

Licensing Act Sub-Committee

Agenda

Date: Friday, 30th July, 2021
Time: 2.00 pm
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

PLEASE NOTE – This meeting is open to the public and anyone attending this meeting will need to wear a face covering upon entering and leaving the venue. This may only be removed when seated.

The importance of undertaking a lateral flow test in advance of attending any committee meeting. Lateral Flow Testing: Towards the end of May, test kits were sent to all Members; the purpose being to ensure that Members had a ready supply of kits to facilitate self-testing prior to formal face to face meetings. Anyone attending is asked to undertake a lateral flow test on the day of any meeting before embarking upon the journey to the venue. Please note that it can take up to 30 minutes for the true result to show on a lateral flow test. If your test shows a positive result, then you must not attend the meeting, and must follow the advice which can be found here:

https://www.cheshireeast.gov.uk/council_and_democracy/council_information/coronavirus/testing-for-covid-19.aspx

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

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT (Pages 3 - 8)

1. Appointment of Chairman

To appoint a Chairman for the meeting.

For requests for further information

Contact: Helen Davies
Tel: 01270 685705
E-Mail: helen.davies@cheshireeast.gov.uk

2. **Declarations of Interest**

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

3. **Application for a Premises Licence at Hilltop Country House, Flash Lane, Macclesfield, Cheshire, SK10 4ED (Pages 9 - 126)**

To consider the above application.

THERE ARE NO PART TWO ITEMS

Membership: Councillors S Davies, D Edwardes and R Fletcher

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:

Key Decision Y/N

Date First
Published: >

Licensing Act Sub Committee

Date of Meeting: 30th July 2021

Report Title: Application for a Premises Licence at Hilltop Country House,
Flash Lane, Macclesfield, Cheshire, SK10 4ED

Senior Officer: Frank Jordan - Executive Director Places

1. Report Summary

- 1.1. The report provides details of an application for a Premises Licence, under section 17 of the Licensing Act 2003 and outlines the evidence presented by the parties in relation to the new grant application.

2. Recommendations

- 2.1. The Licensing Act Sub-Committee is requested to determine the application for a Premises Licence by Hilltop Country House Events Limited, in respect of:

Hilltop Country House,
Flash Lane,
Macclesfield,
Cheshire East,
SK10 4ED

- 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

2.4. Members of the Licensing Sub-Committee are reminded that they may not exercise discretion in any case, merely because it considers it desirable to do so. Careful consideration should be given to the application and the evidence presented by the parties in relation to the review.

2.5. Finally, Members are also reminded that in determining the application, consideration also needs to be given to:

- a) The rules of natural justice;
- b) The provisions of the Human Rights Act 1998.

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.

4. Other Options Considered

4.1. Not applicable.

5. Background

5.1. On 8th June 2021 an application was received by the Licensing Department for the grant of a Premises Licence in respect of Hilltop Country House. The application was sent for consultation on 9th June 2021. The last date for representations to be made was 6th July 2021. A copy of the full application is attached to this report at **Appendix 1**.

5.2. A map of the area in which the premises is located is attached to this report at **Appendix 4**.

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

- Supply of alcohol
- Provision of Live Music
- Provision of Recorded Music
- Late Night Refreshment

5.4. The hours applied for are as follows:

- Supply of alcohol (for consumption on the premises)
Monday to Sunday – 12:00 to 24:00
- Provision of Live Music (Indoors & outdoors)
Wednesday to Sunday – 12:00 to 24:00
- Provision of Recorded Music (Indoors)
Monday to Sunday – 12:00 to 24:00
- Late Night Refreshment (Indoors & Outdoors)
Monday to Sunday – 19:00 to 22:00

5.5. Responsible Authorities:

5.5.1. The Licensing Authority has not received representations from any of the responsible authorities, save for Cheshire Constabulary. On 2nd July 2021 the Licensing Authority received an email from Cheshire Constabulary confirming they entered into dialogue with the applicant during the consultation period, and that their proposed conditions had been expressly agreed by the applicant. The proposed conditions, and the applicant's agreement, are set out in **Appendix 2**.

5.6. Other Persons:

5.6.1. The Council has received representations against the application, from thirty-five members of the public. Copies of the objections are attached to this report at **Appendix 3**.

5.6.2. It is noted that two further objections had been received, however they were subsequently withdrawn following dialogue with the applicant.

5.7. Public Notice:

5.7.1. One of the requirements under The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005, is that the applicant do publish a notice of the application:

(i) in a local newspaper or, if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises;

(ii) on at least one occasion during the period of 10 working days starting on the day after the day on which the application was given to the relevant licensing authority.

5.7.2. It is noted and acknowledged that the notice of the application published in a local newspaper was done so outside of the 10-working day period referred to under the above regulations. The notice of the application was in fact published in a local newspaper on the 11th working day.

However, the case of **R (on the application of Akin) v Stratford Magistrates Court [2014] EWHC 4633 (Admin)** dealt with the validity of notices and confirms that substantial compliance with the relevant regulations (38 and 39 taken as a whole) is sufficient for the process to be deemed valid. This follows and reiterates previous case law concerning procedural defects. The information provided by Officers in relation to the notices supports that substantial compliance, insofar as Hilltop Country House Events Limited's actions allowed, has been achieved.

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

6.10.1 There are no direct implications for public health.

6.10. Climate Change Implications

6.10.1. There are no direct implications for Climate Change.

7. Ward Members Affected

- | | |
|-------------------|---------------------------|
| 7.1. Prestbury – | Councillor Paul Findlow |
| 7.2. Bollington – | Councillor James Nicholas |
| 7.3. Bollington - | Councillor Amanda Stott |

8. Consultation & Engagement

8.1. Consultation in respect of submitting an application for a Premises Licence application 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: Martin Kilduff
Job Title: Licensing Enforcement Officer
Email: martin.kilduff@cheshireeast.gov.uk

Appendix 1 – Application & plan of premises

Appendix 2 – Police Representations & proposed conditions

Appendix 3 – Representations from members of the public

Appendix 4 - Map of area

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* 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

Hilltop country
Hilltop Country House

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

[Redacted]

* Family name

[Redacted]

* E-mail

[Redacted].com

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Redacted]

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

Are you:

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

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

Applicant Business

Is your business registered in the UK with Companies House?

- Yes No

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

Is your business registered outside the UK?

- Yes No

Business name

Hilltop country house events limited

If your business is registered, use its registered name.

VAT number

- 289791624

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

Legal status

Private Limited Company

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

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

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 / /
dd mm yyyy

* 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.

The Premises is an existing country house with 4 bed and breakfast rooms / Large gardens / Parking for 50 cars and a Marquee and wedding bar with Sound proofed dance area.
Civil ceremonies take place ion the house.

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="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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

- Indoors
 Outdoors
 Both

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

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

Outdoors will be acoustic only till 7pm at the latest , any amplified music music will take place indoors in a sound proofed room

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.

N/a

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.

N/A

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.

Music will be low level amplified for back ground music during the wedding ceremony and wedding breakfast. 12 till 18.00 it will be slightly louder for Discos in the Sound proofed disco area. 19.00 till 24.00

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.

/A

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.

N/A

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

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

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

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="19:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

Pizza Oven outside will cook food , Weather pending this will be eaten either inside or out.

State any seasonal variations

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

N/A

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.

Continued from previous page...

N/A

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

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

Continued from previous page...

State any seasonal variations

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

We would like to sell alcohol during the weddings times and when B and B guests would like access to the in room mini bar offerings , Major alcohol sales will only happen on event days Circa 100 days per year

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.

N/A

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

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?

Continued from previous page...

- 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.

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

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

Continued from previous page...

SATURDAY

Start 12:00

End 24:00

Start

End

SUNDAY

Start 12:00

End 24:00

Start

End

State any seasonal variations

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

N/A

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.

N/A

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.

[Empty box for listing steps to promote all four licensing objectives together]

b) The prevention of crime and disorder

We have already been operating at Hilltop for 10 years and this license change is the same team with a new company. We have a super experienced team and have had Zero complaints on this period with no reports of any disorder and crime. However following the guidelines of selling alcohol set by the council and being a responsible licensee will allow us to have another many years without any issues.

c) Public safety

We will follow all of our RAMS guidance which is place , We have multiple first aiders on the site and hold regular staff training sessions to make sure Public safety is our top priority.

Continued from previous page...

d) The prevention of public nuisance

Our friends and neighbours have been key to the success of Hilltop, Noise and anti social behavior are stopped at source and people will be asked to leave straight away if this occurs.

With the experience of our team and the right training, Signs of this happening can be spotted quickly to prevent any escalation happening.

Our venue is for private gatherings only, often a family affair which helps when controlling people and making them act in a responsible way.

e) The protection of children from harm

As I have taken from the training and re trained to the staff this is our number one priority, We dont allow children on site with a responsible adult/ Parent at all times, We also operate a challenge 25 Policy and have an active Id booklet to reflect on.

Staff are all fully aware of this policy and are told to sign and reflect in this upon every event we hold.

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 your 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

DECLARATION

1

Continued from previous page...

* 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.

1 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).

1 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

* Capacity

* Date / /
 dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
 2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/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.

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

OFFICE USE ONLY

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

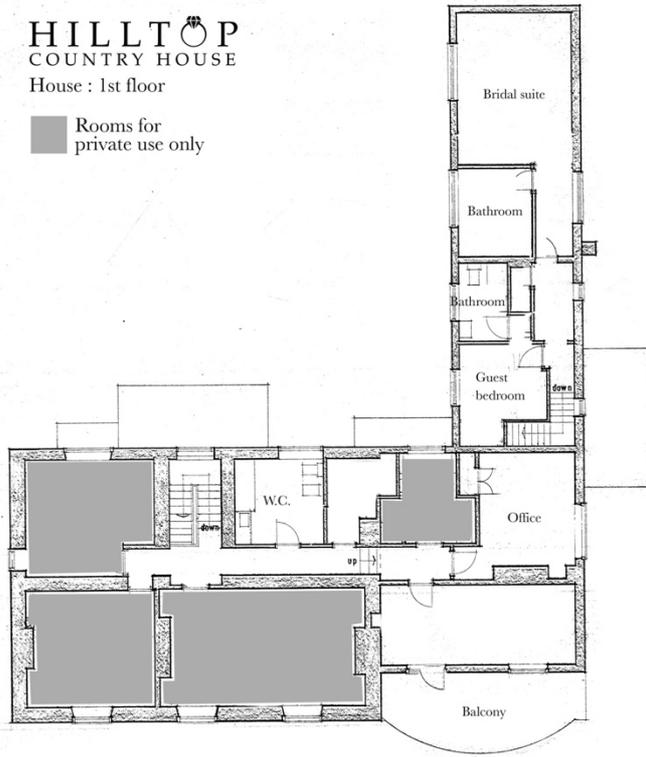
[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

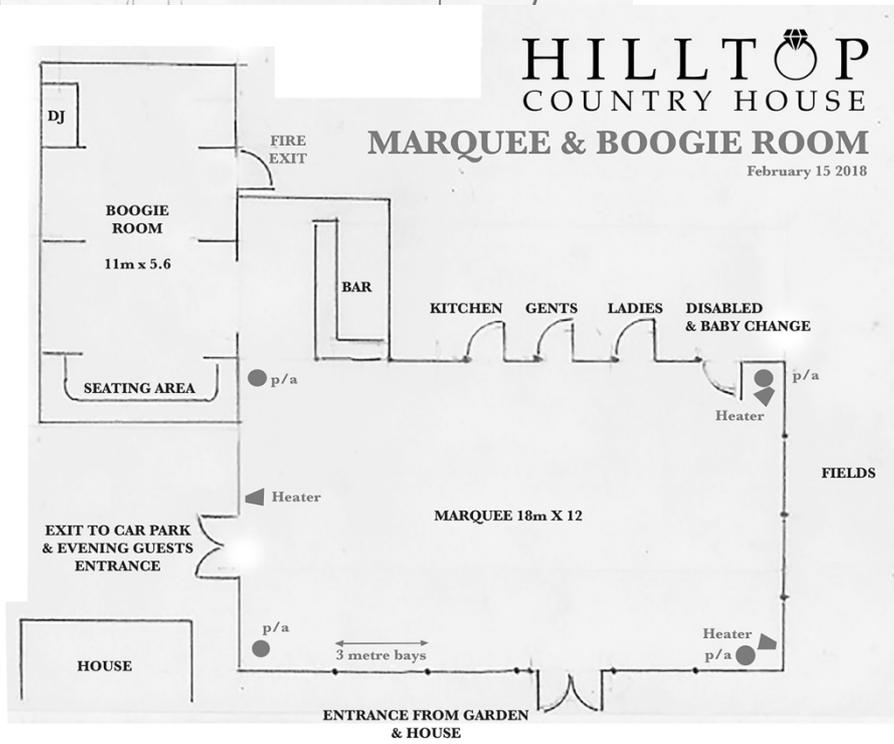
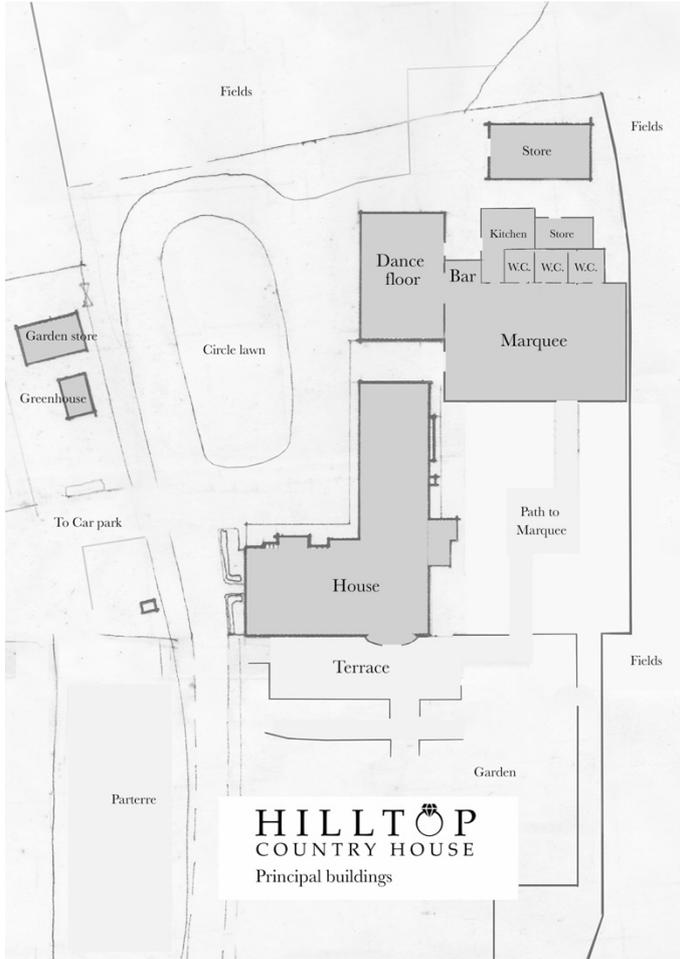
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HILLTOP
COUNTRY HOUSE

House : 1st floor

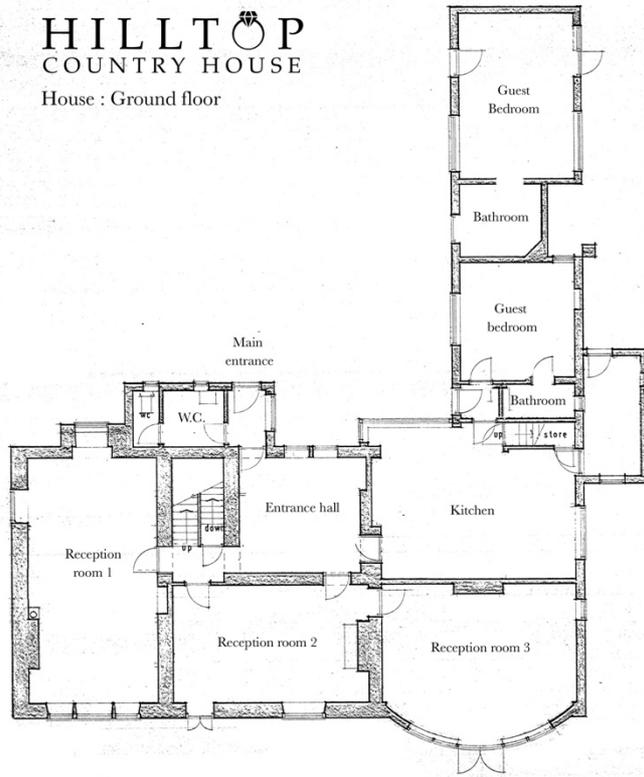
■ Rooms for private use only





HILLTOP COUNTRY HOUSE

House : Ground floor



[REDACTED]

From: LICENSING (Cheshire East)
Sent: 21 June 2021 07:33
To: [REDACTED]
Subject: FW: Hilltop country house, flash lane application for a premises licence

Follow Up Flag: Follow up
Flag Status: Completed

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

From: [REDACTED]
Sent: 18 June 2021 18:08
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Hilltop country house, flash lane application for a premises licence

[REDACTED]

Write to object to the above properties application for Provision of Live Music (indoors and outdoors) Wed to Sunday we-00:00 each day Provision of recorded music indoors Monday to Sunday 12 Noon to 00:00 each day

For the following reasons:

We live here due to the peace and quiet and being in the countryside, we do not want to be kept awake by Live Music Indoors and outdoors daily, we start work at 5.30am and sleep from 9.30pm in the week to be able to get up at 5.30am daily and live music throughout the week to midnight will not enable us to complete our daily work if we are kept awake by live music.

We strongly object to this, I work from home and don't want to be distracted by music and noise in the background. Many of the residents in the village are retired, we all moved here due to it being quiet and peaceful so you can appreciate music being played outside in particular will impact our standard of living.

We did not receive the Application for the License, I have been informed by one of my neighbours.

Regards

[REDACTED]

Mob: [REDACTED]
E-mail: [REDACTED].com

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[REDACTED]

From: LICENSING (Cheshire East)
Sent: 21 June 2021 07:33
To: [REDACTED]
Subject: FW: Application for a premises licence for Hilltop Country House - objection

Follow Up Flag: Follow up
Flag Status: Completed

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

From: [REDACTED] <[REDACTED]>
Sent: 19 June 2021 08:23
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Application for a premises licence for Hilltop Country House - objection

I am writing to object to the issuing of a premises licence to Hilltop country house events in respect of the premises known as Hilltop Country House Flash Lane Prestbury Cheshire SK10 4ED

The previous owners who held events at the weekend (mainly marriages) had a licence that provided recorded music indoors only and the supply of alcohol. The music and dancing was provided within a soundproof room at the event. I have no objection for this to continue.

I am however objecting to the new provision of live music both indoors and outdoors at the venue Wednesday to Sunday 12.00 to 00.00 each day on public nuisance grounds. Hilltop country house is situated at the top of a hill and sound travels in all directions. I am aware that the venue is able to accommodate large numbers of people. My son had his wedding there and over a hundred people came for the evening reception and this number could easily be doubled. This large number of people plus the provision of alcohol plus live music (the levels of which are difficult to control) I feel will lead to a level of noise that will be detrimental to local residents. It is a possibility that residents will be exposed to the equivalent of a music festival 5 days a week late into the evening which will most definitely cause problems.

I hope my comments will be taken into consideration during the discussions for this application.

Regards
[REDACTED]
Prestbury
SK10 4[REDACTED]

Sent from my iPad

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[REDACTED]

From: LICENSING (Cheshire East)
Sent: 21-Jun-2021 07:34
To: [REDACTED]
Subject: FW: Hilltop Country House, Flash Lane, Prestbury, Cheshire, SK10 4ED APPLICATION FOR A PREMISES LICENCE: LICENSING ACT 2003

Follow Up Flag: Follow up
Flag Status: Flagged

From: [REDACTED]
Sent: 19 June 2021 09:30
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Hilltop Country House, Flash Lane, Prestbury, Cheshire, SK10 4ED APPLICATION FOR A PREMISES LICENCE: LICENSING ACT 2003

Dear Sir

Ref: **Hilltop Country House, Flash Lane, Prestbury,
Cheshire, SK10 4ED
APPLICATION FOR A PREMISES LICENCE: LICENSING ACT 2003**

I wish to object to the above licence application on the grounds that the inclusion of outdoor music until midnight 5 nights a week would be a major concern to our community in Butley Town. Properties on Gunco Lane have gardens that face towards Hilltop, and the music noise from the indoor venue can be heard clearly at weekends.

Increasing the number of days and to include outdoor live music will significantly and adversely affect our quiet rural community for large parts of each week, and will cause disruption with noise and light pollution.

My family and I have lived on Gunco Lane for 10 years and do not wish to have to suffer loud live party music, playing up to 5 nights a week.

Yours Faithfully

[REDACTED]

Butley Town.

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[REDACTED]

From: LICENSING (Cheshire East)
Sent: 21-Jun-2021 07:34
To: [REDACTED]
Subject: FW: OBJECTION OVER APPLICATION FOR A PREMISES LICENSE FOR HILLTOP COUNTRY HOUSE, PRESTBURY, CHESHIRE, SK10 4ED

Follow Up Flag: Follow up
Flag Status: Flagged

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

From: [REDACTED]
Sent: 19 June 2021 12:40
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: OBJECTION OVER APPLICATION FOR A PREMISES LICENSE FOR HILLTOP COUNTRY HOUSE, PRESTBURY, CHESHIRE, SK10 4ED

Dear Sirs,
I am writing to object to an application for a premises license for Hilltop Country House, Flash Lane, Prestbury, Cheshire, SK10 4DZ.

As a resident of Butley Town, (SK10 4DZ) I am in walking distance of Hilltop Country House.

Currently the venue is allowed to have two weddings a week on the condition that recorded music is played inside the sound proofed dance room. This was part of the original planning agreement.

The new proposals of live music indoors and outdoors from Wednesday to Sunday are radically different and I know, without doubt, that this will cause great disturbance to myself and all residents in Butley Town and the surrounding area. You may wonder how I am so certain? Several years ago, when the previous owner was preparing Hilltop as a wedding venue, I was disturbed by loud music which kept myself, my children and my neighbours awake. I contacted Environmental Health who investigated. They reported back to say the the owner had apologised. He had held a disco prior to sound proofing therefore breaking the terms fo his planning agreement.

If the new application goes ahead for outside live music,(12:00 - 0:00 Wednesday - Sunday) we will definitely be disturbed not only at night but for long periods of the day. Also, it is proposed that indoor music is to take place everyday of the week. As the main reception area is a marquee, this will not provide adequate sound proofing especially for live music. From memory, the sound proofed dance room is quite small and wouldn't accommodate a band or audience anyway.

The provision of music indoors and the consumption of alcohol Monday to Sunday 12:00-0:00 basically turns the place into a pub. There will be a massive increase in traffic and with it, the inevitable anti-social noise every day of the week.

We have a mixture of young children through to frail, elderly in Butley Town. We also have people who work in the farming industry who have to get up very early and those who are working and running businesses from home regardless of Covid regulations. When considering the application, please spare a thought for those around the venue who will have their peace and quiet, sleep and mental well-being devastated should this license be granted.

I am more than willing to meet with a member of the Council in person to show you exactly where we live in this idyllic hamlet so you can fully appreciate the negative impact on our community.

Yours Faithfully

[REDACTED]

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[REDACTED]

From: LICENSING (Cheshire East)
Sent: 21-Jun-2021 07:34
To: [REDACTED]
Subject: FW: Application for a premises license at Hilltop country House Flash Lane SK10 4ED

Follow Up Flag: Follow up
Flag Status: Flagged

From: [REDACTED]
Sent: 20 June 2021 15:02
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Application for a premises license at Hilltop country House Flash Lane SK10 4ED

Dear sir/madam

I wish to object to the granting of a premises licence at Hilltop Country House Flash Lane Prestbury. My land/fields border said property and I am very concerned that if a licence is granted for the provision of live music (indoors and outdoors) Wednesday to Sunday 12.00 to 00.00 that this will cause a public nuisance regarding sound and the ingress of people onto my land. The venue has run for the past 15 years as a wedding venue with events being held at the weekend only. All music was played indoors in a soundproof room. No problems have occurred. The possibility of large number of people listening to outside music and drinking alcohol will raise a number of issues the main one being that my sheep and lambs will be subject to loud noises which research has shown has a detrimental effect of their well being. I hope the licensing committee will take these concerns into consideration when considering this application.

Thank you

[REDACTED]

Prestbury
[REDACTED]

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Prestbury
Cheshire SK10 4

The Licensing Section

Cheshire East Council
Municipal Buildings
Earle Street
Crewe CW1 2BJ

20 June 2021

Dear Sir/Madam

Hilltop Country House – Application for a Premises Licence – Notice of Objection

I am writing to notify you of my objection to the recent application by Hilltop Country House Events Limited (dated 8 June 2021) in respect of the premises known as Hilltop Country House, Flash Lane, Prestbury, Cheshire SK10 4ED.

Of the proposals listed, the proposal for the provision of live music (indoors and outdoors) Wednesday to Sunday 12:00 – 0:00 each day is of significant concern to me. This proposal represents a considerable increase of the permission that the previous owner had in place for two weddings per week, with the music/disco to be held in a sound-proofed room.

I have two small children (aged 4 and 20 months) and one of the primary reasons we chose to buy a house here was due to the peaceful, countryside setting. Hilltop Country House is located approximately 300 metres from my home in Butley Town and, if the proposal is granted, the location of my home relative to the premises (Hilltop Country House is situated at the top of a hill, therefore the sound will carry down to my property) means that we would be able to hear the music being played for 12 hours a day, 5 days a week. I anticipate that this would cause considerable disruption to our enjoyment of our garden and would affect our ability and our children's ability to sleep during the evenings (particularly during the Summer months when windows will need to be left open). We bought the house in January 2021 and, frankly, had we known about this application/had Hilltop Country House had such a permission in place at the time, we would not have bought our house, such is the negative impact that the extended periods of noise would have on my family's day to day life.

I am similarly concerned about the second limb of the application, which extends the supply of alcohol and the provision of indoor music from 12:00 to 0:00 seven days a week. As mentioned above, the previous owner was only permitted to hold two weddings per week, with music played in a sound-proofed room. The proposal to extend this to seven days a week and to allow music to be played in any indoor setting (irrespective of sound-proofing) means that we, in light of our proximity to the premises, could be subject to the resulting noise pollution every single day of the week, with no right to object.

Had we elected to live in a city centre property or on a busy road, I would have been less concerned by these proposals but our decision to live here and bring up our children here was motivated by how peaceful and tranquil it is. I would strongly recommend that a representative from the licensing section visit Butley Town in order to see for themselves just how much it would disrupt the residents' way of life if this application is granted.

Yours faithfully



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Prestbury
Cheshire SK10 4

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

21 June 2021

Dear Sir/Madam

Hilltop Country House – Application for a Premises Licence – Notice of Objection

I am writing to notify you of my objection to the recent application by Hilltop Country House Events Limited (dated 8 June 2021) in respect of the premises known as Hilltop Country House, Flash Lane, Prestbury, Cheshire SK10 4ED.

Live music (indoors and outdoors)

The proposal for the provision of live music (indoors and outdoors) Wednesday to Sunday 12:00 – 0:00 each day is deeply concerning. This proposal represents a considerable increase of the permission that the previous owner had in place for two weddings per week, with the music/disco to be held in a sound-proofed room.

Hilltop Country House is located approximately 300 metres from my home in Butley Town and sits at the top of a hill: the music will therefore carry down to my property. I have two small children (aged 4 and 20 months) and one of the primary reasons we chose to buy a house here was due to the peaceful, countryside setting. If this proposal is granted, the sound will carry down to my property meaning that we would be able to hear the music being played for 12 hours a day, 5 days a week. I anticipate that this would cause considerable disruption to our enjoyment of our garden and would affect our ability and our children's ability to sleep during the evenings (particularly during the Summer months when windows will need to be left open). We bought the house in January 2021 and, frankly, had we known about this application/had Hilltop Country House had such a permission in place at the time, we would not have bought our house, such is the negative impact that the extended periods of noise would have on my family's day to day life.

Indoor music seven days a week

The second limb of the application is also very troubling, which extends the supply of alcohol and the provision of indoor music from 12:00 to 0:00 seven days a week. As mentioned above, the previous owner was only permitted to hold two weddings per week, with music played in a sound-proofed room. The proposal to extend this to seven days a week and to allow music to be played in any indoor setting (irrespective of sound-proofing) means that we, in light of our proximity to the premises, could be subject to the resulting noise pollution every single day of the week, with no right to object.

Had we elected to live in a city centre property or on a busy road, I would have been less concerned by these proposals but our decision to live here and bring up our children here was motivated by how peaceful and tranquil it is. I would strongly recommend that a representative from the licensing section visit Butley Town in order to see for themselves just how much it would disrupt the residents' way of life if this application is granted.

Yours faithfully



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[REDACTED]

From: LICENSING (Cheshire East)
Sent: 22-Jun-2021 13:14
To: [REDACTED]
Subject: [OFFICIAL] FW: Representation to Licence Application: Hilltop Country House SK10 4ED

Follow Up Flag: Follow up
Flag Status: Flagged

From: [REDACTED]
Sent: 22 June 2021 13:09
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Representation to Licence Application: Hilltop Country House SK10 4ED

Dear Sir/Madam

I wish to lodge a representation and object to the application for a premises licence made by Hilltop Country House, Flash Lane, Prestbury, SK10 4ED.

Under the current licensing arrangement, the noise from outdoor events at Hilltop carries easily and is already disruptive. The granting of the aforementioned license will bring intolerable noise to the neighbourhood. Butley Town is a close-knit, peaceful and considerate community and this license will disturb the quiet atmosphere and negatively impact residents, therefore constituting a public nuisance and contravening the objectives of the Licensing Act 2003.

I have two young children who live permanently at this address. The activities permitted with the granting of this license will have a substantial impact on my children's lives. Children have the right to adequate, undisturbed sleep to enable growth and development. The noise generated by the activities in this application will deny them this right. It is simply not acceptable to ask children to endure this noise nuisance, which will negatively affect their mental and physical health, and their academic potential.

I vehemently object to this licence application and would be grateful if the Licensing Team would consider my objection.

With regards,

[REDACTED]
Butley Town, Prestbury [REDACTED]

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 22 June 2021 17:12
To: LICENSING (Cheshire East)
Subject: RE: Application for a premises licensc: Hilltop Country House, Flash Lane, Prestbury, Cheshire

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern

RE: Application for a premises licence: Hilltop Country House, Flash Lane, Prestbury, Cheshire SK10 4ED.

I wish to object to this application as I believe it to be entirely unreasonable that this premises should be allowed to play music and provide alcohol until midnight each day.

Noise travels very freely and easily from the elevated position of Hilltop Country House and local residents can regularly hear indoor music from events already - even without these extensions to their trading ability. The prospect of this being allowed on the proposed days and the prospect of outdoor music until midnight is extremely alarming and, in my opinion, would cause a noise nuisance for the entire Butley Town and Meadow Drive, Prestbury areas.

As far as I can tell from the application and my general understanding of the applicant's intentions, there would be no cultural or community benefit from the granting of this licence, with the only conceivable benefit being the ability for the applicant to profiteer, at the expense of the local residents' rights to enjoy their homes.

From a personal perspective, I have young children who would be detrimentally affected by the noise pollution the granting of this licence would facilitate.

I ask you please to consider this objection and reject the application.

Kind regards,

[REDACTED]
Prestbury [REDACTED]

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[REDACTED]

From: LICENSING (Cheshire East)
Sent: 23-Jun-2021 11:15
To: [REDACTED]
Subject: [OFFICIAL] FW: Hilltop Country House Flash Lane Prestbury Cheshire SK10 4ED
Attachments: IMG_20210623_0001.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: [REDACTED]
Sent: 23 June 2021 11:13
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Cc: [REDACTED]
Subject: Hilltop Country House Flash Lane Prestbury Cheshire SK10 4ED

I write in connection with an application by the above named company for a licence to provide live music outdoors and indoors from Wednesday to Sunday .

As a homeowner, resident at [REDACTED] Prestbury [REDACTED], I wish to register my objection to the above application based on the noise nuisance and disturbance that will ensue on a regular basis possibly for five days per week.

Having lived in this quiet hamlet for the past six years, alongside other long standing elderly residents and more recently with younger families who have very young children, the considerable disruption that such a facility would cause can be assumed to be beyond acceptable.

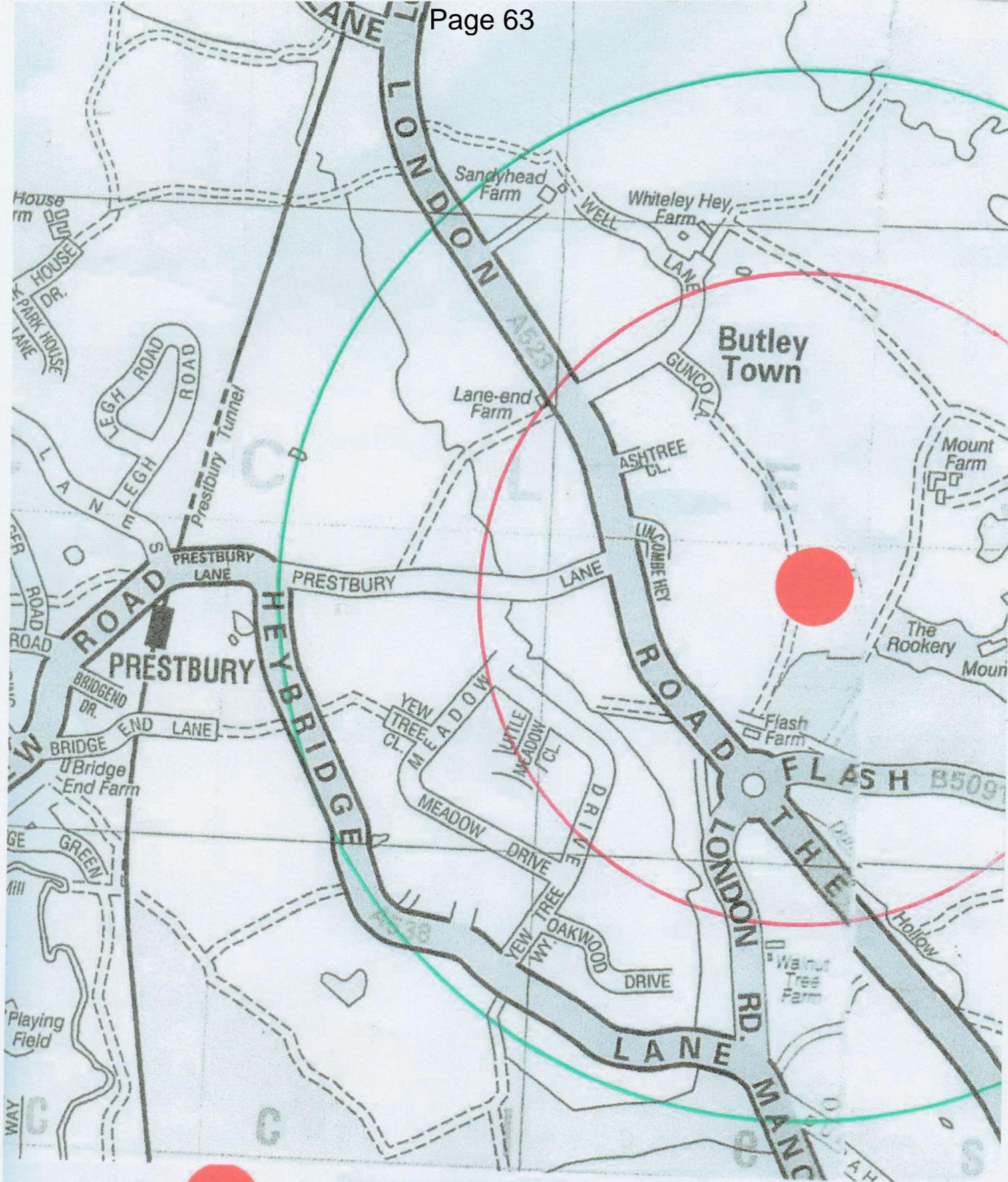
In fact just three years ago a party with outside live music was held at Heywood House Heybridge Lane Prestbury which is at the junction with Prestbury Lane, at the top of the hill, on a similar elevation to Hilltop House but a further 250 mtrs distant. Whilst this was a one off event, so not a problem, the volume was so loud that the music was clearly heard at a decibel level that would only just be tolerable. The majority of Butley Town residents property on Well Lane fall within a 500 mtrs radius of Hilltop Country House with those residents on Gunco Lane much closer which obviously would result in a much greater disturbance than that experienced above.

Please see map attached which indicates the position of Hilltop Country House relevant to other properties and the radii at 500 mtrs and 750 mtrs. As this property is sited at the top of the hill sound will travel much further.

Given all of the above I ask that this application be refused.

[REDACTED] Prestbury Cheshire [REDACTED]

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 Hilltop Country House

 500 metres.  750 meters.

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From: LICENSING (Cheshire East)
Sent: 24-Jun-2021 10:36
To: [REDACTED]
Subject: [OFFICIAL] FW: Formal Objection - Hilltop Country House, Flash Lane, Prestbury, Cheshire, SK10 4ED
Attachments: 07737856.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

From: [REDACTED]
Sent: 24 June 2021 09:42
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Formal Objection - Hilltop Country House, Flash Lane, Prestbury, Cheshire, SK10 4ED

Sirs,

I write in reference to the application by Hilltop Country House for the following licence activities:

- Provision of live music (indoors and outdoors) Wednesday to Sunday 12:00 to 00:00 each day.
- Provision of recorded music (indoors only) and supply of alcohol (consumption on the premises only) Monday to Sunday 12:00 to 00:00 each day.

I would like to formally object to the section of the application "Provision of recorded music (indoors only) and supply of alcohol (consumption on the premises only) Monday to Sunday 12:00 to 00:00 each day" on the following basis:

The current licence arrangement allows for amplified music to be restricted to a contained environment and such be limited to the Sound-Proofed barn. In the main this has worked very well and whilst noise generated from Hill Top can be heard, it's not overly intrusive to the local community. In essence, it's a compromise between residential quality of life and viable commercial activities. It must be noted that the new application is very different to the existing licence which will result in a significant increase in noise pollution over a much longer period of time. This not only imposes on the quality of life for the local residents, but greatly impacts on the farming community (there are four farms in close proximity, all who start their working day very early) . Also impacted would be a nursing home whose elderly, frail residents would have to endure the noise late into the evening.

Many of the points I raise have already been identified in the original planning application (15/2802M) decision notice (attached) . Here the council clearly recognise the impact to the community. The original decision notice also recognises that a marquee is an inadequate barrier to noise, stating that no music should be played in the marquee. On a slightly separate note, the provision of the marquee was granted on the basis that its a temporary structure and as such needs to be dismantled for two months a year. This, to my knowledge (and I walk past Hill Top most days) has only happened on one occasion. The marquee is very much a permanent structure

To summarise, continued use as per the original decision notice would not be an issue. Moving to live amplified music outside would most definitely have a negative impact on the quality of people's lives within the Butley Town and Meadow Drive Prestbury communities (approximately 200 houses). The adjacent nursing home and local farms would also be impacted. I therefore request that the council reject the application.

Sincerely

[Redacted signature]

Walker Design
Unit B, First Floor
Lostock Office Park
Lynstock Way
Bolton
Lancashire
BL6 4SG

Development Management
PO Box 606
Municipal Buildings
Earle Street
Crewe
CW1 9HP

email: [REDACTED]

DECISION NOTICE

Application No: **15/2802M**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Particulars of Development

Demolition of existing stables, change of use of existing stable and garage, erection of marquee's. (Retrospective)

Location

HILLTOP, FLASH LANE, BOLLINGTON, CHESHIRE, SK10 4ED

for [REDACTED]

In pursuance of its powers under the above Act, the Council hereby GRANTS planning permission for the above development in accordance with the application and accompanying plans submitted by you subject to compliance with the conditions specified hereunder, for the reasons indicated:

1. Due to the potential for noise disturbance to local residents, the development should be subject to the following hours of operation restrictions;

Monday – Sunday

08.00hrs - 12.30hrs

Reason: In the interests of residential amenity
2. All amplified music shall be restricted to be played within the converted barn building only – as a contained environment. At no time should amplified music be played within the marquee.

Reason: For the protection of residential amenity.

INFORMATIVES

The applicants are advised of the following in relation to the public right of way that traverses the site:

No building materials must be stored on the right of way

Vehicle movements must be arranged so as not to interfere with the public's use of the way

The safety of members of the public using the right of way must be ensured at all times

No additional barriers (e.g. gates) are to be placed across the right of way

There must be no diminution in the width of the right of way available for use by members of the public

No damage or alteration must be caused to the surface of the right of way

Wildlife mitigation fencing must not be placed across the right of way

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-laws, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of conditions. Please see our Website for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:

- (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
- (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

This permission is granted in strict accordance with the approved plans. It should be noted however that:

- (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
- (b) Variation to the approved plans will require the submission of a new planning application.

Dated:30/10/2015

Signed 
Authorised Officer for
Cheshire East Borough Council

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[REDACTED]

From: LICENSING (Cheshire East)
Sent: 24-Jun-2021 13:11
To: [REDACTED]
Subject: [OFFICIAL] FW: Hilltop Country House Flash Lane. Prestbury SK10 4ED

Follow Up Flag: Follow up
Flag Status: Flagged

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

From: [REDACTED]
Sent: 24-Jun-2021 13:02
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Hilltop Country House Flash Lane. Prestbury SK10 4ED

I write in connection with an application by the above named company for a licence to provide live music outdoors and indoors from Wednesday to Sunday.
As a homeowner, resident at [REDACTED] Prestbury [REDACTED] I wish to register my objection to the above application based on the noise nuisance and disturbance that will ensue on a regular basis possibly for five days a week.

Having lived in this quiet hamlet for the past six years, alongside other longstanding elderly resident and more recently with younger families who have very young children, the considerable disruption that such a facility would cause can be assumed to be beyond acceptable.

In fact just three years ago a party with live outside music was held at Heywood House Heybridge Lane Prestbury which is at the junction with Prestbury Lane, at the top of the hill, on a similar elevation to Hilltop House but a further 250 meters distant. Whilst this was a one off event, so not a problem, the volume was so loud the music was heard at a decibel level that would only just be tolerable.

The majority of Butley Town residents property in Well Lane fall within av500 mtrs radius of Hilltop Country House with those residents in Gunco Lane much closer which obviously would result in a much greater disturbance than that experienced previously.

Given all of the above information I ask that this application be refused

[REDACTED]

Sent from my iPhone

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From: LICENSING (Cheshire East)
Sent: 24-Jun-2021 13:50
To: [REDACTED]
Subject: [OFFICIAL] FW: Representation re: Licensing application - Hilltop Country House Events Limited. - SK10 4ED

Follow Up Flag: Follow up
Flag Status: Flagged

From: [REDACTED]
Sent: 24-Jun-2021 13:26
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Representation re: Licensing application - Hilltop Country House Events Limited. - SK10 4ED

Licensing Manager, Cheshire East Council,

Dear Madam / Sir,

It has come to my attention that a licensing application has been made by Hilltop Country House Events Ltd for significant extensions to the licensable activities at the premises (Hilltop country house, Flash Lane, SK10 4ED).

Namely:

- Live music (indoors and outdoors), Wednesday-Sunday, midday to midnight
- Recorded music (indoors) and alcohol, every day, midday to midnight

As a local resident, I wish to object most strongly to the proposals.

It is my understanding that the venue currently (or at least prior to covid restrictions) operated under a much reduced license, allowing only indoor music, limited to 2 events per week. One off events licenses were applied for anything outside of this.

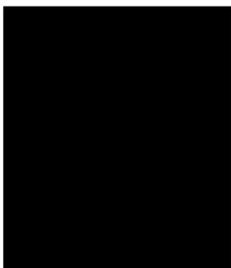
The proposed extension / relicensing represents a material increase in the potential for significant noise, nuisance and general disturbance in this agricultural and residential area. The following must be taken into account:

1. Extending the license to outside live music will represent a very significant increase to noise levels that are experienced by the local community – with no control or attenuation of sound available – this is particularly true given the hilltop location of hilltop country house.
2. Extending the licensable hours from a couple of nights per week to a full 50% of total hours in the week is absolutely inappropriate. I don't know the exact details of the previous license, but, assuming 24hours (12 hours per day for 2 days), the new license (84hours) represents a 350% increase in the total period of impact on the local community.
3. There is no mention of the nature of events which will be licensed or the number of guests. The venue currently operates as a wedding venue... but the extension of the license to 12 hour periods of outdoor music and alcohol supply on consecutive days could open the door to much larger and more disturbing activities such as mini-music festivals.
4. The nature of the surrounding community must be taken into account – this is a semi-rural agricultural and residential community, many members of the community are elderly, not least the residents of the nearby Bupa retirement/nursing home.... The impact of the disturbance will be very significant indeed and have a material on the quality of life for residents.

Overall, this application is clearly inappropriate, represents an excessive increase on current activities at the premises and demonstrates a complete lack of regard for the local residents... if granted, the new license will facilitate and promote a significant increase in impact on a very large number of local residents, simply to extend the operating hours and profit making opportunity for the owners of the business... it is completely unacceptable.

Please can you acknowledge receipt of this objection and provide information regarding any alternative arrangements that may have been discussed with the applicants (such as noise limits, reduced license hours etc).

Best regards



Copies to:

Prestbury Parish Council

Bollington Parish Council and Mayor's office

Open circulation to residents of Butley Town

-  Registered Manager, Mount Hall Bupa Care Home

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[REDACTED]

From: [REDACTED]
Sent: 24-Jun-2021 23:11
To: LICENSING (Cheshire East)
Subject: Application for a Premises Licence at Hilltop Country House Ltd, Flash lane, Macclesfield, SK10 4ED

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

I totally object to issuing a permission for a Premises Licence at Hilltop Country House (my neighbour) for the following reasons:

1. I'm an NHS worker, who works shift hours 24/7, which I desperately need my sleep to be able to provide health care services at Macclesfield Hospital. Myself & family members are already hearing music playing inside the marquee but playing music outside will definitely disturb my sleep and leads to insomnia & anxiety and as a consequence it will affect my performance at work!! The same applies to my family members.
2. Allowing the supply of alcohol each day will result in noise generated from beer gardens which travels easily in the countryside especially during evenings/nights; worst yet, on a hot summer evenings we might need to open a bedroom window but that means letting even more noise in. That will leave us in a very difficult choice to make between struggling to sleep due to heat or tussling to sleep due to the noise generated from Hilltop beer gardens!
3. Supplying alcohol day & night time will have an impact on crimes some could be violent around the serving premises. Being an NHS worker I witness similar crimes on daily basis through admissions at my work place (Macclesfield Hospital) due to an increase to alcohol consumption throughout the day & night that causes an additional load to NHS budget through alcohol related illnesses let alone an increase to the workload to staff who already under sever work load pressure due to COVID. I also bring to your attention that rates of vandalism & criminal damages are also higher in and around areas serving alcohol. In all honesty - as an immediate neighbour - I wouldn't like to come out of my car to open the gate at midnight on my return from my work shift and bump into drunken people with hardly anyone around at that time; it's just unsafe!!

For these reason 'again' I strongly object to issuing a permission for a Premises Licence at Hilltop Country House, Flash Lane, Prestbury, Macclesfield SK10 4ED.

Thank you.

Kind regards,

[REDACTED]
[REDACTED] Prestbury, Macclesfield [REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 27-Jun-2021 12:25
To: LICENSING (Cheshire East)
Subject: Re: Licence application - Hilltop Country House Events

Follow Up Flag: Follow up
Flag Status: Completed



PRESTBURY
CHESHIRE

[REDACTED]

25 June 2021

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

Dear Sir

Re: Licence application - Hilltop Country House Events

I wish to object to the application made by the above in respect of Hilltop Country House, Flash Lane, Prestbury, Cheshire, SK10 4ED on the following grounds:

- 1) As the name suggests the house is situated at a raised elevation which would result in any sound or noise being easily transmitted over a large area.
- 2) The property is located in a very rural location with no natural barriers to prevent or reduce the transmission of noise
- 3) This application is a significant change from the existing approved application which had a number of requirements to reduce the noise and nuisance in the area such as restrictions of two weddings per week and the disco in a soundproofed dance room.
- 4) This application would result in a considerable increase in noise and nuisance over practically the whole week.
- 5) Butley Town and surrounding area is in a very quiet rural location with little background noise so the inclusion of entertainment and music would have a very detrimental effect on the local residents who have chosen to live in peaceful surroundings and appreciate the natural environment.

This application should not be granted as it will change the quiet characteristics of Butley Town and have significant detrimental effect on the residents and their wellbeing.

Yours faithfully

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 27-Jun-2021 18:58
To: LICENSING (Cheshire East)
Subject: OBJECTION OVER APPLICATION FOR A PREMISES LICENSE FOR HILLTOP COUNTRY HOUSE, FLASH LANE, PRESTBURY, CHESHIRE, SK10 4ED

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs,

I am writing to object to the proposed application for a premises license for Hilltop Country House, SK10 4ED.

As a student studying from home, it is vital that I can concentrate and focus on my work.

Allowing this license to go ahead would mean that would be impossible. Live music outside already carries over to where I live in Butley Town. If this were to be a regular event, the noise pollution would completely ruin what is a beautiful, tranquil environment.

The public footpath running by Hilltop is enjoyed by many, myself included. With the increased traffic, the new license would bring, I am worried about walking my dog along there particularly because there is a blind hill near the current car park.

The negative impact for nearby residents is obvious but I also feel that the noise will carry beyond where I live towards Meadow Drive.

The impact of granting this license is huge and far-reaching. I urge you to consider carefully all the factors affecting everyone's life.

Yours Faithfully

[REDACTED]

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From: [REDACTED]
Sent: 27-Jun-2021 12:29
To: LICENSING (Cheshire East)
Subject: Re: Licence application - Hilltop Country House Events

Follow Up Flag: Follow up
Flag Status: Completed

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

Dear Sir

Re: Licence application - Hilltop Country House Events

I wish to object to the application made by the above in respect of Hilltop Country House, Flash Lane, Prestbury, Cheshire, SK10 4ED on the following grounds:

- 1) As the name suggests the house is situated at a raised elevation which would result in any sound or noise being easily transmitted over a large area.
- 2) The property is located in a very rural location with no natural barriers to prevent or reduce the transmission of noise
- 3) This application is a significant change from the existing approved application which had a number of requirements to reduce the noise and nuisance in the area such as restrictions of two weddings per week and the disco in a soundproofed dance room.
- 4) This application would result in a considerable increase in noise and nuisance over practically the whole week.
- 5) Butley Town and surrounding area is in a very quiet rural location with little background noise so the inclusion of entertainment and music would have a very detrimental effect on the local residents who have chosen to live in peaceful surroundings and appreciate the natural environment.

This application should not be granted as it will change the quiet characteristics of Butley Town and have significant detrimental effect on the residents and their wellbeing.

Regards

[REDACTED]

Prestbury
Cheshire

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From: [REDACTED]
Sent: 28 June 2021 10:21
To: LICENSING (Cheshire East)
Subject: HILLTOP COUNTRY HOUSE — LICENSE OBJECTION, PRESTBURY, CHESHIRE, SK10 4ED

Follow Up Flag: Follow up
Flag Status: Completed

To Whom it May Concern,

I am writing to object to an application for a premises license for Hilltop Country House, Flash Lane, Prestbury, Cheshire, SK10 4ED.

My family reside in Butley Town, (SK10 4DZ) which is walking distance of Hilltop Country House — I also grew up here for 20 years.

I believe that currently, Hilltop can only have two weddings a week, and that any recorded music has to be played within a sound proofed dance room. This was agreed as part of the original planning.

However, the new application for live music indoors and outdoors from Wednesday to Sunday strongly stray away from this original agreement, and will definitely cause disturbance to Butley Town and the local neighbourhood.

Whilst I was living at home, there was a similar altercation with the previous owner of Hilltop Country House. Myself, our family, and also the local residents were kept awake by loud music from the venue. Environmental Health were contacted, and they investigated the matter. They communicated this issue to the owner at the time, who apologised for playing music without the sound proofing measures in place.

As for the new application for outside live music (12:00pm - 00:00am, Wednesday to Sunday) — should this be granted, Butley Town and the surrounding areas will be disturbed for the majority of the night and day.

Plus live music indoors occurring everyday of the week is not sustainable considering the minimal space and soundproofing in place. I used to pick up work at Hilltop when I lived at Butley Town; the main area where it is soundproofed wouldn't be fit to hold a band and audience.

If you combine this new application with the consumption of alcohol Monday to Sunday (12:00pm - 00:00am), this will certainly jeopardise the area with anti-social behaviour. How can this behaviour be possibly regulated and monitored on a daily basis with a large number of people within an open space?

Hilltop Country Manor resides next to fields with cattle, which at night and potentially intoxicated, can be a hazard. Not to mention that there are neighbours one public footpath away, and therefore there will be anti-social noise every day of the week.

I'm someone who is grateful for the upbringing at Butley Town; the tranquility and peacefulness is what makes it a wonderful place to live. There are young families with children who now reside there, and also the frail who wish to live within this setting without stress. My Mum has a chronic illness and relies heavily on substantial rest — should this application go through her mental health and overall wellbeing is at great risk and will decline.

In addition, there are farmers who work relentlessly in already harsh conditions. For example, at spring time during lambing season — female sheep would be at a high risk of losing their lambs during pregnancy, due to the stress from the loud music. Might just be some sheep to me and you, but who is going to explain to the farmers that they are a) losing business and their livelihood and, b) have to undergo the ordeal of putting them down?

When you're evaluating the application, I ask to consider those who live around Hilltop Country House: residents, families, young children, the elderly, farmers, even the livestock and wildlife. All who value their sleep, mental well-being, and overall peaceful surroundings.

My family has already offered this, but I too would be more than willing to meet with a member of the Council in person to show you why Butley Town is such an idyllic and beautiful place to live — it would provide great context and understanding as to why an application such as this would have a detrimental impact on our community.

Yours Faithfully,

A solid black rectangular redaction box covering the signature.

[REDACTED]

From: [REDACTED]
Sent: 28 June 2021 10:49
To: LICENSING (Cheshire East)
Subject: Hilltop Country House, Flash Lane, SK10 4ED

Follow Up Flag: Follow up
Flag Status: Completed

I write to object to the recent application for a premises licence for the above.

I object on the basis that objective iii) of your four objectives, the prevention of public nuisance, is engaged (and arguably objectives i) and ii) as well) because:

- i) the application is markedly different from what the previous owners had in place (two weddings per week and the disco in a soundproofed dance room); and consequently
- ii) that it will result in a noticeable, very marked and totally unacceptable increase in noise over much longer periods of time, both per day (12 noon till midnight) and number of days (5 days per week for live music and 7 days per week for recorded music), thereby interfering unacceptably and unnecessarily with our quiet enjoyment of our properties in this tranquil and peaceful location; and
- iii) it will result in an unacceptable increase in traffic on a road network which is already totally unable to cater for existing traffic and where we know that the situation will deteriorate even further when the Poynton Relief Road opens.

[REDACTED] Prestbury [REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 28 June 2021 11:26
To: LICENSING (Cheshire East)
Subject: Fw: proposed live music and alcohol at hilltop hotel sk104ed

Follow Up Flag: Follow up
Flag Status: Completed

From: [REDACTED]
Sent: 28 June 2021 11:22
To: licencing@cheshireeast.gov.uk <licencing@cheshireeast.gov.uk>
Subject: proposed live music and alcohol at hilltop hotel sk104ed

Dear sirs, i object most strongly to the proposed live music and alcohol application for Hilltop hotel, Flash lane, Prestbury, SK104ED.

My house lies directly across an open field from the hotel with only a wire livestock fence between us.

Any noise or disturbance from the hotel has an unhindered route straight across the field.

To have music playing indoors until the proposed midnight is bad enough, as the sound will surely travel unimpeded across the field, but to allow it to be played outside until this time is unacceptable. To add alcohol to the situation will only make matters worse, as can we realistically expect that people will exit the hotel quietly after drinking.

Also what is there to prevent any guests from entering the livestock field, parading around the field and coming right up to the back of our property and causing a disturbance.

I have to get up some mornings for work at between 04.00 am and 05.00am so am in bed often by 9.00pm so any noise is truly disruptive.



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[REDACTED]

From: [REDACTED]
Sent: 28-Jun-2021 13:27
To: LICENSING (Cheshire East)
Subject: Hilltop Country House Events Ltd Licence application

Follow Up Flag: Follow up
Flag Status: Completed

Dear sirs,

Following the recent application by the above company i would like to make the following comments and objection.

a) The proposed application is to extend the licence from 2 events per week to 7 days per week which could expand the number of events to 2 per day making 14 with the inclusion of recorded music to licensed to all these events provided they are contained within a soundproof area.

I currently have no objection to indoor events with recorded music within a soundproof room.

b) The proposed application for live music and / or recorded music outdoors is a different proposal as this will inevitably create noise pollution for nearby residents and also the local wildlife and the farm animals, i would therefore object to this application.

Conclusion:

I have no objection to to the increase in the number of events with music (live or recorded) in a soundproof room however i would object in the strongest terms to music live or recorded to be granted outside.

Yours sincerely

[REDACTED]
[REDACTED] Butley Town [REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 28-Jun-2021 13:54
To: LICENSING (Cheshire East)
Subject: Hilltop Country House Events Ltd - Licence application

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs

Following the application from Hilltop Country House Events Ltd I would like it put on record that I object in part to the proposal.

Whereas I delighted that the business has been a success following the start up and consequential development by the Garners on a fairly limited basis (2 Events per week with recorded music indoors and soundproof) I feel that i must strongly object to the proposal of live and recorded music to be sanctioned for outside use, I feel this would have a detrimental affect on the environment both for the local wildlife, farm animals and of course the local residents.

I have lived in Butley Town for well over 30 years and where i am always receptive to change for the right reasons I do however feel that the introduction of live and recorded music to be blasted over the surrounding rural area is not a positive step and will have a detrimental impact to all, this would include the Bupa care home which is just a stones throw away.

Yours sincerely

[REDACTED]
[REDACTED] Butley Town [REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 29 June 2021 11:27
To: LICENSING (Cheshire East)
Subject: Hilltop Country House

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir or Madam

I refer to your recent correspondence concerning the Application For A Premise Licence for Hilltop Country House, Flash Lane, Prestbury Cheshire SK10 4ED.

Whilst we wish the new owners every success in their new business, we feel we have to point out our concerns:

1. The Provision Of live music (indoors & outdoors) Wednesday-Sunday 12:00 to 00:00 each day.
We feel weekdays aren't acceptable until midnight. From previous experience we know that the sound travels over the field & therefore has the potential to disturb sleep. I dread to think of the disruption with outdoor live music.
2. Our other concern is how secure the fencing & hedges are around the property to stop guests wandering across the fields to potentially take a short cut to the A523 thereby cutting out a very dangerous stretch of road at the bottom of Flash Lane.

We had very little disruption from the previous owners & any music played at weekends was stopped at a reasonable time out of respect for the neighbours. The fact the property is surrounded by fields doesn't mean the noise can't be heard.

As previously said, we hope the business is a huge success, what we don't want is to be having to ring & complain about the noise.

[REDACTED]
Prestbury
[REDACTED]

Sent from my iPad

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From: [Redacted]
Sent: 29 June 2021 18:46
To: LICENSING (Cheshire East)
Subject: Formal objection - Hilltop Country House, Flash Lane

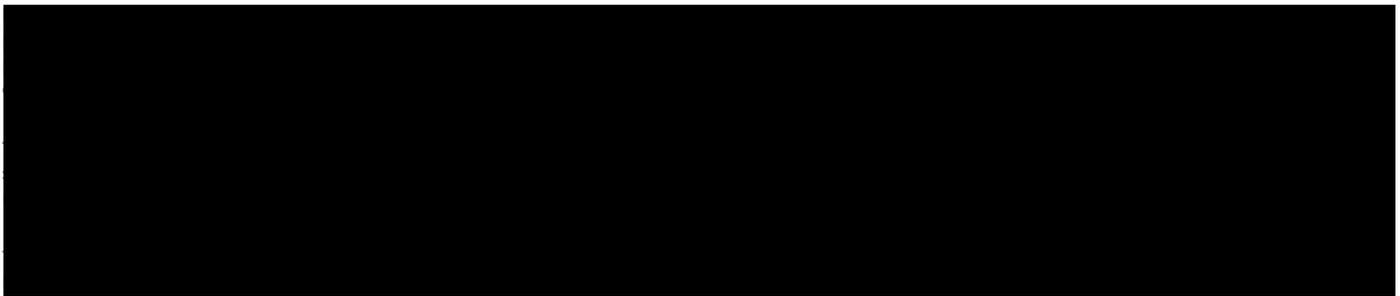
Follow Up Flag: Follow up
Flag Status: Completed

I would like to formally object to the application to play live music (indoors and outdoors) Wednesday to Sunday from 12.00 to 0.00 and the provision of recorded music (indoors only) and supply of alcohol Monday to Sunday from 12.00 to 0.00.

The current licence allows for amplified music to be played inside in a sound-proofed barn which I have no objection to. Although we can hear the music it does not impact on the quality of life. The new application is very different to the existing licence. Playing music outside and even inside the marquee (not in the soundproofed barn) will have a negative impact on the quality of life for local residents, many of which are elderly, have young families or are farmers who work long hours and get up very early. In the original planning application the council recognised the marquee as an inadequate barrier to noise which this planning application does not take into account.

While I want to support local businesses, if this application is agreed, allowing music outside would definitely have a negative impact on the quality of people's lives in Butley Town, Meadow Drive, Mount Hall nursing home and local farms therefore I request that the council rejects this application.

Sincerely



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[REDACTED]

From: [REDACTED]
Sent: 02-Jul-2021 12:28
To: LICENSING (Cheshire East)
Subject: Application for a Premises Licence under The Licensing Act 2003 For Hilltop Country House, Flash Lane, Prestbury, Cheshire, SK10 4ED.

Follow Up Flag: Follow up
Flag Status: Completed

APPLICATION FOR A PREMISES LICENCE: LICENSING ACT 2003
Hilltop Country House, Flash Lane, Prestbury, Cheshire, SK10 4ED.

I wish to object to the granting of a licence for the premises known as Hilltop Country House, Flash Lane, Prestbury Macclesfield, Cheshire, SK10 4ED for the provision of live music (indoors and outdoors} Wednesday to Sunday 12.00 to 00.00 each day for the following reasons:-

- Hilltop House is situated in an elevated position having previously been a farm house and music from this location will carry a considerable distance from the property.
- The surrounding area contains residential houses which would be severely affected by the provision of and proposed duration of this live music for 5 days a week.
- One of the areas affected is the conservation area of Butley Town and the Council has a duty to protect this area, and preserve its special character of a peaceful and tranquil hamlet.
- There is no reason to change the original Licence and planning conditions which clearly state no outside music for the protection of the residential amenity.
- I consider the provision of live music outside, 5 days a week 12 hours a day to be totally unacceptable and would constitute a considerable nuisance.

Please dismiss this application on the above grounds.

[REDACTED] Prestbury, Macclesfield [REDACTED]

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[REDACTED]
Prestbury
Macclesfield
[REDACTED]

2nd July 2021

Good afternoon

I would like to strongly **object** to the Application for a Premises Licence, Licensing Act 2003 from

Hilltop Country House Events Limited
Hilltop Country House
Flash Lane
Prestbury
Cheshire
SK10 4ED

To provide the following licensable activities:

- Provision of live music (indoors and outdoors) Wednesday to Sunday 12:00 to 00:00 each day
- Provision of recorded music (indoors only) and supply of alcohol (consumption on the premises only) Monday to Sunday 12:00 to 00:00 each day.

I am objecting on the grounds of **Prevention of Public Nuisance**

The level of noise, its length and timing are greatly increased in this application, and this would amount to a statutory nuisance as the impact would be significant. It will be stressful and will affect our health and wellbeing as we will no longer be able to have peace and quiet enjoyment of our home and garden when there is Live music indoors and outdoors and recorded music indoors every day of the week from 12:00 to 00:00. Our home is very close (270m) to the venue, and this is quiet greenbelt countryside that we all enjoy and cherish, and I respectfully ask that this is preserved by Cheshire East Licensing Section by objecting to this application.

Kind Regards

[REDACTED]

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[REDACTED]
Prestbury
Macclesfield
[REDACTED]

2nd July 2021

Good afternoon

I would like to strongly **object** to the Application for a Premises Licence, Licensing Act 2003 from

Hilltop Country House Events Limited
Hilltop Country House
Flash Lane
Prestbury
Cheshire
SK10 4ED

To provide the following licensable activities:

- Provision of live music (indoors and outdoors) Wednesday to Sunday 12:00 to 00:00 each day
- Provision of recorded music (indoors only) and supply of alcohol (consumption on the premises only) Monday to Sunday 12:00 to 00:00 each day.

I am objecting on the grounds of **Prevention of Public Nuisance**

The level of noise, its length and timing are greatly increased in this application, and this would amount to a statutory nuisance as the impact would be significant. It will be stressful and will affect our health and wellbeing as we will no longer be able to have peace and quiet enjoyment of our home and garden when there is Live music indoors and outdoors and recorded music indoors every day of the week from 12:00 to 00:00. Our home is very close (270m) to the venue, and this is quiet greenbelt countryside that we all enjoy and cherish, and I respectfully ask that this is preserved by Cheshire East Licensing Section by objecting to this application.

Kind Regards
[REDACTED]

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From: [REDACTED]
Sent: 04-Jul-2021 16:23
To: LICENSING (Cheshire East)
Subject: FW:

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam

Re: Application for premises licence made on 8 June 2021 in respect
of premises known as Hilltop Country House, Flash Lane, Prestbury, Cheshire SK10 4ED

=====

We write in response to the above.

This application affects us directly as we are a near neighbour. In recent years, as the owners of Hilltop have developed a delightful business specialising in hosting wedding events, we have grown accustomed to an occasional raised level of noise, but nothing more intrusive. We are willing to support this application provided that the new ownership of the business intends to continue to run it in the same way. However, from the text of the application, it is not clear whether it reflects an intention to continue in like manner, or to increase the frequency, scale and nature of events at Hilltop, and consequently make the events more invasive in the neighbourhood. Therefore we wish to stress that we can only support the application if we can be confident that the quality of life for residents in the neighbourhood would not be adversely affected by an increase in disturbance and that all potential disturbance will be controlled at a reasonable level of frequency, volume, scale and duration.

We wish the new owners of Hilltop well and we trust that they too can conduct a successful business without increasing levels of nuisance for the neighbouring community and without deviation from any restrictions that apply to their premises.

Regards

[REDACTED]

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From: [REDACTED]
Sent: 03-Jul-2021 12:44
To: LICENSING (Cheshire East)
Subject: APPLICATION FOR A PREMISES LICENCE - Hilltop Country House, Flash Lane, Prestbury
Attachments: 07709993 - Hilltop Environmental Report.pdf; 07737856 - Hilltop Decision Notice.pdf; Hilltop Country House to Butley Town Conservation Area plan.docx
Follow Up Flag: Follow up
Flag Status: Completed

APPLICATION FOR A PREMISES LICENCE: LICENSING ACT 2003
Hilltop Country House, Flash Lane, Prestbury, Cheshire, SK10 4ED.

I am a long-term resident of Butley Town, and I wish to object to the granting of a licence for the above premises, for the "Provision of live music (indoors and outdoors} Wednesday to Sunday 12.00 to 00.00 each day", for the reasons below:-

Planning Conditions

On 22 July 2015 , a Planning Application, Reference No. 15/2802M, for the Demolition of existing stables, change of use of existing stable and garage, erection of marque (Retrospective) was submitted, for Hilltop. This Licencing application would contravene the Planning Conditions granted to this property at the time. (See attached documents)

The Environmental Protection Report recommendations include;

"NOISE MITTIGATION of amplified music (live bands and discos/amplified DJ)

All amplified music shall be restricted to be played within the converted barn building only – as a contained environment. At no time should amplified music be played within the marquee.

Reason: For protection of residential amenity."

These recommendations were adopted as a condition of planning permission; the Decision Notice clearly states:-

"All amplified music shall be restricted to be played within the converted barn building – as a contained environment. At no time should amplified music be played within the marquee."

Reason: For protection of residential amenity. "

This application does not afford any protection for residents against noise nuisance, and the protection of this residential amenity is still essential.

Butley Town Conservation Area

Hilltop stands at the top of a hill and from this elevated position, any amplified music outdoors has the potential to cause noise nuisance across the entire Butley Town Conservation Area, which at its farthest point, is only 500 meters from Hilltop. (Map attached) Based on my personal experiences, I know that at 500 meters, amplified music can still be a very intrusive and an annoying nuisance.

Part of the unique character of the Butley Town Conservation Area, is its tranquillity. This is due to its location and its history. It is set back from the A523 and has been a No Through Road, for over 150 years. The only traffic is that serving the 21 properties in, or beyond, the conservation area. When visiting the Conservation Area for the first time, people always comment on how quiet and peaceful the area is. It is this special characteristic that is under threat by this application. Our local residential amenity needs to be preserved and protected.

In my opinion, live outdoor music at Hilltop Country House is unreasonable, unwelcome and unneighbourly. It is also in contravention Planning Conditions and is a threat to the peace and tranquillity of the Butley Town Conservation Area. I am asking for this Premises Licence Application to be refused.

[REDACTED] Prestbury, Macclesfield, [REDACTED]

Memo



To	Cheshire East Planning	Copy to	██████████
From	██████████	Tel. No.	██████████
Date	2 July 2015	Your ref	15/2802M
		Our ref	EL7/038170

Subject**PLANNING CONSULTATION WITH ENVIRONMENTAL PROTECTION****Location:** Hilltop, Flash Lane, Bollington, Macclesfield, Cheshire, SK10 4ED**Proposal:** Demolition of existing stables, change of use of existing stable and garage and the erection of a marquee. (Retrospective).

This Service has considered the above planning application and has no objection to the proposal subject to the following recommendations.

The following recommendations DO NOT constitute planning conditions, however are intended to provide sufficient information to guide planning officers to adequately word conditions which are enforceable, justified and proportionate, in line with their own guidelines.

Where a planning officer considers that the recommended condition should be substantially altered, or not included on any final decision notice it is strongly recommended contact be made with the relevant officer.

REGULATORY SERVICES AND HEALTH COMMENTS

██████████ Tel: ██████████

See below

NOISE CONTROL

The design and access statement advises that Hill Top Country House has been regularly used as a wedding venue for a period of five years. Very limited noise complaints have been lodged to this Service during that time, however, there is always the potential for noise, disturbance and loss of residential amenity to be caused to the nearest residencies from such use unless consistent and effect management controls are maintained.

The following noise sources are of predominant concern :-

Noise from the playing of live and recorded amplified music (bands & discos) and amplified voice - particularly during late evening hours

The number of vehicles leaving the site during late evening / early morning hours

It is therefore recommended that an hours of use condition is applied to an approval of this application as an effective noise control measure.

The Design and Access Statement which accompanies the application has provided termination times which this Service considers should form conditions of a planning approval – as follows:-

HOURS OF USE of the wedding venue

Due to the potential for noise disturbance to local residents, the development should be subject to the following hours of operation restrictions;

Monday – Sunday 08.00 hrs 12.30 hrs

Reason: In the interests of residential amenity

Informative – vehicles should be directed to leave the premises as soon as possible after the termination time

NOISE MITIGATION of amplified music (live bands and discos / amplified DJ)

All amplified music shall be restricted to be played within the converted barn building only – as a contained environment. At no time should amplified music be played within the marquee.

Reason: For the protection of residential amenity.

AIR QUALITY COMMENTS



Tel: 01625 ([redacted])
Tel: 01625 ([redacted])
Tel: 01270 ([redacted])

No Comments

CONTAMINATED LAND COMMENTS



Tel: 01270 [redacted]
Tel: 01625 [redacted]

No comments

This section has used all reasonable endeavours to recommend the most appropriate measures regarding potential contamination risks. However, this recommendation should not be taken to

imply that the land is safe or otherwise suitable for this or any other development.

If you have any queries, please contact the relevant Officer.

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Walker Design
Unit B, First Floor
Lostock Office Park
Lynstock Way
Bolton
Lancashire
BL6 4SG

Development Management
PO Box 606
Municipal Buildings
Earle Street
Crewe
CW1 9HP

email: [REDACTED]

DECISION NOTICE

Application No: **15/2802M**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Particulars of Development

Demolition of existing stables, change of use of existing stable and garage, erection of marquee's. (Retrospective)

Location

HILLTOP, FLASH LANE, BOLLINGTON, CHESHIRE, SK10 4ED

for [REDACTED]

In pursuance of its powers under the above Act, the Council hereby GRANTS planning permission for the above development in accordance with the application and accompanying plans submitted by you subject to compliance with the conditions specified hereunder, for the reasons indicated:

1. Due to the potential for noise disturbance to local residents, the development should be subject to the following hours of operation restrictions;

Monday – Sunday

08.00hrs - 12.30hrs

Reason: In the interests of residential amenity

2. All amplified music shall be restricted to be played within the converted barn building only – as a contained environment. At no time should amplified music be played within the marquee.

Reason: For the protection of residential amenity.

INFORMATIVES

The applicants are advised of the following in relation to the public right of way that traverses the site:

No building materials must be stored on the right of way

Vehicle movements must be arranged so as not to interfere with the public's use of the way

The safety of members of the public using the right of way must be ensured at all times

No additional barriers (e.g. gates) are to be placed across the right of way

There must be no diminution in the width of the right of way available for use by members of the public

No damage or alteration must be caused to the surface of the right of way

Wildlife mitigation fencing must not be placed across the right of way

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-laws, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of conditions. Please see our Website for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:

- (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
- (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

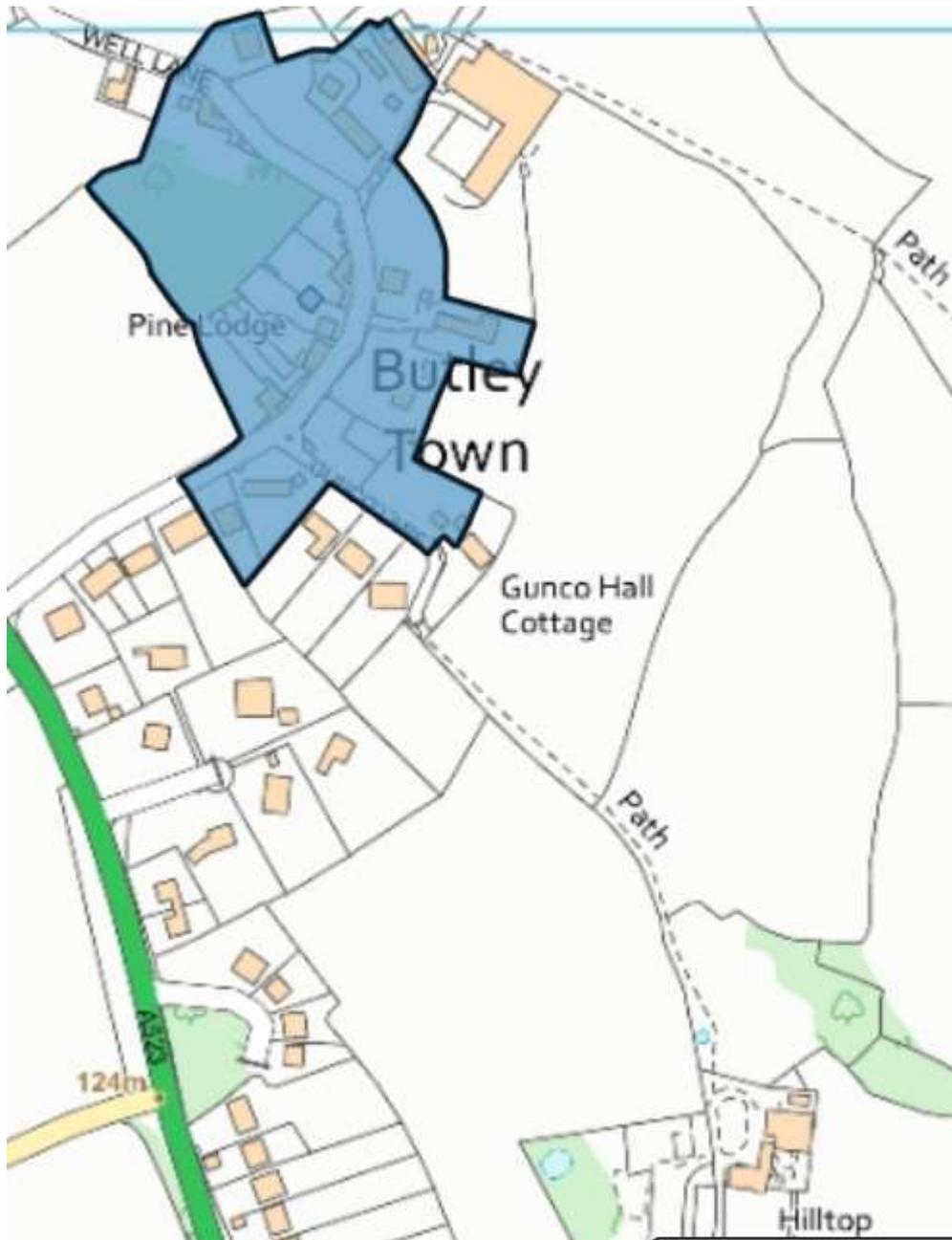
This permission is granted in strict accordance with the approved plans. It should be noted however that:

- (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
- (b) Variation to the approved plans will require the submission of a new planning application.

Dated:30/10/2015

Signed 
Authorised Officer for
Cheshire East Borough Council

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Hilltop Country House to Butley Town Conservation Area. (Shaded in blue)

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RECEIVED
29 JUN 2021
Cheshire East Council



Prestbury

26 June 2021

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

To whom it may concern

Re: Hilltop Country House Application for Change in Licensing

It has come to my attention that a planning application for Hilltop Country House, Flash Lane, Prestbury, SK10 4ED has been submitted to alter the licensing to include the following;

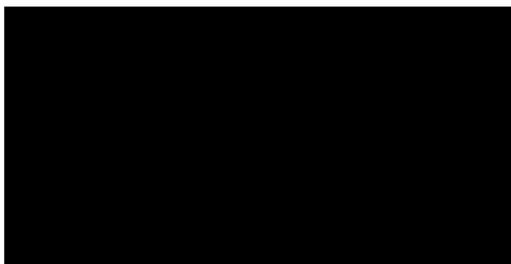
- Provision of live music (indoors and outdoors) Wednesday to Sunday 12:00 – 00:00 each day
- Provision of recorded music (indoors only) and supply of alcohol (consumption on the premises only) Monday to Sunday 12:00 – 00:00 each day

I am writing to lodge my objection to this request on the basis that I am a local resident and the new licence will adversely affect my enjoyment of the quiet, peaceful environment of our small community and has the potential to also disturb sleep during working days which is unacceptable.

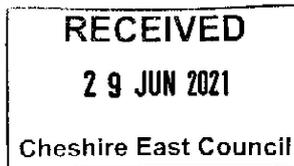
We purchased our house in part due to the setting and the serene surroundings, had we have wanted a more lively / noisy neighbourhood we would not have moved to a rural setting.

I would appreciate your consideration of my objection and am happy to answer any further questions you may have if necessary.

Yours sincerely



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Prestbury

26 June 2021

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

To whom it may concern

Re: Hilltop Country House Application for Change in Licensing

It has come to my attention that a planning application for Hilltop Country House, Flash Lane, Prestbury, SK10 4ED has been submitted to alter the licensing to include the following;

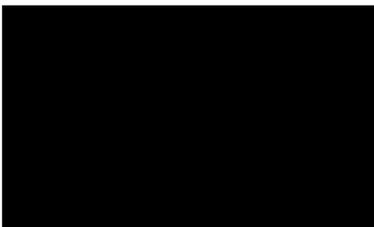
- Provision of live music (indoors and outdoors) Wednesday to Sunday 12:00 – 00:00 each day
- Provision of recorded music (indoors only) and supply of alcohol (consumption on the premises only) Monday to Sunday 12:00 – 00:00 each day

I am writing to lodge my objection to this request on the basis that I am a local resident and the new licence will adversely affect my enjoyment of the quiet, peaceful environment of our small community and has the potential to also disturb sleep during working days which is unacceptable.

We purchased our house in part due to the setting and the serene surroundings, had we have wanted a more lively / noisy neighbourhood we would not have moved to a rural setting.

I would appreciate your consideration of my objection and am happy to answer any further questions you may have if necessary.

Yours sincerely



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From: [REDACTED]
Sent: 06 July 2021 23:22
To: LICENSING (Cheshire East)
Subject: Hilltop Country House, Flash Lane, Prestbury, Cheshire, SK10 4ED

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs

Objection to application in respect of Hilltop Country House, Flash Lane, Prestbury, Cheshire, SK10 4ED for a premises licence to provide the following licensable activities:

- Provision of live music (indoors and outdoors) Wednesday to Sunday 12:00 to 00:00 each day.
- Provision of recorded music (indoors only) and supply of alcohol (consumption on the premises only) Monday to Sunday 12:00 to 00:00 each day.

As residents of Butley Town, we live approximately 0.3 mile from the subject premises and write to object to the above licensing application.

This objection is based on a concern that this new licence may increase the possibility of public nuisance for residents in the vicinity, specifically noise nuisance which already (save for the past year due to the pandemic) results occasionally when an event is held at the premises.

Because of the elevated position of the premises and the 'tented' nature of the marquee, noise carries very easily. As this nuisance has previously only happened occasionally, more frequently at times of the year when these things are expected (Fri/Sat/Bank Holidays/Christmas/New Year) we are prepared to tolerate it and have not previously objected. However, it is apparent that the premises are under new ownership and that there is a clear intention to expand activities at the premises, to intensify the use and to hold more frequent and varied events both inside and outside and not just at weekends. There is nothing to limit the type or number of events, nor the nature of the events that may take place. Already the venue hosts weddings, wedding fayres, school events, charity events and balls. The current number of events where amplified equipment is used, where the music beat and announcements over microphone can be clearly heard, is tolerated by residents. However, potential multiple events in the same week, week after week is not acceptable with the level of noise generated in buildings inadequately acoustically designed for musical events or in the gardens of the premises with no soundproofing at all. The capacity of the premises (Terrace (Capacity 120) Marquee (Capacity 160) Garden Room (Capacity 68)) could arguably permit more than one event to take place simultaneously. As such, we consider the noise nuisance would not be tolerable on such a scale if left unrestricted. With more of us working from home these days there is likely to be more opportunity for noise from daytime events to cause disturbance.

The premises is subject to planning conditions (Planning permission ref: 15/2802M (retrospective) which restrict the hours of operation (to 08.00hrs - 12.30hrs Monday to Sunday) due to the potential for noise disturbance to local residents and for the protection of residential amenity. These conditions also prohibit the playing of amplified music within the marquee. Whilst the planning regime is separate, the local planning authority is a responsible authority and should be given the opportunity to make representations on this licensing application.

In the event the licensing team is minded to grant a licence and in accordance with the Council's Statement of Licensing Policy we respectfully request consideration of the imposition of restrictions to any licence, mirroring those of the planning conditions and potentially restricting the number of events that can be held in a year, restricting the days/hours that amplified music may be played, prohibiting the playing of amplified music above a certain dB in the gardens and marquee for example. Noise monitoring could be undertaken to ascertain if noise

levels can be kept at an acceptable level and appropriately restrict and manage the generation of any noise within the premises and from activities associated with the premises.

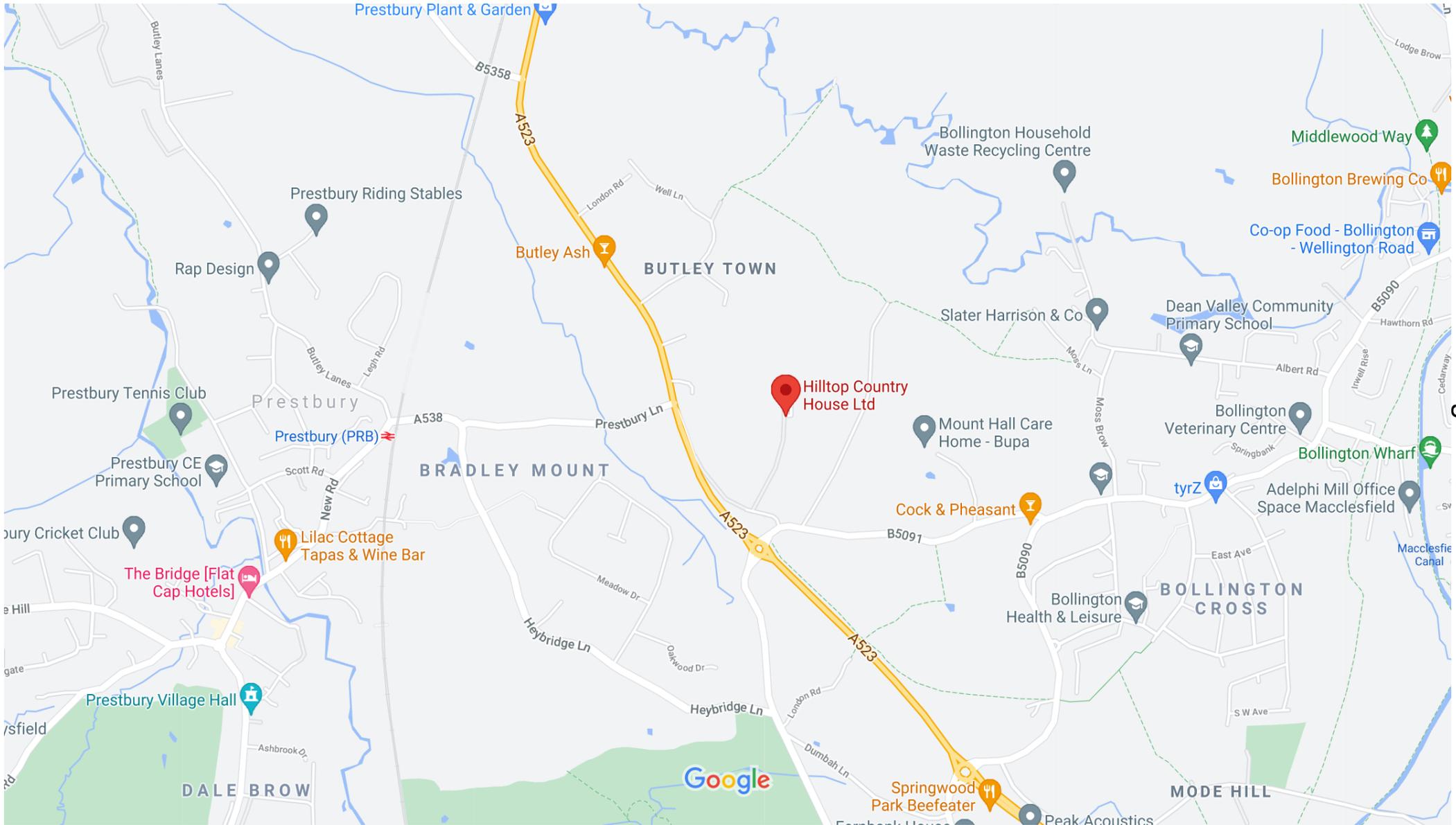
We would be grateful if the Licensing team would consider this objection.

Yours faithfully





Hilltop Country House Ltd



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