

# Licensing Act Sub-Committee

## Agenda

---

**Date:** Monday, 18th April, 2016  
**Time:** 2.00 pm  
**Venue:** Committee Suite 2/3 - Westfields, Middlewich Road, Sandbach, CW11 1HZ

---

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

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

1. **Appointment of Chairman**

To appoint a Chairman for the meeting.

2. **Declarations of Interest**

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

3. **Application for a Premises Licence - Discover The Bluedot, Jodrell Bank Observatory, Telescope Field, Bomish Lane, Macclesfield, Cheshire SK11 9DW**  
(Pages 45 - 90)

To consider an application for a Premises Licence by Discover the Bluedot Limited in respect of Jodrell Bank Observatory, Telescope Field, Bomish Lane, Macclesfield, Cheshire SK11 9DW.

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

---

For requests for further information

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

**This page is intentionally left blank**

## CHESHIRE EAST COUNCIL

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

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

**Officers at Hearings**

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

**PROCEDURE**

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

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

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



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

### Notes

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

## Summary of Procedure

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



**CHESHIRE EAST COUNCIL**  
**STATEMENT OF LICENSING POLICY**  
**(LICENSING ACT 2003)**  
**POLICY DATED JANUARY 2014 TO JANUARY 2019**

## Contents

1. Introduction
2. The aim of the Policy and Statutory Licensing Objectives
3. Matters within the control of the Licence Holder
4. Planning and need for Licensed Premises
5. Integrating Strategies
6. Anti-Social Behaviour
7. Prevention of Crime and Disorder
8. Public Safety
9. Prevention of Public Nuisance
10. Protection of Children from Harm
11. Cumulative Impact
12. Applications for New Grants and Variation of Existing Terms and Conditions
13. Temporary Events
14. Operating Schedule
15. Hours of Operation
16. Conditions
17. Enforcement and Review
18. Early Morning Alcohol Restriction Orders (EMRO's)
19. Late Night Levy
20. The Licensing Process
21. Delegation and Decision Making
22. Exclusions
23. Consultation
24. Changes to Legislation

*Appendix 1 – Table of Delegations of Licensing Functions*

*Appendix 2 – Procedure at Hearings*

*Appendix 3 – Mandatory Conditions*

## 1. Introduction

- 1.1 Cheshire East Council (**the Council**) is the Licensing Authority for the area of Cheshire East under the provisions of the Licensing Act 2003 (**the Act**).
- 1.2 The Local Authority's current Statement of Licensing Policy was published on 24<sup>th</sup> February 2009. A review of that policy is due by January 2014. This Statement of Licensing Policy (**the Policy**) is the result of the review and is published by the Council in accordance with section 5 of the Act. The Policy provides information and guidance to applicants and persons who are likely to be affected by an application (e.g residents and businesses) and Responsible Authorities or anyone interested in these matters. It will clarify the manner in which the Council will approach matters relating to licensing. Whilst the policy provides framework guidance regarding the considerations it will take into account when determining any licence application, the Council, as the Licensing Authority, will ultimately determine each individual application on its own merits.
- 1.3 Cheshire East's mission is for 'Cheshire East to be a great place to live, work, visit and enjoy'. The mission statement complements the aims of this Policy. There are a number of Corporate Objectives some of which link with this Policy. They include:
  - Cheshire East has a strong and resilient economy
  - People live well and for longer
- 1.4 The context of the Policy includes the Local Authority's statutory responsibility under the Health and Social Care Act 2012 for the health of the population of Cheshire East and it is noted that it is a priority of the local Health and Wellbeing Board to reduce alcohol related harm.
- 1.5 The context of the Policy includes the Local Authority's statutory duty under the Crime and Disorder Act 1998 to have regard to the need to do all that it reasonably can to prevent crime and disorder, misuse of drugs and alcohol and reoffending in its area.
- 1.6 The Policy takes into account the guidance issued under section 182 of the Act. The latest guidance was published by the Home Office in June 2013. A copy of the guidance may be accessed via the Home Office website [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk)
- 1.7 In accordance with section 4 of the Act, the Licensing Authority shall have regard to the Policy in the exercise of its functions in respect of Licensable Activities and qualifying Licensable Activities in accordance with Section 1

and Schedules 1 and 2 of the Act. The following is a summary of what comprises Licensable Activities:

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of a member of the club
- The provision of regulated entertainment:
  - performance of a play
  - exhibition of a film
  - indoor sporting event
  - boxing or wrestling entertainment
  - performance of live music
  - playing of recorded music
  - performance of dance
  - entertainment of a similar description to the above

**There are certain exemptions to this definition, which relate to incidental live and recorded music, and spontaneous music, singing and dancing, which are set out in full in the Act.**

- The provision of late night refreshment (supply of hot food or drink from a premises between 23:00 and 05:00 hours)

1.8 The Licensing Authority has noted that the vicinity test in respect of relevant representations has been removed and consequently any person can now make a representation.

1.9 In formulating the Policy, the Licensing Authority has consulted all Responsible Authorities, holders of licences under the Act and the public within Cheshire East.

1.10 This policy will be for a 5 year period and a review will take place in accordance with statutory procedures and will take into full account of any relevant information received by way of consultation or otherwise.

## **2. The Aim of the Policy and Statutory Licensing Objectives**

2.1 The aim of the Policy is to secure the safety and amenity of communities within the Cheshire East area, whilst facilitating a sustainable entertainment

industry. The Local Authority recognises the need of residents for a safe and desirable environment in which to work and live and the importance of well-run licensed premises in a vibrant and diverse local economy. The Local Authority will promote the safety of residents and visitors whilst out at night and on their journey home.

- 2.2 In accordance with the guidance issued by the Secretary of State, the Local Authority recognises the need to encourage and promote a broad range of entertainment, particularly live music, dancing and theatre for the wider cultural benefits of our communities. A natural concern to prevent disturbance in the neighbourhood will always be balanced with the wider cultural benefits of our communities
- 2.3 The Local Authority has a duty to protect the amenity of its residents. This extends to the business community, who can expect the Local Authority to ensure that the environment is attractive and sustainable for the conduct of their business.
- 2.4 It is the Local Authority's duty to exercise its licensing functions with a view to promoting the four Licensing Objectives set out in section 4 of the Act:
- **The prevention of crime and disorder**
  - **Public safety**
  - **The prevention of public nuisance**
  - **The protection of children from harm**
- 2.5 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.
- 2.6 The legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:
- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises
  - giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems
  - recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises



- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them

2.7 The Licensing Authority will have proper regard to amongst other issues:

- Location and environmental impact of the proposed activity
- Suitability of the applicant
- Suitability of the premises to the application
- Operation and management of the premises
- Monitoring, review and enforcement

### **Policy Considerations**

2.8 This policy does not prejudice the requirement for the Licensing Authority to consider each application on its own merits.

2.9 Nothing in the policy will

- Undermine the rights of any individual to apply under the terms of the Act for a variety of permissions and have the application considered on its individual merits; or
- Override the right of a person or a body or a Responsible Authority (as defined in the Act) to make representations on an application or to seek a review of a licence or certificate in accordance with the provisions of the Act.

2.10 All persons have equal rights to make representations concerning applications for premises licenses (and hours of trading) and to receive appropriate consideration to their representations. Irrelevant, frivolous and vexatious representations will be disregarded.

2.11 Following Relevant Representations the Licensing Authority will only depart from this Policy where there is satisfactory evidence/information that the Licensing Objectives will be met in full. In cases where a departure occurs, the Licensing Authority shall provide reasons for the departure.

- 2.12 If an application for a licence or certificate has been made lawfully and there have been no Relevant Representations from Responsible Authorities or other persons, the Licensing Authority will grant the application, subject only to conditions consistent with the operating schedule and any relevant mandatory conditions.
- 2.13 To achieve its aims the Local Authority is committed to working in partnership with the Responsible Authorities, local businesses, residents and others towards ensuring the continued success of this Policy in achieving the statutory objectives of the Act. In considering these issues the Local Authority will focus on the four statutory Licensing Objectives.

### **3. Matters within the Control of the Premises Licence Holder**

- 3.1 The Licensing Authority recognises that licensing law is not the primary mechanism for the general control of individuals once they are away from a licensed premises, and therefore away from the direct control of the premises licence holder. Accordingly, in exercising its licensing functions the Licensing Authority will focus on matters which are within the control of the individual licensee and others who are granted relevant permissions. Nevertheless licensees should take reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, e.g. on the pavement, in a beer garden or in a smoking shelter, where and to the extent these matters are within their control.
- 3.2 The Licensing Authority will expect applicants to consider and make appropriate provisions to ensure that harm is not caused to the Licensing Objectives as a result of activity in, or in the vicinity of, the licensed premises.
- 3.3 It will normally be the responsibility of the premises licence holder to ensure that the managers, designated premises supervisor and door supervisors are competent and appropriately trained.

### **4. Planning and need for Licensed Premises**

- 4.1 When exercising its licensing functions the Licensing Authority will not be influenced by questions of need. The issue of whether or not there is a need for a particular premises is a commercial matter, which is not relevant to the Licensing Authority's considerations.
- 4.2 The Planning Regulation and Licensing Regulation functions are separate statutory regimes. The Licensing Authority recognises that there should be a clear separation of the planning, building control and licensing regimes in order to avoid duplication. The Licensing Authority when exercising its licensing functions will not consider whether there has been any alleged

breach of planning conditions. Planning Permission will usually be required prior to the use of premises for Licensable Activities.

- 4.3 The Licensing Authority is not bound by decisions made by the Planning Authority and vice versa.
- 4.4 There may be circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensed hours, the earlier closing time must be observed. Premises operating in breach of their planning permission would be liable to enforcement action under planning law.
- 4.5 It should be noted that Building Regulations govern a variety of issues, which directly contribute to the Licensing Objectives, including means of escape, structural integrity, accessibility and public safety. Building Regulation Approval and Completion Certificates may be required prior to the use of the premises for licensable activities.

## **5. Integrating Strategies**

- 5.1 The Licensing Authority will consider the Local Authority's approved strategies and policies where they are relevant to the exercise of its function as the Licensing Authority.
- 5.2 The Local Authority recognises that Licensed Premises are an important contributor to the local economy. Any licence application will be considered by taking certain factors into account. These include:
  - Employment opportunities
  - The enhancement the proposal might have on the attractiveness of the wider area
  - The general impact in attracting visitors to the area
- 5.3 In undertaking its statutory licensing function the Licensing Authority may have regard to:
  - Section 17 of the Crime and Disorder Act 1998 and requirement that the Local Authority do all that it reasonably can to prevent crime and disorder in its locality
  - The European Convention on Human Rights (which is given effect by the Human Rights Act 1998), which places a duty on public authorities to protect the rights of individuals in a variety of circumstances
  - Any other relevant legislation drawn to its attention

5.4 The Licensing Authority will seek to discharge its responsibilities identified by other Government Strategies, insofar as they impact on the objectives of the Licensing Act. Examples of these strategies are:

- In accordance with Guidance the Licensing Authority will seek to establish a Safe Scheme so that proper liaison and partnership working with all relevant stakeholders will ensure that appropriate Action Plans for Tackling Alcohol Related Crime, Disorder and Nuisance are in place
- Safer Clubbing
- Local Authorities Coordinators of Regulatory Services and Trading Standards Institute Code of Best Practice on Test Purchasing
- Alcohol Harm and Reduction Strategy
- Crime and Disorder Reduction Strategy
- Enforcement Concordat, under which the Local Authority has developed an Enforcement Strategy

## 6. Anti-Social Behaviour

- 6.1 The Licensing Authority recognises that in addition to the requirements for it to promote the Licensing Objectives, the Local Authority has a duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder within its area.
- 6.2 The objective of the licensing process is to allow the retail sale of alcohol and the provision of other Licensable Activities in a manner that ensures the public's safety and which is neither to the detriment of residents, nor gives rise to loss of amenity. It is the Licensing Authority's aim to facilitate well run and managed premises with premises licence holders displaying sensitivity to the impact of their premises on local residents.
- 6.3 In accordance with the Guidance, the Licensing Authority does not regard this policy as a mechanism for the general control of anti-social behaviour by individuals once they have left the immediate vicinity of the licensed premises.
- 6.4 Recurring problems of alcohol-related anti-social behaviour, crime and disorder or serious public nuisance can occur in an area, which are not directly attributable to specific premises. In such cases, particularly if supported by the Police, the Licensing Authority may consider whether an Early Morning Alcohol Restriction Order (EMROs) might address the problems. These Orders are considered later in this Policy.

## 7. Prevention of Crime and Disorder

- 7.1 The Licensing Authority will have regard to the Crime and Disorder Act 1998 (See Section 6.1 above). Any conditions attached to the premises licence should reflect any local crime prevention strategy. Including, the Safer Cheshire East Partnership Plan or a subsequent replacement plan.
- 7.2 The Licensing Authority will consider whether the premises make or will make a detrimental contribution to levels of crime and disorder, and whether the Operating Schedule is based on an adequate risk assessment, undertaken by the applicant, of the likelihood of crime and disorder occurring as a result of the application.
- 7.3 In order to meet its duty to prevent and reduce crime this Policy will have regard to the likely impact of licensing on related crime and disorder in the area. The Licensing Authority will consider the location of the premises and the impact, operation and management of the Licensable Activities. In particular these issues may include:
- Whether the layout, lighting and fittings of the premises have been designed so as to minimise conflict and opportunities for crime and disorder
  - Whether the Operating Schedule includes appropriate management measures to prevent crime and disorder
  - Door supervision together with the maintenance of an incident book
  - Use of toughened glass or plastic glasses
  - Mechanisms for combating drug dealing and use
  - Use of CCTV cameras
  - Membership of any Pubwatch or similar scheme
  - Use of ID scan equipment
- 7.4 The Licensing Authority may impose conditions on licences or certificates. These may include the following conditions (although the list is not exhaustive). The decision to impose conditions and their extent will depend upon the risks of crime and disorder at the particular premises
- Appropriate ratio of tables to chairs to customers and for areas to be allocated for seated customers
  - A requirement for Security Industry Authority door supervisors to control numbers and to deny entry to individuals who appear drunk, disorderly or intent on crime

- A requirement that drinking vessels do not form a sharp edge when broken
- Restrictions on drinking in areas within and outside the premises
- Procedures for checking the ages of young people who appear under the age of 21 or 25 to ensure alcohol is not sold to those under 18 and that those under 16 are accompanied in alcohol-led premises
- Appropriate 'early warning' communication systems with the Police and with other licensed premises
- The installation of CCTV
- Clear policies and measures to prevent illegal drugs being brought onto and used on the premises
- Searching of customers and staff

7.5 The Licensing Authority will carefully consider Police representations and other conditions relating to the deterrence and prevention of crime and disorder and initiatives to reduce crime will be drawn up in liaison with the police to deal with particular premises or types of premises where concerns may arise.

### **Safer Clubbing**

7.6 The Licensing Authority wishes to promote the principles of 'Safer Clubbing'. The current Home Office Guidance on the subject is recommended to relevant Premises Licence and Club Premises Certificate holders. Following relevant representations appropriate licensing conditions may be imposed to control the environment at relevant premises in support of the 'Safer Clubbing' objectives.

### **Drugs**

7.7 Following Relevant Representations, conditions may need to be imposed for certain types of venues to seek to eliminate the sale and consumption of drugs and to create a safer environment for those who may have taken them. These conditions will take into account the above-mentioned 'Safer Clubbing' advice issued by the Home Office. In all cases where conditions are to be imposed advice will be sought from the Drug and Alcohol Action Team and the Police.

7.8 The Licensing Authority, Police and Licence Holders need to be aware that power is available under the Anti-Social Behaviour Act 2003 that allows for the closure of a licensed premises by the Police where there is production,

supply or use of Class A drugs and/or serious nuisance or crime and disorder. This provides an extra tool to the Police in enabling instant action with regards to premises where there is a Class A drug problem.

### **Door Supervisors**

- 7.9 Following Relevant Representations the Licensing Authority may consider that certain premises require supervision for the purpose of promoting the reduction of crime and disorder, and to generally provide a safer operation of the premises. In such cases licensed door supervisors (registered by the SIA) must be employed at the premises either at all times or at such times as certain licensable activities are taking place, at a number and ratio to be determined by the Licensing Authority. (This excludes stewards/glass collectors who are not involved in the security of the premises and do not therefore require registration with the SIA).

### **CCTV**

- 7.10 Licence holders may wish to install cameras for the protection of staff, customers and for the prevention of crime on or in the vicinity of the premises. In exercising its licensing functions, the Licensing Authority may for the purpose of promoting any of the Licensing Objectives, impose as a condition of the licence the installation of a CCTV system. It should be noted that in such cases the Licensing Authority may take into account the type and quality of recordings, the location of cameras, storage and the availability of recordings to the Licensing Authority and Police.

### **Cinema Exhibitions (see also under Protection of Children from Harm)**

- 7.11 No film shall be exhibited at a licensed premises which is likely to:
- Lead to disorder
  - Incite hatred or violence towards any section of the public on grounds of colour, race or ethnic or national origin, disability, religious beliefs, sexual orientation or gender

## **8. Public Safety**

- 8.1 The Licensing Authority wishes to promote high standards of public safety in relation to premises and activities within the scope of the Act.
- 8.2 The Licensing Authority recognises that the Public Safety Objective is concerned with the physical safety of the customers using the relevant premises and not with Public Health, which is dealt with by other legislation.

- 8.3 Where the Local Authority Director of Public Health submits a relevant representation the relevant Licensing Objective is likely to be Public Safety. This may include where a premises has undermined the objectives in respect of accidents and injury and other harms that may be caused by alcohol consumption. These issues may also impact on the prevention of crime and disorder objective and/or the protection of children from harm objective.
- 8.4 Where activities are organised by volunteers or a committee of a club or a society the Licensing Authority considers it good practice that the same level of Health and Safety protection is provided as if an employer/employee relationship existed, irrespective of whether there are strict legal duties applicable under Health and Safety legislation.
- 8.5 Following Relevant Representations, where the Licensing Authority considers that general health and safety duties do not adequately cover certain Licensable Activities, conditions may need to be attached to the licence to ensure public safety.
- 8.6 Organisers of temporary/large scale events will be encouraged to seek advice and information from the Local Authority's Event Safety Advisory Group prior to submitting any application.

### **Fire Safety**

- 8.7 The Licensing Authority will have due regard to the representations of Cheshire Fire and Rescue Service regarding licensing applications.
- 8.8 Following Relevant Representations, the Licensing Authority may impose appropriate conditions in relation to fire safety matters in consultation with Cheshire Fire and Rescue Service.
- 8.9 The Licensing Authority will only include an occupant capacity condition on a Premises Licence or a Club Premises Certificate where there is a genuine fear or a genuine problem with overcrowding and it is considered appropriate for public safety. This figure will be arrived at in consultation with Cheshire Fire and Rescue Service. If an occupant capacity is fixed in accordance with any risk assessment required by The Regulatory Reform (Fire Safety) Order 2005 that figure will be used.
- 8.10 Where the special provisions of Section 177 of the Act (dancing, amplified and unamplified music in premises with a capacity of no more than 200 persons) are utilised, the Licensing Authority reserves the right to confirm with Cheshire Fire and Rescue Service the safe capacity of the premises.

## **9. Prevention of Public Nuisance**



- 9.1 If Relevant Representations are received the Licensing Authority, when making an objective judgment about what constitutes a nuisance in respect of an application or review of a premises licence or certificate, will take a broad common law meaning when considering matters such as:
- Noise from premises
  - Waste
  - Litter
  - Car parking
  - Light pollution
  - Noxious odours
- 9.2 In considering the potential impact of licensed premises on the surrounding locality the Licensing Authority, when in receipt of any Relevant Representations will take into account the type of entertainment activity, proposed hours of operation, the capacity of the premises, the character of the areas and the proximity to local residents. Consideration will be given to the potential steps which could be taken to reduce the risk of nuisance occurring. This will particularly apply in areas where there is residential accommodation in the proximity of the premises.

### **Noise and Vibration**

- 9.3 In order to enforce the provisions of the Environmental Protection Act 1990 (which relate to noise nuisance) the Police, Environmental Health Officers and Licensing Officers will liaise to ensure that adequate control measures are properly used to protect the local environment. Any action taken will be conducted in accordance with relevant enforcement policies
- 9.4 Consideration will be given to whether the operating schedule contains adequate measures to prevent noise and vibration, generated from within the premises, outside it, or from an open site, that may cause disturbance. Stricter conditions will be considered on premises in areas that have dense residential accommodation or have residential accommodation close to them. Noise includes music and human voices. Measures in the Operating Schedule may include installation of soundproofing, air conditioning, acoustic lobbies, sound limitation devices or locking doors at specified hours. If the proposed operating schedule fails to address noise nuisance issues, the Environmental Health Department may request that an independent acoustic report is conducted. Environmental Health may use any recommendations from such a

report to propose amendments to the Operating Schedule or suggest conditions for the consideration of any (Sub) Committee.

- 9.5 Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to:
- Restrict the generation of any noise within the premises and from activities associated with the premises in the vicinity, or from an open air site
  - Limit the escape of any noise from the premises or open air site
  - Restrict any noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping
  - Minimise and control any noise from customers arriving and departing from the premises
- 9.6 The Licensing Authority will not impose conditions on licensed premises that cannot be directly controlled, or on matters not related to the vicinity of the premises.
- 9.7 If it is considered that any noise emanating from within the curtilage of a licensed premises is causing a public nuisance, under the provisions of the Anti-Social Behaviour Act 2003, an Authorised Officer can require its immediate closure for a period of up to 24 hours. It should be noted that the 'test' is a lesser one than that required to determine a Statutory Noise Nuisance and the statutory defence of 'best practicable means' is not available.
- 9.8 The Licensing Authority further recognises the Government's view that licensing hours should not inhibit the development of thriving and safe evening and night-time local economies which are important for investment and employment locally and attractive to domestic and international tourists. Whilst providing consumers with greater choice and flexibility is an important consideration, the Licensing authority takes the view this should always be carefully balanced against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.
- 9.9 The Licensing Authority will not seek to impose uniform closure times in relation to alcohol licensed premises and will consider each application on its merits. However, where premises are situated in sensitive areas, in circumstances where the Licensing Authority's discretion has been engaged through the receipt of relevant representations, consideration will be given to the imposition of conditions aimed at limiting the impact of noise and

disturbance on residents. Such conditions may, for example, include the use of door supervisors, or measures to prevent the escape of sound from within the premises. Licensees and certificate holders are reminded that they should take reasonable steps to prevent the occurrence of crime and disorder and public nuisance in outside areas such as beer gardens or smoking shelters and in areas such as pavements immediately outside their premises, where and to the extent that , these matters are within their control.

### **Eating, Drinking and Smoking Outside Premises**

9.8 The Licensing Authority will take the following into consideration:

- Whether people standing or sitting outside are likely to cause obstruction or other nuisance
- Whether premises are under or near residential accommodation
- The hours of sale of alcohol in open containers or food for consumption outside the premises
- Measures to make sure that customers move away from outside premises when such sales cease
- Measures to collect drinking vessels and crockery, cutlery and litter
- The extent and location of areas proposed to be set aside for the consumption of food and alcoholic drink for smoking
- Whether there is a need for door supervisors to prevent or to control customers congregating in outdoor areas to smoke, consume food or drink (whether supplied by the premises or not), between certain hours or at all times.

### **Other Environmental Impacts**

9.9 Consideration will be given to whether Operating Schedules contain adequate measures to prevent:

- Litter, smells, fumes, dust, tobacco or other smoke, or other emissions
- Street fouling
- Light pollution
- Congestion of the pavement or roadway, impeding reasonable access

arising from the proposed licensable activity that may cause nuisance to people in the vicinity.

9.10 If the sale of alcohol in open containers or food for consumption outside the premises has been proposed, the following considerations are relevant:

- Whether measures would be undertaken to prevent nuisance caused by the storage, handling and collection of refuse and recyclable materials
- Whether late night premises are likely to generate litter and whether the sale of take-away food is proposed and the measures planned to prevent littering in the vicinity and to clear up any litter that occurs
- The steps proposed to prevent queuing or, if some queuing is inevitable, to divert queues away from residential properties and entrances to neighbouring premises, and to manage the queue to prevent disturbance and obstruction
- The steps taken to prevent disturbance by patrons arriving at or leaving the premises
- The steps taken to ensure staff leave the premises quietly
- The arrangements made or proposed for parking by patrons and the effect of parking on local residents
- Whether taxis and private hire vehicles serving the premises are likely to disturb local residents
- Whether routes to and from the premises on foot or by car or service or delivery vehicles pass residential premises
- Whether other measures to prevent nuisance such as the use of CCTV or the employment of SIA registered door supervisors are necessary
- The measures proposed to prevent the consumption or supply of illegal drugs, including any search procedures
- The likelihood of any violence, public disorder or policing problem arising if a licence were to be granted
- If the applicant has previously held a licence within the Cheshire East area, the details of any enforcement action arising from that premises
- Whether the premises would result in increased refuse storage or disposal problems, or additional litter in the vicinity of the premises.

## 10. Protection of Children from Harm

10.1 Protection of Children from harm includes the protection of children from moral, psychological and physical harm. This includes protection from premature exposure to strong language and sexual expletives. The Act does not prevent children having free access to premises selling alcohol for consumption on those premises, although the Licensing Authority when in receipt of Relevant Representations may impose conditions necessary for the prevention of harm to children. Where there are matters that give rise to serious concerns and the restriction of access may not ensure adequate protection of children from harm, children should be excluded. Examples of what may give rise to these concerns include:

- Where there have been convictions for serving alcohol to minors or where the premises has a reputation/evidence for underage drinking (to include any action undertaken regarding test purchases in relation to the supply of alcohol)
- There is a known association with drug taking or dealing
- There is a strong element of gambling on the premises
- Entertainment of an adult or sexual nature is provided

*Note: The Act makes it an offence to permit children under the age of 16 who are not accompanied by an adult to be present on premises used exclusively or primarily for the supply of alcohol for consumption on the premises.*

10.2 Matters which the Licensing Authority will take into consideration include:

- Whether there are effective measures to check the age of those young people who appear under 25, to ensure alcohol is not sold to those under 18 and those under 16 are accompanied in alcohol led premises
- Whether the supply of alcohol for consumption on the premises is the exclusive or primary purpose
- The hour to which accompanied children under 16 are proposed to be on the premises where the exclusive or primary purpose of the services provided at the premises is the supply of alcohol for consumption on the premises
- The likelihood of children being attracted to the premises e.g. by the nature of activities or facilities provided, whether or not these are licensed
- Whether there is evidence of heavy, binge or underage drinking on the premises

- 10.3 Where Relevant Representations have been received and it is considered necessary that the access of children should be restricted to protect them from harm then conditions may be attached to the licence. These may include:
- Limitation on the hours when children may be present
  - Restrictions to the age of persons on a premises (e.g. to over 18's only)
  - Restrictions on access to certain parts of the premises
  - Limitations or exclusions when certain activities may take place
  - Require an accompanying adult to be present at all times
- 10.4 Where large numbers of children are likely to be present on any licensed premises, for example, a children's show or pantomime, then the Licensing Authority may require the presence of an appropriate number of adult staff (who will have provided a satisfactory Disclosure and Barring Service check) to ensure their safety and protection from harm. The exact ratio is to be assessed in respect of each individual application and is dependent on the type and size of the premises and the control measures in place as outlined within the operating schedule, and importantly the particular group of children likely to visit the premises in question.

**Cinema Exhibitions (see also under Prevention of Crime and Disorder)**

- 10.5 Where the exhibition of films is permitted the Licensing Authority will expect age restrictions to be complied with in accordance with the British Board of Film Classifications (BBFC) recommendations. Where a film has not been classified by the BBFC the Licensing Authority will consider whether it is appropriate to provide a local classification. When setting a local classification the Licensing Authority will have regard to the BBFC's guidelines.
- 10.6 In considering applications, the Licensing Authority will take into account any evidence that age restrictions for cinema exhibitions have not been adhered to.

**11. Cumulative Impact**

- 11.1 The Licensing Authority does not consider that there are areas where Cumulative Impact occurs presently nor is there a need at this time for the Licensing Authority to adopt a special policy relative to designating 'Stress Areas'.

- 11.2 Where there is a concentration of licensed premises this can lead to serious problems of nuisance and disorder arising in the area itself and even some distance away from the premises. In such circumstances the impact of those premises when taken as a whole can be far greater than that arising from individual premises and it may not be possible to distinguish individual premises as being the sole cause or even a major contributing factor, of a particular problem. It is the **Cumulative Impact** of all the premises which causes problems for the wider area.
- 11.3 It is clear however, that the vicinity within which licensed premises are or may be located is a major consideration in determining whether a licence should be granted and what conditions should be attached to it should representation be received. Due consideration will be given to the direct impact of the operation of the premises on members of the public living, working or engaged in normal activity in the vicinity of the premises.
- 11.4 It should be noted that 'Cumulative Impact' should not be confused with the issue of 'need', which relates to commercial demand for licensed premises. 'Need' is not a matter to be taken into account by the Licensing Authority.
- 11.5 Where a particular area becomes saturated with licensed premises making it a focal point for large groups of people to congregate, this might create exceptional problems of disorder, noise and other nuisance and in such circumstances the grant of further Premises Licenses or Club Premises Certificates may undermine the Licensing Objectives.
- 11.6 Notwithstanding these concerns each application has to be considered on its own individual merits. Where an objector is seeking to establish that the grant of a licence or certificate would result in a cumulative impact which undermines one or more Licensing Objectives, the following shall apply:

### **Objections on the grounds of Cumulative Impact**

- 11.7 In cases where objectors seek to establish that an application should be refused on the grounds that it would result in or further contribute to cumulative impact which would undermine one or more of the Licensing Objectives the objector shall:
- Identify the boundaries of the area from which it is alleged problems are arising
  - Provide full details and evidence as to the seriousness of the nuisance and disorder caused in the area
  - Identify the licensing objective(s) which it is alleged will be undermined with specific regard to:

- The occupancy figure for the proposed premises
- The nature of the licensed activity to be carried on at the premises and its patrons.

### **Identifying Stress Areas**

11.8 Where as a result of an objection under paragraph 11.7 above and the Licensing Authority is satisfied that there is a serious or chronic concern about nuisance and disorder in a particular area and has refused an application on the grounds of Cumulative Impact the area shall be declared as a 'Stress Area'. In doing so the Licensing Authority shall:

- Follow the statutory procedures outlined in the Home Office Guidance issued under Section 182 of the Act
- Identify the boundaries of the area
- Identify the licensable activities causing the nuisance and/or disorder
- Monitor and review the 'Stress Area'

### **Applications for a New Premises Licence in a Stress Area**

11.9 New premises licenses will not be granted for the activities identified as causing nuisance and/or disturbance in Stress Areas except where:

- No objections are received to the application, or
- The grant of the licence will not undermine the Licensing Objectives

11.10 In considering such applications the Licensing Authority will have particular regard to:

- The occupancy figure for the proposed premises
- The proximity of the premises to others in the Area licensed for similar activities and the occupancy figures for those other premises
- Whether the proposed premises will act as a replacement for others in the Area that no longer has a licence
- The proposed methods of management outlined in the applicants' operational plan
- The proposed hours of operation
- Transport provision for the Area



### **Existing Premises Licenses in Stress Areas**

- 11.11 The above factors cannot be used as a justification for removing an existing licence. If representations are received about existing licensed premises relating to matters other than cumulative impact and which undermine the Licensing Objectives then appropriate action may be taken.

### **Applications for variations to existing Premises Licenses in Stress Areas**

- 11.12 Applications for variations to existing Premises Licenses in Stress Areas will not be granted where those modifications directly affect the issue of Cumulative Impact in the Stress Area or otherwise undermine the Licensing Objectives. An example of where a modification may directly affect the issue of cumulative impact would be where an application was received to extend premises and significantly increase the occupancy level of the premises.

## **12. Applications for New Grants and Variation of Existing Terms and Conditions**

- 12.1 In the absence of any Relevant Representations in respect of any application made to the Licensing Authority, it is the duty of the Authority to grant the licence or certificate subject only to conditions that are consistent with the Operating Schedule and any Mandatory Conditions prescribed in the Act. This will also apply to any applications made in respect of premises within an identified Stress Area.
- 12.2 The EU Services Directive (Directive 2006/123/EC) and the Provision of Services Regulations 2009 require the Authority to enable an electronic application facility. This is available through [www.GOV.uk](http://www.GOV.uk) for Premises Licence applications, renewals and variations and for Club Premises Certificates, renewals and variations. An automatic grant is not available for these applications since visits to premises are required in order to ensure the Licensing Objectives would be promoted. In addition the consideration of a licence needs to take into account the management of the premises.
- 12.3 The Licensing Authority will consider the same issues in respect of a variation and a renewal as they do in respect of an application for a new grant.
- 12.4 The Licensing Authority may take into account any non-compliance of other statutory requirements brought to its attention. Particularly where these undermine the Licensing Objectives, as non-compliance with other statutory requirements may demonstrate that the premises are unsuitable for the activities proposed or that the management of the premises is not adequate to protect the public from harm or nuisance.

- 12.5 The Licensing Authority will consider whether appropriate measures have been put into effect by the applicant to mitigate any adverse impact.

### **13. Temporary Events**

- 13.1 Arrangements are made under Part 5 of the Act for the temporary carrying on of licensable activities which are not authorised by a premises licence or a club premises certificate.
- 13.2 The Licensing Authority will provide advice about, amongst other things, public safety. Organisers of temporary/large scale events will be encouraged to seek advice and information from the Local Authority's Event Safety Advisory Group prior to submitting any application.
- 13.3 Legislation states that a minimum of ten working days notice should be given to the Licensing Authority of temporary events (or five working days in respect of a late temporary event). In accordance with the Act, 'Working Day' excludes Saturday, Sunday and Bank Holidays. The Licensing Authority cannot and will not accept notification of a Temporary Event Notice or a late Temporary Event Notice outside the statutory time limit.
- 13.4 The Licensing Authority acknowledges that in exceptional circumstances, some Temporary Events may and do have an impact upon crime and disorder. Therefore, in cases of large scale events, organisers should consider providing as much notice as possible. The Licensing Authority considers two months notice to be advisable in relation to such events.
- 13.5 The Licensing Authority expects organisers to give due consideration to the four licensing objectives and to consider local residents and those attending events, in areas such as:
- Health and Safety
  - Noise Pollution
  - Use of Temporary Structures
  - Road Closures
  - Use of Pyrotechnics or Fireworks
  - Controlling Anti-Social Behaviour
- 13.6 The Licensing Authority may advise applicants to consult with Cheshire Fire and Rescue Service and North West Ambulance Service for guidance with regards to assessing possible risks.

- 13.7 Applicants will also be reminded that giving a Temporary Event Notice does not relieve the premises user from planning law and any requirement to obtain the appropriate planning permission where it is required.

#### **14. Operating Schedule**

- 14.1 It is recommended that that applicants contact Responsible Authorities when preparing their operating schedules. This is likely to reduce subsequent objections.
- 14.2 This Statement of Licensing Policy sets out criteria and considerations, which relate to the Licensing Objectives, which applicants should have in mind when drawing up their Operating Schedule.

#### **15. Hours of Operation**

- 15.1 The Licensing Authority will determine licensing hours based on the individual merits of each application.
- 15.2 The Licensing Authority will consider whether longer licensing hours will achieve a gradual dispersal of people leaving licensed premises and therefore promote the Licensing Objectives.
- 15.3 The Licensing Authority recommends that applicants indicate within the operating schedule that consideration has been given to the extent the licensing hours applied for will impact on local residents and the surrounding area.
- 15.4 The Licensing Authority will consider licensing shops, stores and supermarkets to sell alcohol for consumption off the premises at any time when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting the hours. Consideration may be given to restricting the licensing hours of individual shops in circumstances where representations received indicate that the premises is a focus of disorder and disturbance.

#### **16. Conditions**

- 16.1 The Licensing Authority may, when considering the content of the Operating Schedule, select appropriate conditions from the Home Office Guidance, pool of Conditions, where it is deemed appropriate to ensure that the Operating Schedule reflects the four Licensing Objectives.
- 16.2 Where appropriate, following receipt of Relevant Representations, the Licensing Authority, may attach conditions to the grant of a licence which seeks to regulate the behaviour of persons as they leave licensed premises.

- 16.3 Where existing law already places statutory obligations on applicants the Licensing Authority will not usually impose the same or similar duties by way of condition.

## **17. Enforcement and Review**

- 17.1 It is the intention of the Licensing Authority to work proactively with the Cheshire Police and other enforcement agencies. Proportionate targeting of agreed problem and high-risk licensed activities needing greater attention will be applied. A corresponding lighter touch for well run, lower risk premises will also be applied.
- 17.2 The Review of licences or certificates provides a key protection for the community where the Licensing Objectives are being undermined. The Review system should allow the Licensing Authority to apply a light touch bureaucracy to the grant or variation of a licence or certificate. The Licensing Authority may then take a more robust approach when problems relating to the Licensing Objectives arise later in respect of any premises.
- 17.3 At any stage following the grant of a premises licence or a club premises certificate, a Responsible Authority or any other person, may ask the Licensing Authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives. The Licensing Authority shall refer to Guidance when assessing whether any Relevant Representations are irrelevant, vexatious, frivolous or repetitious.
- 17.4 Although the Act does not require premises inspections to be undertaken, they will take place at the discretion of the Licensing Officers charged with this role and will take place as judged necessary. This will ensure that the Licensing Authority manages resources efficiently and that 'effective enforcement' is directed at 'problem premises'.
- 17.5 Where any conditions have been applied to a Premises Licence or Club Premises Certificate and Authorised Officer of the Local Authority may inspect the premises at any reasonable time for the purpose of checking that the conditions are being complied with.

### **Door Supervisors**

- 17.6 The Security Industry Authority (SIA) plays an important role in preventing crime and disorder by ensuring that door supervisors are properly trained and licensed. Specific enquiries or premises visits may occur in order to ascertain that SIA Licenses are being executed in the correct manner and not as a tool for crime and disorder such as fronts for serious and organised criminal activity. Intelligence led operations by the SIA, Licensing Authority and/or Police will be conducted without notice

## 18. Early Morning Alcohol Restriction Orders (EMROS)

- 18.1 Under Section 172 A to E of the Act, the Licensing Authority has the power to make an EMRO prohibiting the sale of alcohol for a specified period between the hours of 24:00 and 06:00. They are designed to address recurring problems with licensed premises, serious public nuisance and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.
- 18.2 The Licensing Authority will consider evidence that such a decision is appropriate for the promotion of the Licensing Objectives. Consideration will be given to evidence provided by partners, Responsible Authorities and the Local Community Safety Partnership as well as evidence the Licensing Authority has gathered to determine whether an EMRO would be appropriate for the promotion of the licensing objectives. The Licensing Authority will consider the problems that have been identified. A range of evidence may be considered, including local crime and disorder statistics, statistics on anti-social behaviour offences, health related statistics (e.g. alcohol related emergency attendances and hospital admissions, environmental health complaints, complaints recorded by the Local Authority, residents' questionnaires, evidence from local councillors and evidence obtained through local consultation).
- 18.3 It is acknowledged by the Licensing Authority that an EMRO is restrictive, whilst also being a powerful tool to address recurring problems of alcohol-related crime and disorder, serious public nuisance and alcohol-related anti-social behaviour. Prior to making an EMRO the Licensing Authority will consider whether any other measures (implemented by themselves or with partners) may address the problems that have been identified, in particular other measures might include:
- Development of a Cumulative Impact Policy
  - Reviewing the licenses of specific problem premises
  - Encouraging the creation of business-led practice schemes
  - Use of powers of the Local Authority to designate an area where alcohol may not be consumed publicly (Designated Public Places Order)
  - The confiscation of alcohol in designated areas
  - Police enforcement of the general law concerning disorder and anti-social behaviour

- Prosecution for the offence of selling (or allowing such a sale of) alcohol to a person who is drunk
- Use of Police powers to close down any licensed premises instantly for up to 24 hours in respect of which a TEN has effect

18.4 In taking any decision to make an EMRO, the Licensing Authority will follow the statutory process and will invite representations.

## **19. Late Night Levy**

19.1 Under Section 125 of the Police Reform and Social Responsibility Act 2011 the Local Authority can adopt a Late Night Levy, following a consultation process, outlined by the Home Office. It allows the Local Authority to charge an additional fee to any licensed premises that has a licence for the sale of alcohol (on and off sales) after 12 midnight and up to 06:00 in order to cover the additional costs associated with late night alcohol trading. Legislation allows this to start from midnight but it is up to the Local Authority to decide when they wish to apply it.

19.2 Any income raised by the Levy must be split with the local Police force; the Police would receive a minimum of 70% of funds raised and the Local Authority's 30% must be used to fund services which make the late night economy a more welcoming place.

19.3 The Local Authority will consider implementing a Late Night Levy if appropriate.

## **20. The Licensing Process**

20.1 Applications can be made on the prescribed forms that can be found on the Home Office website.

20.2 Applications can also be made via the government website [www.gov.uk](http://www.gov.uk). In order to fulfil its obligations under the Provision of Services Regulations 2009 (and the EU Services Directive) the Council will continue to enable the application process and payment online. Tacit consent is however not applicable for applications under the Licensing Act 2003 since the suitability of an applicant and the suitability of premises are under consideration.

## **21. Delegation and Decision Making**

21.1 One of the major principles underlying the Licensing Act 2003 is that the licensing functions contained within the Act should be delegated at an appropriate level to ensure an efficient and cost effective service.

- 21.2 The Licensing Authority is committed to the principle of delegating its powers to ensure that these objectives are met and has arranged for its licensing functions to be discharged in accordance with the Home Office Guidance. The table at Appendix 1 sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub-Committees and Officers
- 21.3 The Act itself creates a presumption that applications will be granted unless a Relevant Representation (objection) is raised. Where a function is delegated to an officer, that officer will be responsible for liaising between the applicants, objectors and Responsible Authorities to ensure that any licence granted is subject to any appropriately agreed conditions and relevant mandatory conditions
- 21.4 Where objections are made, an officer of the Licensing Authority may liaise with the Applicant, objectors and the Responsible Authorities to see if agreement is possible to conditions which would overcome the objections, without the need for the matter to go before the Committee or Sub-Committee. Only where objections are raised which cannot be reconciled will matters be referred to either the Sub-Committee or the Full Committee for determination.
- 21.5 Contested Licensing Applications and Review Hearings are administrative in nature and the (Sub) Committee will ensure that any meetings are conducted as informally as possible. However, some degree of formality is needed to ensure that all parties receive a fair hearing. Procedural requirements will be established to ensure that all parties are able to express their views openly and fairly. The (Sub) Committee procedure is inquisitorial rather than adversarial and, whilst applicants, objectors and Responsible Authorities are entitled to bring legal representation with them if they wish, this is by no means a requirement or a necessity.
- 21.6 Whilst the (Sub) Committee usually meets in public, it does have the power to hear certain applications in private. The Committee, however, will always reach its decision in private. A public announcement of the decision is normally made at the end of the Hearing together with an outline of the reasons for that decision. However on occasion this may not be possible, due to time constraints and/or the complexity of the issues under consideration, in which case a written decision will be issued as soon as possible after the Hearing.
- 21.7 The procedure which will generally be used by the (Sub) Committee, unless the Chairman of the (Sub) Committee takes the view that natural justice and fairness require a change to be made to the process, is set out at Appendix 2.

## 22. Exclusions

- 22.1 In formulating this Statement of Licensing Policy in accordance with Guidance and recognising the need to treat each application on its individual merits the Licensing Authority makes specific exclusions, which are detailed below.

### **Commercial Demand**

- 22.2 The commercial demand for additional premises licenses (as distinct from cumulative impact) will not be a matter for the Licensing Authority, such matters being a specific consideration for the Planning Authority.

### **Zoning and licensing hours**

- 22.3 Fixed predetermined closing times for particular areas will not form part of the Policy and restriction on trading hours will be considered only where appropriate to meet Licensing Objectives.

### **Children**

- 22.5 Nothing in this Statement of Policy shall limit or require access of children to premises unless there is an overriding necessity to prevent harm to children. Areas that will give rise to particular concern are highlighted elsewhere in this Policy.

### **Standardised conditions**

- 22.6 The Policy does not provide for 'standard conditions' to be imposed so as to avoid the imposition of disproportionate and burdensome requirements. Conditions attached to licenses or certificates, if deemed appropriate in particular circumstances, will be tailored to reflect the individual operation of the premises in question. Conditions will not be imposed which are beyond the responsibility or control of the premises licence holder.

## **23. Consultation**

- 23.1 In reviewing this Policy the Licensing Authority has consulted widely to ascertain an appropriate licensing framework for its area. Various bodies have been consulted including:
- Cheshire Constabulary
  - Cheshire Fire and Rescue Service
  - Cheshire East Health and Wellbeing Board
  - Current licence holders
  - Representatives of the local licensing trade



- Representatives of local businesses and residents
- Community Safety Partnership and Event Safety Advisory Group
- Borough Councillors
- Parish and Town Councils
- Macclesfield Charter Trustees
- Council Officers

## **24. Changes to Legislation**

24.1 This Statement of Licensing Principles reflects the law in force in June 2013. The following are some of the main changes which are currently proposed:

- An authorisation for an indoor sporting event or a performance of a play or dance may be required only when the audience exceeds a specified number (1000 for an indoor sporting event and 500 for the performance of a play or dance) or the entertainment does not take place between 8am and 11 pm on any day
- It is intended that it will be made clear that a contest exhibition or display which combines boxing or wrestling with one or more martial arts (a 'combined fighting sport') is licensable under the Act as a boxing or wrestling entertainment rather than an indoor sporting event

24.1 As changes to legislation occur the Local Authority will implement them using the principles stated in this Statement.

## **25. Review of the Statement of Licensing Policy**

25.1 The adoption of a revised Statement of Licensing Policy is reserved to Full Council. However if a review were necessary during the 5 year period for which the Policy is adopted this can be undertaken by the relevant Cabinet member and the Council's Licensing Committee which would make a recommendation to Council.

### Table of delegations of licensing functions

Functions under the Licensing Act will be dealt with as follows:

Matter to be Dealt with	Full Committee	Sub-Committee	Officers
Application for Personal Licence		If a police objection	If no objections made
Application for Personal Licence with unspent convictions		All Cases	
Application for premises Licence/Club Premises Certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation is made	If no relevant representation is made
Application to vary Premises Licence/Club Premises Certificate		If a relevant representation made	If no relevant representation made
Application to vary designated Personal Licence holder		If a police objection	All other cases
Request to be removed as designated Personal Licence Holder			All cases
Application of transfer of Premises Licence.		If a police objection	All other cases
Application for Interim Authorities		If a police objection	All other cases
Application to review Premises Licence/Club Premises Certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc			All cases
Decision to object when Local		All cases	

<b>Matter to be Dealt with</b>	<b>Full Committee</b>	<b>Sub-Committee</b>	<b>Officers</b>
Authority is a consultee and not a lead authority			
Determination of a relevant objection to a Temporary Event Notice		All cases	
Power to issue a Counter Notice in respect of a Temporary Event			All cases
Determination of a minor variation			All cases
Decision to exercise the Licensing Authority's powers as a Responsible Authority			All cases

## CHESHIRE EAST COUNCIL

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

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

**Officers at Hearings**

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

**PROCEDURE**

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

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

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

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

### Notes

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

## Summary of Procedure

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

### **Mandatory Conditions**

#### **Mandatory conditions where licence authorises supply of alcohol**

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:

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 of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

#### **Mandatory condition: exhibition of films**

1. Where a premises licence or club premises certificate authorises the exhibition of films, the licence/certificate must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence/certificate, unless condition (3) (b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
3. Where
  - (a) the film classification body is not specified in the licence, or
  - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

Admission of children must be restricted in accordance with any recommendation made by that licensing authority

#### **Mandatory condition: door supervision**

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual 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



**Prohibited conditions: plays**

1. In relation to a premises licence or club premises certificate which authorises the performance of plays, no condition may be attached to the licence as to the nature of the plays which may be performed, or the manner of performing plays, under the licence.

**Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010**

1. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:
  - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act)
  - (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
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring
  - (e) 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

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
4. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. 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 a holographic mark.
5. The responsible person shall 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; and
  - (b) customers are made aware of the availability of these measures.

Conditions 1- 3 and 5 do not apply where the Premises Licence authorises the sale and supply of alcohol only for consumption off the premises.

## CHESHIRE EAST COUNCIL

**REPORT TO: LICENSING ACT SUB-COMMITTEE**

---

**Date of Meeting:** MONDAY 18 APRIL 2016 AT 2.00PM

**Report of:** MR J HOPPER, LICENSING OFFICER

**Subject/Title:** APPLICATION FOR A PREMISES LICENCE AT  
DISCOVER THE BLUEDOT  
JODRELL BANK OBSERVATORY  
TELESCOPE FIELD, BOMISH LOANE,  
MACCLESFIELD CHESHIRE SK11 9DW

---

**1.0 Report Summary**

- 1.1 The report provides details of an application for premises licence and the proposed operating schedule together with details of relevant representations received in relation to the application.

**2.0 Recommendations**

- 2.1 The Licensing Act Sub-Committee is requested to determine the application for a Premises Licence by Discover the Bluedot Limited, in respect of:

Jodrell Bank Observatory  
Telescope Field  
Bomish Lane  
Macclesfield  
Cheshire  
SK11 9DW

- 2.2 Acting in the capacity of Licensing Authority, Members must seek to promote the Licensing Objectives, and where Members consider matters have engaged one or more of the objectives, they may exercise their discretion. The licensing objectives are:

- (a) The prevention of crime and disorder
- (b) Public safety
- (c) The prevention of public nuisance
- (d) The protection of children from harm

- 2.3 Members of the Licensing Sub-Committee are reminded that they may not exercise discretion in any case, merely because it considers it desirable to do so. Careful consideration should be given to an application and relevant representations in light of the proposed operating schedules.
- 2.4 The Sub-Committee in respect of this application must have regard to the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy.
- 2.5 Finally, Members are also reminded that in determining the application in accordance with the Licensing Act 2003, Members must also have regard to:
- The rules of natural justice
  - The provisions of the Human Rights Act 1998

### **3.0 Reasons for Recommendations**

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

### **4.0 Wards Affected**

- 4.1 Gawsworth  
4.2 Chelford

### **5.0 Local Ward Members**

Cllr Lesley Smetham  
Cllr George Walton

### **6.0 Policy Implications**

- 6.1 The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.
- 6.2 Whilst having regard to the general principles within the Statement, Members may wish to consider the following:
- 6.2.1 The representations relate to the following Licensing Objectives: the prevention of crime and disorder, public safety and the prevention of public nuisance. The Licensing Authority sets out at paragraphs 7- 9 of its Statement of Licensing Policy how it will deal with representations under these objectives.

6.2.2 The Statement of Licensing Policy also deals with issues of Anti-social behaviour at paragraph 6.

6.3 Members should provide reason(s) for any decision taken and should set out their reasoning where they determine to depart in any way from the Policy or Guidance.

## **7.0 Financial Implications**

7.1 Not applicable.

## **8.0 Legal Implications**

8.1 In accordance with the provisions of section 18 of the Licensing Act 2003 the Licensing Authority must, having regard to the representations, take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. Section 18(4) provides that the authority may:

- (a) Grant the licence subject to the relevant mandatory conditions and conditions consistent with the operating schedule
- (b) Modify the application to such extent as the Authority considers appropriate for the promotion of the Licensing Objectives Exclude from the scope of the licence any of the Licensable Activities to which the application relates
- (d) Refuse to specify a person in the licence as the Premises Supervisor
- (e) Reject the application.

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

8.3 Members are also reminded of the statutory obligation placed on the Local Authority under section 17 of the Crime and Disorder Act 1998 to through all of its various functions, and Licensing is one of those functions to do all that it can to prevent Crime and disorder, Anti-social Behaviour, behaviour adversely affecting the environment and re-offending.

## **9.0 Risk Management**

9.1 Section 181 and Schedule 5 of the Licensing Act 2003 make provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority.

## **10.0 Background and Options**

10.1 The application was received on the 19 February 2016. The application is for the grant of a Premises Licence under section 17 of the Licensing Act 2003.

10.2 The operating schedule indicates that the relevant licensable activities applied for are:

Provision of Plays

Provision of Films

Provision of Live Music

Provision of Recorded Music

Provision of Performances of Dance

Provision of Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Late Night Refreshment

Supply of Alcohol

10.3 The hours applied for are as follows:

**Provision of Plays** (to take place both indoors and outdoors)

**Provision of Films** (to take place both indoors and outdoors)

**Provision of Live Music** (to take place both indoors and outdoors)

**Provision of Recorded Music** (to take place both indoors and outdoors)

**Provision of Performances of Dance** (to take place both indoors and outdoors)

**Provision of Anything of a similar description to Live Music, Recorded Music or Performance of Dance**

Thursday 12.00 to 00.00

Friday to Sunday 09.00 to 03.00

**Late Night Refreshment** (to take place both indoors and outdoors)

Thursday to Sunday 23.00 to 05.00

**Supply of Alcohol** (for consumption on the premises only)

Thursday 12.00 to 03.00

Friday to Sunday 12.00 TO 04.00

**Hours Premises are Open to the Public**

From 09.00 on Thursday to 13.00 the following Monday

10.4 A copy of the application form is attached as Appendix 1 to this report.

10.4.1 Negotiations have taken place between the Applicant and their agent with objectors to the application, this has been a complicated process with various different proposals put forward, which may not have been agreed

by all those who have made representations. The final position of the applicant and objectors will be set out at the hearing.

## 10.5 Relevant Representations

### Responsible Authorities:

10.5.1 The Police in their response state that the conditions offered on the operating schedule are acceptable to the Police and providing these are met there are no Police representations.

10.5.2 The Environmental Health Officer's representation is attached as Appendix 2 to this report.

There were no responses from any of the other Responsible Authorities.

### Other Persons:

10.5.3 Written objections have been received from 3 other persons. A written objection has also been received from Lower Withington Parish Council. Copies of these representations are attached as Appendix 3 of this report, numbered 1 - 4.

10.5.4 Following receipt of the representations from the objectors detailed above the applicant has proposed certain amendments to the application. A copy of an e-mail from the applicant's agent detailing these amendments is attached as Appendix 5 to this report.

10.5.5 A document submitted by the applicant, detailing a plan of the site is attached as Appendix 4 to this report.

## **11.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

Name: Mr J Hopper  
Designation: Licensing Enforcement Officer  
Tel No: 01270 371379  
Email: jim.hopper@cheshireeast.gov.uk

**APPENDICES**

Appendix 1 – Premises Licence application form

Appendix 2 – Representation from Environmental Health Officer

Appendix 3 - Written objections from other persons (numbered 1 – 4).

Appendix 4 – Plan of the site submitted by the applicant

Appendix 5 – Proposed amendments submitted by the Applicant.

Appendix 6 – Maps



## APPENDIX 1



**Cheshire East**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[licensing@cheshireeast.gov.uk](mailto:licensing@cheshireeast.gov.uk)  
 Telephone: 0300 123 5015

\* required information

### Section 1 of 19

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

### Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☒ 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

\* Is the applicant's business registered in the UK with Companies House? ☒ Yes ☐ No

\* Registration number

\* Business name

If the applicant's business is registered, use its registered name.

\* VAT number

Put "none" if the applicant is not registered for VAT.

\* Legal status

Continued from previous page...

* Applicant's position in the business	<input type="text" value="Event Coordinator"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the applicant's headquarters are.
<b>Registered Address</b>		Address registered with Companies House.
* Building number or name	<input type="text" value="3rd Floor 14"/>	
* Street	<input type="text" value="Little Lever Street"/>	
District	<input type="text"/>	
* City or town	<input type="text" value="Manchester"/>	
County or administrative area	<input type="text"/>	
* Postcode	<input type="text" value="M1 1HR"/>	
* Country	<input type="text" value="United Kingdom"/>	
<b>Agent Details</b>		
* First name	<input type="text" value="Charlotte"/>	
* Family name	<input type="text" value="Denton"/>	
* E-mail	<input type="text" value="charlotte@groundcontroluk.com"/>	
Main telephone number	<input type="text" value="01617110017"/>	Include country code.
Other telephone number	<input type="text" value="07780681961"/>	
<input type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone		
Are you:		
<input checked="" type="radio"/> An agent that is a business or organisation, including a sole trader		A sole trader is a business owned by one person without any special legal structure.
<input type="radio"/> A private individual acting as an agent		
<b>Agent Business</b>		
* Is your business registered in the UK with Companies House?	<input type="radio"/> Yes <input checked="" type="radio"/> No	
* Is your business registered outside the UK?	<input type="radio"/> Yes <input checked="" type="radio"/> No	
* Business name	<input type="text" value="Ground Control Productions Ltd"/>	If your business is registered, use its registered name.
* VAT number	<input type="text" value="GB 171205149"/>	Put "none" if you are not registered for VAT.
* Legal status	<input type="text" value="Private Limited Company"/>	

<b>Continued from previous page...</b>	
* Your position in the business	Event Coordinator
Home country	United Kingdom
The country where the headquarters of your business is located.	
<b>Agent Business Address</b>	
* Building number or name	3rd Floor 14
* Street	Little Lever Street
District	
* City or town	Manchester
County or administrative area	
* Postcode	M1 1HR
* Country	United Kingdom
If you have one, this should be your official address - that is an address required of you by law for receiving communications.	
<b>Section 2 of 19</b>	
<b>PREMISES DETAILS</b>	
I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.	
<b>Premises Address</b>	
Are you able to provide a postal address, OS map reference or description of the premises?	
<input checked="" type="radio"/> Address <input type="radio"/> OS map reference <input type="radio"/> Description	
<b>Postal Address Of Premises</b>	
Building number or name	Telescope Field - Jodrell Bank Observatory
Street	Bomish Lane
District	Macclesfield
City or town	
County or administrative area	Cheshire
Postcode	SK11 9DW
Country	United Kingdom
<b>Further Details</b>	
Telephone number	
Non-domestic rateable value of premises (£)	

<b>Section 3 of 19</b>	
<b>APPLICATION DETAILS</b>	
In what capacity are you applying for the premises licence?	
<input type="checkbox"/> An individual or individuals <input checked="" type="checkbox"/> A limited company <input type="checkbox"/> A partnership <input type="checkbox"/> An unincorporated association <input type="checkbox"/> A recognised club <input type="checkbox"/> A charity <input type="checkbox"/> The proprietor of an educational establishment <input type="checkbox"/> A health service body  <input type="checkbox"/> A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales <input type="checkbox"/> A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England <input type="checkbox"/> The chief officer of police of a police force in England and Wales <input type="checkbox"/> Other (for example a statutory corporation)	
<b>Confirm The Following</b>	
<input checked="" type="checkbox"/> I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities <input type="checkbox"/> I am making the application pursuant to a statutory function <input type="checkbox"/> I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative	
<b>Section 4 of 19</b>	
<b>NON INDIVIDUAL APPLICANTS</b>	
Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.	
<b>Non Individual Applicant's Name</b>	
Name	<input type="text" value="Discover the Bluedot Ltd"/>
<b>Details</b>	
Registered number (where applicable)	<input type="text"/>
Description of applicant (for example partnership, company, unincorporated association etc)	

Continued from previous page...

Private Limited Company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

**Section 5 of 19****OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of 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.

Music, Science, Arts and Culture Event - to be held on one weekend (Thursday - Monday) annually, with on site camping.

Pre-recorded (DJ) and live music performances; performance of dance; film screenings; other similar performance art and theatre; late night refreshments; sale of alcohol.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend



Continued from previous page...

## Section 6 of 19

## PROVISION OF PLAYS

Will you be providing plays?

☒ Yes☐ No

## Standard Days And Timings

MONDAY

Start End Start End 

TUESDAY

Start End Start End 

WEDNESDAY

Start End Start End 

THURSDAY

Start End Start End 

FRIDAY

Start End Start End 

SATURDAY

Start End Start End 

SUNDAY

Start End Start End 

Give 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.

Will the performance of a play take place indoors or outdoors or both?

☐ Indoors☐ Outdoors☒ Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not  
exclusively) whether or not music will be amplified or unamplified.

*Continued from previous page...*

State any seasonal variations for performing plays

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

Non standard timings. Where the premises will be used for the performance of a play at different times from those listed in the column on the left, list below

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

#### Section 7 of 19

#### PROVISION OF FILMS

Will you be providing films?

☒ Yes

☐ No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

*Continued from previous page...*

<b>SATURDAY</b>			
Start	<input type="text" value="09:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>
<b>SUNDAY</b>			
Start	<input type="text" value="09:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the exhibition of films take place indoors or outdoors or both?

☐ Indoors
 ☐ Outdoors
 ☒ Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the exhibition of film

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

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

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

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

☐ Yes
 ☒ No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

☐ Yes
 ☒ No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**



*Continued from previous page...*

Will you be providing live music?

☒ Yes ☐ No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Give 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.

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

☐ Indoors ☐ Outdoors ☒ Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Amplified performances of live music acts as part of wider music, arts and culture programming.

State any seasonal variations for the performance of live music

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

Continued from previous page...

--

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

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

--

## Section 11 of 19

## PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

☒ Yes

☐ No

## Standard Days And Timings

## MONDAY

Start End 

Give 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.

Start End 

## TUESDAY

Start End Start End 

## WEDNESDAY

Start End Start End 

## THURSDAY

Start End Start End 

## FRIDAY

Start End Start End 

## SATURDAY

Start End Start End

**Continued from previous page...**

SUNDAY

Start  End

Start  End

Will the playing of recorded music take place indoors or outdoors or both? Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

☐ Indoors ☐ Outdoors ☒ Both

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

DJ performances of pre-recorded music; pre-recorded music as incidental backdrop to arts / culture performances.

State any seasonal variations for playing recorded music

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

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

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

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

☒ Yes ☐ No

**Standard Days And Timings**

MONDAY

Start  End  Give 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.

Start  End

TUESDAY

Start  End

Start  End

Continued from previous page...

WEDNESDAY

Start End Start End 

THURSDAY

Start End Start End 

FRIDAY

Start End Start End 

SATURDAY

Start End Start End 

SUNDAY

Start End Start End 

Will the performance of dance take place indoors or outdoors or both?

☐ Indoors☐ Outdoors☒ Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Stand alone dance performances as part of arts and culture programme; dancing as part of live music and DJ performances.

State any seasonal variations for the performance of dance

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

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

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

Continued from previous page...

## Section 13 of 19

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

☒ Yes☐ No**Standard Days And Timings**

MONDAY

Start End Start End Give 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 

SATURDAY

Start End Start End 

SUNDAY

Start End Start End 

Give a description of the type of entertainment that will be provided

Will this entertainment take place indoors or outdoors or both?

☐ Indoors☐ Outdoors☒ BothWhere taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

*Continued from previous page...*

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Performance of walk about theatre / circus; other forms of arts performance.

State any seasonal variations for entertainment

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

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

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

#### Section 14 of 19

#### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes

☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.



Continued from previous page...

FRIDAY

Start 23:00

End 05:00

Start

End

SATURDAY

Start 23:00

End 05:00

Start

End

SUNDAY

Start 23:00

End 05:00

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☐ Indoors

☐ Outdoors

☒ Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Hot and cold food and hot drinks; served from food concessions.

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

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

#### Section 15 of 19

#### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Continued from previous page...

**Standard Days And Timings**

MONDAY

Start End Start End 

Give 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 

SATURDAY

Start End Start End 

SUNDAY

Start End Start End 

Will the sale of alcohol be for consumption:

- ☒ On the premises    ☐ Off the premises    ☐ Both

If the sale of alcohol is for consumption on  
the premises select on, if the sale of alcohol  
is for consumption away from the premises  
select off. If the sale of alcohol is for  
consumption on the premises and away  
from the premises select both.

State any seasonal variations

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



*Continued from previous page...*

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

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

--

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☒ Electronically, by the proposed designated premises supervisor
- ☐ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 19**

**ADULT ENTERTAINMENT**

**Continued from previous page...**

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

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

--

**Section 17 of 19****HOURS PREMISES ARE OPEN TO THE PUBLIC****Standard Days And Timings****MONDAY**Start End 

Give 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.

Start End **TUESDAY**Start End Start End **WEDNESDAY**Start End Start End **THURSDAY**Start End Start End **FRIDAY**Start End Start End **SATURDAY**Start End Start End **SUNDAY**Start End Start End **State any seasonal variations**

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

*Continued from previous page...*

--

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

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

--

#### Section 18 of 19

#### 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.

The number of events held on the site per annum shall be limited to one.

Event is defined as a maximum of four day long ticketed music, arts and culture festival – compromising of plays, dance, live and recorded music, film screening and any activity of a similar description.

The organiser must give at least three month's written notice to the local authority, the Event Safety Advisory Group (ESAG) of the proposed event.

The organiser must attend at least one ESAG meeting held prior to the event.

The organiser must hold at least one resident's meeting prior to the event.

The organiser must complete a full Event Safety Management Plan (ESMP) prior to each event. The ESMP must be approved by the ESAG at least one month prior to the event. Any changes requested to be made to the ESMP after its approval by ESAG must be approved by the Licensing Authority. The ESMP must include, but not be limited to, the following:

1. Introduction and Event Overview including details of proposed entertainment
2. Event Contacts
3. Licensing Objectives – Measures to address the Licensing Objectives
4. Organisational Structure, Roles & Responsibilities
5. Crowd Management Plan including plans for access, egress, dispersal and evacuation
6. Security and Stewarding Plan
7. Alcohol Management Plan
8. Crime Reduction Plan
9. Capacity control
10. Fire Safety
11. Campsite Management
12. Cleansing and Waste Management Plan including litter collection
13. Communication
14. Temporary Demountable Structures
15. Site Safety Plan including Safety Rules
16. Sanitary Facilities

*Continued from previous page...*

- 17. Medical and First Aid Facilities
- 18. Concessions
- 19. Management of Bars & sale of alcohol
- 20. Power & Electrical Installations
- 21. Incident and Emergency Plans including Major Incident Plan
- 22. Transport Plan including the Traffic Management Plan
- 23. Sound Assessment and Noise Management Plan
- 24. Provision of drinking water
- 25. Facilities of Disabled Persons
- 26. Welfare and Lost/Found Children
- 27. Drugs Policy
- 28. Programme of artists and content
- 29. Risk Assessments
- 30. Insurances

The ESMP will form the framework within which the event is managed and operated - the conditions and operating procedures defined in the final version of the ESMP will be adhered to.

The organiser will produce a detailed, scaled draft site plan which will include, but not be limited to, all entrances and emergency exits, first aid and welfare points, fire points, temporary bars, kitchens and concessions, staging, structures, marquees and sanitary provision. The draft site plan will be discussed with the ESAG and when agreed it will form part of the ESMP.

The organiser will obtain completion certificates for all temporary structures, power and water installations prior to the event opening to the public.

The organiser will hold both public and employers liability insurance to the total of 10 million pounds for each event. After each event, a debrief will be held with ESAG representatives.

**b) The prevention of crime and disorder**

Access to the event for members of the public will be strictly by ticket only. Staff, artists, trader, supplier and contractor access will only be allowed access to the site by displaying relevant accreditation. Accreditation will be issued and managed by the event organiser.

The organiser will employ the services of a recognised and qualified security and stewarding company; this company will produce dedicated security, stewarding and crowd management plans to be approved by ESAG one month prior to the event.

All security staff and stewards will be easily identifiable and have appropriate training for their duties. A register will be maintained of all stewards and security staff employed before, during and after the event containing their full name, date of birth, home addresses, employers, event specific identification and where appropriate their SIA registration details. These details will be made available to Cheshire Police and the Licensing Authority. All stewards will be fully briefed on the relevant particulars of the event and report or take other appropriate action for any suspicious activity. A two-way radio system will be used to maintain communication between event organisers and steward / security management.

The organisers will operate a Crime Reduction Plan at the event.

All patrons will be subject to a search as a condition of entry; a discrete search area will be provided. Anyone refusing a search will be denied entry to the licensed premises and will not be eligible for a refund of ticket price.

The organisers will operate an Alcohol Management Plan at the event.

The organisers will operate a challenge 25 policy on the sale of alcohol. This training will be recorded in writing and be made available upon request.



*Continued from previous page...*

Each bar on site will be managed by a personal licence holder under the site DPS.

A refusal log will be kept at each bar.

The organiser will take all reasonable steps to prevent drunkenness and other disorderly conduct.

The organiser will prepare a drugs policy for each event, which will be approved by Cheshire Police one month prior to the event.

The event website will be used to publish information for ticket holders on how best to keep themselves and their property safe.

## c) Public safety

All event activity within the premises will be controlled with specific reference to the capacity of the venue, the nature of the event content and in compliance with the standards for the provision of services as outlined by The Purple Guide or any industry standard replacement guide.

A copy of the premises licence and its conditions will be available for inspection at all times.

The organisers will employ the services of a qualified first aid provider; the numbers of staff will be in line with The Purple Guide. A dedicated and clearly signed first aid point will be manned at all times that the premises are open to the public.

The organisers will obtain completion certificates for all temporary structures, power and water installations prior to the event opening to the public. All structural calculations will be made available to building control.

Appropriate and proportionate arrangements will be made for fencing, barriers, gate systems, security and other provision to prevent unauthorised access to the licensed premises and to manage entry to the licensed premises. Arrangements will be made in agreement with the ESAG.

All emergency exits and entrance / exits will be kept clear at all times.

A dedicated blue route will be indicated in the traffic management plan and be kept clear for access by emergency vehicles at all times.

No glass containers, glass bottles or cans shall be sold on the licensed premises. The event organiser shall take appropriate measures to prevent glass containers, glass bottles or cans being brought on to the premises by the public.

All food concessions will be available for inspection at all times suitable to the Council's environmental health officers.

Vehicle movement within the licensed premises will be limited to those which are essential and will be controlled to ensure safety of the public and staff.

The organisers shall ensure that adequate sanitary provisions, hand washing and drying facilities are provided for the number of people expected to attend the event to the satisfaction of the Licensing Authority as per The HSE Event Safety (Purple) Guide and be proportional to the gender split and audience profile.

All generators will be diesel driven.

All electrical installations and equipment will comply with the general requirements at the Electricity at Work Regulations 1989 and the general provisions of The Event Safety (Purple) Guide or any replacement guidance.

Additional temporary lighting will be provided to maintain the safe access and egress of attendees on identified routes from the premises for night time activity. A lighting check will take place prior to opening.

*Continued from previous page...*

Suitable and sufficient fire fighting provision will be provided. A dedicated fire risk assessment will be circulated to the ESAG and signed off by the relevant Fire service.

The organiser will collate all its sub-contractors' risk assessments, method statements, insurance and health and safety policies and make these documents available to the licensing authority in advance of the event.

## d) The prevention of public nuisance

The organiser will employ the services of a qualified noise consultant to produce a plan that will detail measures that should be put in place to manage noise on site and minimise disruption to residents and other relevant parties. The plan will include decibel levels within which amplified sound levels must not breach. The noise management plan must be approved by the ESAG one month prior to the event. The organiser will apply guidance levels for pre and post 23:00 in order to achieve the LA03 objectives of prevention of public nuisance.

For the purposes of monitoring music noise levels during events and sound checks the noise consultant shall contact Environmental Health and agree noise sensitive locations which are to be used to monitor sound levels from the event.

The organisers will make available any results from the noise monitoring to Environmental Health after each event. The organisers will carry out a letter drop to residents of streets specified by the Licensing Authority with the pre-event information including sound check times.

Before each event a sound propagation test will take place, the times for this will be agreed with Environmental Health in advance.

No steel work shall take place between 20:00 and 08:00.

The organiser will employ the services of a dedicated traffic management company to undertake a survey of potential traffic impact and produce a traffic plan that details measures to be put in place that will minimise this impact. The Traffic Management Plan must be approved by the ESAG one month prior to the event.

A recognised waste management company will be contracted to collect litter during and after the event. A waste management plan, including recycling protocol, will be circulated to the ESAG group. The organiser will identify an area outside the licensed premises for the collection of litter dropped by patrons leaving the premises.

Local residents will be able to contact the organisers on the hotline on event days for information or with concerns about public nuisance. The hotline phone number will be circulated to residents by letter in advance of the event.

## e) The protection of children from harm

As a condition of entry all persons under the age of 16 must be accompanied by an adult.

The organiser will create a dedicated welfare point which is clearly signed and manned at all times while the premises are open to the public. This point will also be indicated on any public literature and marked on any public facing maps. The organiser will operate a Challenge 25 policy on the sale of alcohol. Anyone who appears to be under the age of 25 will be asked to produce identification before being served alcohol.

All bar staff shall be trained in regards to the Challenge 25 policy. This training will be recorded in writing and be made available upon request of the Licensing Authority.

The ESMP will include a dedicated lost / found child policy.

The organiser will prepare a child protection policy.

Any person on the premises with the specific duty of looking after children must provide current DBS check information.

<i>Continued from previous page...</i>	
<b>Section 19 of 19</b>	
<b>PAYMENT DETAILS</b>	
<p>This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.</p> <p>Premises Licence Fees are determined by the non-domestic rateable value of the premises.</p> <p>To find out a premises non domestic rateable value go to the Valuation Office Agency site at <a href="http://www.voa.gov.uk/business_rates/index.htm">http://www.voa.gov.uk/business_rates/index.htm</a></p> <p>Band A - No RV to £4300 £100.00</p> <p>Band B - £4301 to £33000 £190.00</p> <p>Band C - £33001 to £8700 £315.00</p> <p>Band D - £87001 to £12500 £450.00*</p> <p>Band E - £125001 and over £635.00*</p> <p>*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee</p> <p>Band D - £87001 to £12500 £900.00</p> <p>Band E - £125001 and over £1,905.00</p> <p>There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.</p> <p>Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.</p> <p>If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time</p> <p>Capacity 5000-9999 £1,000.00</p> <p>Capacity 10000 -14999 £2,000.00</p> <p>Capacity 15000-19999 £4,000.00</p> <p>Capacity 20000-29999 £8,000.00</p> <p>Capacity 30000-39000 £16,000.00</p> <p>Capacity 40000-49999 £24,000.00</p> <p>Capacity 50000-59999 £32,000.00</p> <p>Capacity 60000-69999 £40,000.00</p> <p>Capacity 70000-79999 £48,000.00</p> <p>Capacity 80000-89999 £56,000.00</p> <p>Capacity 90000 and over £64,000.00</p> <p>* Fee amount (£) <input type="text" value="2,000.00"/></p>	
<b>ATTACHMENTS</b>	
<b>AUTHORITY POSTAL ADDRESS</b>	
<b>Address</b>	
Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

<i>Continued from previous page...</i>	
<b>DECLARATION</b>	
<p>* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.</p>	
<p><input type="checkbox"/> Ticking this box indicates you have read and understood the above declaration</p>	
<p>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?"</p>	
* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>
<div>Add another signatory</div>	
<p>Once you're finished you need to do the following:</p> <ol style="list-style-type: none"><li>1. Save this form to your computer by clicking file/save as...</li><li>2. Go back to <a href="https://www.gov.uk/apply-for-a-licence/premises-licence/cheshire-east/apply-1">https://www.gov.uk/apply-for-a-licence/premises-licence/cheshire-east/apply-1</a> to upload this file and continue with your application.</li></ol> <p>Don't forget to make sure you have all your supporting documentation to hand.</p>	
<b>IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION</b>	



## APPENDIX 2

### ENVIRONMENTAL HEALTH CONSULTATION RESPONSE

EP Ref: ELL/041261

Date Received:

22 February 2016

Name of Applicant:

Discover the Bluedot Ltd.

Address to which application relates:

Jodrell Bank Observatory Telescope Field  
Bomish Lane, Macclesfield, ,SK11 9DW

Conversion:

☐

Variation:

☐

New:

☒

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Approve

Approve with Conditions

Object to Section(s)

### Proposed Conditions

The following conditions shall be applied:

#### SECTION 1

#### PREVENTION OF PUBLIC NUISANCE

In order to protect the interests of Cheshire East residents and to ensure the licensing objective: "Prevention of Public Nuisance" is upheld; all necessary steps shall be taken to ensure that any noise from the premises shall not be at a level which would create a public nuisance, therefore:

OUTDOOR EXTERNAL OPEN-AIR EVENTS														
1	The number of amplified music events shall be restricted to an annual event (Thursday – Monday inclusive).													
2	<p>The hours of entertainment shall be restricted as follows:</p> <table border="1"> <tr> <td>Thursday</td><td>12:00 – 03:00</td><td>No Main Stage Activity (except noise propagation test / sound check at time to be agreed with council)</td></tr> <tr> <td>Friday</td><td>09:00 – 03:00</td><td>Main Stage limited between the hours of 13:45 – 23:00</td></tr> <tr> <td>Saturday</td><td>09:00 – 03:00</td><td>Main Stage limited between the hours of 13:45 – 23:00</td></tr> <tr> <td>Sunday</td><td>09:00 – 03:00</td><td>Main Stage limited between the hours of 13:45 – 23:00</td></tr> </table>		Thursday	12:00 – 03:00	No Main Stage Activity (except noise propagation test / sound check at time to be agreed with council)	Friday	09:00 – 03:00	Main Stage limited between the hours of 13:45 – 23:00	Saturday	09:00 – 03:00	Main Stage limited between the hours of 13:45 – 23:00	Sunday	09:00 – 03:00	Main Stage limited between the hours of 13:45 – 23:00
Thursday	12:00 – 03:00	No Main Stage Activity (except noise propagation test / sound check at time to be agreed with council)												
Friday	09:00 – 03:00	Main Stage limited between the hours of 13:45 – 23:00												
Saturday	09:00 – 03:00	Main Stage limited between the hours of 13:45 – 23:00												
Sunday	09:00 – 03:00	Main Stage limited between the hours of 13:45 – 23:00												
3	The licensee shall appoint a suitably qualified and experienced noise control consultant to the approval of the Licensing Authority, no later than 4 weeks prior to the event. The noise control consultant shall liaise between all parties including the Licensee, Promoter, sound system supplier, sound engineer, licensing authority and Environmental Protection Officers etc. on all matters relating to noise control prior to and during the event.													
4	The event organiser shall ensure that the noise consultant is contactable by Cheshire East Environmental Protection Officers at all times during the event and sound checks.													
5	The noise consultant shall inform the sound engineer accordingly to enable remedial action to be taken should any problems arise in order to ensure that the noise criteria limits are not exceeded.													
6	<p><b>Pre- Event Noise Management Plan</b></p> <p>A Noise Management Plan (NMP) shall be agreed in writing with the licensing authority 28 days prior to any event taking place.</p> <p>The NMP shall detail the steps that they will be taken to prevent disturbance to local residents and businesses by way of noise and to ensure that the licensing objective of the prevention of public nuisance is upheld.</p> <p>The NMP shall detail as a minimum the following (to be agreed with the Licensing Authority):</p> <p>6.1 A site layout plan detailing:</p> <ul style="list-style-type: none"> <li>• the location of the event</li> <li>• stage locations</li> <li>• speaker orientations</li> <li>• nearest noise sensitive areas</li> </ul>													

	<ul style="list-style-type: none"> <li>• include any neighbouring land-use details</li> <li>• shall include any camping fields/ area and car parking</li> </ul> <p>6.2 A stage program that includes the time each music act is performing and the type of music that is being performed.</p> <p>6.3 Details of the consultation measures that will take place with potentially noise affected premises, both residential and businesses.</p> <p>6.4 The maximum Leq, 15min noise level at each front of house (FOH) mixing desk (for multiple stages) that the event will operate at, based on the Noise Criteria limits as set out in this document.</p> <p>6.5 Details of any acoustic modelling that may have been undertaken prior to the event.</p> <ul style="list-style-type: none"> <li>• A sound assessment with details and proposals for monitoring and controlling sound emission shall be detailed.</li> <li>• Hours Control on set-up / take-down.</li> <li>• If deemed necessary shall include Noise Patrols on Camping Fields (close to residential properties).</li> <li>• A procedure to be agreed for dealing with acts / entertainers that run beyond terminal hour.</li> <li>• Off site real-time noise monitoring linked back to the sound desk to be agreed.</li> <li>• Methodology and documentation of the complaints handling and response procedure for responding to complaints in real-time (i.e. from CEBC or direct) and an agreement where justified to reduce music noise levels.</li> </ul>
7	<p><b>Communications Plan</b></p> <p>A Communications Plan shall be agreed with the Licensing Authority six weeks in advance of any events.</p> <p>Good Public relations at the event planning stage between the event organisers and those living nearby can reduce community annoyance.</p> <p>Correspondence shall be disturbed two weeks prior to the event to local residents and businesses within at least 0.5 miles of the site to advise details of the forthcoming event and shall include as a minimum the following information:</p> <ol style="list-style-type: none"> <li>1. Dates, name and type of event</li> <li>2. Dates and times of sound checks</li> <li>3. Dates and times of amplified music/performances</li> <li>4. Contact number and name, who shall be available at all times to immediately respond to any concerns or complaints and to be able to facilitate an improvement if it is found to be justified concern/complaint.</li> </ol>

	<p>5. Dates and times and duration of any fireworks displays.</p> <p>A copy of the letter shall be included in the NMP.</p>
8	<p>The sound checks shall take place only at the times agreed by the Licensing Authority. Cheshire East Environmental Protection shall be consulted at least 72 hours beforehand.</p>
9	<p>The Event Organiser shall carry out a noise propagation test in order to determine a sound level at the sound mixer position. It is agreed that this will take place on the Friday of the event weekend.</p> <p>The sound system shall be configured and operated in a similar manner as intended for the event. The sound source used for the test shall be similar in character to the music likely to be produced during the event.</p>
10	<p>For the purpose of monitoring music noise levels during events and sound checks the noise consultant shall contact Cheshire East Environmental Protection and agree noise sensitive locations which are to be used to monitor compliance with the licence conditions not less than 28 days prior to the event. (Noise sensitive dwellings are located within the Jodrell Banks with adjacent farm communities, however it is considered that the nearest noise sensitive dwellings for this purpose are located at Monks Heath cross roads).</p>
11	<p>All noise monitoring required by virtue of this license shall be carried out by a suitably qualified and experienced noise consultant appointed by the Event Organiser.</p> <p>A named person shall be delegated the responsibility of noise control during an event and during sound tests. The person shall control the sound levels at the mixer throughout the period of the event and ensure that the agreed levels are not exceeded.</p>
12	<p>The event organiser shall ensure that the sound system supplier and all individual sound engineers are informed in writing of the music noise criteria levels contained within the Premises Licence and NMP. Ensuring that any instructions from the noise consultant regarding the control of noise are fully complied with.</p>
13	<p>During events music noise levels shall be continuously monitored at the mixer position and be available in the final noise report submitted to the Licensing Authority.</p>
14	<p>The licensee shall ensure that the promoter, sound system supplier and all individual sound engineers are informed of the sound control limits and that any instructions from the noise control consultant regarding noise levels shall be implemented.</p>
15	<p>During events the Event Organiser shall ensure that a competent person or acoustic consultant regularly monitors noise levels at residential properties agreed in writing with Cheshire East Environmental Protection.</p>
16	<p>Any plant or equipment likely to cause noise outside the Jodrell Bank area between the hours of 23:00 and 10:00 shall be sited or controlled so as not to cause a public nuisance.</p>

17	The siting of all vehicles, generators, tents, marquees etc., shall be to the satisfaction of the Licensing Authority and the Fire and Rescue Service.
18	The noise consultant final report shall be forwarded to the Licensing Authority within 7 days of the event occurring.
19	A post event debriefing meeting shall take place within 21 days of the event taking place. This meeting shall address any noise complaints received during the event, breaches of noise criteria limits and identification of any improvements for future events and additional requirements of these noise management plans. The event organiser, licensee and noise control consultant shall be available to attend with Cheshire East Officers.
20	At each event the sale of alcohol to cease 30 minutes before the end of regulated entertainment.
21	Noise emanating from the premises as a result of regulated entertainment shall not cause a public nuisance.
22	<p><b>Noise Criteria Limits:</b></p> <p>Music noise levels (MNL) at any residential properties located in the area around Jodrell Bank (to be agreed as detailed in this document) shall comply with the Code of Practice on Environmental Noise Control at Concerts (The Noise Council, 1995):</p> <ul style="list-style-type: none"> <li>For 4 to 12 concert days per calendar year per venue, the MNL shall <b>not exceed the background noise level<sup>1</sup> by more than 15dB(A) over a 15 minute period.</b></li> <li>The unweighted <b>Leq</b> level shall <b>not exceed 70dB</b> in either of the <b>31.5Hz, 63Hz or 125Hz octave bands</b>, or if the noise consultant/ licensing authority deems the low frequency content to be excessive/annoying at noise sensitive premises.</li> <li>If the octave band level exceeds 70dB on more than 3 occasions during the evening period of an event then bass noise levels shall be actively reduced by 5dB.</li> <li>Overall Sound Levels measured at noise sensitive premises are to be recorded in dB(A). Spectral (e.g. octave band) sound levels are to be recorded in dB (unweighted) and attached to the final report.</li> <li>Sound Levels for major events that predominantly feature music with a low bass frequency may be required to abide by noise goals expressed in dB(C) rather than dB(A).</li> </ul> <p>If noise levels are recorded over the set noise criteria, the event organiser must comply with all directions provided by the noise control consultant and/or the Licensing Authority to reduce/adjust noise levels to within the set criteria.</p>

---

<sup>1</sup> The value used shall be the arithmetic average of the hourly  $L_{A90}$  measured over the last four hours of the proposed music event or over the entire period of the proposed music event if scheduled to last less than four hours.

23	Regular noise assessments shall be completed by a competent person and steps shall be taken to reduce the level of noise where it is likely to cause a public nuisance. The noise assessments shall be undertaken during the opening hours of the premises when regulated entertainment is occurring. A written/ electronic record shall be made of these assessments and shall include: date, time, location of the assessment (a map with agreed and numbered monitoring locations shall be agreed with Public Protection prior to the event taking place) person making assessment, results and any remedial action in order to reduce the level of noise where it is likely to cause a disturbance to local residents.
24	<b>FIREWORKS</b>  The dates, times and duration of any firework displays shall be advised and agreed by the Licensing Authority prior to the event taking place.

***INFORMATIVE***

**Planning Permission**

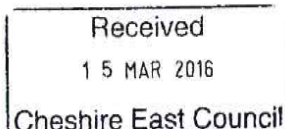
There are sometimes circumstances where planning conditions have been set which may impact on your activities. If the Planning Permission and the Premises Licence differ; for example where the Planning Authority have set a terminal hour which is earlier than those conditioned by the Premises Licence; you must abide by the earlier time otherwise you leave yourself open to enforcement action.

Signed: Stephanie Bierwas | Enforcement Officer | Environmental Protection

Dated: 18 March 2016

For Enquiries please contact: Stephanie Bierwas  
Direct Dial: 01625 383 693  
Email: [stephanie.bierwas@cheshireeast.gov.uk](mailto:stephanie.bierwas@cheshireeast.gov.uk)

APPENDIX 3 Letter 1



**Representation on Behalf of the Parish Council of Lower Withington  
Regarding the Application for a Premises Licence to Stage a Music, Science,  
Arts and Cultural Event at the Jodrell Bank Observatory (with Subsequent  
Annual Events on the Site)**

I write with regard to the application for a Premises Licence in the name of Discover the Bluedot at the Telescope Field, Jodrell Bank Observatory. Event in 2016 to take place July 21<sup>st</sup> – 25<sup>th</sup>.

The Parish Council of Lower Withington have real concerns that the scale, timing and location of this event will undermine the licensing objectives of Crime and Disorder, Public Safety and the Prevention of Public Nuisance.

We note that the application refers to a maximum capacity of 14,999 over a 4 day period every year for the foreseeable future. This number of people will increase the population of Lower Withington for the 4 days from approximately 500 residents to over 15,000. I am sure you are aware, there are a number of residential properties within the immediate vicinity of Jodrell Bank Observatory and there are concerns that some of the activities applied for will have a detrimental impact on their quality of life for the period of the event. In that particular area, there are a number of working farms with livestock grazing and workers that will need to wake early in order to start farming. It is felt that the late timings for the activities will impact on the welfare of livestock as well as residents trying to sleep during the summer months when windows are likely to be open for fresh air if the weather is warm.

The levels of crime and disorder in the village is likely to increase, particularly if the sale of alcohol is allowed to carry on until 4am as requested and to then start again at 12 noon the next day. Is this really necessary for a "music, science, arts and cultural event" as stated in the application? We would suggest that the sale of alcohol be restricted to midnight.

There are also concerns that the levels of alcohol that can be consumed in the times requested may have an adverse impact on the health and well-being of those attending the event which will put increased pressure on the use of our already stretched Emergency Services as well as those employed by Discover the Bluedot Ltd. This is in addition to the disorder and damage to that may be caused to residents properties in the immediate vicinity of the event. A number of residents have stated this has happened in previous years when this same company have hosted one day live festivals at Jodrell Bank. We would like assurances that the security team and stewards pay attention to the properties in the immediate area and if necessary erect steel shield or similar fencing to the perimeter of the festival site. This would also go some way on protecting properties from those people trying to gain access to the festival without a ticket as well as travelling criminals who are known to specifically target festival events.

We also note that the times requested that the premises are open to the public is throughout the whole event, from 9am on Thursday right through till 1pm on the following Monday. We

would like to suggest the premises close for all licensable activities at 1am each day to reduce the impact on residents.

One of the main worries is that of noise if the festival has live and recorded music until 3am. Mainly the disruption to farm workers and residents as described earlier in this letter. We would suggest that the live music and recorded music cease at midnight and that the levels of noise be monitored regularly whilst music is being played and that a noise control engineer be appointed to control noise pollution and liaise with sound engineers when necessary. We would also like assurance that there will be regular noise patrols of the camping fields.

Are there to be fireworks at the event? If so, can residents be informed in order to protect livestock?


We hope that there are measures in place with regard to traffic management and care of public roads, particularly in wet weather. We have experienced mud on the roads when people are leaving events at Jodrell bank and this has made driving conditions hazardous on a very busy road giving rise to concern for public safety.

The Parish Council have no objection to the four day event taking place and realise that it can be a great experience for those attending. We would just like to ensure that the parish of Lower Withington does not experience too much disruption to their day to day life and that the event controllers, by curtailing the hours that they have asked for ensure that we can all work and live together without too many problems.

In summary, we would like the sale of alcohol to cease at midnight, the live and recorded music to cease at midnight, late night refreshment to stop at 1am and for the premises to close to the public at 1am.

The Parish Council of Lower Withington thank the Licensing Authority of Cheshire East for their consideration of our concerns.

Yours sincerely

  
  
Dr Paul Duffy

Chair Lower Withington Parish Council



**APPENDIX 3      Letter 2**

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

From: sandra barlow [mailto:]

Sent: 16-Mar-2016 19:18

To: LICENSING (Cheshire East)

Subject: Re: Jodrell Bank premises licence application

I wish to make a representation in respect of the premises licence application for Jodrell Bank.

I have looked at the application and note that some of the licensable activities are not due to end until the very early hours of the morning. I have no problem with the event taking place, I would just like to see the hours curtailed to a time that is more respectful on residents, and would therefore not undermine the licensing objectives.

I am confident that those authorities giving advice at the safety advisory group meeting will do there utmost to ensure the event will be safe, however, I would feel more secure if the licence issued actually stated that the times activities were to cease were at midnight. I know this can only be done if a responsible authority were to object and the applicant agree, or if agreed at a licensing hearing. Hence my representation.

With regard to the licensing objectives, I believe that crime and disorder, public safety and public nuisance will be undermined. You cannot have a three day festival of this size and there not be issues with over consumption of alcohol, especially till 4am, noise and nuisance from the camping area, and noise from recorded/live music. I have concerns around public safety with the scale of the event and am aware of criminal activity such as theft and disorder that takes place in and around festivals.

I would be grateful if you would accept my representation.

Yours sincerely

Mrs Sandra Barlow

Sent from my iPhone

**APPENDIX 3      Letter 3**

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

From: Jackie Blackburn [mailto: ]

Sent: 16-Mar-2016 17:31

To: LICENSING (Cheshire East)

Subject: Application for a Premises Licence to Stage a Music, Science, Arts and Cultural Event at the Jodrell Bank Observatory

Dear Sir/Madam

I write to express some concerns regarding the above application. I wish to object to the following elements of the application.

The hours requested for the sale of alcohol are excessive and to the detriment of visitors to the festival as well as potential noise and security impact to residents in the area.

The hours requested to provide entertainment are also excessive and will have a major impact on residents in the area.

No plan has been presented to prevent parking along the main Holmes Chapel to Chelford Road and all roads leading off it in the vicinity of the festival site. The impact of visitors parking and then walking to the site could be highly dangerous along roads which have no footpath, which is the case for most of the roads in the vicinity. This also has a security impact where pedestrians try to access the site via the most direct route and end up trespassing across private property and fields with crops or animals.

No provision has been made for access to the site for visitors arriving by train at Goostrey or Chelford train stations. Again, there are no pavements or footpaths from either station to the site which means pedestrians have to walk along the roads, some either very busy and/or narrow, putting themselves as well as drivers of vehicles using the roads, at serious risk of accidental injury. Should provision be made for alternative access to the site, via shuttle buses, for example?

I do not wish to prevent the festival taking place, but I would like appropriate safety and consideration for the residents and visitors as well.

Please will you include these points in your consideration of this application.

Yours faithfully.

Jackie Blackburn

Sent from my iPad

**APPENDIX 3      Letter 4**

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

From: Audrey Robinson [mailto:]

Sent: 17-Mar-2016 12:59

To: LICENSING (Cheshire East)

Subject: Proposed Jodrell Concert-Premises licence in the name of Discover the Bluedot-to take place 21-25July 2016.

Dear Sir

We live at ..... and are aware of the above concert.

We have read Lower Withington Parish Council's representations, with which we completely concur and we set out below our concerns as residents as our property backs on to the arboretum. There seems to be no necessity whatsoever to the concert going beyond midnight and if the entertainment finishes at 3am, alcohol is last served at 4am and refreshments at 5am, then quite simply much noise and disorderly and unruly behaviour are most likely, not just 1 night but 4 consecutive nights! We cannot even leave our property to go away as we would be concerned from a safety point of view. I am told that Capesthorne's concerts finish at midnight and for a concert to continue until much later is irresponsible and ignores all health and safety objectives.

Given the 15,000 expected concert attendees, this is going to have a massive impact on our small village. Certainly the first year there was a concert, there were many youngsters walking on the main road from Holmes Chapel to Chelford and the adjoining roads, which was not safe as there are no pedestrian pavements. The noise level has been a problem too in the past and we would ask that the noise level be constantly monitored but even if it is an acceptable level, how can we be expected to sleep? Although we had a security guard at the front of our property on the last occasion, there needs to be a security guard to the rear of our property and some form of fencing to stop concert goers trying to get into the arboretum from all 3 sides of our property which adjoin the arboretum. When a concert last took place, we were told by a neighbour a few hours before the concert started that there were going to be fireworks. No notice was given by Jodrell or the organisers.

We are not wanting to be kill-joys but noise must be at an acceptable level and there is likely to be disorderly behaviour and nuisance if the application is granted to the unreasonable hours sought. As stated before, we cannot leave our property at that time and lack of sleep over 4 nights is just not acceptable.

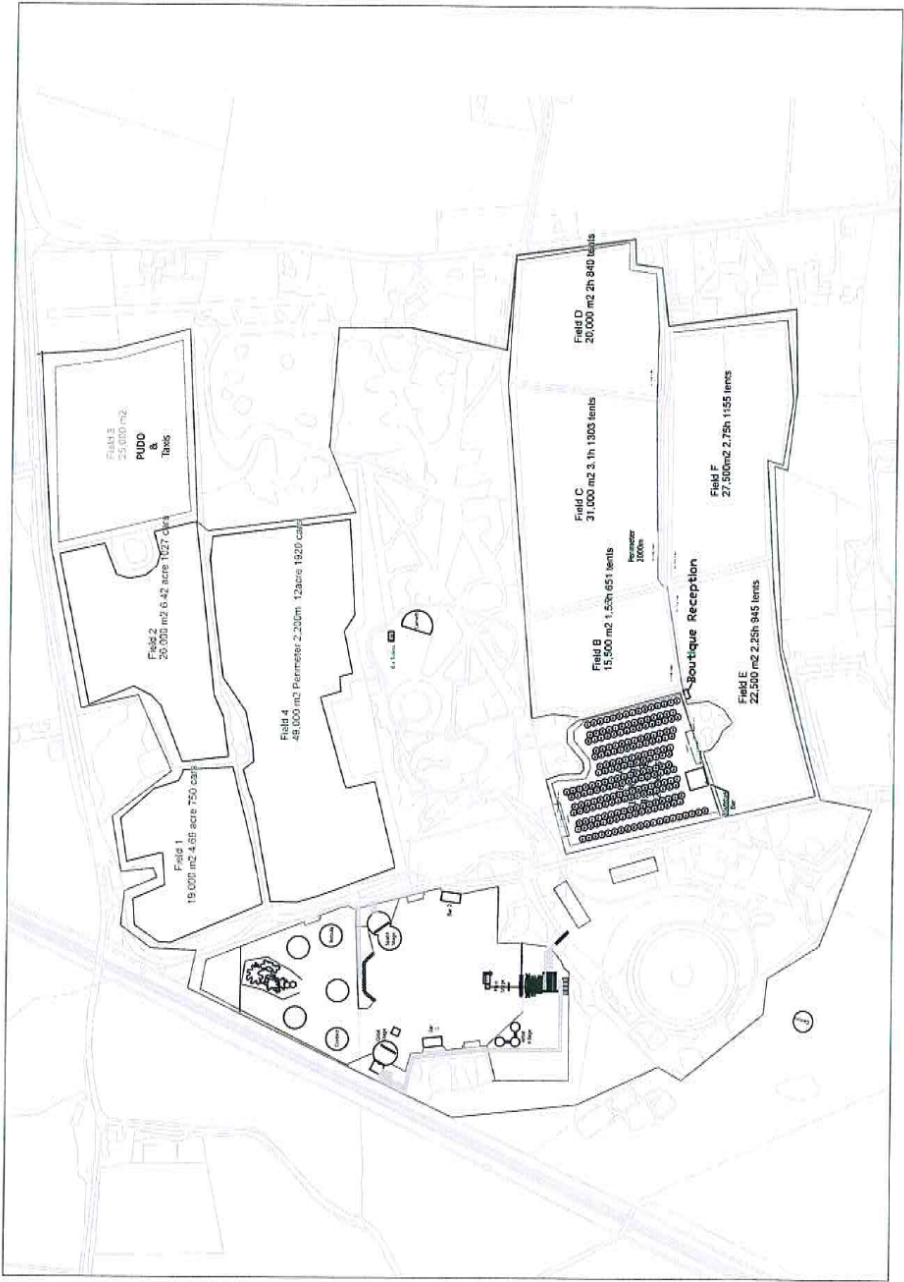
We trust the above concerns are viewed seriously by you.

Yours faithfully,

Audrey & Keith Robinson

Sent from my iPad

APPENDIX 4 SITE PLAN SUBMITTED BY APPLICANT



**APPENDIX 5 PROPOSED AMENDMENT TO APPLICATION SUBMITTED BY APPLICANT**

**From:** Jon Drape [<mailto:jon.drape@blue-dot.co.uk>]

**Sent:** 24-Mar-2016 18:30

**To:** Paul Duffy

**Cc:** Charlotte Denton; LICENSING (Cheshire East); Teresa; Jackie Blackburn; Tim Barlow; Lower Withington Parish Council; Alan Brocklehurst; Rachel Robinson; Hywel Lewis;; sandra barlow

**Subject:** Re: Blue Dot Festival Representation

Dear Paul,

Thank you for your email.

I would like to reiterate that Bluedot is a family event, and after seeing our management proposals, there are no overall concerns from the Local Authority or the Police surrounding the hours, sale of alcohol and the potential for anti-social behavior due to the previous profile of the audience, the experience from other events at Jodrell Bank and our management of other events.

However, we have had some discussions internally based on your comments at our meeting, and are sympathetic to your concerns, so we have considered options for the licensable activity at Bluedot.

With regard to the management of music noise, we are currently in the process of agreeing the Noise Management Plan with the Local Authority to ensure that the local community is not unreasonably disturbed by the event. It is proposed that the Noise Management Plan will be a condition of the Premises Licence. The period after 11pm is recognised as sensitive and lower levels of music noise are proposed for this period. The residents can have confidence in our management capabilities because of our proven track record at Jodrell Bank and other major festivals throughout the country over many years.

Following our discussion we have also reviewed our licence application and there are various areas that we can agree to amend.

1. 1) All licensable activity will cease at 1am on Monday (rather than 3am) with the exception of late night refreshment (hot food served after 11pm):
2. 2) Sale of alcohol will cease at 3am on Saturday and Sunday (rather than 4am); and
3. 3) Thursday will be removed from the licence application, so no licensable activity will take place that day.

A point we made at the meeting is that the licence is for “premises” so the maximum opening hours anywhere on the premises have to be applied for in the Licence application. However, you will appreciate from our schedule of activities on the site that not all of the bars and entertainment venues are open for the maximum hours provided in the licence. In fact, only three covered venues and the cinema will be open to provide regulated entertainment until 3am on Saturday and Sunday and all regulated entertainment will finish at 1am on Monday.

With regard to the opening hours of the bars, we are proposing that only one bar will be operating until 3am on Saturday and Sunday and until 1am on Monday.

You will appreciate from our description of the event, that events such as these operate with a soft and staggered closing, so that areas of the site begin closing from 9pm each night.

The Police have no concerns about our alcohol management plans, the proposed operating hours, or the way in which we operate the bars. This should give you considerable reassurance.

We will undertake a pre-event residents’ meeting, to explain to the local community our plans for the event. In addition, a post-event residents’ meeting will be arranged to obtain feedback which will take place shortly, after the multi-agency de-brief. The obligation to arrange both of these meetings, will be suggested conditions in the Premises Licence.

I look forward to hearing your thoughts to our proposals, and I hope you have a pleasant Easter.

Kind regards,

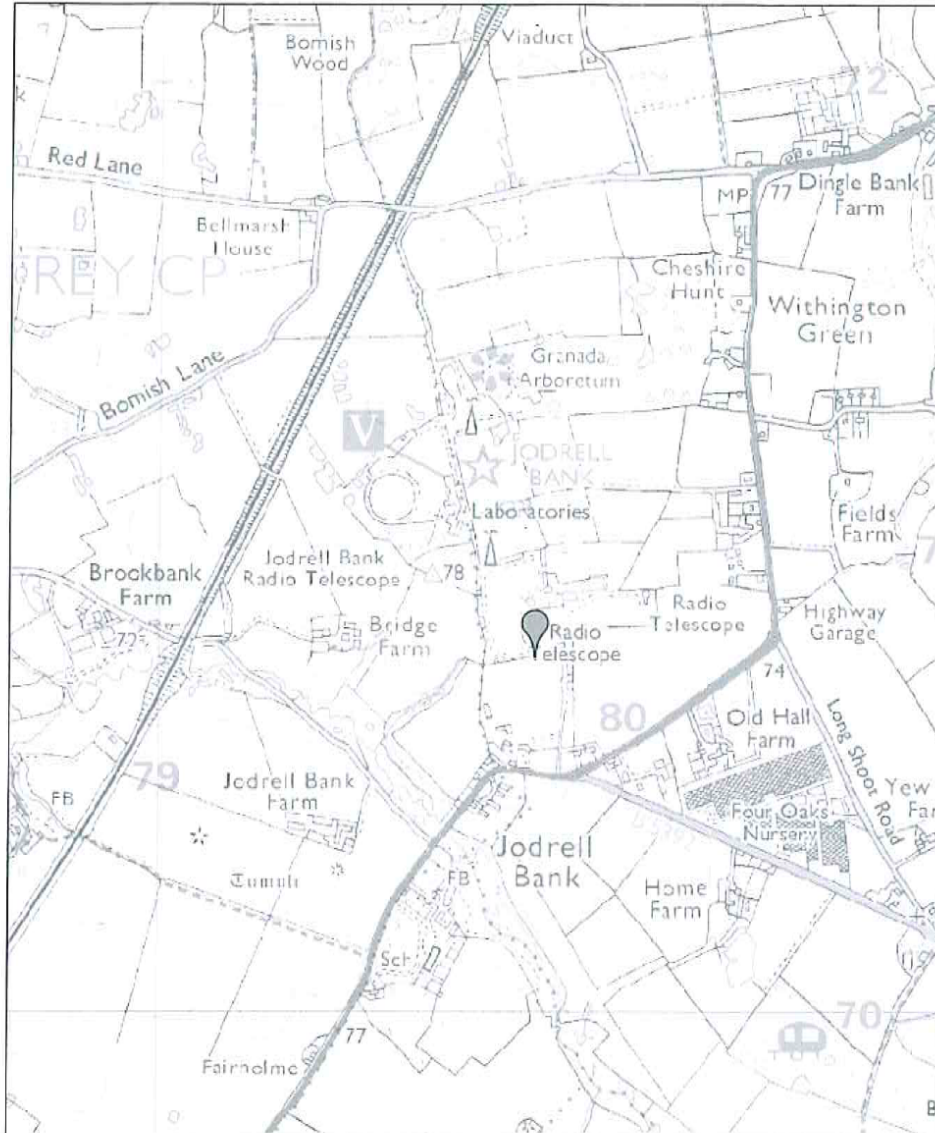
Jon Drape.

**JON DRAPE** | MANAGING DIRECTOR

## APPENDIX 6 MAP

Cheshire East Council - Interactive Mapping

Page 1 of 1



© Crown copyright and database rights 2016.  
Ordnance Survey 100049045  
Use of this data is subject to terms and conditions.



Map created on 30/3/2016 using <http://maps.cheshire.gov.uk/CE/interactivemapping>

Scale 1:11,767

**This page is intentionally left blank**