at the entrance of wateride close Noise levels in evenings etc will disrupt the peaceful nature of the close. Property values will decrease.
To protect children from harm		

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.
--

Signed: _____

Date: 19 / 9 / 20

Appendix E11

Re: Application for a variation to a premises Licence in relation to the Offley Arms, Madeley by Joules Brewery Limited, Premises Licence Number 3141

Representation by Prof. L B Trustrum, f _____ Madeley, ' _____
Tel. 0 _____)word version

I wish to make representation and to object to the application on the grounds of Public Nuisance and Public Safety

Public Nuisance

- The proposed area is intended to be used as a beer garden and public meeting space. It is adjacent to the entrance to a domestic housing area and at the entrance to Waterside Close. The inherent character of a beer garden is that there will be a large amount of noise in the evenings, particularly on fine evenings. Parties, music and entertainment will certainly result in great noise and disruption to the lives of local home owners. This is not acceptable in what, until now has been a quiet residential area, the reason many of us came to live here.
- The application also includes a request for extended opening hours and for outside entertainment and live music. This further exacerbates the problem described above and is totally unacceptable in the middle of an otherwise quiet residential area. It should also be noted that this appears to be in total contradiction to sections 8 to 18 in the application where the applicant has answered NO to all changes listed
- Joules have removed vegetation (including trees and bushes), knocked down a large section of an old c.6ft brick boundary-wall & laid hard core to enable them to create a beer garden. This has already affected the appearance of the entrance to the Close. This has been done without planning permission which will have to be applied for retrospectively.
 - Whilst undertaking this work contractors have so severely damaged a large mature tree the local authority have determined it is unsafe and must be taken down. This destruction of a lovely tree seems, unfortunately, to be typical of Joules' approach to this project
- The area in question is immediately adjacent to the only pedestrian path into the Close and therefore anyone walking home will have to pass the potential noise and disruption as well as being subject to drifting cigarette smoke and vaping plumes.
 - My wife has a tracheostomy and is essential that smoke does not enter the open end of the tube which means she will not be able to use the only pedestrian path into the Close in case cigarette smoke, or even worse vape plumes, pass from the beer garden.
- It is also likely that children and others will spill onto the pavement and road further adding to the noise.
- This land was recently acquired by the new pub owner and therefore all home owners in Waterside Close could not be aware of this when moving to the Close. The impact on the entrance to the Close could reduce the attractiveness to people considering buying here.

Public Safety

- The beer garden will encourage people to the Waterside Close road side of the pub which will hinder sight lines for homeowners or visitors entering or leaving the Close by vehicle.

- It is also probable that as car parking at the pub is extremely limited pub customers will park adjacent to the beer garden. Entry and exit from the Close will become dangerous, particularly if adults, and more particularly children, are present as cars turn in.
 - Car parking in the Close is already at a premium and the temptation will be for pub visitors to park either in the entrance or in the homeowners' spaces, potentially leading to conflict

Appendix E12

licensing

From: _____
Sent: 18 September 2020 15:04
To: licensing
Subject: Offley Arms Madeley

Categories: _____

This email has been received from an address outside the Council, please be very cautious when opening any attachments or clicking on any links herein.

I wish to make representation and to object to the application on the grounds of Public Nuisance and Public Safety

Public Nuisance

- The proposed area is intended to be used as a beer garden and public meeting space. It is adjacent to the entrance to a domestic housing area and at the entrance to Waterside Close. The inherent character of a beer garden is that there will be a large amount of noise in the evenings, particularly on fine evenings. Parties, music and entertainment will certainly result in great noise and disruption to the lives of local home owners. This is not acceptable in what, until now has been a quiet residential area, the reason many of us came to live here.
- The application also includes a request for extended opening hours and for outside entertainment and live music. This further exacerbates the problem described above and is totally unacceptable in the middle of an otherwise quiet residential area. It should also be noted that this appears to be in total contradiction to sections 8 to 18 in the application where the applicant has answered NO to all changes listed
- Joules have removed vegetation (including trees and bushes), knocked down a large section of an old c.6ft brick boundary-wall & laid hard core to enable them to create a beer garden. This has already affected the appearance of the entrance to the Close. This has been done without planning permission which will have to be applied for retrospectively.
 - Whilst undertaking this work contractors have so severely damaged a large mature tree the local authority have determined it is unsafe and must be taken down. This destruction of a lovely tree seems, unfortunately, to be typical of Joules' approach to this project
- The area in question is immediately adjacent to the only pedestrian path into the Close and therefore anyone walking home will have to pass the potential noise and disruption as well as being subject to drifting cigarette smoke and vaping plumes.
 - I have a tracheostomy and is essential that smoke does not enter the open end of the tube which means that I will not be able to use the only pedestrian path into the Close in case cigarette smoke, or even worse vape plumes, Drift from the area in question when I am passing, causing me to inhale these fumes into my breathing tube in my neck and pass from my tube, which does not, unlike the human nose, have any filter, thus the fumes would pass directly to my lungs. This issue would, of course, affect anyone with respiratory issues.
- It is also likely that children and others will spill onto the pavement and road further adding to the noise.
- This land was recently acquired by the new pub owner and therefore all home owners in Waterside Close could not be aware of this when moving to the Close. The impact

on the entrance to the Close could reduce the attractiveness to people considering buying here.

Public Safety

- The beer garden will encourage people to the Waterside Close road side of the pub which will hinder sight lines for homeowners or visitors entering or leaving the Close by vehicle.
- It is also probable that as car parking at the pub is extremely limited pub customers will park adjacent to the beer garden. Entry and exit from the Close will become dangerous, particularly if adults, and more particularly children, are present as cars turn in. Children playing are unlikely to see danger and should they spill out onto the pavement and stray into the road, then vehicles turning left into the close to gain access to the properties could well be unable to avoid them as the proposed beer garden sits directly on the corner and extends some way back towards No 1 Waterside Close.
 - Car parking in the Close is already at a premium and the temptation will be for pub visitors to park either in the entrance or in the homeowners' spaces, which are currently unmarked but are allocated to certain properties without a drive, potentially leading to conflict.

Mrs. Margaret Trustrum,

Madeley,
Crewe, Cheshire,

Mobile:- (

Home:- (

e.mail :- (

Sent from my iPad

Appendix E13

licensing

From: [REDACTED]
Sent: 23 September 2020 23:59
To: licensing
Cc: 'jennifer young'
Subject: Representation: Objection to Licensing Variation: Offley Arms, Poolside, Madeley, Staffordshire, CW3 9DX

Categories: _____

This email has been received from an address outside the Council, please be very cautious when opening any attachments or clicking on any links herein.

Re: Application for Licensing Variation: Offley Arms, Poolside, Madeley, Staffordshire, CW3 9DX. Dated 26th Aug, 2020

From: Martin Young & Jennifer Barnwell, Pool Farm House, Poolside. Corner of Poolside and Waterside Close, living directly opposite the proposed pub 'beer garden' (retrospective planning permission understood to be being sought, for development with Madeley Conservation Area).

We wish to make formal representation, objecting specifically to the development of the green field garden land into a licensed premises with associated activities, which we do not see as an appropriate extension of the existing license given the quiet, rural, residential setting. We see **minimal or no measures to minimise nuisances and other problems (or 'conditions') arising from this change of use, and extension of the licensed area by opening up the southern side of the Offley Arms into the residential and green garden area.**

We are objecting on the basis of:

1. Prevention of Public Nuisance

- a. Noise levels – aside from the visual disturbance to a primary view from our house the issue of noise levels in this quiet, rural and exclusively residential area is our most serious concern. There are no measures proposed to limit noise, or sound proof in any way, from use of materials through to physical noise barriers. We (and the majority of our neighbours) were attracted to live in this location as it is a pleasant, quiet rural location, near but sufficiently distant from other commercial activities in the village. In previous use the pub has on occasion been noisier, eg. When events have been held, or live music played. However the pub was never designed, nor open to the south side of the building, onto the former farmland of Pool Farm House (the proposed beer garden has been recently acquired by Joules after purchasing the pub). Beyond the loss of the green, pleasant views from our main windows, the additional noise directly opposite bedrooms and main living quarters of our home is a significant worry to us. We are also concerned about the impact the additional noise would have on our ability to use and appreciate our own garden, particularly during the summer months when people tend to use outdoor drinking areas late into the night. Plans shared to date for the proposed site development do not reassure us that our concerns have been taken on board, rather that the developer's plans have gone full-steam ahead, despite their pleasant words. The recent condemnation of the very large, mature sycamore that towers over the Offley Arms, due to the way the groundworks have been undertaken, has significantly dented our trust in the intentions of this pub & brewery firm. Additional points below are of particular concern regarding noise levels.
- b. Opening and closing times – the proposed Opening and Closing times should not apply to the outside areas, esp. the proposed beer garden, as this will cause too much disturbance in a quiet residential neighbourhood. On a personal basis it is likely to cause disruption to our sleep. We live in a quiet place, not in a noisy urban location. The proposed extended hours eg. to 01:00 on public holidays is unacceptable given the location for the outside areas. As stated below, a limit to use of

20:00 for the beer garden would be the latest it could be in use for such a purpose without causing us significant disruption, and a major change to the local environment.

- c. 'Regulated Entertainment' – similar to above (1 a & b) the potential for the outside beer garden to be used both for recorded and live music, with the additional noise disturbance would be a great loss to the quiet rural environment. If you sit outside now, before this area is in use, you hear huge numbers of birds in the trees nearby, both in our gardens, and attracted to the wildlife areas surrounding Madeley pool. Surely in a Conservation Area, this is the environment we are seeking to protect, not to allow 'regulated entertainment' to drive it away.

2. Prevention of Crime and Disorder

- a. Opening and closing times will encourage more people to be present in our residential area outside the normal times we and our neighbours are typically outside. This is a very quiet neighbourhood and it is unusual to see people walking around after about 8pm. With the proposed licensing hours running well beyond this time, it presents a disparity between pub customers and residents – with a concern for a range of issues, from the relatively minor e.g. Increased littering to the potential for more serious criminal offences e.g. theft, vandalism while the residential area is perceived as quiet, but more familiar to a larger number of people.
- b. Not uncommonly with other rural villages there is widespread drugs use in Madeley. We have concerns that social gatherings of people in an open-air drinking area, with a low wall and small street in Waterside Close and the neighbouring driveways and gardens presents a convenient location for individuals to meet and trade in narcotics – both during and outside licensed hours. Whilst there is a statement of CCTV being present throughout the premises, we see no detail to assure us, nor measures to manage any such unwanted and disruptive elements.

3. Protection of Children from harm

- a. The beer garden looks directly onto and into our property, with my daughter's bedroom clearly in view for all potential customers sat in the beer garden to see. We have significant concerns of the potential risk this opens up for her as a young woman, being seen at the window by men drinking directly opposite, in fairly close proximity. This is especially concerning as the green screening that used to exist in the medium sized trees and bushes has been completely removed from the site, and no clear plans exist to sufficiently replace these to anything close to their former state. We do not feel we should be having to consider moving her bedroom to another room in the house as a result of this change in licensing.

4. Public Safety

- a. Road safety and Parking – The proposed beer garden opens onto Waterside Close, with a low wall of c.1.2m (based on unpublished draft plans). As a result of both increased numbers of customers, and the visibility of the gardens from both Waterside Cl and Poolside it is inevitable that customers will park vehicles on Waterside Close. With access to two dozen houses on Waterside Cl, any additional parking, and increased numbers of people (customers), congestion and the safety of both general public (passing pedestrians), local residents, and also pub customers is a significant concern. As is the safety of road users (car, motorbike and the many cyclists who pass through Madeley) due to restricted visibility turning into and especially out of Waterside Close.

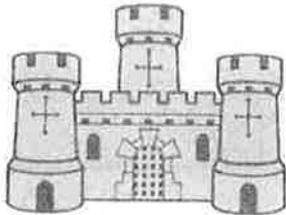
We would welcome your due consideration of the above matters, and clarity over how these can be effectively addressed.

I have many photos of the area prior to any of the development works, and now, which I would be happy to share should this help the due process.

Sincerely,

Martin and Jennifer





**NEWCASTLE·UNDER·LYME
BOROUGH COUNCIL**

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party in the vicinity of the premises to be licensed as detailed below (see note 1 attached):

Your name	Michelle Schofield-Thompson
Organisation name/name of body you represent (if appropriate)	
Postal <u>and</u> email address	██████████ Madeley, Chesh ██████████
Contact telephone number	██████████

Name of the premises you are making a representation about	Offley Arms
Address of the premises you are making a representation about.	Poolside, Madeley, Newcastle Under Lyme. Staffordshire. CW3 9DX

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder		Please see attached
Public safety		Please see attached
To prevent public nuisance		Please see attached
To protect children from harm		Please see attached

Licensing Act 2003

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.

Signed: _____

Date:

21 | 9 | 20 .

Please see notes attached

NOTES

1. Your representation must relate to one or more of the four licensing objectives:-

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

You must be able to demonstrate that if the premises were granted a new/amended licence it would:

- Add to problems of crime or disorder
 - Harm public safety
 - Cause a public nuisance
 - Put children at risk of harm
2. If you make a representation you will be invited to attend a meeting of the Licensing Sub Committee and possibly any subsequent appeal proceeding. Details of your representation including contact details will be published in the report available to the Committee and the licence applicant. You will be given notice of the hearing before it takes place and will also be given a copy of the committee report.
3. The hearing shall take the form of a discussion led by the Licensing Authority. The applicant for the licence will also be at the meeting and it will usually be open to the public and the media.
4. This form must be returned within the statutory period of 28 days from the day after the date the application was given to the Licensing Authority – the deadline should be given in the notice displayed on the premises and in the public notice in a local newspaper or other local publication.
5. Please return this form when completed to:
- Licensing Department
Council Depot
Knutton Lane
Newcastle-under-Lyme
Staffordshire
ST5 2SL

Email: licensing@newcastle-staffs.gov.uk

Tel: 01782 717717

Re: Application for a variation to a premises licence in relation to The Offley Arms, Madeley by Madeley Joules Brewery Limited.

- Please accept this document expressing my objection to the above application on the grounds of public nuisance, public safety and prevention of crime and disorder.

Public Nuisance, public safety and prevention of crime & disorder

- We have been homeowners of our property in Waterside Close for the past 13 years. We purchased the property due to it being in a quiet residential close with limited noise and lovely pool views.
- As we have now been made aware, Joules Brewery Limited have obtained the land which runs alongside the entrance to Waterside Close and proposed that the area is to be turned into a beer garden. I fully disagree with this due to the fact that it will create noise and disruption to our lives within the quiet residential close.
- For 13 years we have enjoyed the views of the mature trees, shrubs and Madeley Pool. Joules Brewery Limited have planned the removal of these with a proposed bricked / fenced border to the beer garden, and now sadly the removal of a beautiful sycamore tree which had a preservation order, due to incompetence.
- The beer garden is adjacent to the only pavement, used by the residents of Waterside Close to gain access to and from the main road, which will alter the relaxing "feel" to the area. Personally, I wouldn't want to pass during opening hours when customers could be drinking, smoking and possibly raising their voices.
- Referencing the licencing application for extended hours – Extended to midnight, every Thursday, Friday and Saturday, with an additional hour to 0100hrs each Bank Holiday weekend plus Easter. I feel that this would personally affect us and our neighbours if permitted within the new beer garden, due to the additional noise before, but specifically after 11pm if parties and / or events took place. As mentioned previously Waterside Close is very quiet, especially at night, and it is one of the main reasons that most residents moved here.
- I also feel that during summer months, the extended hours could potentially cause loud noise and anti-social behaviour as alcohol is consumed late into the evening / early hours of the morning.
- As a resident, I feel the brewery should be more communicative with all the immediate neighbours of The Offley Arms, concerning their plans and listen to any concerns raised with the proposed garden and licencing hours.
- Parking I feel will be a great concern to resident safety due to the pub having reduced parking space within their car park. I believe this will result in overspill on to Poolside and within Waterside Close, possibly causing a danger to drivers and pedestrians entering or exiting the close, resulting in poor public safety especially with the elderly or young.
- The Offley Arms has always had a small patio area adjacent to the pub car park entrance, which provided customers an external seated area with the pool views they wanted. The area was managed to prevent anti-social behaviour and too much noise. I do not understand why the Offley Arms requires another external area,

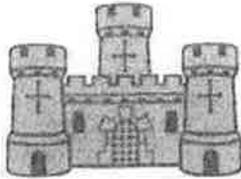
which will result in additional noise, changing a lovely quiet close for the existing residents, possibly impacting our lifestyles and potentially reducing the value of or properties.

[REDACTED]

NICHOLE SCHOTERD THOMPSON.

21/9/20.

Appendix E15



NEWCASTLE UNDER LYME BOROUGH COUNCIL

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party in the vicinity of the premises to be licensed as detailed below (see note 1 attached):

Your name	SALLY BLAGG
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	



Name of the premises you are making a representation about	Offley Arms
Address of the premises you are making a representation about.	Macleay

Offley Arms
Macleay

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder		
Public safety		
To prevent public nuisance	Yes	See attached letter
To protect children from harm		

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.
--

This pub is within a conservation area. To allow the introduction of outside music is totally unacceptable.

Signed: 

Date: 16. 9. 20.

To prevent public nuisance

I moved here to Waterside Close four years ago, it is a quiet **residential area** within a **conservation area**, one of the reasons I moved here. Although the pub has always been there, noise has never been a problem until that is, the previous landlord occasionally held 'events'. To allow a variation to premises licence would be devastating to a very peaceful area. I believe that the original planning permission passed by NULC was for a residential area, this had originally been farm land.

It is Joules intention to turn an area which has always been a small green space with trees and shrubs including a magnificent sycamore tree, into a beer garden, this area is literally feet from a residents house and only a matter of yards from my own. Allowing a variation and subsequently a beer garden would be a source of constant noise and pollution in the form of smoke and vapour for several months of the year (if not all year) for seven days of the week from opening time until late at night and would be particularly bad at the weekends during the summer months when residents would want to be enjoying some peace and quiet in their own gardens. I quote.....noise can disturb a persons enjoyment of their home and inconsiderate behaviour can be detrimental to health. I refer you to the **Rights Under Noise and Statutory Nuisance Act 1993**.

I see from the planning application that they are requesting an extension to opening hours on bank holidays by 1 hour taking the closing time to 1am this is a totally unacceptable request in, and I cannot emphasise it enough, a **residential area**. The licence request for entertainment and live music externally I find unbelievable and shows a total disregard for residents of Waterside Close. From past personal experience, live entertainment from **within** the building was so intrusive I was unable to find a room in my house where I could not hear it, this was allowed to continue until the early hours of the morning. To allow entertainment and music outside would be unbearable,

To allow a variation to premises and a beer garden would, in my personal opinion would devalue my property, and other properties in the close, and would reduce quality of life for all. The Offley Arms has an outside area by the side entrance this has been used as a drinking/smoking area by previous

landlords, surely this can be used again.

I feel very strongly that a variation should not be allowed to go ahead, noise is not acceptable in what has been, and I hope will continue to be, a peaceful place to live. Joules have not considered the effect that this proposal will have on the residents, but they obviously feel very confident about permission being granted as they have continued to work on the area of the beer garden. This work has resulted in irreparable damage to the magnificent sycamore tree which is of some considerable age, this has now been deemed unsafe and will have to be felled, showing not only disregard for the residents but also the environment. Hardcore has been put down in this area therefore no grass will be seen in this 'garden'.

~~_____~~

The following information is provided for your information only. It is not intended to be used as a substitute for professional advice. The information is provided as a general guide only and should not be relied upon for any specific purpose. The information is provided as a general guide only and should not be relied upon for any specific purpose. The information is provided as a general guide only and should not be relied upon for any specific purpose.

[Redacted]

20/09/2020

To whom this may concern;

Re: Application for a variation to a premises licence to the Offley arms Madeley by Joules Brewery,

I am writing to fully support the residents of Waterside Close in their objection to the proposed new beer garden for the Offley Arms (Madeley) and the application to extend their licence. My mum, Sally Blagg, lives at [REDACTED] She moved to the area 4 years ago and she is approaching retirement age. She purchased the property based on the quiet location, in a conservation area.

I am appalled that Joules brewery have been allowed to commence work on the proposed beer garden before they have received planning permission to do so. As you will be aware, they have damaged the substantial tree which stands on the site, which we are now being told needs to be felled as it is unsafe. I consider this to be highly coincidental that this tree was "accidentally damaged" given that it benefits Joules brewery for it to be felled. This area is a conservation area.

The land for the proposed beer garden is a part of Waterside close. It will have a significant impact on the aesthetics of the road and its very presence will likely lower the value of the properties. The previous occupants of the Offley Arms frequently had live music events inside, which caused a great deal of noise disruption particularly over the weekends. My mum, was often left stressed and upset that she had to move bedrooms because of the noise from inside the pub. To permit a licence for live music, outside in a residential area is an utter disgrace.

The introduction of this new beer garden will increase the noise disruption immeasurably, in addition to the smoke and vaping that will be ongoing. The residents of Waterside Close want to enjoy living in their own homes, in their gardens in peace and quiet. The noise the beer garden will generate will make my mums and other residents living arrangements intolerable. The pub already has an outside entertainment area on the other side, away from the residents of Waterside Close, why is this not adequate?

The ongoing renovations is already causing an issue with parking and this is likely to get worse once this pub opens. The pictures below were taken today at 4pm (20th Sept) at the entrance to Waterside Close. As you can see the builders are already using this as a car park. You can see that this parking obstructs the junction and may be dangerous to motorists entering or exiting the road.



An extension to the licensing until 1am is wholly unacceptable. This is not a city bar; this is a pub in the middle of a residential area. Joules brewery state that they want to bring the community together, however, it appears they have utter disregard for their own neighbours and I fear are only concerned with their profit margin.

Newcastle -under-Lyme Borough Council states that you are committed to consulting people on local issues and that you encourage residents to get involved in improving their lives. The residents of Waterside Close have got involved and are together and individually, wholly opposing this request. Listen to the residents, and please do the right thing in rejecting Joules brewery application.

Regards



Sarah Booth

Daughter of Sally Blagg, _____ Madeley, _____

Appendix E17



NEWCASTLE·UNDER·LYME BOROUGH COUNCIL

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party in the vicinity of the premises to be licensed as detailed below (see note 1 attached):

Your name	TARA SEWELL
Organisation name/name of body you represent (if appropriate)	[REDACTED]
Postal and email address	[REDACTED]
Contact telephone number	[REDACTED]

Name of the premises you are making a representation about	Offley Arms, madeley
Address of the premises you are making a representation about	madeley CW3

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder		
Public safety	Yes	Drunk and disorderly parking on residential pavement / roadsides. littering, vandalism
To prevent public nuisance	Yes	Noise levels disruptive behaviour Smoking intimidatimg light pollution
To protect children from harm		drunks, affecting residents.

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.
[REDACTED]

Signed: [REDACTED]

Date: 12 / 09 / 2020

Project Name

Project Description

Project Details

Project Details

Project Details

Item	Description	Value

Item	Description	Value

Item	Description	Value

Item	Description	Value

Appendix F



NEWCASTLE·UNDER·LYME
BOROUGH COUNCIL

Newcastle under Lyme Borough Council
Licensing Admin Team
Castle House
Barracks Road
Newcastle-under-Lyme
Staffordshire
ST5 1BL
01782 717717
www.newcastle-staffs.gov.uk

LICENSING ACT 2003
PREMISES LICENCE 3141
003141

PART 1 – Premises Details

Postal Address of Premises, or if None, Ordnance Survey Map Reference or Description

OFFLEY ARMS

The Offley Arms, Poolside, Madeley, Newcastle Under Lyme, Staffordshire, CW3 9DX

Where the Licence is Time Limited the Dates

Licensable Activities Authorised by the Licence

Live Music Indoors

Recorded Music Indoors

Supply of Alcohol On and Off Premises

The Times the Licence Authorises the Carrying out of Licensable Activities

ACTIVITY	LOCATION	TIMES
Live Music	Indoors	Seasonal Variations: A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour for Christmas Eve and Boxing Day, New Year's Eve and New Year's Day to reflect existing hours.
		Monday to Wednesday 11:00-23:00
		Thursday to Saturday 11:00-00:00
		Sunday 12:00-22:30
Recorded Music	Indoors	Seasonal Variations: A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

		A further additional hour for Christmas Eve and Boxing Day. New Year's Eve and New Year's Day to reflect existing hours.
		Monday to Wednesday 11:00-23:00
		Thursday to Saturday 11:00-00:00
		Sunday 12:00-22:30
Supply of Alcohol		Seasonal Variations: A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour for Christmas Eve and Boxing Day. New Year's Eve and New Year's Day to reflect existing hours.
		Monday to Wednesday 11:00-23:00
		Thursday to Saturday 11:00-00:00
		Sunday 12:00-22:30

The Opening Hours of the Premises

	Seasonal Variations: A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour for Christmas Eve and Boxing Day. New Year's Eve and New Year's Day to reflect existing hours.
Monday to Wednesday	11:00-23:00
Thursday to Saturday	11:00-00:00
Sunday	12:00-22:30

PART 2

Name Registered Address Telephone Number and Email of Holder of Premises Licence	
Joules Brewery Limited	Great Hales Street, Market Drayton, Shropshire, TF9 1JP
Registered Number of Holder where Applicable (Charity Number, Company Number)	
06492665	
Name and Address of Designated Premises Supervisor Where the Premise Licence Authorises the Supply of Alcohol	
Mr Mark Nicholls	
Personal Licence Number and Issuing Authority of Personal Licence Held by Designated Premises Supervisor Where the Premises Licence Authorises the Supply of Alcohol	
10/00531/LAPERS	East Northamptonshire

ANNEXES

Annex 1

Mandatory Conditions

Alcohol

1. No supply of alcohol may be made under the premises licence:

- (a) At a time when there is no designated Premises supervisor in respect on the Premises Licence.
- (b) At a time when the Designated Premises Supervisor does not hold a personal Licence; or
- (c) 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 the Premises Licence must be made, or authorised by a person who holds a Personal Licence

3. (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).

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

5. (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) holographic mark, or.
- (b) an ultraviolet feature..

6. 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: 25 ml or 35 ml; and.
 - (iii) still wine in a glass: 125 ml;.
- (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.”.

7. All individual(s) at the premises for the purpose of carrying out a security activity must

- (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 that Act..

Mandatory Condition in Force From 28th May 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. (i)P is the permitted price,
- ii. (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. (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;
- iv. (c)“relevant person” means, in relation to premises in respect of which there is in force a premises licence—
 - v. (i)the holder of the premises licence,
 - vi. (ii)the designated premises supervisor (if any) in respect of such a licence, or
 - vii. (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)“value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- 3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2

Conditions Consistent with the Operating Schedule

EMBEDDED RESTRICTIONS

- 1. Alcohol shall not be sold or supplied except during the hours stipulated on this licence. In this condition hours means:
 - i.) On New Year’s Eve from the end of permitted hours on New Year’s Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
 The above restrictions do not prohibit:
 - a.) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the

licensed premises

b.) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered

c.) the sale of alcohol to a trader or club for the purposes of the trade or club

d.) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

e.) the taking of alcohol from the premises by a person residing there; or

f.) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or

g.) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

PREVENTION OF CRIME AND DISORDER

1. The CCTV system installed at the premises shall be maintained in effective working order and that all tapes/recordings shall be kept for a minimum of 31 days.
2. External lighting shall be provided shall be maintained in effective working order.

PUBLIC SAFETY

1. Emergency lighting and illuminated exit signs shall be provided and maintained in effective working order.

PROTECTION OF CHILDREN FROM HARM

1. A "no smoking" area of such a size and design that it genuinely provides a suitable area for customers and their children wishing to be separated from smoking areas shall be available.
2. A "designated family" area of such a size and design that it genuinely provides a suitable area for customers and their children wishing shall be available.

Annex 3

Conditions attached following a Hearing

Annex 4

Plans

ANNEX 5 -PLAN(S)
DWG NO.200939

Nesta Barker
Head of Environmental Health Services

Licensing Act 2003 PREMISES LICENCE SUMMARY	3141 003141
 <p>NEWCASTLE·UNDER·LYME BOROUGH COUNCIL</p>	<p>Newcastle under Lyme Borough Council Licensing Admin Team Castle House Barracks Road Newcastle-under-Lyme Staffordshire ST5 1BL 01782 717717 www.newcastle-staffs.gov.uk</p>

PART 1 – Premises Details

Postal Address of Premises, or if None, Ordnance Survey Map Reference or Description

OFFLEY ARMS

The Offley Arms, Poolside, Madeley, Newcastle Under Lyme, Staffordshire, CW3 9DX

Where the Licence is Time Limited the Dates

Licensable Activities Authorised by the Licence

Live Music Indoors

Recorded Music Indoors

Supply of Alcohol On and Off Premises

The Times the Licence Authorises the Carrying out of Licensable Activities

Live Music	Indoors	<p>Seasonal Variations: A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour for Christmas Eve and Boxing Day. New Year's Eve and New Year's Day to reflect existing hours.</p>
		Monday to Wednesday 11:00-23:00
		Thursday to Saturday 11:00-00:00
		Sunday 12:00-22:30
Recorded Music	Indoors	<p>Seasonal Variations: A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour for Christmas Eve and Boxing Day. New Year's Eve and New Year's Day to reflect existing hours.</p>
		Monday to Wednesday 11:00-23:00

		Thursday to Saturday 11:00-00:00
		Sunday 12:00-22:30
Supply of Alcohol		Seasonal Variations: A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour for Christmas Eve and Boxing Day. New Year's Eve and New Year's Day to reflect existing hours.
		Monday to Wednesday 11:00-23:00
		Thursday to Saturday 11:00-00:00
		Sunday 12:00-22:30

The Opening Hours of the Premises

	Seasonal Variations: A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour for Christmas Eve and Boxing Day. New Year's Eve and New Year's Day to reflect existing hours.
Monday to Wednesday	11:00-23:00
Thursday to Saturday	11:00-00:00
Sunday	12:00-22:30

PART 2

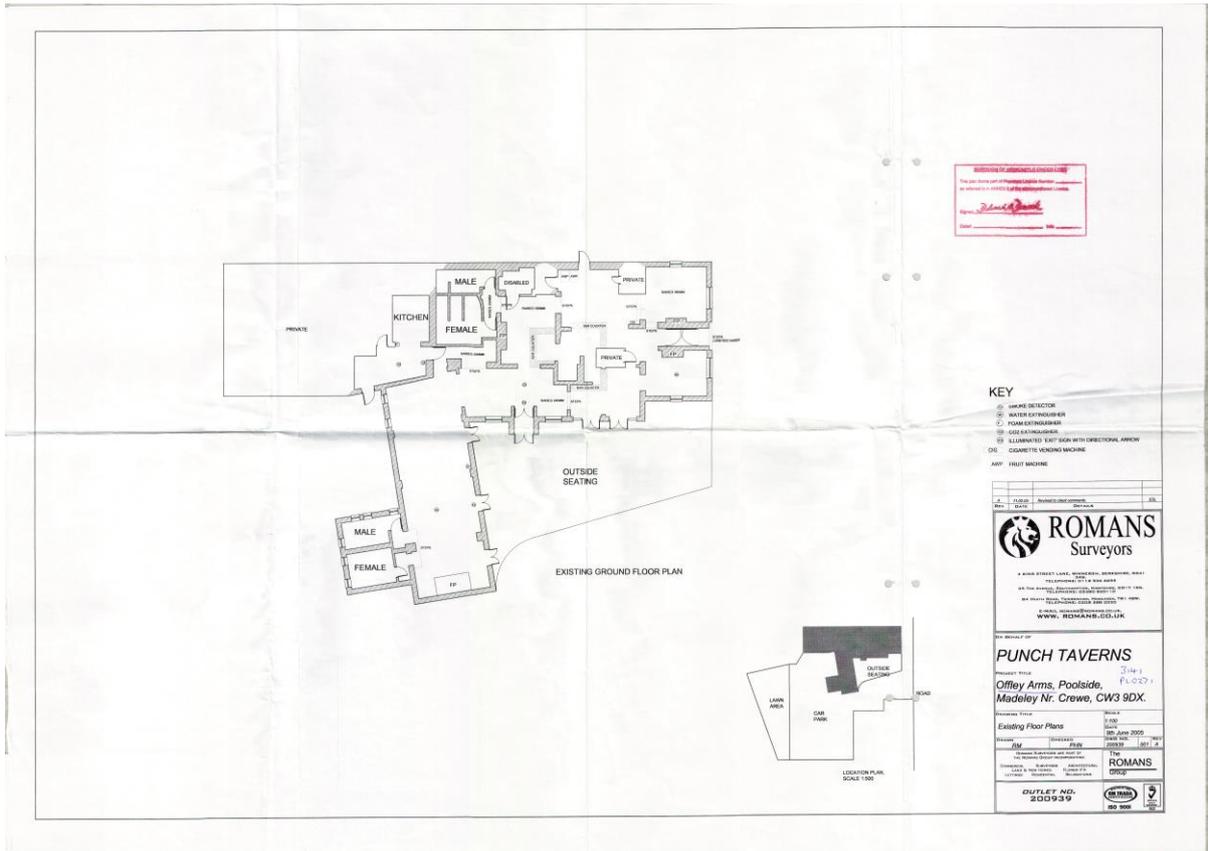
Name Registered Address Telephone Number and Email of Holder of Premises Licence	
Joules Brewery Limited	Great Hales Street, Market Drayton, Shropshire, TF9 1JP
Registered Number of Holder where Applicable (Charity Number, Company Number)	
06492665	
Name of Designated Premises Supervisor Where the Premises Licence Authorises the Supply of Alcohol	
Mr Mark Nicholls	
Personal Licence Number and Issuing Authority of Personal Licence Held by Designated Premises Supervisor Where the Premise Licence Authorises the Supply of Alcohol	
10/00531/LAPERS	East Northamptonshire

N.S. Barker

Nesta Barker
Head of Environmental Health Services

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Appendix F1



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Environmental Services

Appendix G

SRU V8.6.x.0

REPORT PREPARED ON 9/10/20 AT 13:48

Request reference number: 101166
LA reference number : C_101275948

DETAILS OF SERVICE REQUEST

Excessively loud live music at local pub (Madeley)

COMPLAINT CATEGORY: ENI - Noise-Music
COMPLAINT TYPE: ECG - Noise-Licensed Premises
UNIT: LET - Licensing and Enforcement Team
INVESTIGATING OFFICER: BAD - Karen Benson
RECEIVING OFFICER: CRM - Customer Services Team Member

DATES

DATE RECEIVED: 15/11/2016 TIME: 15.04
DATE OF FIRST RESPONSE: 01/12/2016
DATE CLOSED: 14/12/2016
TARGET RESPONSE DATE: 18/11/2016

NAME OF PERSON COMPLAINED AGAINST

PREMISES REF: XCAP**POOL/1
NAME: OFFLEY ARMS STEAKHOUSE
LA REF: Blue Triangle Pubs Ltd
TELNO: ()
UPRN/USRN: 100031714993
EASTING: 377292
NORTHING: 344803
LPIKEY: 3420L000064270

ADDRESS COMPLAINED AGAINST

The Offley Arms
Poolside
Madeley
Newcastle Under Lyme
Staffordshire
CW3 9DX
WARD: Madeley & Betley Ward
AREA:
TELNO: ()
UPRN/USRN:100031714993
EASTING: 377292
NORTHING: 344803
LPIKEY: 3420L000064270

FULL DETAILS OF CLIENT

Madeley
Newcastle Under Lyme
Staffordshire

E-MAIL: [REDACTED]
CLIENT UPRN/USRN: 100031715219
CLIENT EASTING: 377357
CLIENT NORTHING: 344777
CLIENT LPIKEY: 3420L000041704

WARD: MAD - Madeley & Betley Ward

HOW RECEIVED: T - Telephone

DATE SERVICE REQUEST RECEIVED : 15/11/2016

TEXT

Frequency of Problem:: Regular Occurance
Any Other Information:: Complainant would like to remain anonymous.
Further information can be found within email (attached).
Have you spoken to the person causing the problem?: Yes
Contact Number:: [REDACTED]
Pr oblem Times:: Saturday Nights from 9pm till 12.30am.
Problems noise is causing to yourself:: Evenings are being disturbed
and unable to relax/sleep.
Email Address:: [REDACTED]
Describe Noise:: Excessively loud live music at local pub. Last s
until 12.30am.
Outcome of Conversation:: This was reported to Councillor Simon White
and he spoke with the Pub but it has not improved.

Contact:

Premises:

NEWCASTLE UNDER LYME

RESULT AND FURTHER ACTION

ACTION TYPE: AAA - Action Diary
Action record initiated under record number 117968

- 1 CRN CRM update [66271] 15/11/2016 CRM
- 2 AZR Hi HARRY Review - see text for original complaint - client wishes to HWI

remain annon - thanks Mandy

- 3 AZR *** Link to premises licence in Licence Module *** 30/11/2016 DMW
- 4 AZR **Certain activities were deregulated in April 2015. Licence conditions may not apply depending on circumstances 15/11/2016 01/12/2016 BAD
- www.gov.uk/guidance/entertainm-ent-licensing-changes-under-the-live-music-act ***
- 5 AZT Telephone Call Made - Client 16/11/2016 01/12/2016 BAD
- 6 DLV Site Visit > Offley Arms 07/12/2016 BAD
- 7 AZR Case allocated to you by DMW 01/12/2016 01/12/2016 BAD
- 8 AZO Office Activity. Complaint closed. No further correspondence received from the complainant despite an event taking place on the 10.12.16 at the premises. NFA required. 14/12/2016 BAD

Reported through via email

LINKED ACTIVITY REFERENCES

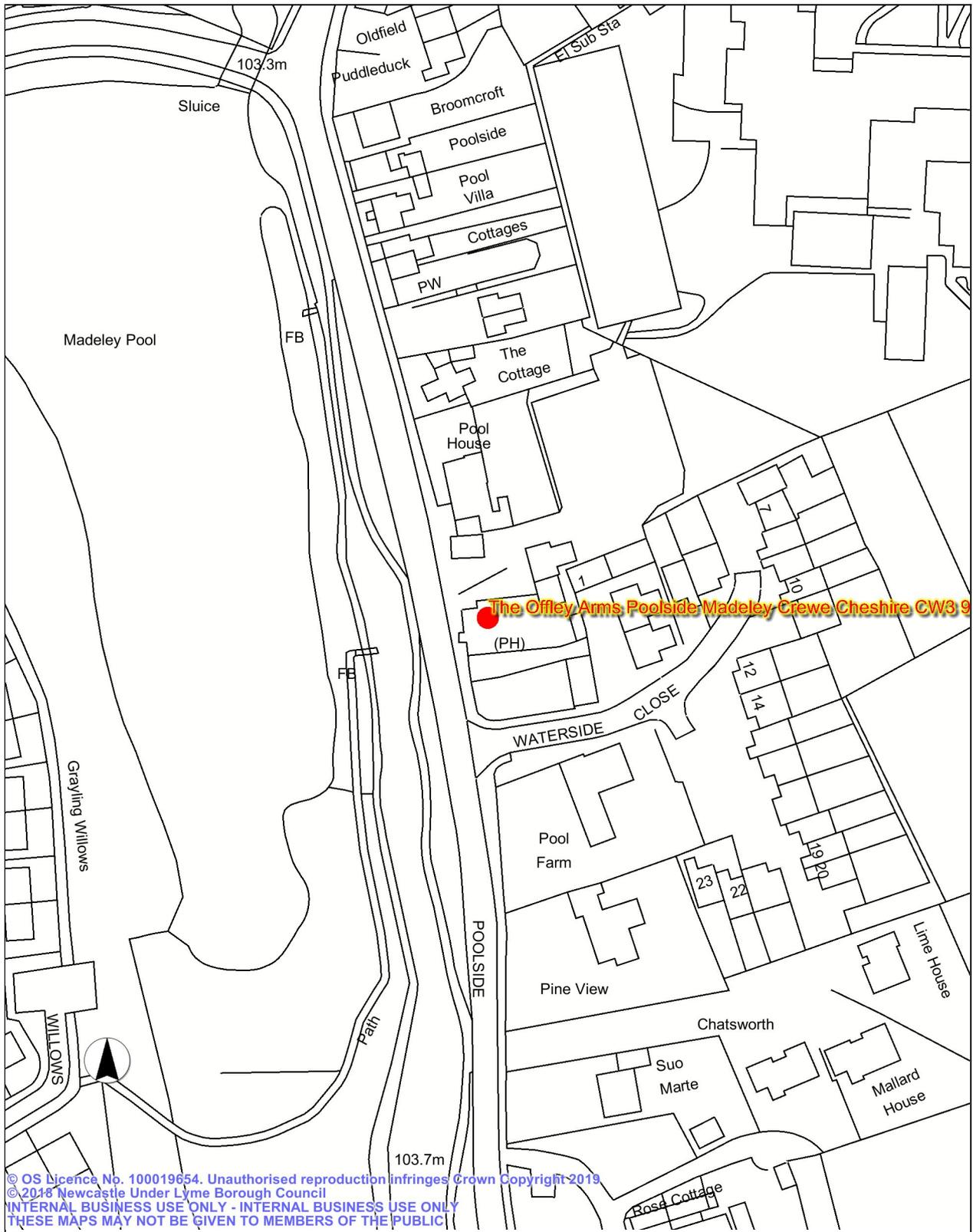
Linked Activity 1 :
Linked Activity 2 :
Linked Activity 3 :
Linked Activity 4 :
Linked Activity 5 :
Linked Activity 6 :

Appendix H

TellUS 2 - Provided by



Customer Services



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Newcastle Under Lyme Borough Council
 Castle House
 Barracks Road
 Newcastle Under Lyme
 ST5 1BL

Plan Produced 9.10.2020
 Scale 1:1,250

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