

Licensing Act Sub-Committee

Agenda

Date: Tuesday, 15th December, 2020

Time: 10.00 am

Venue: Virtual

How to Watch the Meeting

For anybody wishing to view the meeting live please click in the link below:

[Click here to view the meeting](#)

or dial in via telephone on 141 020 3321 5200 and enter Conference ID 274 758 840# when prompted.

Please turn off your camera and microphone when entering the meeting and ensure they remain turned off throughout.

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 in the report.

It should be noted that Part 1 items of Cheshire East Council decision-making meetings are audio recorded and the recordings are uploaded to the Council's website.

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

1. **Appointment of Chairman**

To appoint a Chairman for the meeting.

2. **Declarations of Interest**

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

For requests for further information

Contact: Helen Davies

Tel: 01270 685705

E-Mail: helen.davies@cheshireeast.gov.uk

3. **Application for a new Premises Licence at The Tytherington Club, 90
Dorchester Way, Macclesfield, SK10 2JP** (Pages 9 - 136)

To consider the above application.

THERE ARE NO PART TWO ITEMS

Membership: Councillors M Goldsmith, L Smetham and L Gilbert

CHESHIRE EAST COUNCIL

Procedure for Hearings – Licensing Act 2003 COVID-19

This procedure has been drawn up to take account of the restrictions placed on the Country by the Government in its response to the COVID-19 pandemic and the Council's move towards the holding of virtual meetings.

As a Licensing Authority we are conscious that all Hearings of this nature must be run in accordance with the rules of natural justice and that any modifications to the format of the hearing should not undermine the requirements to hold a fair hearing.

It is the Council's intention to run the Hearing as close a possible to our procedure for Hearings set out in our Statement of Licensing Policy. However, it will be necessary to make a number of specific alterations.

The Council does not intend to hold any Hearings just on the pre Hearing papers (eg applications and written representations). The Council considers that a Licensing determination based solely on written material and without the opportunity for amplification, clarification, and questions does not best serve the decision-making process.

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.

Platform

The Council will use Microsoft Teams for all Hearings. This platform can be accessed on a landline, mobile, laptop or tablet. The Democratic Services Officers will ensure that the meeting is set up within the Microsoft Teams platform. All parties to the Hearing will received the Notice of Hearing required by the regulations and an email invitation with specific joining instructions for Microsoft Teams.

Web Casting

All Council meetings are web cast through the Council's website. This will continue to be the case during any lockdown period and will allow members of the public to listen to proceedings from their own home.

Connectivity Test

The Council will require Members, officers, and all parties to the Hearing to be available for a connectivity test 30 minutes before the start of the Hearing. This is to ensure that any issues can be identified and overcome before the start of the meeting. Notes on how this test will be conducted will be sent directly to parties.

Technical Issues

If during the course of the meeting, the Chairman determines any technical issues (for example, parties dropping out of the meeting or parties being unable to hear or follow proceedings etc) are compromising the integrity of the Hearing, the Chairman will have discretion to adjourn the matter to later date. The test the Chairman will use when considering any adjournment is what is best in the public interest (including the right of all parties to have a fair hearing). Any adjournment will either be to a date when technical issues can be overcome or to a date when a full hearing with all parties physically present can be held.

Etiquette

In order to maximise effectiveness of the Hearing all parties should:

- Identify themselves at the start of the Hearing when asked to do so by the Chairman
- Put their webcam and microphone on mute all times other than when addressing the Committee
- Indicate that you want to speak by using the chat function
- Only address the Committee when called to do so by the Chairman

Committee Reports

The Committee report and all relevant information will be posted on the Council's website at least 7 days prior to the Hearing. A link to the documents will be provided with the Notice of Hearing. The Committee report pack will be paginated and all parties should refer to this pack rather than their own bundles.

Late Evidence

Parties should submit any evidence for consideration of the Committee prior to the drawing up of the Committee agenda packs. This will mean that all information in containing in one paginated bundle that can be referred to by the parties (referencing pages numbers).

Evidence submitted on the day of the hearing can only be included when all parties to the hearing agree. It will ultimately be for the members of the Committee to decide if late evidence is accepted.

Decisions

In accordance with Hearings Regulations the Committee will make a determination at the end of the Hearing and the decision will be given within 5 working days. Some decisions are required to be given at the end of the Hearing, in this case the public meeting will resume once Members have deliberated and formed their decision.

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 and will draw up the decision notice.
- **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.

1	Chairman	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)
2	Licensing Officer	Will introduce and summarise the application, highlighting areas of contention or dispute.
3	Committee Members	May ask questions of the Licensing Officer
4	Applicant	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	Responsible Authorities (who have made representations)	Each in turn may ask <u>questions</u> of the applicant, by way of clarification.

6	Other Persons (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	Committee Members	Each in turn may ask <u>questions</u> of the applicant.
8	Applicant	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	Responsible Authorities	Will make their representations.
10	Applicant	Or his representative or witnesses to ask <u>questions</u> of Responsible Authorities represented at the meeting, by way of clarification.
11	Other Persons (who have made representations)	May ask <u>questions</u> of the Responsible Authorities represented at the meeting, by way of clarification. (Note: This is not the point at which they should be stating their objections.)
12	Committee Members	May ask <u>questions</u> of the Responsible Authorities represented at the meeting
13	Other Persons (who have made representations)	The local residents who are objecting to the application will be invited <u>to make observations on the application</u> and present the bases of their objections.
14	Applicant	Or his representative or witnesses may ask <u>questions</u> of the Local Residents, by way of clarification.
15	Committee Members	May ask <u>questions</u> of the Local Residents.
16	Chairman	To invite both Responsible Authorities and Local Residents to make their closing addresses.
17	Applicant	Or his representative will <u>briefly summarise the application</u> and comment on the observations and any suggested conditions.
18	Close of Public Meeting	When the Chairman determines that all relevant information has been heard and no further matters are to be discussed, the public meeting will end. All parties to the hearing (including

		Licensing Officers and Responsible Authorities) will be excluded from the platform.
18	Committee	<p><u>Will retire</u> to consider the application. They will be accompanied by their Legal Advisor and the Democratic Services Officer. This means that the Members of the Committee can determine the matter in private session. And can take the opportunity to seek legal advice.</p> <p>Members will give their decision with 5 working days by the issuing of a decision notice.</p>

Notes

1. The Committee can exclude members of the press and public from participation in a Hearing; 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 be excluded from 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 Chairman 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 will provide its decision in writing



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Version
Number: 1.2

Key Decision Y/N

Date First
Published: >

Licensing Act Sub-Committee

Date of Meeting: 15th December 2020

Report Title: Application for a new Premises Licence at The Tytherington Club, 90 Dorchester Way, Macclesfield, SK10 2JP

Senior Officer: Frank Jordan – Executive Director Places

1. Report Summary

1.1. The report provides details of an application made for a Premises Licence under the Licensing Act 2003 together with valid objections.

2. Recommendations

2.1. The Licensing Act Sub-Committee is requested to determine the application for a Premises Licence in respect of:

The Tytherington Club
90 Dorchester Way
Macclesfield
SK10 2JP

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

2.3. Acting in the capacity of the Licensing Authority, Members must seek to promote the Licensing Objectives. And where Members consider that matters have engaged one or more of the Objectives, they may exercise their discretion. The Licensing Objectives are:

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

3. Reasons for Recommendations

3.1. The Licensing Act Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003 and the Council's Constitution and provide the key reasons why the recommendation/s has been made. Link your reasons into appropriate council policies and corporate objectives.

4. Other Options Considered

4.1. Not applicable

5. Background

5.1. An application for a new premises licence was received by this Authority on 28th October 2020 for the following:

The Tytherington Club
90 Dorchester Way
Macclesfield
SK10 2JP

5.2. The premises are a hotel that also provides a gym, health spa and golf course. The application relates to the following licensable activities:

- i) live music (indoors and outdoors);
- ii) recorded music (indoors and outdoors);
- iii) the provision of performances of dance indoors (indoors);
- iv) anything of a similar description to live music, recorded music, or performances of dance (indoors);
- v) late night refreshment (indoors);
- vi) the supply of alcohol (on the premises).

5.3. A full copy of the Application Form setting out the start and finish times applied for is attached at Appendix 1.

5.4. The applicant's proposed plan of the licensed area is attached at Appendix 2.

- 5.5. To assist Members with the location of the premises a further plan is attached at Appendix 3.
- 5.6. The premises currently operate under a Premises Licence already in place (PR/0309). A copy of that Premises Licence is attached at Appendix 4.
- 5.7. If this application is approved the applicant will surrender PR/0309.
- 5.8. A Statutory Notice at the premises was inspected by a Licensing Officer on 3rd November 2020.
- 5.9. A Statutory Notice was advertised within a newspaper on 4th November 2020.
- 5.10. During the statutory consultation period Environmental Health have approved the application. A copy of the response from Environmental Health is located at Appendix 5.
- 5.11. Cheshire Constabulary have also responded within the statutory consultation period. They have recommended certain conditions to be added to the new Premises Licence which the applicant has subsequently agreed to. A copy of Cheshire Constabulary's response is attached at Appendix 6.
- 5.12. Valid objections have been received in relation to this application. Copies of those objections are attached at Appendices 7 to 33.
- 5.13. One invalid objection was received during the statutory consultation period. Due to it being invalid it is not included as an appendix.
- 5.14. On the 20th November the Licensing Team received as email from the General Manager, Mr Jamie McDonald. Mr McDonald explained that given the concerns of residents in relation to music on the patio area, they would be prepared to modify their application. Originally, the Club applied for 24 hour permission to play music in this area and would be prepared to change this to midnight.

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1. 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 conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the

promotion of the licensing objectives and any mandatory conditions that must be included on the licence in accordance with the Licensing Act 2003;

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

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

6.1.3. 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.

6.2. Finance Implications

6.2.1. There are no financial implications

6.3. Policy Implications

6.3.1. The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.

6.3.2. The Licensing Authority must also have due regard to the guidance issued under section 182 of the Licensing Act 2003.

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

6.4. Equality Implications

6.4.1. There are no direct equality implications.

6.5. Human Resources Implications

6.5.1. There are no human resources implications.

6.6. Risk Management Implications

6.6.1. The Licensing Sub-Committee will hear representations made on behalf of both the applicant and the 'relevant person' who has submitted their representation and will make a decision on the basis of the evidence presented to it. The Licensing Act 2003 makes provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority.

6.7. Rural Communities Implications

6.7.1. There are no direct implications for rural communities.

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

6.8.1. There are no direct implications for children and young people.

6.9. Public Health Implications

6.9.1. There are no direct implications for public health.

6.10. Climate Change Implications

6.11. There are no direct implications for Climate Change.

7. Ward Members Affected

7.1. Cllr David Edwardes

7.2. Cllr Lloyd Roberts

8. Consultation & Engagement

8.1. Consultation in respect of submitting an application for a Premises Licence is prescribed in the Licensing Act 2003 and has been fully complied with.

9. Access to Information

9.1. The background papers relating to this report can be made available by contacting the report writer.

10. Contact Information

10.1. Any questions relating to this report should be directed to the following officer:

Name: Richard Hellon

Job Title: Licensing Enforcement Officer

Email: Richard.hellon@cheshireeast.gov.uk

Appendices:

1 – Application Form

2 – Proposed Plan

3 – Location Plan

4 – Current Premises Licence

5 – Environmental Health Response

6 – Police Response

7 to 33 – Valid objections



Cheshire East
Application for a premises licence
Licensing Act 2003

For help contact
licensing@cheshireeast.gov.uk
 Telephone: 0300 123 5015

* required information

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

Tytherington

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

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

VAT number

Legal status

The Club Company

If your business is registered, use its registered name.

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

Private Limited Company

Continued from previous page...Your position in the business Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name Street District City or town County or administrative area Postcode Country **Section 2 of 21****PREMISES DETAILS**

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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

 Address OS map reference Description
Postal Address Of PremisesBuilding number or name Street District City or town County or administrative area Postcode Country **Further Details**Telephone number Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- 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
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

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.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

* Date of birth

* Nationality

[Documents that demonstrate entitlement to work in the UK](#)

Section 5 of 21**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.

Premises includes a Health club with both Gym and Pool facilities, an on-site spa, a golf course and a 65 bedroom hotel. All activities to take place within the facilities.

Continued from previous page...

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

Section 6 of 21**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

Yes No

Section 7 of 21**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

Yes No

Section 8 of 21**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

Yes No

Section 9 of 21**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 21**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

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...

WEDNESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

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Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the performance of live 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.

Music will be unamplified

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.

NA

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.

NA

Continued from previous page...

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

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

Will the playing of recorded 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. Music piped through a speaker on the patio area

Continued from previous page...

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.

NA

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.

NA

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing 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

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End

WEDNESDAY

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THURSDAY

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FRIDAY

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Continued from previous page...

SATURDAY

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End

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End

SUNDAY

Start

End

Start

End

Will the performance of dance 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.

Music amplified through banquetting suites

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.

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:00"/>
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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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

DJ or live band during events

Will this entertainment 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 entertainment

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 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 21

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

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.

Continued from previous page...

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.

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 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes
 No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

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...

WEDNESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

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

Continued from previous page...

Name

First name

Family name

Date of birth

dd mm yyyy

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 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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.

NA

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

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.

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 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.

Continued from previous page...

Section 18 of 21

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.

All serving staff to be regularly liquor trained

b) The prevention of crime and disorder

Staff trained in stopping serving to anyone intoxicated

c) Public safety

Staff trained in stopping serving to anyone intoxicated

d) The prevention of public nuisance

Staff trained in stopping serving to anyone intoxicated. Public/Members to be barred if repeat offenders

e) The protection of children from harm

Seperate facilities for adult only in order to keep members/hotel guests away from children

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

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

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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.

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.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

635.00

ATTACHMENTS**AUTHORITY POSTAL ADDRESS**

*Continued from previous page...***Address**

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"/>

DECLARATION

* 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.

Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

* The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/cheshire-east/apply-1> to upload this file and continue with your application.

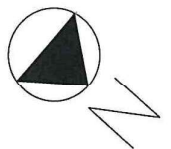
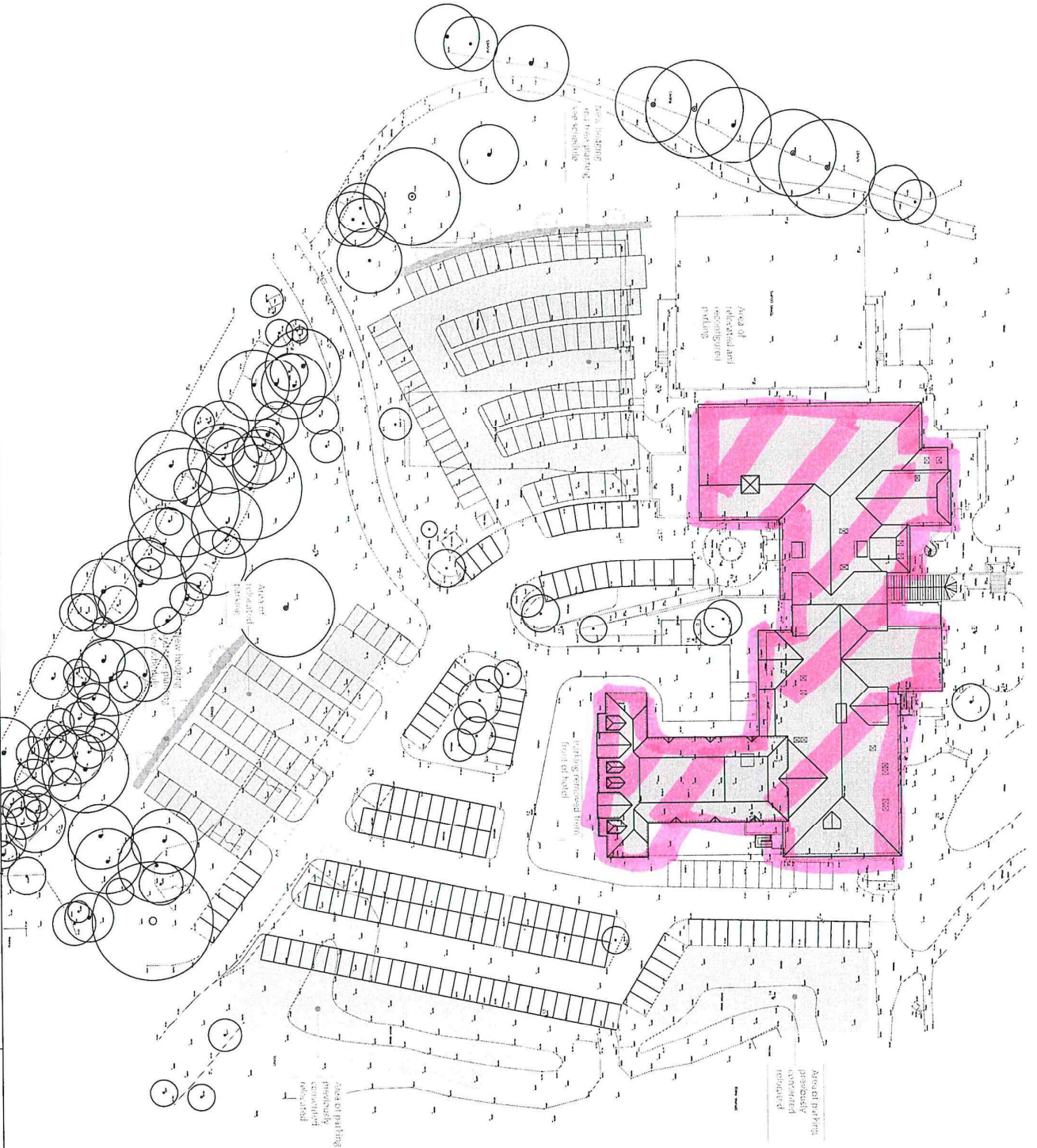
Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

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

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

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Hedgerow Planting

Abb.	Botanical Name	Min Height (cm)	Post-size/condition	Density	Linear mt %
FS	Fagus Sylvatica	60-80cm	B	3m length	70%
IA	Ilex Aquifolium	60-80cm	3-5L	3m length	20%
IB	Ilex Baccata	40-60cm	5L	3m length	10%

Tree Planting

Abb.	Botanical Name	Min Height (cm)	Girth (cm)	Post-size/condition	Form / X Transplanted Standard
TC	Tilia Cordata	250 - 300cm	6-10cm	B	Standard X

Planting & Maintenance

Newly planted single row hedge mixing the above species in the percentages noted. Tree specimens planted in line as indicated on this plan. Maintenance will be an annual firm to maintain shape and address during November and February.

- NEW TREE
- NEW HEDGEROW

TOTAL PROPOSED SPACES = 334

COMPOSED OF 221 EXISTING SPACES

83 NEW SPACES

[SPACES INCLUDE ONE PARENT & CHILD AND TWO DEPARTED BAYS]

KEY

- ADDITIONAL PARKING AREAS PREVIOUSLY APPROVED
- PROPOSED AREAS OF RELOCATED OR RECONSTRUCTED PARKING

THE CLUB COMPANY logo and project information including 'Joseph partners' branding and site details.

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Appendix 3



12/11/2020



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Premises Licence

Premises Licence Number:

PR/0309

Part 1 - Premises Details

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

The Tytherington Club
Dorchester Way
Tytherington
Macclesfield
Cheshire

Post Town: Macclesfield

Post Code: SK10 2JP

Telephone Number: 01625 506000

Where the Licence is time limited, the dates:

Not applicable.

Licensable activities authorised by the Licence:

Live Music
Recorded Music
Performances of Dance
Anything of a similar description to live music, recorded music and performances of dance
Sale and supply of alcohol
Provision of facilities for making music
Provision of facilities for dancing
Provision of facilities to entertain of a similar description to making music and dancing
Late night refreshment

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

Live Music

Monday to Saturday 12.00 to 01.00

Sunday and Christmas Day 12.00 to 00.30

(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Recorded music

For hours premises are open to the public

Performances of Dance

Monday to Saturday 12.00 to 01.00

Sunday and Christmas Day 12.00 to 00.30

(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Anything of a similar description to live music, recorded music and performances of dance

Monday to Saturday 12.00 to 01.00

Sunday and Christmas Day 12.00 to 00.30

(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Sale and Supply of Alcohol

Monday to Saturday 12.00 to 01.00

Sunday and Christmas Day 12.00 to 23.30

(Subject to conditions 1-4 in Annex 2)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Provision of facilities for making music

Monday to Saturday 12.00 to 01.00

Sunday and Christmas Day 12.00 to 00.30

(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Provision of facilities for dancing

Monday to Saturday 12.00 to 01.00

Sunday and Christmas Day 12.00 to 00.30

(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Provision of facilities to entertain of a similar description to making music and dancing

Monday to Saturday 12.00 to 01.00

Sunday and Christmas Day 12.00 to 00.30

(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Late night refreshment

Monday to Saturday 23.00 to 01.30

Sunday and Christmas Day 23.00 to 24.00

From 23.00 on New Years Eve to 05.00 on New Years Day

The opening hours of the Premises:

Not known.

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

For consumption either on or off the premises.

Part 2

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

The Club Company Operations Ltd
Bath Road
Knowl Hill
Reading, Berkshire
RG10 9AL

Tel No: 01625 506 000

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

2461105

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

Mr Dean Joseph Murphy



Personal Licence number and issuing authority of Personal Licence held by designated Premises Supervisor where the Premises Licence authorises for the supply of alcohol:

Personal Licence Number: 15/01580/LAPERS

Issuing Authority: Stratford-on-Avon District Council

Licence Issued: 20th April 2020

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

Annex 1 - Mandatory Conditions (as applicable)

1. No supply of alcohol may be made under this 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 this Premises Licence must be made or authorised by a person who holds a Personal Licence.

Where a Village Hall is exempt from needing DPS under s.19 Licensing Act 2003

Every supply of alcohol under the premises licence must be made or authorised by the Management Committee.

Mandatory condition where the licence authorises the exhibition of films

The admission of children to the exhibition of any film must be restricted in accordance with section 20 of the Licensing Act 2003. Admission of children must be restricted in accordance with any recommendation made by the British Board of Film Classification or the Licensing Authority.

Prohibited conditions: plays

1. In relation to a premises licence 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.
2. But subsection (1) does not prevent a licensing authority imposing, in accordance with section 18(2)(a) or (3)(b), 35(3)(b) or 52(3), any condition which it considers necessary on the grounds of public safety.

Mandatory condition: Door supervision

Each individual engaged in security activities at the premises must either:

- 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 the Private Security Industry Act 2001.

LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS)(AMENDMENT) ORDER 2014

MANDATORY CONDITIONS

Condition 1

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
 - a) Games or other activities which require or encourage, or are designed to require or encourage individuals to –
 - i. Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. Drink as much alcohol as possible (whether within a time limit or otherwise);

- b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Condition 2

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

Condition 3

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
 - a) A holographic mark, or
 - b) An ultraviolet feature

Condition 4

The responsible person must ensure that –

- a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - i. Beer or cider: ½ pint;
 - ii. Gin, rum, vodka or whisky: 25ml or 35ml; and
 - iii. Still wine in a glass: 125ml;
- b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—

- a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- b) 'permitted price' is the price found by applying the formula—

$$P = D + (D \times V)$$

Where —

- i. P is the permitted price,
- ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence—

- i. the holder of the premises licence,
- ii. the designated premises supervisor (if any) in respect of such a licence, or
- iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;

d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

e) 'valued added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2)The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the Operating Schedule

1. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- g. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

2. The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

3. Alcohol may be sold or supplied for one hour following the hours set out above and on Christmas day, between 3 p.m. and 7 p.m. to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

4. (1) Subject to the following paragraphs, the permitted hours on weekdays shall extend until one o'clock in the morning following except that—

- (a) the permitted hours shall end at midnight on any day on which music and dancing is not provided after midnight; and
- (b) on any day that music and dancing end between midnight and one o'clock in the morning, the permitted hours shall end when the music and dancing end;

4. (2) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

5. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (1) He is the child of the holder of the premises licence.

- (2) He resides in the premises, but is not employed there.
- (3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (4) The bar is in premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.
- (5) (a) He is in an area shown on the plan attached to the licence
(b) Meals and non-alcoholic beverages are available for sale for consumption in that area.
(c) He is in the company of a person aged 18 or over.
(d) He is there:
 - (i) prior to 9 p.m. or
 - (ii) between 9 p.m. and 9.30 p.m. where he or the said person is consuming a meal purchased before 9 p.m.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

6. Where there is provided in the Premises an entertainment for children, or an entertainment at which the majority of the persons attending are children, then, if the number of children attending the entertainment exceeds one hundred, it shall be the duty of the person providing the entertainment to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate, and to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and to take all other reasonable precautions for the safety of the children

7. Where the occupier of the Premises permits, for hire or reward, the Premises to be used for the purpose of an entertainment, he shall take all reasonable steps to secure the observance of the provisions of condition (6) above.

Conditions converted from the Public Entertainment Licence

1 Responsibilities of Licence Holder

- 1.1 The Licence Holder shall be responsible at all times for compliance with all terms, conditions and restrictions of this Licence, together with any variations or amendments which may be monitored in writing to the Licence Holder by the Licensing Authority at any time.
- 1.2 The Licence Holder/Designated Premises Supervisor shall:
 - (a) take all reasonable precautions for the safety of the public, performers or employees on the Premises; and
 - (b) ensure that all parts of the Premises and all equipment, furnishings, fittings and the like, shall be constructed and maintained in good order and a safe condition.
- 1.3 The Licence Holder/Designated Premises Supervisor or some responsible person nominated by him and recorded in the log book required as set out below shall be in charge of, and upon, the Premises during the whole of the time they are open to the public. That person shall not be engaged in any activity that will affect his/her duties in the event of an emergency.
- 1.4 If the Premises are to be used for any of the Licensed Purposes other than under the direct control and supervision of the Licence Holder/Designated Premises Supervisor, the Licence Holder/Designated Premises Supervisor/Designated Premises Supervisor must provide the

person responsible for the function with a copy of all conditions to which the Licence is subject.

- 1.5 The Premises and all performances and entertainments shall be kept and conducted in a decent and orderly manner, and drunkenness or other disorderly conduct shall not be permitted, nor shall any person be allowed to enter the Premises or remain there when in a state of intoxication.

2 Alterations to Premises

- 2.1 No material alterations, refurbishment or additions shall be made to any part of the Premises without the prior approval in writing of the Licensing Authority. The application to the Local Authority for such approval, must be accompanied by four copies of a plan, showing all proposed amendments to the approved plan which was submitted with the original application.

3 Log Book

- 3.1 Licence Holder/Designated Premises Supervisor shall keep a log book in which he shall record details of tests, examinations, training and instruction to persons working, whether voluntarily or otherwise, in the Premises and maintenance associated with safety from fire and other emergencies. The log book must be kept on the Premises at all times and be available for inspection by any Authorised Officer of the Licensing Authority, Fire Brigade or Police.

4 Attendants

- 4.1 There shall be competent attendants who are over the age of 16 years on duty during the whole time that the public are on the Premises. All attendants shall be specifically instructed as to their responsibilities in the event of an emergency.
- 4.2 The number of attendants on duty in the Premises to assist persons entering or leaving shall be as follows:

No of Persons Accommodated	No of Attendants Required	No of Male Attendants Required
Less than 250	2	1
250 but less than 500	3	1
500 but less than 750	4	1
750 but less than 1,000	6	2

Over 1,000 - details of attendants required to be obtained from the Licensing Authority.

- 4.3 If the public are present on any upper floor or tier, one additional attendant shall be provided per floor or tier for up to 100 persons. If the number of persons is greater than 100, two additional attendants shall be available per floor or tier.
- 4.4 Where most of the audience is under the age of 16 years, the number of attendants on duty shall be not less than one for every 100 or part thereof within the auditorium and one attendant for every 50 or part thereof on any other floor or tier.
- 4.5 Where disabled persons attend the Premises, account shall be taken of the additional responsibilities referred to below.
- 4.6 Under the direction of the Licence Holder/Designated Premises Supervisor or other person nominated by him the main duty of an attendant shall be to ensure safe conditions are maintained in the Premises by:

- (a) Ensuring that no overcrowding occurs in any part of the Premises
 - (b) Ensuring all gangways and exit routes are clear at all times
 - (c) Preventing the public standing on seats or furniture
 - (d) Being aware of any special requirements to ensure safe evacuation
- 4.7 All attendants shall be readily identifiable to the public by either conspicuous clothing or markings, visible under all light conditions.
- 4.8 Where Premises have facilities which separate children from their parents or guardians, the facilities should be on one level.
- 4.9 The Licence Holder/Designated Premises Supervisor or responsible person nominated by him shall not be engaged in duties which will prevent him from exercising general supervision.
- 4.10 The manager, cashier and similar staff, whose normal duty is other than the assistance of the public, must not be included in the attendant calculations.

5 Electrical Safety

- 5.1 Electrical installations shall comply with all conditions and statutory regulations affecting the use of electricity for the time being in force and shall be installed to the satisfaction of the Licensing Authority. A Certificate of Safety issued by a qualified electrical engineer certifying that the electrical installations, including escape lighting, are in accordance with the relevant British or other approved standard and that the systems are maintained in safe working condition, must be submitted to the Licensing Authority at any time when alterations have taken place to any electrical installation. Any examination of the installation by a representative of the Licensing Authority will not relieve the Licence Holder/Designated Premises Supervisor of his primary responsibility for the safety of the Premises.

A qualified electrical engineer means:

A Chartered Electrical Engineer

A Member of the Electrical Contractors Association

A Certificate holder of the National Inspection Licensing Authority of Electrical Installation Contracting

The Local Electricity Board

- 5.2 The Licence Holder/Designated Premises Supervisor shall ensure that the electrical supply to the socket circuit of the Premises is fitted by a qualified electrical engineer with a residual current circuit breaker to British or other approved standard.

6 Access to Roof Spaces and Inspection of Ceilings

- 6.1 In the case only of Premises which have suspended or plaster ceilings:

The Licence Holder/Designated Premises Supervisor shall report to the Licensing Authority when he proposes redecoration (other than redecoration work for minor maintenance purposes) or the erection of scaffolding in the Premises. The Premises shall then be examined by a qualified surveyor or architect on behalf of the Licence Holder/Designated Premises Supervisor and an approved representative of the Licensing Authority shall be present at that examination to ensure that it is as thorough as circumstances will allow, but the presence of the representative of the Licensing Authority will not relieve the Licence Holder of his primary responsibility for the safety of the Premises. If redecoration does not take place, or if scaffolding is not erected, within five years from the date of the last inspection, a special inspection will be carried out by a qualified surveyor or architect on behalf of the Licence Holder/Designated Premises Supervisor and approved representative

of the Licensing Authority shall be present. Appropriate certificates as to the result of the joint inspection shall be furnished to the Licensing Authority.

- 7.2 Adequate access shall be provided to roof spaces above suspended fibrous plaster ceilings and other forms of suspended ceilings with access to all parts of the ceilings for the purpose of inspection and repair.

8 First Aid

- 8.1 First aid equipment and facilities must be readily available on the Premises. A person shall be nominated to be responsible for the first aid equipment and to take charge in the event of an injury occurring.

FIRE SAFETY

9 Responsibilities of Licence Holder/Designated Premises Supervisor

- 9.1 Before the public are admitted to the Premises the Licence Holder/Designated Premises Supervisor or responsible person nominated by him shall ensure the following checks are made:

- (a) Exits are unlocked and available. An entry shall be made in the log book referred to above.
- (b) Escape routes are free from obstruction and can be used safely.
- (c) The Premises are free from any obvious fire hazard.

- 9.2 Where fitted, the Licence Holder/Designated Premises Supervisor or nominated member of staff shall raise or lower the safety curtain as appropriate.

- 9.3 The Licence Holder/Designated Premises Supervisor shall ensure that the following are provided and maintained:

- (a) Fire Instruction Notices
- (b) Fire Fighting Equipment
- (c) Fire Warning System
- (d) Electrical and Gas Installations where provided

In the case of items (b)-(d) above, it shall also be the Licence Holder/Designated Premises Supervisor's responsibility to ensure that they are maintained regularly by a competent person and details of the inspection or maintenance recorded in the log book, referred to above.

- 9.4 The Licence Holder/Designated Premises Supervisor shall be responsible for training all attendances and members of staff in respect of fire precautions and evacuation procedures. The instruction and training shall include the following:

- (a) The action to be taken upon discover of a fire.
- (b) The action to be taken upon hearing the fire alarm.
- (c) Raising the alarm, including the location of the alarm call points and alarm indicators.
- (d) The correct method of calling the Fire Brigade.
- (e) The location and use of the fire fighting equipment.
- (f) Knowledge of escape routes, including any stairway not in regular use.
- (g) Knowledge of the method of operation of any special escape door fastenings.
- (h) Appreciation of the importance of fire doors and the need to close all doors at the time of a fire and on hearing the fire alarm.
- (i) The operating of all escape doors not in regular use, to ensure they function satisfactorily.
- (j) Evacuation of the building to an assembly point at a place of safety.

- 9.5 The Licence Holder/Designated Premises Supervisor shall keep in the log book, records of training which will include the following:
- (a) Date of the instruction or exercise
 - (b) Duration
 - (c) Name of the person giving the instruction
 - (d) Name of the person(s) receiving the instruction
 - (e) The nature of the instruction, training and/or drill
- 9.6 Practice fire drills shall be held at a frequency which ensures all attendants and members of staff attend at least every three months. There must be conducted by the Licence Holder/Designated Premises Supervisor or a competent person approved by him/her. All attendants and members of staff shall be made aware of their duties prior to each event.
- 9.7 Printed fire instruction notices must be displayed throughout the Premises stating the action to be taken upon discovering a fire or hearing the alarm of fire.

10 Means of Escape

- 10.1 The means of escape in case of fire for the Premises shall be maintained at all times and kept free from obstruction.
- 10.2 Fire resisting doors and structures shall not be removed, modified etc without the prior approval of the Licensing Authority.
- 10.3 No rubbish or waste paper shall be stored or allowed to accumulate in any part of the Premises. Storage of necessary combustible materials shall be in such positions as approved by the Licensing Authority.
- 10.4 Unless otherwise approved, exit doors should open outwards in the direction of exit travel.
- 10.5 Fire resisting doors fitted with self closing devices shall be maintained positively self closing at all times and shall not be provided with means of keeping them open unless an approved automatic release device is fitted.
- 10.6 Any barriers or escape routes which may be provided with specific approval of the Licensing Authority for checking or controlling admission shall be provided with effective and approved bypass arrangements.

11 Fastenings on Doors

- 11.1 Any door or gate required to be held open shall be achieved using an approved device and be provided with a notice on both sides stating **'THIS DOOR TO BE LOCKED IN THE OPEN POSITION WHEN THE PREMISES ARE OCCUPIED'**, the notice to be in conspicuous letters at least 20mm high. When the door is locked open the key must be kept on a designated key board.
- 11.2 All doors used for means of escape shall be kept unlocked at all times the public are on the Premises. In the case of doors required to be fastened for security purposes, this must only be undertaken by means of approved 'Emergency Fastenings'.
- 11.3 Where doors are secured 'out of hours' by means of removable security devices such as chains, bars, padlocks etc, these devices must be removed and placed on a numbered board on a position approved by the Licensing Authority which is not accessible to the public. There shall be one hook per device and no device shall be replaced on a door until all members of the public have left the Premises. Account must also be taken of all other persons still present within the Premises. A member of staff or attendant shall be nominated to check all devices are on the numbered board prior to opening.

12 Notices

- 12.1 All exit and directional signs indicating the exits from any part of the Premises to which the public are admitted shall (unless they are self luminous fire safety signs) be illuminated by means of the normal lighting and escape lighting in the event of normal lighting failure either externally or internally at all times when the public are on the Premises.
- 12.2 Signs or notices of the photo luminescent type, ie where active material making up the luminous parts of such signs or notices need a period of exposure to light before they become visible in darkness, are not acceptable.
- 12.3 A notice bearing the word 'EXIT' in plain block letters and not less than 125mm high (subject to viewing distance) or any other approved graphic symbol shall be placed over any door or opening leading from the place of assembly into an exit. Any new or replacement signs or notices must comprise of a graphic symbol with an 'EXIT' notice alongside. No other notice shall be incorporated in or form part of an 'EXIT' notice or graphic symbol, other than a directional arrow.
- 12.4 A notice with the words 'PUSH BAR TO OPEN' or approved graphic symbol shall be permanently displayed immediately above the push bar on all doors fitted with a panic latch or panic bolt.
- 12.5 A notice with the words 'FIRE DOOR KEEP SHUT' or approved graphic symbol shall be permanently displayed at about eye level on both faces of all fire doors except those to cupboards. Fire doors which are normally open but which close automatically on the operation of fire detectors should bear the words 'AUTOMATIC FIRE DOOR - KEEP CLEAR' or approved graphic symbol.
- 12.6 A notice with the words 'FIRE DOOR - KEEP LOCKED/SHUT' or approved graphic symbol shall be permanently displayed on the outside face of all fire doors not required to be self closing, eg cupboards.
- 12.7 A notice with the words 'FIRE ESCAPE - KEEP CLEAR' or approved graphic symbol shall be permanently displayed at about eye level on the external face of all doors which are provided solely as a means of escape in case of fire and which, because they are not normally used, are liable to be obstructed.
- 12.8 Any door(s) opening from the room(s) in which public entertainment takes place and not affording a means of exit therefrom, shall be conspicuously marked with its particular use, or 'NO ESCAPE'. In the case of a sign marked 'NO ESCAPE' it shall accord to the following:

NO ESCAPE	Background colour shall be yellow. Triangular band shall be black. The text shall be black and placed centrally on the background. Yellow shall cover at least 50% of the area of the sign.
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- 12.9 Fire safety signs, notices and graphic symbols shall conform with the current British or other approved standard.

13 Normal Lighting

- 13.1 All parts of the Premises to which the public have access and all external exit ways should be provided with normal lighting capable of providing sufficient illumination of those parts of the Premises for the public to leave the Premises safely.

- 13.2 The normal lighting shall be arranged so that the requirements above shall continue to be met should a fault occur on other equipment fed from the same source of supply.
- 13.3 Whenever the public are on the Premises the normal lighting shall be kept on, in the absence of adequate daylight, and should provide the level of illumination required above save where emergency lighting is in use.

14 Escape Lighting

- 14.1 All parts of the Premises to which the public have access and all external exit ways shall be provided with escape lighting and capable of providing sufficient illumination for the public to leave the Premises safely.
- 14.2 The escape lighting shall be designed, installed, protected, maintained and operated as not to be affected adversely by other electrical or gas equipment.
- 14.3 The escape lighting may be supplied from the same source as the normal lighting but should also be capable of being powered by an independent supply. The independent supply shall be brought into operation immediately and automatically in the event of failure of the normal supply to the escape lighting.
- 14.4 The independent source of supply to the escape lighting shall be of such capacity that it is capable of maintaining sufficient level of illumination of at least one hour or such longer period as may be required by the Licensing Authority.
- 14.5 It shall be the duty of the Licence Holder/Designated Premises Supervisor or responsible person nominated by him to satisfy a representative of the Licensing Authority at any time that the escape lighting is capable of maintaining the level of illumination for at least one hour or such longer period as may be specified by the Licensing Authority.
- 14.6 Complete or substantially complete blackouts which may be required for production reasons may be permitted but this shall not include extinguishing any exit signs or graphic symbol which should, at all material times, comply with the requirements above.
- 14.7 All escape lighting installations shall conform to the current British or other approved standard and shall be subjected to the servicing, testing and inspection specified in that standard.
- 14.8 A record shall be kept of such maintenance and recorded in the log book referred to above.
- 14.9 Where in exceptional cases hand lamps have been approved for escape lighting, these shall be tested before each event takes place by the attendant to whom each is issued.

15 Seating Arrangements

- 15.1 Premises shall only be used for closely seated audiences in excess of 100 seats in accordance with a seating plan which has been submitted previously for approval by the Licensing Authority, a copy of which should be kept on the Premises for reference when arranging seats.
- 15.2 Where the audience is seated at chairs around tables, the seating need not be fixed but clear identifiable gangways must be provided leading to exits.
- 15.3 Where seating is provided at the perimeter of a room or area, they need not be fixed providing:
 - (a) it comprises individual seats in the form of not more than three rows, or

- (b) it is random seating within an area not more than 3m in depth and, in either case, the gangways to the exits are kept clear by the provision of fixed barriers designed to prevent encroachment of seats into the gangway.
- 15.4 Where permanent provision is made for a closely seated audience and in all cases of stepped tiers, all seating shall be fixed firmly to the floor.
- 15.5 In areas within the Premises where there is normally no fixed seating, any seating provided shall be so arranged and fixed in position that it cannot be moved easily by an audience in a state of excitement.
- 15.6 In cases where more than 250 temporary seats are to be used in the auditorium, the following arrangements shall apply:
- (a) chairs or other single seats shall be secured together in lengths of not fewer than four seats and not more than twelve seats so that they cannot be separated from each other merely by pushing one or more seats in the row; and
 - (b) provision shall be made for the rows of seating flanking the gangways to be fixed to the floor effectively preventing the individual seats or rows of seats from being dislodged into the gangways or from being toppled over except that:
 - (i) only end seats of such rows need to be fixed to the floor if all seats in each row are secured together; or
 - (ii) only the end seats of each length of seating referred to as (a) above which form such rows need to be fixed to the floor.
- 15.7 In premises which are intended to be used only occasionally for closely seated audiences where the fixing of seating to the floor is impractical or undesirable (eg on polished dance floors), the use of floor bars instead of floor screws may be permitted. Such floor bars should be not more than 25mm in height, have a cambered top surface as to avoid the risk of tripping persons using the seat ways, and should extend from the row to be fixed to at least two adjacent rows, but should not extend across any gangways.

16 Fire Fighting Equipment

- 16.1 The Premises shall be provided with means for fighting fire for use by persons on the Premises. All appliances provided must be to the current relevant British or other approved standards and be installed, tested and maintained in accordance with those standards.
- 16.2 The date of tests and examinations shall be clearly marked on the equipment and in the log book as referred to above.

17 Fire Warning System

- 17.1 In the Premises there shall be a means of giving a warning in case of fire to all persons and it shall be maintained in efficient working order and tested before each day's entertainment.
- 17.2 The fire warning system shall be provided and be in accordance with the current British or other approved standard.
- 17.3 Where appropriate, automatic control devices may be required to cut off the sound from amplifying systems when the fire alarm is activated.

18 Fire Routine

- 18.1 A procedure approved by the County Fire Officer, detailing the action to be taken by the attendants in the event of fire shall be devised and posted in the form of a notice in such a way that it can be read by the attendants, but not by members of the public.

18.2 If an exchange telephone is available in the Premises, a notice must be provided and prominently displayed in the appropriate part of the Premises, stating the location of this telephone. Additionally, a notice must be provided adjacent to the telephone giving instructions as to the method of calling the Emergency Services.

18.3 A notice must be provided and prominently displayed in appropriate parts of the Premises giving the location of the nearest public telephone.

18.4 The Fire Brigade must be called immediately to every outbreak of fire in the Premises, however small.

19 Restriction of Smoking and Naked Light

19.1 Smoking is strictly prohibited on any stage and in any areas associated with it, except where it is part of a performance.

19.2 The use of naked light is prohibited other than with the written consent of the Licensing Authority.

20 Exclusion and Readmission of the Public

20.1 All entertainments shall immediately stop and the public be instructed to leave the Premises:

- (a) In the event of an outbreak of fire or a suspected gas leak.
- (b) If the normal lighting fails and remains inoperative for more than the rated duration of the emergency lighting system less one hour. The public shall not be readmitted until the emergency lighting system is fully charged.
- (c) If the normal lighting fails and the emergency lighting is of one hour's duration.
- (d) If the emergency lighting fails or has a level of illumination lower than that required.

21 Disabled People

21.1 Where persons in wheelchairs attend functions on the Premises, attendants shall always be responsible for specifically ensuring that they are escorted from the building in the case of fire. Escape routes must be wide enough to allow wheelchairs through.

21.2 Ramps to be used by wheelchair users shall conform to the current British or other approved standard.

22 Surfaces of Walls, Partitions and Ceilings

22.1 The surface of walls, partitions and ceilings must have a finish corresponding to a standard not less than that indicated in the appropriate surface spread of flame classification when tested in accordance with the current British or other approved standard and as specified in the Building Regulations.

22.2 The approval of the Licensing Authority shall be obtained before any proposed change is made to surface finishes on walls, partitions and ceilings, which would have the effect of increasing the rate of surface spread of flame.

23 Floor Surfaces and Coverings

23.1 All stair and floor surfaces shall be secured and maintained with non slippery and even surfaces.

23.2 All floor coverings must be installed to comply with the current British or other approved standard for fire spread and should be secured so as not to create a trip hazard.

24 Upholstered Furniture

- 24.1 Where furniture is used, unless otherwise approved, it must only contain filling materials specified in the current Furniture Safety Regulations, ie combustion modified foam. The materials must have been tested for ignition by an approved testing establishment to satisfy the current British or other approved standard and the Fire Officer.
- 24.2 Where the underside of any furniture is constructed in such a way that a fire occurring beneath it would affect its fire resistance, further precautions as specified by the Fire Officer shall be taken to protect the furniture.
- 24.3 All fixed and moveable seating shall be maintained free from tears, rips etc which would result in the filling being exposed.
- 24.4 Any change of furniture must not take place without the consent of the Licensing Authority. Application for consent shall be made in writing and be accompanied by full details of the materials to be used, together with a certificate from an approved testing establishment.

25 Curtains, Drapes and Other Textile Hangings

- 25.1 All curtains or drapes must be of durably flame retardant fabric or inherently flame retardant fabric conforming to the current British or other approved standard.
- 25.2 Where curtains are permitted in front of fire exit doors, they must be hung so as not to obstruct exist signs and be arranged so that they do not trail on the floor and have a central opening when in front of pairs of doors.
- 25.3 Curtains will only be permitted where attendants are present nearby to open the curtains in the event of an emergency.
- 25.4 Temporary decorations shall not be used unless of a flame retarded type.
- 25.5 Application for consent for all decorations, curtains and hangings shall be made to the Licensing Authority in writing and be accompanied by full details including samples (not less than 1000 x 500mm) and test certificates or letters of confirmation.

26 Artificial and Dried Foliage

- 26.1 All artificial or dried foliage used for decorative purposes should be flame retardant treated.

27 Cellular Foam

- 27.1 Sports equipment and other foam filled items must only contain Combustion Modified foam as detailed in the current fire safety regulations or other approved standard, and comply with the current British or other approved standard, and shall be stored in a purpose built fire resistant store to a standard prescribed by the Licensing Authority.

28 Stage and Stage Area

- 28.1 All scenery including cloths, draperies, gauze cloths, floral decorations, hangings, curtains and all fabric decorations on the stage shall be flame retarded and should be so maintained. Scenery or props shall not be kept or used:
 - (a) in the stage basement except when required for use in a current production, or
 - (b) in any part of the Premises other than on the stage or in an approved property or scenery store.

- 28.2 Lighted candles shall not be used for decorative purposes. Suitable protection for lamps such as lampshades made from not readily ignitable materials must be provided for lighting. Other appliances which may become hot must be set well apart from scenery or any other combustible material and out of reach of the public.
- 29.3 Separation should, where appropriate, be formed between the audience and the stage by provision of panels or curtains of flame retardant treated materials.
- 29.4 The platform or stage shall not be congested with scenery or properties, and the exits leading from the stage shall be maintained free from obstruction.

30 Heating

- 30.1 All heating appliances shall be suitably guarded and fixed in position in such a manner so as to prevent unauthorised persons having access to the controls or being able to approach sufficiently close to the appliance to endanger themselves and should be sited a safe distance from any combustible materials.
- 30.2 No oil fired heaters other than those forming part of the boiler installation shall be used in the Premises.
- 30.3 No portable liquefied petroleum gas (LPG) heater shall be in the Premises when members of the public are present. LPG cylinders both full and empty should be kept in safe positions in the open air away from other flammable materials or in an approved separated and adequately ventilated storeroom.

STANDARD OF FACILITIES

31 Disabled Persons

- 31.1 The Licence Holder/Designated Premises Supervisor, where appropriate, shall ensure that facilities and adaption including staffing arrangements are made to enable disabled persons to attend entertainments at the Premises.

32 Heating, Lighting and Ventilation

- 32.1 The licensed parts of the Premises are to be kept properly and sufficiently lighted, ventilated and heated to the satisfaction of the Licensing Authority.

33 Toilets

- 33.1 Adequate and separate sanitary conveniences shall be provided for persons of both sexes. Where practicable a facility for disabled persons by means of a unisex facility should be provided.
- 33.2 The toilets, urinals and washing facilities in the Premises shall at all times be kept in good order and repair, and be kept clean, ventilated, disinfected and supplied with water, and the doors leading thereto shall be suitably marked. Suitable toilet paper, soap and hand drying facilities shall be provided.
- 33.3 Adequate sanitary and washing facilities shall be provided for all persons employed on the Premises.

34 Water

- 34.1 An adequate supply of wholesome drinking water from a rising main shall be provided in positions approved by the Licensing Authority for the use of all persons employed on the Premises.

34.2 Where practicable a separate cleaner's sink should be provided.

AVOIDANCE OF NUISANCE

35 Noise

35.1 The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the Premises shall ensure that any noise emanating from the Premises is such as not to cause annoyance to residents in the locality.

35.2 The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the Premises shall ensure that the Premises, including the car park, are vacated quietly within thirty minutes of the terminal hour of the Licence, and that proper supervision of all persons leaving the car park and otherwise leaving the Premises is provided. Conspicuous notices shall be positioned at all exits from the Premises requesting patrons to make the minimum amount of noise on leaving.

35.3 No noise generated by any entertainment at the Premises shall be for such periods of time and such levels of intensity so as to render liable to damage the hearing of persons attending the entertainment.

SPECIAL EFFECTS

36 Special Effects

36.1 The use of special effects involving the use of pyrotechnics, smoke machines, dry ice, bomb tanks, firearms and fireworks, lasers and strobe lighting or other similar devices, shall not be permitted without prior written approval of the Licensing Authority, who may impose additional conditions. Written notice must be given to the Licensing Authority at least 28 days prior to the performance to allow time for consultation with the Fire Officer. Application for consent should be made in writing to the Licensing Authority.

37 Animals

37.1 The use of animals in any act shall not be permitted without prior written approval of the Licensing Authority. Written notice must be given to the Licensing Authority at least 14 days before the performance.

LASER AND STROBE SPECIAL EFFECTS LIGHTING

38 Lasers

38.1 Laser special effects lighting shall not be used or installed within the Premises without the prior consent of the Licensing Authority.

38.2 The Licence Holder/Designated Premises Supervisor shall obtain from the laser manufacturer or operator sufficient information, sketches, calculations, radiometric measurement data etc to demonstrate that the system can be used safely and without risk to health together with the classification of the proposed system. This information shall be submitted to the Licensing Authority with the application for consent.

39 Equipment

39.1 All display laser equipment shall be so designed, constructed and maintained as to be safe for use.

40 Control against Unauthorised Use

40.1 All display laser products shall be provided with a key operated ON-OFF switch to secure the laser against unauthorised use.

41 Demarcation of Laser Display Area

41.1 Each effect from a display laser product shall take place within a predetermined and defined display area. The emission of laser radiation shall be terminated automatically immediately the laser effect/beam leaves the boundaries of this display area.

42 Siting of Laser Control Console

42.1 The control console for each display laser product shall be secure and sited in such a position that the operator is able to view the whole of the display area. Where this is not practicable, alternative effective arrangements shall be made whereby the operator is able to assess the situation and be aware of any malfunction etc.

43 Emergency Cut Off for Laser Radiation

43.1 All display laser products shall be provided with one or more readily accessible controls which will immediately terminate the emission of any laser radiation. In the event that a laser system is not required to be under the continuous supervision or control of an operator, a person at the display shall be designated to be responsible for the immediate termination of the laser radiation in the event of equipment malfunction, audience unruliness or other unsafe conditions.

44 Determination of Laser Radiation Exposure Levels

44.1 The accessible emission levels of laser radiation shall be measured and/or calculated by the operator at all positions where the audience, general public, operators or performers may be exposed to the primary beam(s), or to reflections from targets and scattering materials.

45 Marking of Area Boundaries

45.1 Any area where the levels of laser radiation exceed the accessible emission limit for Class 1 laser products shall be clearly identified, appropriate warning notices posted and barriers erected to prevent the entry of unauthorised persons. Entry into these areas shall be undertaken only by authorised persons if necessary and wearing the appropriate protective equipment.

46 Permissible Exposure Levels for Audience/Members of the Public

46.1 The level of laser radiation shall not exceed the maximum permissible exposure level at any point where the public is permitted during the display. In addition, unless effective means are employed to prevent access to the laser beam(s) the maximum permissible exposure level shall not be exceeded at any point:

- (a) Less than 3m above any surface upon which the audience/general public is permitted to stand; or
- (b) Less than 2.5m in lateral separation from any position where a person in the audience/general public is permitted during the display.

47 Permissible Exposure Levels for Operators/Performers

47.1 The accessible exposure level of laser radiation to operators/performers shall not exceed the maximum permissible exposure if such radiation is intended to be viewed by them in order to perform their functions. In the event that such radiation is not intended to be viewed by

them, then the accessible exposure level shall not exceed the accessible exposure limit specified for Class 3A laser products.

48 Use of Scanning Devices

48.1 The use of scanning devices, including mirror balls, shall incorporate a means which shall automatically prevent exposure to levels in excess of those specified in the event of scan failure or other failure.

49 Setting Up/Alignment of Laser Systems

49.1 The following precautions shall be taken:

- (a) The setting up/alignment of laser systems shall only be undertaken by a trained laser operator.
- (b) Only those persons required to perform relevant functions should be present during the alignment/setting up of the system(s).
- (c) The accessible emission level of laser radiation shall be reduced to the minimum practicable level and in any event shall not exceed the accessible emission limit for Class 3A laser products.
- (d) Where necessary for the protection of those employed, appropriate protective equipment shall be worn during the alignment/setting up of the laser equipment.

50 Functional Checks Prior to each Public Operation of the Laser Display

50.1 A functional check shall be made between the admittance of the public of all safety devices, interlocks etc which have been provided to ensure the safety of persons prior to each public use of a display laser product.

51 Special Consideration Out of Doors

51.1 Where display laser products are used outdoors, consideration shall be given and adequate safeguards adopted for those persons liable to view the beam directly within the nominal hazard distance and also those who might view the beam or its reflections using optical aids. In this context special consideration shall be given to the hazards that the use of a display laser product might present to traffic movements including those by air, sea, harbour and road.

52 Strobes

52.1 Strobe lighting shall not be used or installed within the Premises without the prior written consent of the Licensing Authority.

52.2 As the flashing lights can have a disorientating effect and have been known to induce epilepsy, the Licence Holder/Designated Premises Supervisor shall ensure that they are installed by experts and to reduce the hazard of strobe lights to be operated on a fixed rate of not more than 8 flashes per second. Where more than one strobe light is in use, the flashes shall be synchronised.

52.3 Where strobes are in use in a theatrical production, the Licence Holder/Designated Premises Supervisor shall provide a warning in the foyer and/or programme to this effect.

PYROTECHNICS, BOMB TANKS, EXPLOSIVES, DRY ICE AND SMOKE MACHINES

53 Pyrotechnics

- 53.1 Pyrotechnic devices must only be operated by a person competent to handle them, who has been adequately trained to the satisfaction of the Licensing Authority in the correct method of control and operation by either the manufacturer, importer or their agent.
- 53.2 The operator must have a direct view of all devices, the surrounding and fall out area.
- 53.3 The firing device must be fired by the use of a control box, such boxes must be fitted with a key operated isolating switch, the key to be in the possession of the operator at all times.
- 53.4 The control box must not be energised until immediately before use.
- 53.5 The device must not be placed where it will endanger the public, staff, attendants or the Premises. Any proposed locations must be discussed and approved by the Licensing Authority.
- 53.6 The device must not be fired until all persons are in a safe position. Should the device fail, it must be replaced with a fresh device and the defective item disposed of in a safe manner.
- 53.7 No devices must be stored or used on the Premises without the prior approval of the Licensing Authority.
- 53.8 Any devices approved for storage on the Premises must be in an enclosure which is fire resisting to the half hour standard in accordance with current British or other approved standard.
- 53.9 The enclosure must be against an outside wall with direct ventilation to open air. No sources of ignition or other materials must be within the store. A 'NO SMOKING' notice must be displayed on the door and a 9 litre water type extinguisher must be sited adjacent to the enclosure.
- 53.10 Fireworks, maroons and flash powder must be stored separately from percussion caps, safety cartridges, safety fuse and detonators, either in separate stores or if the aggregate weight does not exceed 7kg, one store subdivided by a fire resisting compartment.

54 Bomb Tanks

- 54.1 All bomb tanks must be constructed of metal and should be sited off stage. They must be sited clear of all persons and combustible items.
- 54.2 When bomb tanks are in use, warning notices to read 'DANGER - EXPLOSIVES - KEEP CLEAR' must be positioned on the tank so that they are visible from all sides. The notice to be in block letters not less than 50mm high.
- 54.3 If the tank is positioned where it can be approached without warning, 'NO ENTRY' notices must be placed at strategic points to isolate the tank from unsuspecting staff.
- 54.4 The operator must have a direct view of the tank and surrounding area before firing. Before reloading, the firing box must be isolated.
- 54.5 Only the smallest maroon capable of providing the effect must be used.
- 54.6 In any performance when bomb tanks are to be used, the Licence Holder/Designated Premises Supervisor shall display throughout the areas used by the public and in any associated programme, a warning of their intended use and their effects.

54.7 Bomb tanks must only be used and operated by a person competent to handle them, who has been adequately trained to the satisfaction and prior approval of the Licensing Authority in the correct method of control and operation by either the manufacturer, importer or their agent.

55 Storage of Explosives

55.1 Storage of explosives will be of two types, receptacles containing small amounts for use in the performance and storage enclosures for the keeping between performances.

55.2 Storage receptacles shall be constructed of substantial construction as required by current legislation, eg a japanned or tinned iron or steel box or a wooden box. Any metalwork exposed within the interior shall be either non ferrous or covered in non ferrous material, not readily ignitable material or paint of 1mm thickness.

A notice in block letters not less than 25mm high stated 'DANGER - NO SMOKING - NO NAKED FLAME' shall be provided on the outside of the lid.

55.3 The storage enclosure shall be of fire resisting construction and be positioned against an outside wall. It shall be secure, away from public areas and have ventilation direct to open air. It shall contain no combustibles or other substances which are not compatible with explosives. There shall be no sources of ignition within the store. A notice 'NO SMOKING' shall be provided on the external face of the door in the dimensions referred to for a receptacle.

56 Dry Ice Smoke Effects

56.1 The concentration of carbon dioxide must be strictly controlled and monitored.

56.2 The machine and the effects must not obstruct exits or exit routes.

56.3 Dry ice must only be handled using suitably insulated gloves.

57 Smoke Machines

57.1 The machine and its effects must be controlled and be within the sight of the operator at all times.

57.2 The smoke produced must be non toxic and non flammable. Documentary evidence to this effect may be required by the Licensing Authority.

57.3 The machine must not be sited near compatible materials or exits and should be in an approved position.

57.4 The machine must be operated for the minimum amount of time to achieve the necessary level of density and be switched off. The operating time may be controlled by the Licensing Authority following a practical demonstration.

57.5 The smoke produced must not obscure exits, exit routes, staircases or changes in levels. The amount of smoke entering the auditorium must not adversely affect public safety. Fans and ventilation may be required to control the direction and disposal of the smoke.

DEMONSTRATION OR PERFORMANCE OF HYPNOTISM

Consents

- 58 Any exhibition, demonstration or performance (hereafter referred to as a 'performance') of hypnotism (as defined in the Hypnotism Act 1952) on any person requires the express written consent of the Licensing Authority and must comply with any attached conditions. The Authority may consent either under the terms of a Public Entertainments Licence or under the provisions of the Hypnotism Act 1952.

Applications

- 59 An application for consent under Condition 1 shall be in writing and signed by the applicant or his agent and shall normally be made not less than 28 days in advance of the performance concerned. This period may be reduced in the case of a hypnotist who has performed at the same venue within the last three years without any problems occurring. The Authority will normally respond within 7-14 days; less where the hypnotist has previously performed at the same venue. The applicant must at the same time forward a copy of the application to the Chief Officer of Police, and the Authority may also copy it to the local Fire Authority if it considers this necessary.
- 60 The application shall contain the following:
- (a) the name (both real and stage, if different) and address of the person who will give the performance (hereafter referred to as the 'hypnotist'), along with details of their last three performances (where and when); and
 - (b) a statement as to whether, and if so giving full details thereof, the hypnotist has been previously refused, or had withdrawn, a consent by any Licensing Authority or been convicted of an offence under the Hypnotism Act 1952 or of an offence involving the breach of a condition regulating or prohibiting the giving of a performance of hypnotism on any person at a place licensed for public entertainment. (Refusal of consent by another Authority does not necessarily indicate that the particular hypnotist is unacceptable and will not of itself prejudice the application).

Conditions

- 61 The following conditions shall apply to any consent given:

61.1 Publicity

- (a) No poster, advertisement or programme for the performance which is likely to cause public offence, shall be displayed, sold or supplied by or on behalf of the Licence Holder/Designated Premises Supervisor either at the Premises or elsewhere.
- (b) Every poster, advertisement or programme for the performance which is displayed, sold or supplied shall include, clearly and legibly, the following statement:
"Volunteers, who must be aged 18 or over, can refuse at any point to continue taking part in the performance".

61.2 Insurance

- (c) The performance shall be covered to a reasonable level by public liability insurance. The hypnotist must provide evidence of this to the Local Authority if requested, and it must be available for inspection at the performance.

61.3 Physical Arrangements

- (d) The means of access between the auditorium and the stage for participants shall be properly lit and free from obstruction.
- (e) A continuous white or yellow line shall be provided on the floor of any raised stage at a safe distance from the edge. This line shall run parallel with the edge of the stage for its whole width,. The hypnotist shall inform all subjects that they must not cross the line while under hypnosis, unless specifically told to do so as a part of the performance.

61.4 Treatment of Audience and Subjects

- (f) Before starting the performance the hypnotist shall make a statement to the audience, in a serious manner, identifying those groups of people who should not volunteer to participate in it; explaining what volunteers might be asked to perform; informing the audience of the possible risks from embarrassment or anxiety and emphasising that subjects may cease to participate at any time they wish. The following is a suggested statement which might be amended as necessary to suit individual styles so long as the overall message remains the same:

““““I shall be looking for volunteers aged over 18 who are willing to be hypnotised and participate in the show. Anyone who comes forward should be prepared to take part in a range of entertaining hypnotic suggestions but can be assured that they will not be asked to do anything which is indecent, offensive or harmful. Volunteers need to be in normal physical and mental health, and I must ask that no one volunteers if they have a history of mental illness, are under the influence of alcohol or other drugs or are pregnant.”“““

- (g) No form of coercion shall be used to persuade members of the audience to participate in the performance. In particular, hypnotists shall not use selection techniques which seek to identify and coerce onto the stage the most suggestible members of the audience without their prior knowledge of what is intended. Any use of such selection techniques (eg asking members of the audience to clasp their hands together and asking those who cannot free them again to come onto the stage), should only be used when the audience is fully aware of what is intended and that participation is entirely voluntary at every stage.
- (h) If volunteers are to remain hypnotised during an interval in the performance, a reasonable number of attendants as are agreed with the Licensing Authority shall be in attendance throughout to ensure their safety.

61.5 Prohibited Actions

- (i) The performance shall be so conducted as not to be likely to cause offence to a person in the audience or any hypnotised subject.
- (j) The performance shall be so conducted as not to be likely to cause harm, anxiety or distress to any person in the audience or any hypnotised subject. In particular, the performance shall not include:
 - (i) any suggestion involving the age regression of a subject (ie asking the subject to revert to an earlier age in their life; this does not prohibit the hypnotist from asking subject to act as if they were a child etc);
 - (ii) any suggestion that the subject has lost something (eg a body part) which, if it really occurred, could cause considerable distress;

- (iii) any demonstration in which the subject is suspended between supports (so called 'catalepsy');
 - (iv) the consumption of any harmful or noxious substance;
 - (v) any demonstration of the power of hypnosis to block pain (eg pushing a needle through the skin).
- (k) The performance shall not include giving hypnotherapy or any other form of treatment.

61.6 Completion

- (l) All hypnotised subjects shall remain in the presence of the hypnotist and in the room where the performance takes place until all hypnotic suggestions have been removed.
- (m) All hypnotic or post hypnotic suggestions shall be completely removed from the minds of the subjects and the audience before the performance ends. All hypnotised subjects shall have the suggestions removed both individually and collectively, and the hypnotist shall confirm with each of them that they feel well and relaxed (the restriction on post hypnotic suggestions does not prevent the hypnotist telling subjects that they will feel well and relaxed after the suggestions are removed).
- (n) The hypnotist shall remain available for at least thirty minutes after the show to help deal with any problems which might arise. (Such help might take the form of reassurance in the event of headaches or giddiness but this condition does not imply that the hypnotist is an appropriate person to treat anyone who is otherwise unwell.)

61.7 Authorised Access

- (o) Where:
 - (i) a constable; or
 - (ii) an authorised officer of the Licensing Authority; or
 - (iii) an authorised officer of the Fire Authority

has reason to believe that a performance is being, or is about to be given, he may enter the venue with a view to seeing whether the conditions on which approval for the performance was granted are being complied with.

LAP, TABLE DANCING AND STRIPEASE AND OTHER SIMILAR PERFORMANCES

- 62 No performance of lap, table dancing, striptease or other similar performance shall take place at the Premises without the express written consent of the Licensing Authority and in accordance with any conditions attached to such consent.
- 63 An application for consent under these conditions shall be in writing and signed by the Licence Holder/Designated Premises Supervisor, and shall be made not less than 28 days in advance of the performance concerned. A copy of the application shall at the same time be forwarded to the Chief Officer of Police and Fire Authority. A public notice in a prescribed form shall be displayed in a prominent position outside the Premises for 14 days beginning with the date of application. A copy of the same public notice shall be inserted by advertisement in a newspaper circulating in the administrative area of the Licensing Authority and published not later than seven days after the date of the application.
- 64 The application shall contain the following particulars:
- (a) A detailed description of the proposed performances, including number of performers, type of performance, length of performance etc.

- (b) Full details of the proposal for staging the performances, including the proposed stage area or other structures to be used, and proposed seating arrangements accompanied by a suitable plan.
- (c) Details of security and safety arrangements proposed for the performance, including dressing room facilities and control of access to these, and proposed number of attendants and door supervisors to be present.

Where the Licensing Authority grants consent for a performance of lap, table dancing, striptease or similar performance, specific detailed conditions will apply.

- 65 The performance shall only take place in the designated area of the Premises approved by the Licensing Authority and in accordance with the staging and seating plan approved by the Licensing Authority. Any maximum occupancy figure specified by the Licensing Authority for the performance shall not be exceeded and the performance shall only take place between the hours specified by the Licensing Authority. Any restrictions on the times of admission or readmission to the performance specified by the Licensing Authority shall be complied with. The Licensing Authority may specify minimum numbers of attendances and door supervisors who shall be on duty at the Premises during the whole time that the public are present and who shall monitor the Premises, including all entrances, exits and toilets.

No person under the age of 18 years shall be admitted to or be present upon any part of the Premises where any such performances are taking place and any such part must not be visible from any other part of the Premises or from outside the Premises. A notice shall be displayed in a conspicuous position at each entrance to any part of the Premises where the performance is to take place stating that 'NO PERSON UNDER 18 YEARS WILL BE ADMITTED'.

- 66 Performers shall be aged not less than 18 years and shall perform only on the stage area or to seated customers or in such other areas of the Premises as may be agreed in writing with the Licensing Authority. No audience participation in a performance shall be permitted. During the performance, performers shall not (a) touch customers, (b) climb onto furniture, (c) simulate sex acts.
- 67 Notices setting out the restriction contained in Condition 5 shall be displayed at the Premises as required by the Licensing Authority.
- 68 There shall be no physical contact between the performers and customers before, during or after the performance.
- 69 The Licence Holder/Designated Premises Supervisor shall ensure that performers and members of the public have separate entrances for entering and exiting from the Premises, performers to use staff entrances.
- 70 There shall be agreed in writing with the Licensing Authority arrangements for restricted access to the dressing rooms used by the performers and such restricted access shall be maintained at all times until all performers using the dressing rooms have vacated the room.
- 71 Performers shall at all times wear at least a G string covering the genitalia, which shall not be removed during the performance.
- 72 Performers not currently performing shall not be in any public part of the Premises in a state of undress.
- 73 Any person who touches or attempts to touch a performer or directs lewd, vulgar or obscene language or gestures thereto shall be immediately removed from the Premises by the Licence Holder/Designated Premises Supervisor.

- 74 There shall be at least one Licence Holder/Designated Premises Supervisor on the Premises during the entertainment to ensure compliance with these special conditions. In addition, there shall be a nominated female present to oversee the activities of female performers and a like nominated male present to oversee the activities of any male performers.
- 75 A register shall be maintained by the Licence Holder/Designated Premises Supervisor and kept on the Premises to clearly record the identity of the Licence Holder/Designated Premises Supervisor on duty during the entertainment, the day and times of the start and finish of the entertainment, and the names and addresses of the performers. The record shall be retained for a period of not less than twelve months after the last entry in the register. The register shall be available at all times for inspection by the Police or Officers of the Licensing Authority.
- 76 The Licence Holder/Designated Premises Supervisor shall ensure that all performers read through these special conditions and sign a statement that they have understood them and agreed to abide by them.
- 77 The Licence Holder/Designated Premises Supervisor shall not display either outside or inside the Premises photographs or other images which indicate or suggest that lap, table dancing, striptease or other similar performances take place at the Premises.
- 78 No such entertainment shall take place on Christmas Day.
- 79 In all other respects the entertainment is to be subject to the Licensing Authority's standard conditions relating to public entertainments

Additional conditions converted from the Public Entertainment Licence:

1. The maximum number of persons permitted to use the lounge bar and restaurant at any one time shall not exceed 100 persons
2. The maximum number of persons permitted to use the members bar and conservatory at any one time shall not exceed 100 persons
3. The maximum number of persons permitted to use the function rooms 1, 2 and 3 at any one time shall not exceed 200 persons

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

None

Annex 4 - Plans

Please see attached



Premises Licence Summary

Premises Licence Number:

PR/0309

Premises Details

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

The Tytherington Club
Dorchester Way
Tytherington
Macclesfield
Cheshire

Post Town: Macclesfield

Post Code: SK10 2JP

Telephone Number: 01625 506000

Where the Licence is time limited, the dates:

Not applicable.

Licensable activities authorised by the Licence:

Live Music
Recorded Music
Performances of Dance
Anything of a similar description to live music, recorded music and performances of dance
Sale and supply of alcohol
Provision of facilities for making music
Provision of facilities for dancing
Provision of facilities to entertain of a similar description to making music and dancing
Late night refreshment

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

Live Music

Monday to Saturday 12.00 to 01.00

Sunday and Christmas Day 12.00 to 00.30

(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Recorded music

For hours premises are open to the public

Performances of Dance

Monday to Saturday 12.00 to 01.00
Sunday and Christmas Day 12.00 to 00.30
(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Anything of a similar description to live music, recorded music and performances of dance

Monday to Saturday 12.00 to 01.00
Sunday and Christmas Day 12.00 to 00.30
(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Sale and Supply of Alcohol

Monday to Saturday 12.00 to 01.00
Sunday and Christmas Day 12.00 to 23.30
(Subject to conditions 1-4 in Annex 2)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Provision of facilities for making music

Monday to Saturday 12.00 to 01.00
Sunday and Christmas Day 12.00 to 00.30
(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Provision of facilities for dancing

Monday to Saturday 12.00 to 01.00
Sunday and Christmas Day 12.00 to 00.30
(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Provision of facilities to entertain of a similar description to making music and dancing

Monday to Saturday 12.00 to 01.00
Sunday and Christmas Day 12.00 to 00.30
(Sunday preceding bank holiday except Easter Sunday 1am)

From the end of permitted hours on New Years Eve to the commencement of hours on New Years Day

Late night refreshment

Monday to Saturday 23.00 to 01.30
Sunday and Christmas Day 23.00 to 24.00

From 23.00 on New Years Eve to 05.00 on New Years Day

The opening hours of the Premises:

Not known.

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

For consumption either on or off the premises.

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

The Club Company Operations Ltd
Bath Road
Knowl Hill
Reading, Berkshire
RG10 9AL

Tel No: 01625 506 000

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

2461105

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

Dean Joseph Murphy

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

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (1) He is the child of the holder of the premises licence.
- (2) He resides in the premises, but is not employed there.
- (3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (4) The bar is in premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.
- (5)
 - (a) He is in an area shown on the plan attached to the licence
 - (b) Meals and non-alcoholic beverages are available for sale for consumption in that area.
 - (c) He is in the company of a person aged 18 or over.
 - (d) He is there:
 - (i) prior to 9 p.m. or
 - (ii) between 9 p.m. and 9.30 p.m. where he or the said person is consuming a meal purchased before 9 p.m.

Licence Issued: 20th April 2020

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



Licensing Act 2003 – Premises Licence

Duration of a Premises Licence

A premises licence has effect until such a time that it is suspended, revoked or surrendered.

Duty to notify change of name or address

The holder of a premises licence must, as soon as is reasonably practicable, notify the relevant licensing authority of any change of name or address.

Where the designated premises supervisor (DPS) under a premises licence is not the holder of the licence, he should notify the licensing authority of a change in name or address as soon as possible. The DPS must also notify the holder of the premises licence.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie£500)

Duty to keep and display licence

The holder of a premises licence must ensure that the licence or a certified copy of it is kept at the premises in the custody of or under the control of the holder of the licence or a person who works at the premises whom the premises licence holder has nominated in writing. A notice should be prominently displayed at the premises specifying the position of any such nominee.

The premises licence holder has a duty to ensure that a summary of the licence or a certified copy of that summary is prominently displayed at the premises.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)

Duty to produce licence

A constable or an authorised person may require production of the premises licence for examination. An authorised person must, if requested, produce evidence of his authority to exercise the power.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)

Theft or loss of premises licence

Where a premises licence or summary is lost, stolen, damaged or destroyed, the holder of the licence may apply to the relevant licensing authority for a copy of the licence or summary. A fee of £10.50 is payable in relation to such an application.

Where an application is made for a replacement licence or summary the licensing authority must issue the holder of the licence with a licence or summary if it is satisfied that –

- (a) the licence or summary has been lost, stolen, damaged or destroyed; and
- (a) where it has been lost or stolen, the holder has reported that loss or theft to the police.

Surrender of premises licence

Where the holder of a premises licence wishes to surrender his/her licence he/she may give the licensing authority a notice to that effect. The notice must be accompanied by the premises licence, or where that is not practicable, by a statement of the reasons for the failure to provide the licence. Where a notice of surrender is given, the premises licence lapses on receipt of the notice by the licensing authority.

Death, incapacity, insolvency of licence holder

A premises licence lapses if the holder of the licence –

- (a) dies,
 - (a) becomes mentally incapable (within the meaning of section 13(1) of the Enduring Powers of Attorney Act 1985)
 - (b) becomes insolvent,
 - (c) is dissolved, or
 - (d) if it is a club, ceases to be a recognised club
- (subject to provision for re-instatement in certain circumstances).

**Custody of Premises Licence
Licensing Act 2003 – S.57 (3)(b)**

In accordance with Section 57 (2)(b) of the Licensing Act 2003

I/We being the
holder(s) of/Director of the company holding

Premises Licence number

relating to the premises known as

.....

.....

hereby nominate

as custodian of the said Premises Licence.

To conform with Section 57 (3)(b) of the Licensing Act 2003 this authorisation is hereby displayed.

.....
Signed

.....
Position

S.57 Duty to keep and produce licence

(2) The holder of the premises licence must secure that the licence or a certified copy of it is kept at the premises in the custody or under the control of-

(b) a person who works at the premises and whom the holder of the licence has nominated in writing for the purposes of this subsection

(3) The holder of the premises licence must secure that-

(b) a notice specifying the position held at the premises by any person nominated for the purposes of subsection (2), are prominently displayed at the premises.

(4) The holder of a premises licence commits an offence if he fails, without reasonable excuse, to comply with subsection (2) or (3).

LICENSING ACT 2003
Environmental Health Consultation
Response



Working for a brighter future together

EP Ref: ELL/070663

Date Received: 28 October 2020

Name of Applicant: The Tytherington Club

Address to which application relates: Dorchester Way, Macclesfield, Cheshire East, SK10 2JP

Conversion: Variation: New:

- Approve
- Approve with Conditions
- Object to Section(s)

LICENSING OBJECTIVE: PREVENTION OF PUBLIC NUISANCE

This Division has reviewed the application and has no comments.

INFORMATIVES

PLANNING PERMISSION

- It is your responsibility to obtain other consent/planning permission/approvals which may be required in addition to the necessary Premises Licence.
- 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.

FOOD BUSINESS OPERATIONS

- Anyone starting a new food business must register with the Council **at least 28 days before** you start any food operations. You can register your food business online via GOV.UK. If you have premises in more than one local authority area, you must register with each authority separately.

Signed: Margaret Hopley | Senior Enforcement Officer | Environmental Protection

Dated: 5 November 2020

Direct Dial:
Email:





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CHESHIRE EAST COUNCIL

Representation Form.

Responsible Authority.

POLICE

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

Name of the premises you are making a representation about.	THE TYTHERINGTON CLUB
Address of the premises you are making a representation about.	90 DORCHESTER WAY, MACCLESFIELD, SK10 2JP

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

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

COMMENTS:

The operating schedule offers very limited conditions to help the premises meet the 4 licensing objectives, so for clarity the following conditions to apply:

Prevention of Crime & Disorder

A CCTV system shall be used and shall be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises – An Operational Requirement'. This system shall be in operation at all times when licensable activities are taking place.

Recorded CCTV images will be maintained and stored for a period of twenty-eight days,

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to provide a Police officer or an authorised officer of the licensing authority data or footage upon request. All requests for footage are to be provided within a reasonable time scale.

Designated supervisors will need to demonstrate that their CCTV system complies with their Operational requirements. They will need to be able to demonstrate the following:-

- Recordings are fit for their intended purpose,
- Good quality images are presented to the officer in a format that can be replayed on a standard computer
- The supervisor has an understanding of the equipment/training,
- Management records are kept,
- Maintenance agreements and records are maintained,
- Data Protection principles and signage are in place.

Condition:

When there is any specific local event or bank holiday, the Premises Licence Holder or Designated Premises Supervisor shall assess the need for door supervisors, taking into account any advice offered by the Police. Where the assessment shows that door supervision is required, supervisors shall be engaged at such times and ratios as are assessed to be necessary.

When such Door supervision is employed:-

Condition:

A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor in a register kept for that purpose. That record shall contain the following details:-

- The door supervisor's name, date of birth, contact telephone number and home address;
- His/her Security Industry Authority licence number;
- The time and date he/she starts and finishes duty;
- The time of any breaks taken whilst on duty;
- Each entry shall be signed by the door supervisor.
- Record of all incidents taking place in the venue

That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.

Protection of Children from Harm

A "Challenge 25" policy shall be operated at the premises at all times.

The only forms of ID that shall be accepted (at the discretion of the Management) as proof of age are a valid passport, a valid photographic driving licence, a PASS approved proof of age card, HM Services Warrant Card or other reliable photo ID (that has been approved for acceptance by the Police or an Officer of the Local Authority)

Publicity materials notifying customers of the operation of the "Challenge 25" scheme shall be displayed at the premises.

The Designated Premises Supervisor or Premises Licence Holder shall operate and maintain an up-to-date Register of Refusals of Sale of Alcohol, indicating the date, time and reason for refusal which shall be made available for inspection by Local Authority Officers and the Police.

The DPS or other responsible person shall check and sign the register once a week.

Alternatively an electronic point of sale refusals log shall be kept.

A documented training programme shall be introduced for all staff in a position to sell, serve or deliver alcohol. A written record for each member of staff shall be kept of the content of such training and shall be made available for inspection at the request of Local Authority Officers and Police.

The DPS or Premises Licence Holder shall conduct six monthly training reviews with all members of staff authorised to sell, serve or deliver alcohol in order to reinforce the training and to promote best practice. A written record for each member of staff shall be kept of the content of such reviews and shall be made available for inspection at the request of Local Authority Officers and Police.

A list of persons authorised to sell alcohol shall be kept on site and made available for inspection at the request of Local Authority Officers and Police.

Clearly visible signage is to be displayed at the entrances and at points of sale indicating it is illegal to sell alcohol to people under the age of 18.

Under 18's events will not take place without prior consultation with the Police and Local Authority Officers. The consultation shall take place not less than 10 days before any planned event.

Young people under the age of 18 shall not be permitted to remain on the premise after 22:00 hrs, unless attending a pre-booked private function. A diary of privately booked functions shall be kept and shall be made available for inspection at the request of Local Authority Officers and Police.

Prevention of Public Nuisance

Prominent, clear and legible signs must be displayed at all exits and in key areas, requesting the public to respect the needs of the local residents and to leave the premises and area quickly and quietly.

The designated premises supervisor or their representative shall conduct regular assessments of the noise emanating from the premises and shall take steps to reduce the level of noise where it is likely to cause disturbance to local residents.

A written record of those assessments and the remedial action taken shall be kept and shall include the date, time of checks and the name of the person carrying out the checks.

Records shall be made available to Officers of Cheshire East Council or Cheshire Constabulary immediately upon request.

Refuse, including bottles shall not be removed from the building for disposal between the hours of 21.00 and 09.00.

All doors and windows must be kept closed (except to allow ingress and exit) when any amplified music or voices, including live or recorded music are being played within the premises.

Public safety

The designated premises supervisor shall make arrangements to ensure so far as is reasonably practicable that no customers shall be permitted to remove from the Premises any open bottles, glasses or foodstuff for consumption or disposal outside the Premises.

Staff members will conduct regular walkthroughs to monitor all areas to ensure that no problems arise.

Appropriate and sufficient first aid provisions will be available at the premises at all times.

Regular safety checks shall be carried out by staff.

Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.

The premises shall maintain an Incident Log and this will be made available to the Police or Licensing Authority upon request.

All other steps offered are welcome and acceptable to the Police and will assist in promoting all four objectives of the Act.

Signed: *Lesley Halliday*

Date: 24/11/2020

HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 12-Nov-2020 08:33
To: [REDACTED]
Subject: FW: Tytherington Club

Follow Up Flag: Follow up
Flag Status: Completed

From: [REDACTED]
Sent: 11-Nov-2020 21:41
To: LICENSING (Cheshire East)
Subject: Tytherington Club

Hell,

As a resident [REDACTED] the Tytherington club. I have a few concerns about the license. Live music outside until 1am? Recorded music outside allowed: 24 hours!!!!!!!!? Are their restrictions on the level of noise?

This is a residential area. Homes and gardens back onto the club. How can it be proposed to allow music not only from an inside source, but outside source throughout the night?!

I strongly disagree with this. Midnight maybe but 1am? No way.. and then to have wedding party/ people rolling out of the club towards home until god knows what time!

[REDACTED]

[REDACTED]

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HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 12-Nov-2020 09:02
To: [REDACTED]
Subject: FW: License objection

Follow Up Flag: Follow up
Flag Status: Completed

From: [REDACTED]
Sent: 12-Nov-2020 08:59
To: LICENSING (Cheshire East)
Subject: License objection

Can I draw your attention to the licensing application below (faithfully reproduced from the Macclesfield Express) filed for the new Tytherington club hotel, with particular reference to the live music outside until 1am at weekends.

Whilst this mirrors the existing golf club licence, the club hold few of these events a year so a little sleep disruption to local residents is acceptable on bonfire night or new years eve. However with this licence being applied not only to a members only golf club, but to a hotel I believe the frequency of late night unsociable noise will increase.

From personal experience with golf club hotel weddings, it's easy to imagine that post Covid19 there will be an influx of postponed wedding bookings, possibly 2 per week, resulting in a hotel at full capacity with revellers looking to party into the early morning with the typical DJ set or live band playing until 1am as dictated by the license. Typically these golf club hotels are out in the countryside where the only people impacted are the partying guests or nocturnal golfers. They are not normally on a residential housing estate where people with young families are trying to get their children to sleep in summer with open windows within 100m of the noise source.

APPLICATION FOR A PREMISES LICENSE
 LICENSING ACT 2003

NOTICE is hereby given that The Club Company (UK) Limited have applied on 28th October 2020 to Cheshire East Council in respect of the premises known as The Tytherington Club, 90 Dorchester Way Macclesfield, SK10 2JP for a premises licence to provide the following licensable activities:

Live Music (indoors and outdoors) Monday to Sunday 12:00 noon to 01:00 hours;

Recorded Music (indoors & outdoors) Monday to Sunday 24 hrs per day;

Performance of Dance and anything similar to Live Music, Recorded Music and Dance (indoors) Monday to Sunday 12:00 noon to 01:00 hours;

Late Night Refreshment (indoors) Monday to Sunday 23:00 to 02:00 hours;

Sale Of Alcohol (for consumption on the premises) Monday to Sunday 11:00 to 02:00 hours;

Representations shall be made in writing to the below address on or before the following date:

25th November 2020: The Licensing Section, Cheshire East Council, Municipal Buildings, Earl Street, Crewe, CW1 2BJ **Or by email to :**

licensing@cheshireeast.gov.uk

The application may be inspected at the Licensing Section of Cheshire East Council by prior appointment during normal office hours.

It is an offence on summary conviction, to knowingly or recklessly make a false statement in connection with this application, the maximum fine for which is, unlimited.

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HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 12-Nov-2020 13:38
To: [REDACTED]
Subject: [OFFICIAL] FW: Local resident response to The Club Company (UK) Limited application for premises license (Tytherington Golf Club)

From: [REDACTED]
Sent: 12-Nov-2020 13:35
To: LICENSING (Cheshire East)
Subject: Local resident response to The Club Company (UK) Limited application for premises license (Tytherington Golf Club)

To whom it may concern,

I wish to raise an objection to the application for premises license, Licensing Act 2003 by The Club Company (UK) Limited for the The Tytherinton Club.

Specifically, the following aspects:

Live music (indoors and outdoors) Monday to Sunday 12:00 noon to 01:00 hours

Recorded music (indoors and outdoors) Monday to Sunday 24 hours

Sale of alcohol (for consumption on the premises) Monday to Sunday 11:00 to 02:00 hours

I am aware this reflects the current license the inclusion of the hotel extends the times throughout the year these will be applicable. From previous experience as a resident this was in reality limited to only several times a year (i.e New Years Eve, Bonfire Night celebrations) and therefore had minimal impact on the local community and residents. We are to assume there will be events most weekends of the year as per the hotels marketing materials.

Given the location is with a residential area, made up primarily of young and working families, it seems inappropriate and likely to have significant impact on residents to allow loud music/entertainment outside. Either 24hours for recorded music or until 01:00 hours for live music. Whereby the noise impact has no limitations and is clearly not appropriate given the location and that this is applicable every weekend of the year. Friday to Saturday should be limited until 23:00 latest with an early time on Sunday's to minimise the impact on working families.

The sale of alcohol is a concern, given the likely hood that attendees at events will in affect not be leaving the venue until after 02:00 hours. Presenting an increase in traffic due to cars/taxis as well the noise generated by those leaving the venue. Once again this seems inappropriate for a residential area.

Whilst this may be aligned to other licensed Golf Cubs within the area, these are predominately in rural locations where the impact on local residents is mitigated by the distance between residential properties and the venue. This is not the case for The Tytherinton Club.

Best Wishes,
[REDACTED]
[REDACTED]

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The Licensing Section
Cheshire East Council
Municipal Buildings
Earle Street
Crewe
CW1 2BJ

11th November 2020

Dear Sir or Madam,

OBJECTION TO : The Club Company (UK) Limited's application dated 28th October 2020 for a Premises Licence under the Licencing Act 2003.

My Interest : The Club Company (UK) Limited's application is in regard to The Tytherington Club, 90 Dorchester Way, Macclesfield. I am [REDACTED]

[REDACTED] My house is approximately [REDACTED]
[REDACTED]

I OBJECT to all activities in the licence application, namely :

1. Live Music (indoors & Outdoors) Monday to Sunday 12:00 noon to 01:00 hours
2. Recorded Music (indoors and outdoors Monday to Sunday 24 hours per day)
3. Performance of Dance and anything similar to Live Music – Recorded Music and Dance (indoors) Monday to Sunday 12:00 noon – 01:00 hours
4. Late Night Refreshment (indoors) Monday to Sunday 23:00 – 02:00 hours
5. Sale of Alcohol (for the consumption on the premises Monday to Sunday 11:00 – 02:00 hours)

Reason for Objection

The Tytherington Club is built on a densely populated residential estate and flanked closely by private family dwellings along the Dorchester Way side of the property.

Specifically to points 1 to 3 it is entirely inappropriate that Live Music is played so it may be heard by neighbouring properties and more widely across the estate up to 01:00 hours on any given day of the week – and especially on work day evenings. If the Tytherington Club want to play music outside normal licencing hours then it is more appropriate that they apply for a specific licence for a specific event. It would be negligent of the Council to agree to their application as it would give the Tytherington Club rights to, for example, play Live Outdoor music up to 01:00hrs on a Wednesday morning when families adjacent to the Club's property are trying to sleep before work and school later that morning.

I am also concerned that all points 1 to 5 will attract increased traffic and noise from the Club house and the Hotel which would be entirely unacceptable within the confines of any housing estate. Over the 13 years that I have lived at Carnoustie Drive I have heard late night arguments, fights, drunken behaviour, car engines, tyre squealing and bottle bin emptying to name just a few disturbances.

Under the current licencing I reasonably expect an element of minor disruption from the occasional private party (eg weddings, birthdays, corporate events) but these are normally at weekends and indoors. It is however unreasonable of the Tytherington Club to expect me, my family and other neighbours, under the application for extended licencing, to tolerate these sort of disruptions more frequently.

The Tytherington Club has thus far been a good neighbour. But if the council grants the application to the Club then it effectively turns the club in to a late night music venue with drinking permitted until 2:00a.m. every day of the week. That might be acceptable in a town centre where other similar venues are located, a remotely located hotel, or a hotel that does not have domestic neighbours. It is entirely inappropriate for a Club and Hotel situated on a large private housing estate. The Council has a duty of care to the residents of Tytherington and therefore cannot grant such widespread blanket authority that could give rise to an abuse by the Club of the local resident's rights to peace.

I urge the Council to deny the application for the health and welfare of the residents of Tytherington.



HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 13 November 2020 11:56
To: [REDACTED] HELLON, Richard
Subject: [OFFICIAL] FW: License Application for The Tytherington Club

From: [REDACTED]
Sent: 13 November 2020 11:37
To: LICENSING (Cheshire East) [REDACTED]
Subject: License Application for The Tytherington Club

Dear Sir / Madam,

I am writing to object to the license application made by The Club Company UK in respect of the premises known as The Tytherington Club, 90 Dorchester Way, Macclesfield, SK10 2JP.

As someone who lives in close proximity to the Tytherington Club I feel that if the license was approved it would cause considerable noise disruption to the surrounding residential area. The terms of the application allow for live music outdoors until 1am every night of the week and recorded music outdoors 24 hours a day, 7 days a week. While weekends would probably be understandable (I'm not a total grouch) there are a large number of children and people who need to be up for work early in the mornings living within the area that would be negatively affected by any late night noise midweek.

Thank you and kind regards,

[REDACTED]

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HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 13 November 2020 15:32
To: HELLON, Richard
Cc: [REDACTED]
Subject: [OFFICIAL] FW: The club company UK limited licence application

From: [REDACTED]
Sent: 13 November 2020 14:55
To: LICENSING (Cheshire East) [REDACTED]
Subject: RE: [OFFICIAL] RE: The club company UK limited licence application

Hi Ya

It relates to the Tytherington golf club (Club Company)

Thanks

[REDACTED]

Sent from [Mail](#) for Windows 10

From: [LICENSING \(Cheshire East\)](#)
Sent: 13 November 2020 10:17
To: [REDACTED]
Subject: [OFFICIAL] RE: The club company UK limited licence application

Please can you confirm which premises this relates to

Regards
Licensing Team

From: [REDACTED]
Sent: 12 November 2020 19:47
To: LICENSING (Cheshire East) [REDACTED]
Subject: The club company UK limited licence application

To whom it concerns

We live very close to the Club and strongly object to this application loud music outside until 1am is unacceptable

Thanks

[REDACTED]



Sent from [Mail](#) for Windows 10

Confidentiality: This email and its contents and any attachments are intended only for the above named. As the email may contain confidential or legally privileged information, if you are not the above named person or responsible for delivery to the above named, or suspect that you are not an intended recipient please delete or destroy the email and any attachments immediately.

Security and Viruses: This note confirms that this email message has been swept for the presence of computer viruses. We cannot accept any responsibility for any damage or loss caused by software viruses.

Monitoring: The Council undertakes monitoring of both incoming and outgoing emails. You should therefore be aware that if you send an email to a person within the Council it may be subject to any monitoring deemed necessary by the organisation from time to time. The views of the author may not necessarily reflect those of the Council.

Access as a public body: The Council may be required to disclose this email (or any response to it) under the Freedom of Information Act, 2000, unless the information in it is covered by one of the exemptions in the Act.

Legal documents: The Council does not accept service of legal documents by email.

To find out how we use your information see our privacy notice.

https://www.cheshireeast.gov.uk/council_and_democracy/council_information/website_information/privacy-notice/privacy-notice.aspx

HELLON, Richard

From: [REDACTED]
Sent: 12 November 2020 14:54
To: LICENSING (Cheshire East)
Subject: Local resident response to The Club Company (UK) Limited application for premises license (Tytherington Golf Club)

To whom it may concern,

I wish to raise an objection to the application for premises license, Licensing Act 2003 by The Club Company (UK) Limited for the The Tytherinton Club.

Specifically, the following aspects:

Live music (indoors and outdoors) Monday to Sunday 12:00 noon to 01:00 hours

Recorded music (indoors and outdoors) Monday to Sunday 24 hours

Sale of alcohol (for consumption on the premises) Monday to Sunday 11:00 to 02:00 hours

I am aware this reflects the current license the inclusion of the hotel extends the times throughout the year these will be applicable. From previous experience as a resident this was in reality limited to only several times a year (i.e New Years Eve, Bonfire Night celebrations) and therefore had minimal impact on the local community and residents. We are to assume there will be events most weekends of the year as per the hotels marketing materials.

Given the location is with a residential area, made up primarily of young and working families, it seems inappropriate and likely to have significant impact on residents to allow loud music/entertainment outside. Either 24hours for recorded music or until 01:00 hours for live music. Whereby the noise impact has no limitations and is clearly not appropriate given the location and that this is applicable every weekend of the year. Friday to Saturday should be limited until 23:00 latest with an early time on Sunday's to minimise the impact on working families.

The sale of alcohol is a concern, given the likely hood that attendees at events will in affect not be leaving the venue until after 02:00 hours. Presenting an increase in traffic due to cars/taxis as well the noise generated by those leaving the venue. Once again this seems inappropriate for a residential area.

Whilst this may be aligned to other licensed Golf Cubs within the area, these are predominately in rural locations where the impact on local residents is mitigated by the distance between residential properties and the venue. This is not the case for The Tytherinton Club.

Best Wishes,
[REDACTED]



HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 17 November 2020 08:36
To: [REDACTED]
Cc: HELLON, Richard
Subject: FW: Tytherington Club Macclesfield's Application for a Premises Licence under the Licensing Act 2003

From: [REDACTED]
Sent: 16 November 2020 12:57
To: LICENSING (Cheshire East) [REDACTED]
Subject: Tytherington Club Macclesfield's Application for a Premises Licence under the Licensing Act 2003

Dear Sir/Madam

I am emailing you in connection with the above application.

The club already holds a few large scale outdoor events each year (eg: Bonfire Night and New Years Eve) during which the noise is excessive for local residents like myself whose property backs onto the club. These events are just about tolerable as they are few in frequency and do not extend to 1am.

I understand that the club is trying to increase revenue, especially now that they are due to open a hotel, by holding weddings etc, but the council must be minded to remember that it is not located in a rural area, but is part of a large residential housing estate.

I therefore want to register my objection to the granting of a licence, extending it beyond a members only golf club to include the hotel. I am particularly against allowing the playing of live/recorded music outdoors until 1am seven days a week.

Kind regards

[REDACTED]

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HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 17 November 2020 08:37
To: [REDACTED]
Cc: HELLON, Richard
Subject: FW: Application For Premises License , The Tytherington Club

From: [REDACTED]
Sent: 16 November 2020 11:18
To: LICENSING (Cheshire East) [REDACTED]
Cc: [REDACTED]
Subject: Application For Premises License , The Tytherington Club

Dear Sir/Madam,

As we live very close to The Tytherington Club,(90 Dorchester Way , Macclesfield) at [REDACTED] Tytherington , we object to the latest application for premises license by the club as it will lead to excessive noise especially at night.

. The license requests permission to play live music outside until 1am which is totally unacceptable in a residential area. As the club has been allowed to build a 62 room Hotel on the premises the frequency of events such as weddings will increase significantly creating a great deal of noise until the early hours of the morning.

These types of events normally take place in a country club (eg Mottram Hall, Shrigley Hall) but the Tytherington Club is in the middle of a large housing estate. The club was originally built as a members only Golf Club for people living on the estate but The Club Company has changed the usage significantly . It is now a large leisure complex with a 62 bedroom hotel . Noise has already increased and we do not want any further increases, especially in the evenings and at night.

Yours Faithfully,

[REDACTED]

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HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 17 November 2020 08:38
To: [REDACTED]
Cc: HELLON, Richard
Subject: FW: The Tytherington Club

From: [REDACTED]
Sent: 16 November 2020 11:06
To: LICENSING (Cheshire East) [REDACTED]
Subject: The Tytherington Club

To whom it may concern,
I would like to make an objection to the proposal to provide an extension of a premises licence for the above Company. I live in the immediate area of the Club and would find this proposal a real infringement to the noise environment and to the likely increase of traffic, vandalism and other dangers associated with outdoor music activities. The Club seem to have used a backhand way for the application, in the middle of a pandemic and not informing the local residents of their actions. I will therefore be writing to our Local MP and putting my views to him personally.

[REDACTED]

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HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 17 November 2020 08:51
To: [REDACTED]
Cc: HELLON, Richard
Subject: FW: Premises Licence Application, Tytherington Club, 28/10/20

From: [REDACTED]
Sent: 16 November 2020 11:51
To: LICENSING (Cheshire East) [REDACTED]
Subject: Fwd: Premises Licence Application, Tytherington Club, 28/10/20

RE: Premises Licence Application, Tytherington Club, 28/10/20

I object to the application based on the following concern:

- This proposal will cause a public nuisance as the location is extremely close to quiet residential housing.

I would be grateful if the Licensing team would consider my objection.

Yours faithfully,

[REDACTED]

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HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 16 November 2020 11:47
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Tytherington Club Application for a Premises License, Licensing Act 2003.

From: [REDACTED]
Sent: 15 November 2020 11:31
To: LICENSING (Cheshire East) [REDACTED]
Subject: Tytherington Club Application for a Premises License, Licensing Act 2003.

We wish to object in the strongest terms to the latest incursion by the Tytherington Club into the wellbeing of house owners and residents that dwell alongside the club.

To put the latest application, for effectively it the right to create noise on a 24/7 basis with impunity, we should look at the context of his application. The houses that border the Club were built in 1986 prior to the many extensions to the Club. These include: building of a swimming pool; building of the entertainment suite which doubled the footprint of the Club; doubling the size of the car park to accommodate more visitors. Increasing the size of the original approved plan, for the nearly completed hotel, by over a third.

Throughout this huge development there has been no attempt by the various owners of the Club to meet and discuss with their neighbours their intentions plans, or listen to the genuine concerns of the residents. They have no consideration for anything other than its selfish pursuit of profit maximisation.

Specifically in relation to the application of a huge drinks and music licence extension, we object on the basis of the likely increase in crime and disorder that follows allowing anyone over the age of 18 the ability to drink until 2.00am every day. This will inevitably result in people passing by the houses after a night of revelry causing problems as they go. We already suffer from beer glasses tossed into gardens and this will only get worse. There is the potential for actual damage and increased crime due to opportunistic activity when most people are trying to get some sleep.

Secondly the inclusion of an indoor and outdoor music licence will create further disruption and unacceptable levels of noise which will penetrate houses alongside the hotel. The Club does not have a good record in this regard with previous 'corporate' and team building events waking people in the early hours. Previous complaints have not resulted in a considerate response, they have been largely ignored. Playing music outdoors will carry over large distances and should not be permitted in what is a residential area.

The net effect of increased drinking hours and of loud, definitely, and inevitably, causes local residents increased nuisance and disturbance. This should not be allowed. We have to live in the neighbourhood and do not have the luxury of closing the doors and going home, away from the disturbances to get some sleep.

Finally there is a public safety aspect to consider. With the opportunity to drink freely over extended periods the risk of drunken behaviour increases exponentially. As the Club is in a quiet residential area with no transport services available, this increases the prospect of people driving cars whilst under the influence of alcohol, or people staggering home on foot. We already have to endure late night revelry with people running and staggering around the place and the place is supposed to close at 'normal' closing times, goodness knows what extended drinking times would bring.

Please register our objections to this and any subsequent extensions to the drinks and licensing licence.



HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 16 November 2020 10:35
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Premises licence for the Tytherington club

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

From: [REDACTED]
Sent: 14 November 2020 16:09
To: LICENSING (Cheshire East) [REDACTED]
Subject: Premises licence for the Tytherington club

Dear sir or madam

In respect of the above application I would like to submit a strong objection to this proposal. I write this as a neighbouring property situated at [REDACTED]. We would be heavily impacted by the additional noise and general disturbance that would result from outdoor live music up till 1 am and outdoor recorded music 24 hours a day. I am quite frankly astounded that this application is even being considered, in view of the fact that the club and hotel are located on a housing estate. Such a proposal is entirely inappropriate for a residential area.

Of course, the club also now includes the guests in their adjoining hotel, and would therefore result in an ongoing environmental noise nuisance from numerous large functions year round. We have always shown forbearance for the noise generated by occasional celebrations such as the annual fireworks display and Christmas & New Year parties but year round sleep disturbance would be intolerable.

Yours faithfully

[REDACTED]

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HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 16 November 2020 11:48
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Tytherington Club Live music license

Objection for Tytherington club

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

From: [REDACTED]
Sent: 15 November 2020 13:27
To: LICENSING (Cheshire East) [REDACTED]
Cc: [REDACTED]
Subject: Tytherington Club Live music license

I would like to register my objection to the Live Music, Recorded Music and Dance license application by the Tytherington Club. Living as we do, in [REDACTED] we know and have experienced what can happen even when there is any kind of event at the club. Wether it is a wedding, school prom or a disco we can hear the music in our bedroom well after 23.00.

The proposal to have live outdoor music from 12.00 till 01.00 7 days a week is totally unacceptable and I hope the council will treat it as such. Apart from the unsociable noise, we will have the traffic with cars, buses and taxis at 02.00. We have had drunken people walking up Dorchester Way trowing empty beer bottles into gardens in the past.

I would imagine live music would be heard all over the area of Tytherington and parts of Prestbury. This is a residential area and the Tytherington Club is in the middle of it and live music will make living here a nightmare.

[REDACTED]

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HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 17 November 2020 13:28
To: [REDACTED] HELLON, Richard
Subject: [OFFICIAL] FW: The Club Company(UK)Ltd-Application for premises licence

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

From: [REDACTED]
Sent: 17 November 2020 13:21
To: LICENSING (Cheshire East) [REDACTED]
Subject: The Club Company(UK)Ltd-Application for premises licence

We refer to the above for The Tytherington Club Macclesfield, which appeared in the local Express on 4/11/20.

We live at [REDACTED]. Live or recorded music should not be permitted for outdoor use at all, never mind for 24 hours a day. Even music played indoors should be restricted hours and noise levels.

If there are special events the Club would like to celebrate they would need to apply for dispensation on those dates to you, the licensing authority.

We would refer you specifically to incident no. SR1729802, Sept 2018, when a neighbour complained to the council about noise levels of music being played outside.

Please bear in mind our points mentioned above when you consider this application for an amended licence for the premises.

[REDACTED]

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HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 18 November 2020 11:43
To: [REDACTED]
Cc: HELLON, Richard
Subject: [OFFICIAL] FW: Premises Licence Application, Tytherington Club, 28/10/20

Switch-MessageId: a73d0e9e1a57438e800e8ed2a4d8563f

From: [REDACTED]
Sent: 18 November 2020 11:33
To: LICENSING (Cheshire East) [REDACTED]
Subject: Premises Licence Application, Tytherington Club, 28/10/20

The Tytherington Club, 90 Dorchester Way, Macclesfield, SK10 2JP

APPLICATION FOR A PREMISES LICENCE: LICENSING ACT 2003

Dear Sir or Madam,

Please note my objection to the above licence application on the grounds of public nuisance.

I would hope you note that I do not object to the application in its entirety but would specifically object to an application to allow the performance of live or recorded music outdoors after 11pm Sunday - Thursday and after midnight Friday and Saturday.

There are a significant number of residential properties, some with very young families, that adjoin the premises where the late night noise disturbance would be considerable.

Many Thanks,

Yours faithfully,

[REDACTED]

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HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 18 November 2020 14:02
To: [REDACTED] HELLON, Richard
Subject: [OFFICIAL] FW: Licence Act 2003 application by The Club Company (UK) Limited

From: [REDACTED]
Sent: 18 November 2020 13:54
To: LICENSING (Cheshire East) [REDACTED]
Subject: Licence Act 2003 application by The Club Company (UK) Limited

Application for a Premises License: Licensing Act 2003**The Club Company (UK) Limited: The Tytherington Club****Objection to licence for outside music (live or recorded)**

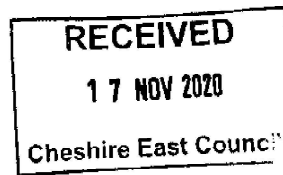
I have lived [REDACTED] Tytherington Club for 20 years and have experienced numerous occasions, New Years Eve, Bonfire and Summer fair celebrations, where music has been played outside. On each of the occasions the music is extremely loud and hugely intrusive, but I have suffered these knowing there are only a few events a year. With the licence application now also applying to the new hotel, it is likely the frequency of events with outside music will increase significantly. This would affect the quality of my life and therefore I would like to raise a strong objection to this part of the licence application.

The Tytherington Club exists, and must co-exist with its neighbours, in a residential area. It is not a typical golf club hotel situated in the countryside where outside music is less of an issue. Frequent outside music is totally inappropriate in a residential area.

[REDACTED]

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The Licensing Section,
Cheshire East Council,
Municipal Buildings,
Earle Street,
Crewe
CW1 2BJ



14th November, 2020

Dear Sir/ Madam,

Re: Licensing Act 2003: Application for a Premise Licence: The Tytherington Club

We have been made aware of an application by The Club (UK) Ltd for a licence for certain licensable activities at the Tytherington Club, Dorchester Way, Macclesfield. Primarily these activities relate to the provision of:

Live Music (indoors & outdoors) Monday to Sunday 12:00 noon – 01:00 hours;
Recorded Music (indoors & outdoors) Monday to Sunday 24 hours per day;
Performance of Dance & anything similar to Live Music, Recorded Music and
Dance (indoors) Monday to Sunday 12:00 noon – 01:00 hours; Late Night
Refreshment (indoors) Monday to Sunday 23:00 – 02:00 hours; Sale of Alcohol
(for consumption on the premises) Monday to Sunday 11:00 – 02:00 hours.

The applicants can be in no doubt that the Club premises are situated on the edge of in what by any standards, is an established residential area bordering open countryside. Indeed, that has been the case since 1990. Since my wife and I moved to our house, there have been occasional events at the Club which have caused some noise pollution, but nothing that could have been of widespread impact. Indeed, at no time have we expressed our concern or objected to these occasions. We assume that the existing licence arrangements have been suitable for these events. However, the granting a licence for the activities specified in this application will undoubtedly increase the potential for noise pollution and disturbance to residential amenity.

It would appear that under the provisions of the Environmental Protection Act 1990, noise contributes a statutory nuisance if it *unreasonably and substantially interferes with the use and enjoyment of a home or other premises*. Furthermore, the legislation confirms that at night, there are restrictions to noise coming from premises between 11pm and 7am. I am not aware of any amendments to the legislation which change that position. No doubt such legislation will be taken into account in consideration of this application, but it must be the case that residential amenity would be substantially affected should the proposed activities take place. Residential amenity is a

material consideration in determining an application. As you will know, residential amenity may have several interpretations but essentially it is *the benefit enjoyed from the space which is part of the residential home*. Noise would undoubtedly impinge on that enjoyment.

My wife and I suspect that these proposed activities are linked to organised events such as Golf tournaments, Weddings and other Celebrations, and with the construction of the hotel at the site, there may be more demand for such events. Whatever the case, there can be no reasonable justification for Live or Recorded Music to be played outdoors after 23:00, and absolutely none for 24 hours per day. If the applicant wishes to apply for a temporary licence to cover a single event which has been planned for some time, then so be it, but local residents should not be subject to a blanket licence for such activities. Live and Recorded Music during the day is bound to have the potential to affect the enjoyment of our house and garden, More seriously, the disturbance of sleep is known to be a direct cause of stress and health problems and excess noise at unsociable hours would contribute to such outcomes.

As the crow flies, our house is ■■■ metres from the Club premises. Indeed, we have a clear view of the buildings from upstairs. We are concerned that as there are no significant trees in between, natural noise attenuation will not be sufficient at reducing sound levels to what may be considered acceptable.

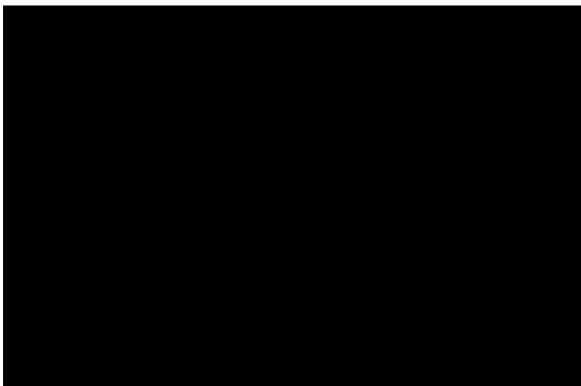
One final point relates to car parking. Every year (save for this year) an event has been held at the Club to celebrate Bonfire Night. Notwithstanding the capacity of the car park, ■■■■■ is choc a bloc with parked cars, and drivers frequently ignore what is private land. We accept a 'once in a year' event, but it would be most unreasonable if that was to become more frequent as a result of additional events at the Club.

My wife and I therefore wish to register an objection to this application on the grounds of:

The substantial potential effects of noise pollution and nuisance that would result from music played outdoors at unsociable times of the day and night.

I trust this representation will be taken into account.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 19 November 2020 09:42
To: [REDACTED] HELLON, Richard
Subject: FW: ref:The Club Company Ltd

Switch-MessageId: d47f681d41b04c5ebace1be6946df4b6

From: [REDACTED]
Sent: 19 November 2020 09:37
To: LICENSING (Cheshire East) [REDACTED]
Subject: ref:The Club Company Ltd

Dear Sir or Madam,

Regarding the License Application for subject company we are strongly objecting to live music and recorded music outdoors, Monday to Sunday, 24 hours per day. This is totally anti-social in a residential area and should not be approved or granted.

We live approx. [REDACTED] metres from the Club, members of the golf club and the noise from outside loud music, 24 hours a day would be unacceptable.

The present owners of the Club do not currently choose to play outside music 24 hours a day but that may or could change in the future.

Could you please reconsider and modify this application.

Yours sincerely,

[REDACTED]

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HELLON, Richard

From: [REDACTED]
Sent: 23 November 2020 09:53
To: HELLON, Richard
Subject: FW: [OFFICIAL] FW: Tytherington Club: Application for a Premises Licence

From: [REDACTED]
Sent: 22 November 2020 16:31
To: LICENSING (Cheshire East) [REDACTED]
Cc: [REDACTED]
Subject: Tytherington Club: Application for a Premises Licence

Dear Cheshire East Licensing Team

I am a resident of [REDACTED] which is adjacent to the Tytherington Club.

It has been brought to my attention by a neighbour on [REDACTED] that the Tytherington Club has submitted an application for a Premises Licence. There haven't been any notices on display near the Club to indicate this application e.g. on lamp posts.

My representation is relevant to the following objective:

The prevention of public nuisance

The evidence on which I base my representation is as follows:

Any social event, golf competition or conference held previously by the Tytherington Club has resulted in additional vehicles to the Club. Such events lead to event attendees parking their vehicles on [REDACTED] when all parking spaces at the Club have been occupied, as [REDACTED] is the nearest road to the Club. This has occurred frequently during the hotel construction period and is a nuisance as these additional cars create an obstruction to residents entering and leaving [REDACTED]

Each year, the Tytherington Club holds a Bonfire Night event. Despite an annual request from myself to the Club Management Team, regarding implementation of 'Residents Parking Only' signs and cones to be displayed on [REDACTED] the Tytherington Club do not take any action. The residents are therefore unable to enter or leave the Close safely at this time, because of drivers showing complete disregard for the residents' properties and the result is multiple cars parked on the lawns/gardens and even in front of my drive. At this annual Tytherington Club event, loud recorded music is played outside in advance of the Firework Display and is very audible on [REDACTED] as is the noise of the crowd attending the event. A short video of the disruption from the event held in November 2019 is available on request.

In summary, I have experienced the consequences of previous licensable activities held by the Tytherington Club i.e. loud outdoor music and nuisance parking.

I would appreciate if you could kindly consider my evidence during the review of the Premises Application.

Many thanks

Yours sincerely

[REDACTED]



The Licensing Section
Cheshire East Council
Municipal Buildings
Earle Street
Crewe
CW1 2BJ



Delivered by post and by e mail

21st November 2020

Application by the Tytherington Club's owner for a Premises Licence under the Licensing Act 2003 which will adversely affect [REDACTED] residents if fully granted.

Dear Sir/Madam

I wish to object to some aspects of the application, and I contend that my objections are relevant to one or more of your Council's four Licencing objectives. In particular "The prevention of public nuisance".

1/ The applicants public advertisement, seeks a License for Recorded Music (Indoors & outdoors) Monday to Sunday 24 hours per day, but their application form for a premises licence submitted to Cheshire East makes a different and specific application concerning outdoors music stating that it will be amplified music piped through a speaker on the patio area.

I am concerned that the applicant has misled the public in their advertisement by failing to include that different specific information in it, as stated above, and that I only found out by contacting my local Councillor, [REDACTED] who kindly provided me with a copy of the full application submitted to Cheshire East.

I would be grateful if the applicant can be asked to explain why they misled the public with incomplete information.

I live on [REDACTED] which is immediately adjacent to the Tytherington Club site.

I ask that timings for the outdoor part of their Recorded music Licence request should only be allowed between 11 am and 11pm on weekends only, and that the outside speaker power be limited to 50 decibels to prevent unacceptable noise pollution for me and all other [REDACTED] residents.

If their application is granted, the noise would be detrimental to [REDACTED] residents, when relaxing, and when sleeping, which would interfere with the use and enjoyment of our homes, probably causing a significant detrimental effect to house values.

2/ They seek a Licence for Live Music (in doors & outdoors) Monday to Sunday 12.00 noon – 01.00

I ask that the outdoor part of their request should be denied, because if granted it would allow them to cause unacceptable unamplified noise pollution.

Acoustically produced music by its very nature, for example a trumpet, cannot control its maximum decibels volume, which would affect [REDACTED] residents when relaxing and sleeping. It would interfere with the use and enjoyment of our homes. probably causing a significant detrimental effect to house values.

3/ Late night refreshment

I request that any extended licence for food and alcohol, be restricted to require an application on every occasion.

Otherwise, by the time customers have finished eating and drinking, cars could be leaving the site between 02.00 and 03.00 every night which is unacceptable in a residential area

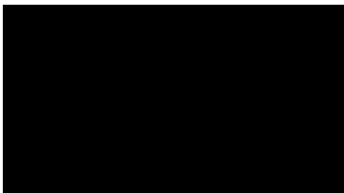
4/ Parking.

The frequency of public events can be expected to increase when the applicant's new hotel opens for business on the Tytherington Club site.

To prevent Car Parking from overflowing onto Prestwick Close, if there is insufficient space on the Tytherington Club site for customers attending events. I request a restriction in any Licence that you may grant, to protect residents from any overflow.

Perhaps it could be made a condition of any licence, that event ticket sales are limited to the number of car parking spaces on the Club Site.

Yours Faithfully

A large black rectangular redaction box covering the signature area.

HELLON, Richard

From: [REDACTED]
Sent: 23 November 2020 10:48
To: HELLON, Richard
Subject: FW: [OFFICIAL] FW: Tytherington Club Macclesfield's Application For a Premises Licence under the Licencing Act 2003

From: [REDACTED]
Sent: 23 November 2020 10:28
To: [REDACTED]
Subject: Tytherington Club Macclesfield's Application For a Premises Licence under the Licencing Act 2003

Dear Sir/Madam

I am emailing you in connection with the above application in order for you to note my objection.

I do not think that it is acceptable to grant such a licence to a venue which is located within a large residential area, and that has a number of properties directly adjacent to it.

With the addition of the hotel, one can envisage significant noise disturbance on a regular basis, to the detriment of local residents who have chosen to live in the area.

On the night's in the past that the club has held large scale events, the noise to local residents has been excessive. A plan to extend the lateness and frequency of these events is not acceptable.

Having hotel residents on site, will only increase the likelihood of excessive noise being generated into the early hours, creating additional disturbance to residents, whose properties are only a few metres away from the perimeter of the club.

I hope my objection will be taken into consideration.

Kind regards

[REDACTED]

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HELLON, Richard

From: [REDACTED]
Sent: 23 November 2020 10:48
To: HELLON, Richard
Subject: FW: [OFFICIAL] FW: Tytherington Club Macclesfield's Application for a Premises Licence under the Licensing Act 2003

From: [REDACTED]
Sent: 23 November 2020 10:40
To: LICENSING (Cheshire East) [REDACTED]
Subject: Tytherington Club Macclesfield's Application for a Premises Licence under the Licensing Act 2003

Dear Sir/Madam

I am emailing you in connection with the above application in order for you to note my objection.

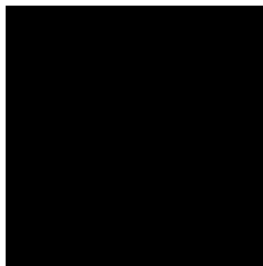
On the few nights that the club currently holds large scale events (eg Bonfire night), the noise to local residents is excessive. A plan to extend the lateness and frequency of these events is not acceptable.

Having hotel residents on site, will only increase the likelihood of excessive noise being generated into the early hours, creating additional disturbance to residents, whose properties are only a few metres away from the perimeter of the club.

I therefore want to register my objection to the granting of a licence, extending it beyond a members only golf club to include the hotel. I am particularly against allowing the playing of live/recorded music outdoors until 1am seven days a week.

I hope my objection will be taken into consideration.

Kind regards



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HELLON, Richard

From: [REDACTED]
Sent: 23 November 2020 12:33
To: HELLON, Richard
Subject: FW: [OFFICIAL] FW: Objection to Tytherington Club's application for a Premises Licence

From: [REDACTED]
Sent: 23 November 2020 12:21
To: LICENSING (Cheshire East) [REDACTED]
Subject: Objection to Tytherington Club's application for a Premises Licence

Dear Sir/Madam

I wish to register my objection to the above application.

On the few nights that the club currently holds large scale events (eg Bonfire night, New Years) the noise to local residents is excessive. A plan to extend the lateness and frequency of these events is not acceptable. In particular the playing of music outdoors until 1am would be intolerable and cause me mental distress and anxiety. I live very close to the perimeter of the club and would take legal action if excessive noise were to impact on my well being.

I hope my objection will be taken into consideration.

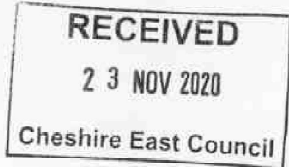
Regards

[REDACTED]

[REDACTED]

[REDACTED]





The Licensing Section

Cheshire East Council

Municipal Buildings

Earl Street

Crewe CW1 2BJ

19th November 2020

Dear sir,

I refer to the Application for a Premises Licence (28/10/20) by the Tytherington Club, which obviously relates to the opening of their hotel, on site on 30/11/20. Interestingly, the official notice appeared in the Macclesfield Express on 4/11/20. It is my understanding that the applicant for such a licence be it initial or change, has a statutory responsibility to display relevant notices in the proximity of the premises. No such notices have been displayed by The Tytherington Club.

We have lived here since September 1995 and as such have experience of their noisy "Party Nights".

I understand that all the presentations must be relevant to the following licencing objectives.

- 1 Prevention of crime and disorder.
- 2 Public safety,
- 3 The prevention of public nuisance.
- 4 The protection of children from harm.

— Although we are a little way from the club the noise from their party nights on a summer evening frequently spoils a peaceful outdoor family gathering.

- Our bedroom faces [REDACTED] and after a good party – some party groups meandering up the road, shouting, singing, and, could you believe it, one night there was a fight – all this around midnight to 1am.
- Our garden is the only open garden on [REDACTED] (it used to be the [REDACTED] and you can guarantee a couple of empty alcohol bottles or cans plus crisp packets, thrown into our garden and discovered the next morning.

I would refer to 35.1 and 35.2 of the current licence.

“any noise emanating from the premises as such as not to cause annoyance to residents in this locality.”

“premises, including car parks, vacated quietly with proper supervision etc. etc.”

“notices at all positions of exit”.

Certainly, the management have not matched up to their responsibilities regarding 35.1 35.2 – AVOIDANCE OF NUISANCE.

The above points all relate to historical incidents.

Regarding the current application in hand – the main differences to the existing licence are: -

- 1 Sunday is now included in with the full week's timings.
- 2 Sale of and supplying alcohol extended to 2am
- 3 Recorded music indoors and outdoors 24hours per day

MAIN ADDITION -LIVE MUSIC – OUTDOORS -RECORDED MUSIC - OUTDOORS.

It is mere conjecture but the addition of the above three points will not lead to an improvement in present problems experienced by the local residents

My wife and I strongly oppose any extension to their drinking/ dancing and noise related hours, particularly the further provision of the word OUTSIDE.

Yours faithfully,

[REDACTED]

[REDACTED]

HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 24 November 2020 11:19
To: HELLON, Richard; [REDACTED]
Subject: [OFFICIAL] FW: Application for a Premises Licence for The Tytherington Club, Dorchester Way, Macclesfield

From: [REDACTED]
Sent: 24 November 2020 11:03
To: LICENSING (Cheshire East) [REDACTED]
Subject: Application for a Premises Licence for The Tytherington Club, Dorchester Way, Macclesfield

Good Morning

I am writing in regard to the Application for a Premises Licence dated 28th October 2020 submitted by The Club Company (UK) to Cheshire East Council in respect of The Tytherington Club, 90 Dorchester Way, Macclesfield, SK10 2JP.

I live at [REDACTED] so am a close neighbour of the club. I have read the application and understand that approval for the playing of both live and recorded music outdoors is being sought. I note that live music will not be amplified, but recorded music may be amplified, but restricted to the patio area of the club.

My concern is that by granting this authority for outdoor music has the potential for creating a public nuisance if it is not properly qualified. The Club has an elevated position and noise emanating from it tends to travel a significant distance across the neighbouring residential area. I can see no limits mentioned in relation to the volume of noise created by the live and recorded music. In order to avoid the potential for public nuisance, I believe the permitted level of noise generated should be set so that it will not create any nuisance to the neighbourhood.

I have read the Premises Licence that is currently in place for The Tytherington Club and note that Section 35 specifically addresses "Avoidance of Nuisance", I include the wording from the existing licence below;

"35 Noise

35.1 The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the Premises shall ensure that any noise emanating from the Premises is such as not to cause

annoyance to residents in the locality.

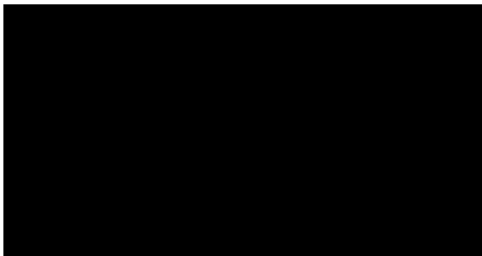
35.2 The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the Premises shall ensure that the Premises, including the car park, are vacated quietly within thirty minutes of the terminal hour of the Licence, and that proper supervision of all persons leaving the car park and otherwise leaving the Premises is provided. Conspicuous notices shall be positioned at all exits from the Premises requesting patrons to make the minimum amount of noise on leaving.

35.3 No noise generated by any entertainment at the Premises shall be for such periods of time and such levels of intensity so as to render liable to damage the hearing of persons attending the entertainment."

In addition to setting a limit on the noise levels permitted I would also seek the reassurance of the Council that Clauses 35.1, 35.2 and 35.3 are included in any new licence that is approved and granted.

I look forward to hearing from you in due course.

With Regards



HELLON, Richard

From: LICENSING (Cheshire East)
Sent: 25 November 2020 07:46
To: [REDACTED] HELLON, Richard
Subject: FW: Application for Premise License by the The Club Company (UK) Ltd

Switch-MessageId: d725e322576e48dbbd7bde57b2ab97df

From: [REDACTED]
Sent: 24 November 2020 12:47
To: LICENSING (Cheshire East) [REDACTED]
Subject: Application for Premise License by the The Club Company (UK) Ltd

[REDACTED]

24/11/2020

Ref: Application for Premise License by the The Club Company (UK) Ltd

We write regarding the above application and as residents that live [REDACTED] premises the licence is being requested for. Whereas we accept that there has been a license issued in the past for similar activities we are concerned about what seems to be the large increase, and extent, of the hours and days along with external music (potentially) for 24 hrs per day.

We have lived at our current address for 21 years and annual events i.e. Bonfire Night, School Prom parties, Weddings, and Christmas Parties are expected but to have a licence allowing 24/7 activities and music leaves our residential area open to disruption late at night.

We would like this to be taken into consideration when you grant this license and reflect our concerns to The Club.

Regards

[REDACTED]

