

Licensing Act Sub-Committee

Supplementary Agenda

Date: Tuesday, 17th May, 2022
Time: 2.00 pm
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

3. **Application for a Premises Licence - Combermere Abbey Wedding Venue,
Combermere Park Drive, Nantwich SY13 4AJ (Pages 3 - 18)**

To consider the above application.

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NOISE MANAGEMENT PLAN COMBERMERE ABBEY WEDDINGS

The aim of this Noise Management Plan (NMP) is to put in place reasonable measures to reduce the noise impact of sources associated with Combermere Abbey. It exists to promote the Prevention of Public Nuisance objective and as such seeks to reduce noise impact on the local community and neighbours.

Noise Element	Measures in place or to be taken accordingly
General	<ul style="list-style-type: none"> • The manager shall ensure that all staff are briefed on the licensing objectives in particular, no underage drinking, no drunkenness on the premises or outside the premises, no use of drugs, no violence or anti-social behavior and that there is a need to protect children from harm. • An incident log will be maintained showing a detailed note of incidents. • The premises will be responsibly managed at all times. • There will be zero tolerance to drunken, anti-social behaviour. • All staff will be trained to promote quiet departure of patrons. • All training undertaken by staff members shall be fully documented and recorded and this should be completed every six months. • All events will be carefully managed to minimise the impact on neighbouring residential properties. • A dedicated telephone number will be provided to neighbouring residents and will be manned during operating hours.
Indoor Noise	<ul style="list-style-type: none"> • No music will be played in the glasshouse after 21:00. • External doors and windows of the Pavilion will be kept closed from 21:00 when amplified music for the purposes of entertainment is being played above background level, except for access and egress. All staff are to be briefed during training to ensure they remain vigilant on closing doors and windows should they be opened by patrons. • Management will make music entertainment providers aware of the volume limit of 95dB, and check that they adhere to it. • Self-closers will be installed on the doors in the Pavilion to keep the doors closed whilst music is being played above background level in the building, except for access and egress. • Management will ensure music ends by midnight. • Management will make music entertainment providers aware of the responsible person on site and to ensure they know to accept instruction from them.
Outdoor Noise	<ul style="list-style-type: none"> • Outdoor music will only be permitted between 10:00 – 21:00. • All outdoor music will be monitored by management to ensure it is kept to reasonable levels to avoid disturbing local residents. • Only instruments that have been agreed by management will be allowed to play outside. • Musicians performing outside will be briefed by the management to ensure they do not play at levels which could cause a nuisance. • Management will intervene should excessive noise be created by musicians outside and insist that the volume is reduced.

	<ul style="list-style-type: none"> • The manager on duty will encourage patrons leaving the premises to do so in such a manner that it does not unreasonably disturb residents by noise, unruly or antisocial behavior. • Signage will be displayed prominently inside and outside asking guests to respect the amenity of local residents and to leave the premises and the area quietly. • No fireworks shall be permitted.
Deliveries	<ul style="list-style-type: none"> • Only to be scheduled on between 8:00 – 21:00.
Customer Noise & Car Parks	<ul style="list-style-type: none"> • Taxi drivers to pick up from main car park only • Staff to leave site quietly. • Clients will be asked to encourage their guests to pre-book taxis for onward journeys from site to avoid delays. • Guests that have not pre-booked, will be offered local taxi phone numbers from the bar area. • Staff will manage guests as they leave site to avoid excessive noise and/or delays in departure.
Refuse & Recycling Bins	<ul style="list-style-type: none"> • Only to be stored in the waste-bin store area. • Emptying of waste glass into refuse collection containers will not take place after 22:00.

It is anticipated that the NMP will evolve further as information is gathered from events taking place. This form should be treated as a live document.

The NMP will be reviewed at least annually and should be updated when required.

COMBERMERE ABBEY

APPLICANT'S SUBMISSIONS

1. The applicant company signed a 20 year lease on 1st January 2022. It now manages and operates the wedding venue at Combermere Abbey. The venue has been licensed for weddings and events for over 30 years (both under 1964 Act and the 2003 Act). The company is an experienced operator that operates 13 boutique luxury wedding venues up and down the country.

2. They have full control over the event; they supply not only the venue, but also the staff, the alcohol and the catering. As a result, every event is managed to a tried and tested format which ensures that best practices are delivered at all times.

Combermere Abbey Estate ("CAE") were the previous operators and they merely hired out the venue and it was up to the organiser of the wedding to supply their own caterers and suchlike. Historically, CAE hosted small concerts and a travelling theatre in the grounds of The Abbey. The last of these was in 2007. The applicant has no intention of hosting similar events. Their business is centred wholly on the provision of a wedding venue.

3. The weddings that they run are small. The capacity is 150 guests. CAE has a number of B&B premises on site for the accommodation of up to 60 guests. Many attendees

opt to stay on site and leave the following day. In consequence, the traffic flow leaving the venue on the night is slight. There is ample car parking for the guests.

4. REASON FOR THE APPLICATION

On reviewing the licence, the company discovered that the existing licence contained anomalies and that it lacked the sort of clarity that is found in licences that have been granted in the more recent past. The introduction of The Licensing Act 2003 saw the grandfathering of old LA 1964 licences at a time when every local authority was undergoing a steep learning curve. The existing licence is a case in point. It was decided that the existing licence needed updating.

5. Initially, it was hoped to apply for a variation of the licence. The licensing officer was of the view that the application should proceed by way of a new application rather than a variation, and the applicant was happy to comply.
6. The applicant will say from the outset that, having received a number of representations, that the application will be cut back. Whilst the initial application sought to extend all licensable activities until 00.30 (from 00.00), this is now no longer the case, save with the possible exception of late night refreshment. It is hoped that the provision of teas and coffees and a bacon bun to the attendees will prove uncontroversial. The other amendments to the licence are as follows.

7. THE AMBIT OF THE LICENSED AREA

The area plan attached to the current licence shows an area which does **not** include the The Pavilion, The Glass House or The Walled Garden. Another less detailed plan shows these areas. The intention is to provide the LSC with a clear area plan, together with detailed plans of the individual units within that plan.

8. THE KEEPERS COTTAGE

This is where the bride prepares herself in readiness for her big day. It is proposed to include this building within the ambit of the licensed area in the eventuality of a steadying glass of champagne being supplied on those premises.

9. THE START TIMES FOR LICENSABLE ACTIVITIES

The applicant has asked that these all commence at the same time. The licensable activities all have different commencement times. From a purely practical position, it is easier for an operator to operate a licence if all of the licensable activities (save for late night refreshment) begin and end at the same time. That does not mean to say that people will be dancing or a string quartet will begin playing at 08.00. Its purpose is a purely practical one.

10. THE OPENING HOURS FOR THE PREMISES

The applicant wishes to amend these to 07.00 (from 08.00) should the bridal party or the caterers and florists wish to attend earlier than 08.00.

11. OFF SALES

Currently the licence is unclear. Whilst the licence on its face states that sales of alcohol shall be on the premises only, it is unclear, for the reasons stated above, precisely what the premises are. Is it the area plan? Is it the whole of the plan that shows the individual units? Or is it the individual units themselves? The proposal is that off sales be permitted in the whole of the area outlined in red on the new plan. The Business and Planning Act 2020 (as amended) allows off sales to premises that had hitherto only been permitted on sales. This was a measure introduced during the pandemic and runs only until 22nd September 2022. The applicant asks that if the licence does not already permit it, and it is arguable that it does, may guests be permitted to stand outside The Pavilion/The Glass House/The Walled garden with a glass of something in their hand.

12. EXTEND LICENSABLE ACTIVITIES TO BOTH INSIDE AND OUTSIDE THE PREMISES

This would enable, for example, a string quartet to play outside The Pavilion or in The Walled Garden. Its purpose is not to have speakers set up outside or for people to dance to loud recorded music. Should the LSC be so minded, a condition could be imposed that *“there shall be no outside live or recorded music above background levels after 18.00, and that all outside permitted activities save for the supply of alcohol shall cease at 21.00”*.

13. AMEND THE TERMINAL HOUR FOR LIVE AND RECORDED MUSIC

As currently drafted, the licence contains an anomaly. Live Music extends to 23.00 Monday-Thursday, and 00.00 on Fridays to Sundays. Recorded Music is the reverse:

00.00 Monday-Saturday day, but only until 22.00 on Sundays. Thus, whether live or recorded, music is permitted until 00.00 seven days a week. It is unclear why the disparity between live and recorded music exists (unless it is a typographical error). The amendment would allow for the same terminal hour for both activities and would not grant the applicant any later hour than currently exists. In practice, the organisers will aim to finish the live or recorded music at 23.30. The terminal hour of 00.00 gives them a cushion in the event that a set runs over 23.30.

14. EXTEND THE TERMINAL HOURS FOR ALL OTHER LICENSABLE ACTIVITIES

As indicated above, the application has been pared down now to 00.00. The practical effect of this is that all licensable activities (save for late night refreshment which will end at 00.30) will marry up with the current terminal hour for live/recorded music/alcohol. In other words, 00.00. It is unclear why recorded music can be played until, for example, until 00.00 and yet no one is permitted to dance to it after 22.00. If all licensable activities cease at the same time, then the management of the premises is made that much easier.

15. REMOVE ALL EXISTING CONDITIONS WITHIN ANNEX 2

The applicant seeks to remove all of the existing conditions in Annex 2 many of which are vague or unenforceable, and replace them with a raft of conditions which are precise and capable of enforcement. They are these:

- A. The premises shall install a fully recordable CCTV system which shall retain images for 31 days.
- B. The premises shall implement a 'Challenge 21' scheme.

C. Staff shall be trained in the following:

- Licensing law
- First Aid
- Health and Safety

D. The premises shall maintain a log of all staff training which shall be made available for inspection by police and local authority officers.

E. The premises shall maintain an incident log which shall be made available for inspection by police and local authority officers.

F. Signage shall be displayed requesting that all patrons leave the premises quietly.

G. There shall be no outside live or recorded music above background levels after 18.00, and that all outside permitted activities save for the supply of alcohol shall cease at 21.00.

H. Save for access and egress, the doors of The Pavilion will be kept closed after 21.00.

I. A noise limiter shall be installed in The Pavilion and levels set to the satisfaction of the Environmental Health Officer.

J. All persons under the age of 18 shall be accompanied by a supervising adult after 21.00

K. A contact telephone number for the DPS shall be made available on the company's website together with an email address for registering complaints

16. THE OBJECTORS

It is hoped that, in the light of the above, the objectors will view the applicant through a different lens. In practical terms there will be no difference to the hours of

operation of the premises. The venue has held a wedding licence at The Abbey since 1995. Up to 60 weddings a year have been held at the site.

i). Noise/Pavilion

The current structure of The Pavilion is very tired and dated. It will be replaced by a new, lower and more robust structure that is better able to contain sound and mitigate noise movement. This new pavilion will be installed from January-March 2023. As an interim measure, the organisers will install a noise limiter with levels set to the satisfaction of the EHO. It may well be that last summer saw an increase in noise disturbance for residents as a result of the pandemic. When brides were finally permitted to marry from July 2021 onwards, CAE was obliged by the regulations in force at the time to serve refreshments outside at tables in the garden and music had to be played with the windows of The Pavilion open.

ii). Residential Complaints

When CAE ran the premises they responded immediately to complaints made directly into the office or on social media. Similarly, the applicant takes the views of local residents extremely seriously. They have a proven track record of good interaction with residents at all of their venues. This venue will be no exception. The mobile number of the DPS will be displayed on the company website, together with an email address for residents to provide feedback if they are disturbed.

iii). Fireworks

Historically, CAE permitted a handful of weddings per year to provide fireworks. CAE insisted that these be low noise fireworks and that a local pyrotechnic contractor had to be employed. The applicant has inherited a small number of bookings which include the use of fireworks. There are 3 in June (9th, 15th and 30th) one in July (16th)

one on September 1st and the final one on 1st July 2023. They have to honour these, but in recognition of the residents' concerns it is the intention to cease all fireworks after 1st July 2023. The displays will last 5 minutes and must be completed by 9pm. The applicant will email all of the local residents on the list provided by CAE, together with any other email addresses that the council will supply us with. The website will contain details of all forthcoming events. In that way, local farmers and animal keepers can be warned about any firework display.

iv). Traffic

There will be no increase in traffic. There is to be no increase in capacity. The traffic levels will remain the same, as will the hours that the traffic will leave the premises. It will be remembered that a large proportion of the guests stay overnight. The organisers use local taxi firms and their numbers are made available to departing guests. Often, the host will lay on a bus service for the guests. .

v). Helium balloons and Chinese lanterns

CAE never permitted these. Sarah Callander Beckett who is the custodian of The Abbey was vehemently opposed to them. She runs an organic farming business and would not permit them. Neither will the applicants.

17. CONCLUSION

The venue provides much needed local employment. Its caterers use locally sourced produce and suppliers. Local pubs and hotels and taxi firms all benefit from weddings held at The Abbey. CAE was always able to offer the local church the use of The Pavilion during low season for fundraisers. It is the intention of the applicant to continue this practice. The applicant asks that the LSC grants the application in the

terms sought. The effect of the grant will be that there will little or no impact upon local residents. The licence will be subject to stringent and enforceable conditions breach of which can result in a criminal prosecution and a review of the licence.

James Rankin

Francis Taylor Building

Inner Temple

London EC4Y 7BY

6th May 2022

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SIMON ROBSON

STATEMENT

1. I am the Operations Managing Director of the holding company that now manages and operates the wedding venue at Combermere Abbey. Our company took a 20 year lease of the premises on 1st January 2022 and our responsibility for the delivery and management of events commenced at that point too.
2. Previously, events at Combermere Abbey were run by the Combermere Abbey Estate. They offered the hire of the existing pavilion alongside the Glasshouse (which mainly operates as the dedicated licenced civil ceremony area) within the Walled Garden. The client would then appoint separate and independent outside caterers and bar operators, who then in turn would provide services within the pavilion for the event. This was the practice for around ten years.
3. The company operates a number of wedding venues up and down the country including Syrencot, Pelham House and the Old Palace at Chester.
4. We currently manage operations at 13 wedding venues in the UK and understand first-hand the many benefits of having in place a single operator at a site. The most significant advantage is that every event is managed in an entirely consistent format. In turn, this ensures that best practice is employed at all times which, amongst other gains ensures that our crucial responsibilities to neighbours are met reliably every time an event takes place.
5. On 28th October 2020, Cheshire East Council granted planning permission for the erection of a pavilion as replacement of the existing (and current) temporary

marquee at Combermere Abbey. The new pavilion will cover exactly the same footprint as the existing one, but the structure will be more robust and, once constructed, will have better noise attenuation properties than currently exist.

6. The pavilion is scheduled be installed at the start of 2023 between January and March and the scope of the wedding business (i.e., a place to get married and afterward celebrate with family and friends) will remain exactly as before. In the meantime, the existing pavilion remains in use and we will ensure that events that take place in this space will be strictly controlled and regulated. We shall install a noise limiter as an interim measure. It is hoped that the noise levels can be set with the assistance of the EHO.
7. The new pavilion is being designed to better accommodate the demands of a party whilst also creating a space more in keeping with garden itself – all of this whilst being mindful of our overall local responsibilities. We are determined to develop a successful business which will be of increasing value to the local economy.
8. Combermere Abbey Estate engaged with our business early last year, and together we developed a sustainable plan to deliver events and, for the first time, offer food created, cooked and served within the site itself and, wherever possible, by local people.
9. We inherited a number of historic bookings from Combermere Abbey Estate that include the use of fireworks. There are 3 in June (9th, 15th and 30th) one in July (16th) one on September 1st and the final one on 1st July 2023. We have to honour these, but in recognition of the residents' concerns it is our intention to cease all fireworks after 1st July 2023. In the meantime, we have stipulated on these bookings that only the local pyrotechnic contractor and only low noise fireworks can be used. The

displays will last 5 minutes and must be completed by 9pm. We will email all the local residents on the list provided by Combermere Abbey Estate, together with any other email addresses that the council will supply us with. Additionally, our website will contain our email address for any resident that wishes to be kept informed of our events, together with the mobile telephone number of the DPS (Zachary Motrom).

10. Whilst the venue has already operated for the last 30 years with a licence in place, we seek today to simply regularise its terms and, equally, to agree its limits which a) allows us to run a successful local business and b) manage it in such a way so as not to cause a nuisance to our neighbours.
11. Additionally, and in acknowledgement of the representations, we have amended our application and now no longer seek a terminal hour later than that which we already have.
12. All of the above, together with the submission of our noise management plan, is offered within this application in order to provide confidence that the venue buildings and outside spaces will be correctly managed to the complete satisfaction of everyone.
13. We wish to be here for the long term and as a valued part of the local community, coexisting happily with our neighbours and bringing employment, amenity and prosperity to the area as a high-quality hospitality business. The business currently already employs directly on site 6 full time staff and a team of casual workers, with plans to recruit further staff. We already generate significant trade for surrounding suppliers and the tourism and hospitality industry.

14. **In summary:** We are not looking to create an antisocial 24/7 party venue; we simply want to trade successfully, operating in a way that does not create any nuisance to our neighbours.

Simon Robson

Managing Director Operations

Artemis 