

Licensing Act Sub-Committee

Agenda

Date: Tuesday, 15th February, 2022
Time: 2.00 pm
Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

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 (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 full variation of the Premises Licence at Hide & Seek Festival Ltd, Capesthorpe Hall & Grounds, Congleton Rd, Siddington, Macclesfield, SK11 9JY (Pages 9 - 48)**

To consider the above application

THERE ARE NO PART TWO ITEMS

Membership: Councillors D Brown, D Edwardes and I Macfarlane

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: 15th February 2022

Report Title: Application for a full variation of the Premises Licence at Hide & Seek Festival Ltd, Capesthorpe Hall & Grounds, Congleton Rd, Siddington, Macclesfield, SK11 9JY

Senior Officer: Paul Bayley, Director of Environment and Neighbourhood Services

1. Report Summary

- 1.1. The report provides details of an application to vary a Premises Licence, under section 34 of the Licensing Act 2003 and outlines the evidence presented by the parties in relation to the variation application.

2. Recommendations

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

Hide & Seek Festival Ltd
Capesthorpe Hall & Grounds,
Congleton Rd,
Siddington,
Macclesfield
SK11 9JY

- 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. Hide & Seek Festival Ltd at Capesthorne Hall & Grounds currently holds a Premises Licence issued by Cheshire East Council, namely Premises Licence No. PREM1344, which was granted on 14th June 2021. A copy of such licence is attached to this report at **Appendix 1**.

5.2. On 22nd December 2021 Cheshire East Council's Licensing department received from the Premises Licence Holder an application made under Section 34 of the Licensing Act 2003 to vary their Premises Licence. Specifically, the application seeks to:

"Vary [Annex 2 - Condition 33] to amend text from "... on one day per calendar year" to the full condition text of; "Licensable activities shall be permitted to

take place under this license on two days per calendar year (plus dispersal time in the early hours of the following morning). The days on which these activities are to take place shall be notified to Cheshire East Council Licensing Authority and Environmental Health Team and Cheshire Constabulary at least 120 days prior to any proposed event."

A copy of the application is attached to this report at **Appendix 2**.

5.3. The application was published for public consultation on 22nd December 2021, with the last date for representations to be made by 19th January 2022.

5.4. Responsible Authorities:

5.4.1. On 22nd December 2021 the application was sent to Responsible Authorities for consultation.

5.4.2. On 22nd December 2021 Cheshire Police confirmed via email to the Licensing Authority that they had no objections to the application. A copy of Cheshire Police's email is attached to this report at **Appendix 3**.

5.4.3. The Licensing Authority have not received any further representations from the remaining Responsible Authorities.

5.5. Other Persons:

5.5.1. On 19th January 2022 the Licensing Authority received a valid objection to the application via email, a copy of which is attached to this report at **Appendix 4**.

5.6. A map of the area showing the location of Hide & Seek Ltd at Capesthorne Hall and Grounds is attached at **Appendix 5**.

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1. The Sub Committee must determine this application in accordance with S.35 of the Licensing Act 2003. To do so otherwise would render its determination unlawful and invalid.

6.1.2. In accordance with the provisions of section 35(3)(b) of the Licensing Act 2003 the Sub Committee must, having regard to the representations, made in this application take such steps (if any) as it considers appropriate for the promotion of the licensing objectives.

6.1.3. Section 35(4) provides that the authority may only:

- a) Modify the conditions of the licence
- b) Reject the whole or part of the application

6.1.4. 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.

6.1.5. Members may not extend the period for which the licence has effect.

6.1.6. Members may not vary substantially the premises to which the licence relates.

6.1.7. Members may vary the premises licence so that it has effect subject to different conditions in respect of different parts of the premises or different licensable activities.

6.1.8. Members must determine when any variation if granted, is to take effect.

6.1.9. Members must give reasons for their determination and notice of it must be communicated to the parties to this application.

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. Gawsworth – Councillor Lesley Smetham

7.2. Chelford – Councillor Marc Asquith

8. Consultation & Engagement

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

9. Access to Information

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

10. Contact Information

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

Name: Martin Kilduff

Job Title: Licensing Enforcement Officer

Email: martin.kilduff@cheshireeast.gov.uk

Appendix 1 – Current Premises Licence PREM1344

Appendix 2 – Application to Vary Premises Licence

Appendix 3 - Police email – no objections.

Appendix 4 – Objection from member of the public

Appendix 5 – Map of area



Premises Licence

Premises Licence Number:

PREM1344

Part 1 - Premises Details

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

Hide & Seek - Capesthorne Hall & Grounds
 Capesthorne Hall
 Congleton Road
 Siddington
 Macclesfield

Post Town: Siddington

Post Code: SK11 9JY

Telephone Number: [REDACTED]

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Live Music
 Recorded Music
 Performance of Dance
 Performance of Plays
 Film Exhibitions
 Sale and supply of alcohol
 Anything of similar desc to live music, recorded music and dance
 Late Night Refreshment

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

Live Music (Both indoors and outdoors)
 Monday to Sunday 11:00 to 23:00

Recorded Music (Both indoors and outdoors)
 Monday to Sunday 11:00 to 23:00

Performance of Dance (Both indoors and outdoors)
 Monday to Sunday 11:00 to 23:00

Performance of Plays (Both indoors and outdoors)
 Monday to Sunday 11:00 to 23:00

Film Exhibitions (Both indoors and outdoors)

Monday to Sunday 11:00 to 23:00

Sale and supply of alcohol

Monday to Sunday 11:00 to 00:00

Anything of similar desc to live music, recorded music and dance (Both indoors and outdoors)

Monday to Sunday 11:00 to 23:00

Late Night Refreshment (Both indoors and outdoors)

Monday to Sunday 23:00 to 00:00

The opening hours of the Premises:

Monday to Sunday 11:00 to 01:00

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

Supply for both On and Off the premises

Part 2

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

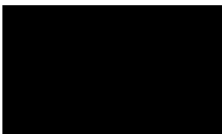
Hide & Seek Festival Ltd
Apartment Ns 408, Royal Mills
2 Cotton Street
Manchester
M4 5BD

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

11774010

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

Mr Daniel Mourino



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

Personal Licence Number: [REDACTED]

Issuing Authority: Manchester City Council

Licence Issued:

Signed By: Amanda Fallows
On Behalf of Cheshire East Borough Council

Annex 1 - Mandatory Conditions (as applicable)

1. No supply of alcohol may be made under this Premises Licence –
 - a) at a time when there is no designated premises supervisor in respect of the Premises Licence, or
 - b) at a time when the designated premises supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under this Premises Licence must be made or authorised by a person who holds a Personal Licence.

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

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

Mandatory condition where the licence authorises the exhibition of films

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

Prohibited conditions: plays

1. In relation to a premises licence which authorises the performance of plays, no condition may be attached to the licence as to the nature of the plays which may be performed, or the manner of performing plays, under the licence.
2. But subsection (1) does not prevent a licensing authority imposing, in accordance with section 18(2)(a) or (3)(b), 35(3)(b) or 52(3), any condition which it considers necessary on the grounds of public safety.

Mandatory condition: Door supervision

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

- a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- b) be entitled to carry out that activity by virtue of Section 4 of the Private Security Industry Act 2001.

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

MANDATORY CONDITIONS

Condition 1

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

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

Condition 2

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

Condition 3

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

- a) A holographic mark, or
- b) An ultraviolet feature

Condition 4

The responsible person must ensure that –

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

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

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

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

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

Where —

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

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

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

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

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

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

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

Annex 2 - Conditions consistent with the Operating Schedule

Public Safety

1. Appropriate and sufficient first aid and medical equipment and staff shall be available and employed at the premises throughout the course of any event.
2. The premises shall maintain a comprehensive incident log(s) throughout the course of any event. The log book will be completed for an incident of crime and disorder that takes place within the licensed premises. The log will be made available on request to officers from Cheshire East Council Licensing Authority, Trading Standards or Cheshire Constabulary.
3. The premises licence holder shall maintain public liability insurance.
4. Entrances and exits to the licensed premises, including temporary structures within the licensed premises, will be kept clear at all times and will be adequately illuminated during periods of darkness. If required by Cheshire East Council Licensing Authority, a lighting check will be carried out in consultation with the appropriate responsible authorities prior to the premises being opened to the public.
5. Adequate lighting levels will be maintained within any temporary structure and emergency lighting to the satisfaction of the appropriate responsible authority shall be provided in such temporary structures.
6. No special effects including lasers, strobe lights, stage pyro, smoke, vapour or fireworks shall be used without the prior approval of Cheshire East Council Licensing Authority and Cheshire Fire and Rescue Service.
7. The premises licence holder shall ensure that adequate sanitary provisions and hand washing and drying facilities are provided for the number of people expected to attend any event, and be proportional to the general audience split and profile. Toilets shall be kept in good order and repair and serviced throughout the event to ensure that they are kept safe, clean and hygienic.
8. Drinks (both alcoholic and non-alcoholic) shall not be sold or served in glass containers at any time.
9. The venue and all equipment, furnishings, fittings and the like shall be constructed, provided and maintained so as to be in a thoroughly safe condition for entertainment purposes.
10. Suitable records shall be kept by the premises licence holder or his agent regarding fire safety precautions, electrical installations and the construction of the built environment.
11. Authorised officers of Cheshire East Council Licensing Authority, Cheshire Fire and Rescue Service, North West Ambulance Service and Cheshire Constabulary shall have free access to all parts of the licensed premises for the purpose of inspection at all reasonable times.
12. The premises licence holder shall ensure that the premises licence and all conditions attached thereto are retained at the licensed premises and are available for inspection at all reasonable times by authorised officers of Cheshire East Council Licensing Authority, Cheshire Fire and Rescue Service, the Ambulance Service and Cheshire Constabulary.
13. All electrical installations and equipment will comply with the general requirements of the Electricity at Work Regulations 1989 and with the general provisions of the Purple Guide or any replacement guidance. The premises licence holder will employ competent persons to assess the electrical requirements at the event and the compatibility of the electrical supply

with the equipment used and take all reasonable measures to ensure so far as is reasonably practicable the safety of all persons at the event.

14. All generators on the premises shall be diesel driven.
15. Suitable and sufficient firefighting provision will be produced and maintained on the licensed premises for the duration of each even to the satisfaction of Cheshire Fire and Rescue Service.
16. The fire retardency characteristics of all tents, drapes and scenery used in or on any temporary structures will be to the satisfaction of Cheshire Fire and Rescue Service.
17. The siting of all vehicles, generators, tents, marquees etc. shall be to the satisfaction of Cheshire Fire and Rescue Service.
18. Concessions with cooking facilities shall be positioned to the satisfaction of Cheshire Fire and Rescue Service.

Prevention of Public Nuisance

19. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
20. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
21. The premises licence holder shall appoint a suitably qualified and experienced acoustic consultant in relation to any event. The consultant shall advise on acoustic arrangements and sound levels prior to any event and shall be present and contactable by Cheshire East Council Environmental Health throughout any event.
22. Throughout any event, regular noise assessments will be completed by a competent person/persons at the boundary of any noise sensitive premises. Steps shall be taken to reduce the level of noise if these assessments deem it necessary. A record of these assessments shall be made and shall include the time and location of the assessment, the person making the assessment, the results and any remedial action taken.
23. The premises licence holder shall submit a Noise Management Plan to Cheshire East Council Environmental Health at least 56 days prior to any event, with the plan to be finalised in conjunction with Cheshire East Council Environmental Health at least 28 days prior to any event. This will include:
 - a. A site layout plan detailing stage locations, speaker orientations, car parking locations and the locations of the nearest noise sensitive areas;
 - b. A stage program including the time each act is performing and the type of music being performed;
 - c. Details of the consultation measures that will take place or have taken place with potentially affected occupants of noise sensitive premises;
 - d. A sound assessment with details and proposals for monitoring of sound during any event and controlling/amending levels if required.
24. Correspondence shall be distributed at least 2 weeks prior to any event taking place to local residents and businesses within at least 0.5 miles of the site to advise on the details of the upcoming event, including at minimum the date, name and type of event; dates and times of sound checks; times of amplified music performances throughout the event; contact name and number of a person who shall be available at all times to respond to any concerns or complaints; dates and times of any firework displays (if applicable).

- 25. The premises and its exterior shall be cleared of litter at regular intervals throughout any event, and fully and promptly following any event.
- 26. Notices will be positioned at the public exits to any event requesting customers to leave in a quiet and orderly manner.

Protection of Children from Harm

- 27. No entry shall be permitted to persons under 18 years of age.
- 28. A Challenge 25 Policy shall be implemented in full at the entrance to any event carried out under this licence, with full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram. Any person who cannot produce full and appropriate identification when requested to do so shall not be permitted entry to the premises.
- 29. Those purchasing tickets to the event shall be advised in advance of the event to bring appropriate identification with them.
- 30. A Challenge 25 Policy shall further be implemented in full in respect of all sales of alcohol.
- 31. All staff who are to sell alcohol will be trained, and such training will include the Challenge 25 Policy and its operation.
- 32. Notices must be displayed in prominent positions at each point of sale indicating that the Challenge 25 Policy is in force and advising what forms of ID are acceptable.

General – All Licensing Objectives

- 33. Licensable activities shall be permitted to take place under this licence on two days per calendar year (plus dispersal time in the early hours of the following morning). The day on which these activities are to take place shall be notified to Cheshire East Council Licensing Authority and Environmental Health Team and Cheshire Constabulary at least 120 days prior to any proposed event.
- 34. Any events taking place at the premises shall accord with The Purple Guide - A Guide to Health, Safety and Welfare at Music and Similar Events.
- 35. No more than 9999 persons shall be permitted on the premises (excluding staff/security).
- 36. Admission to the licensed premises will be by ticket only unless otherwise approved by Cheshire East Council Licensing Authority, and the premises licence holder shall use all appropriate media such as website, social media and email to communicate appropriate information and conditions to ticket holders in advance of any event.
- 37. Ticket printing manifests and sales figures will be provided on request to Cheshire East Council Licensing Authority.
- 38. The ticketed capacity will not exceed the maximum capacity permitted by the premises licence.
- 39. Appropriate arrangements by way of barriers, gate systems, security or other provision will be made, in agreement with the responsible authorities, to prevent unauthorised access to the licensed premises and manage entry to the licensed premises.

40. SIA registered door supervisors shall be employed at a ratio of at least 1:100 persons throughout any event taking place under this premises licence.
41. A log of those door staff employed shall be maintained at the premises and shall include:
- the number of door staff on duty;
 - the identity of each member of door staff and their SIA number;
 - the times the door staff are on duty.
42. The premises licence holder shall submit a Security and Stewarding plan to Cheshire Constabulary at least 56 days prior to any proposed event, with the plan to be finalised in conjunction with Cheshire Constabulary at least 28 days prior to any proposed event.
43. The premises licence holder shall submit a Traffic Management Plan to Cheshire Constabulary and Cheshire East Highways at least 56 days prior to any proposed event, with the plan to be finalised in conjunction with Cheshire Constabulary at least 28 days prior to any proposed event.
44. The premises licence holder shall submit an Event Management Plan (EMP) to Cheshire East Council Licensing Authority for full and detailed consultation through a multi-agency forum at least 56 days prior to any event, with the plan to be finalised in conjunction with the responsible authorities at least 28 days prior to any proposed event. This will include:
- Contact details of the persons/organisations responsible for:
 - Overall event safety control;
 - Medical and first aid provision;
 - Site management and structural integrity of temporary structures;
 - Crowd management, stewarding and security;
 - Fire safety;
 - Configuration and control of sound systems;
 - Management of car parking;
 - Management of concessions;
 - Provision and maintenance of water supplies;
 - Welfare and provision of information;
 - Reception, collection and removal of litter and other waste on and off site;
 - Detailed proposals/timings of entertainment, together with information regarding any special effects;
 - Details of concessionary activities including food, bars and retail sales;
 - Details of types and locations of signage;
 - A site safety plan including site safety rules, requirements for construction and breakdowns of site, structural safety calculations, drawings of temporary structures and safety barriers, details of electrical installations and lighting arrangements;
 - Incident contingency and emergency plans (including a major incident plan);
 - Details for the provision of cleaning and maintenance of sanitary accommodation, washing facilities and drinking water;
 - Details for the collection and disposal of litter and other waste;
 - Details of welfare arrangements and facilities and provision of information on site.

The EMP will specify the dates by which any obligations within it must be complied with.

45. Staff will be trained in the requirements of the Licensing Act 2003 in relation to the licensing objectives, and the laws relating to under age sales and the sale of alcohol to intoxicated persons.
46. A refusals log will be maintained at each point of sale, recording the time of the refusal, the member of staff refusing and the reason for such refusal. This log will be made available on

request to officers from Cheshire East Council Licensing Authority, Trading Standards or Cheshire Constabulary.

47. A search policy shall be implemented and adhered to during the course of any event.

48. The premises will operate a zero tolerance policy in respect of drugs. Any person found using drugs will be removed from the premises. Any person found to be dealing drugs will be detained (when it is safe and reasonable to do so) and the police informed immediately. Any drugs seized will be securely stored and handed over to police following any event.

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

Not applicable.

Annex 4 - Plans

Premises Licence Summary

Premises Licence Number:

PREM1344

Premises Details

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

Hide & Seek - Capesthorpe Hall & Grounds
Capesthorpe Hall
Congleton Road
Siddington
Macclesfield

Post Town: Siddington

Post Code: SK11 9JY

Telephone Number: [REDACTED]

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Live Music
Recorded Music
Performance of Dance
Performance of Plays
Film Exhibitions
Sale and supply of alcohol
Anything of similar desc to live music, recorded music and dance
Late Night Refreshment

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

Live Music (Both indoors and outdoors)
Monday to Sunday 11:00 to 23:00

Recorded Music (Both indoors and outdoors)
Monday to Sunday 11:00 to 23:00

Performance of Dance (Both indoors and outdoors)
Monday to Sunday 11:00 to 23:00

Performance of Plays (Both indoors and outdoors)
Monday to Sunday 11:00 to 23:00

Film Exhibitions (Both indoors and outdoors)
Monday to Sunday 11:00 to 23:00

Sale and supply of alcohol

Monday to Sunday 11:00 to 00:00

Anything of similar desc to live music, recorded music and dance (Both indoors and outdoors)

Monday to Sunday 11:00 to 23:00

Late Night Refreshment (Both indoors and outdoors)

Monday to Sunday 23:00 to 00:00

The opening hours of the Premises:

Monday to Sunday 11:00 to 01:00

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

Supply for both On and Off the premises

Name, (registered) address of holder of Premises Licence:

Hide & Seek Festival Ltd
Apartment Ns 408, Royal Mills
2 Cotton Street
Manchester
M4 5BD

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

11774010

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

Mr Daniel Mourino

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

Not applicable

Licence Issued:

Signed By: Amanda Fallows
On Behalf of Cheshire East Borough Council



Licensing Act 2003 – Premises Licence

Duration of a Premises Licence

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

Duty to notify change of name or address

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

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

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

Duty to keep and display licence

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

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

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

Duty to produce licence

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

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

Theft or loss of premises licence

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

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

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

Surrender of premises licence

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

Death, incapacity, insolvency of licence holder

A premises licence lapses if the holder of the licence –

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

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

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

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

Premises Licence number

relating to the premises known as

.....

.....

hereby nominate

as custodian of the said Premises Licence.

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

.....
Signed

.....
Position

S.57 Duty to keep and produce licence

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

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

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

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

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

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Cheshire East
Application to vary a premises licence
Licensing Act 2003

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

* required information

Section 1 of 18

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

Hide & Seek Festival @ Capesthorpe Hall

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]

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Redacted]

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

Are you:

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

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

Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes ☐ No

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

Registration number

11774010

Business name

Hide & Seek Festival Ltd

If your business is registered, use its registered name.

VAT number

GB

319 2728 91

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

Legal status

Private Limited Company

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

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name Street District City or town County or administrative area Postcode Country **Section 2 of 18****APPLICATION DETAILS**

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

☒ Address ☐ OS map reference ☐ Description
Postal Address Of PremisesBuilding number or name Street District City or town County or administrative area Postcode Country **Premises Contact Details**Telephone number

*Continued from previous page...*Non-domestic rateable
value of premises (£)

8,600

Section 3 of 18**VARIATION**Do you want the proposed
variation to have effect as
soon as possible?☒ Yes☐ NoDo you want the proposed variation to have effect in relation to the
introduction of the late night levy?☐ Yes☒ NoYou do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.If your proposed variation
would mean that 5,000 or
more people are expected to
attend the premises at any
one time, state the number
expected to attend

9999

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Vary [Annex 2 - Condition 33] to amend text from "... on one day per calendar year" to the full condition text of;
"Licensable activities shall be permitted to take place under this license on two days per calendar year (plus dispersal time in the early hours of the following morning). The days on which these activities are to take place shall be notified to Cheshire East Council Licensing Authority and Environmental Health Team and Cheshire Constabulary at least 120 days prior to any proposed event."

There are no other proposed changes to the premises license.

Section 4 of 18**PROVISION OF PLAYS**[See guidance on regulated entertainment](#)Will the schedule to provide plays be subject to change if this application to
vary is successful?☐ Yes☒ No**Section 5 of 18****PROVISION OF FILMS**[See guidance on regulated entertainment](#)Will the schedule to provide films be subject to change if this application to
vary is successful?☐ Yes☒ No

Continued from previous page...

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 11 of 18

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

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

Continued from previous page...

Section 12 of 18**PROVISION OF LATE NIGHT REFRESHMENT**

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

☐ Yes ☒ No

Section 13 of 18**SUPPLY OF ALCOHOL**

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

☐ Yes ☒ No

Section 14 of 18**ADULT ENTERTAINMENT**

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

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

None.

Section 15 of 18**HOURS PREMISES ARE OPEN TO THE PUBLIC****Standard Days And Timings****MONDAY**

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start 11:00

End 01:00

Start

End

SATURDAY

Start 11:00

End 01:00

Start

End

SUNDAY

Start 11:00

End 01:00

Start

End

State any seasonal variations.

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

This application to vary the premises license is made to account for a two-day delivery of the festival, on one weekend (Saturday and Sunday) in late Summer. Any future variations that may be required will be subject to additional applications.

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

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

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

☒ I have enclosed the premises licence

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18**LICENSING OBJECTIVES**

Continued from previous page...

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.

Please see conditions attached to the existing premises license

b) The prevention of crime and disorder

Please see conditions attached to the existing premises license

c) Public safety

Please see conditions attached to the existing premises license

d) The prevention of public nuisance

Please see conditions attached to the existing premises license

e) The protection of children from harm

Please see conditions attached to the existing premises license

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 18 of 18**PAYMENT DETAILS**

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise 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 (£)

1,190.00

DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

☒ 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?"

Continued from previous page...

* Full name

* Capacity

* Date

22	/	12	/	2021
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/change-1> to upload this file and continue with your application.

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

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

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

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From: LICENSING (Cheshire East)
Sent: 22-Dec-2021 14:33
To: [REDACTED]
Subject: FW: [EXTERNAL] (071882) APPLICATION TO VARY A PREMISES LICENCE - HIDE & SEEK FESTIVAL, CAPESTHORNE HALL & GROUNDS, SIDDINGTON, MACCLESFIELD ~[OFFICIAL]~

From: Kelly Warburton [REDACTED]@cheshire.police.uk> **On Behalf Of** Crewe Licensing
Sent: 22 December 2021 14:31
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: RE: [EXTERNAL] (071882) APPLICATION TO VARY A PREMISES LICENCE - HIDE & SEEK FESTIVAL, CAPESTHORNE HALL & GROUNDS, SIDDINGTON, MACCLESFIELD ~[OFFICIAL]~

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Good Afternoon,

On behalf of Cheshire Constabulary, I can confirm that I have no objections in relation to the below application.

Many Thanks

Kelly

Kelly Warburton – Police Licensing Officer
e 0 [REDACTED] Mobile 0 [REDACTED] [REDACTED]@cheshire.pnn.police.uk
Crewe Police Station | Civic Centre | Crewe | Cheshire CW1 2DW.

[REDACTED]@cheshire.pnn.police.uk
[REDACTED]@cheshire.pnn.police.uk
[REDACTED]@cheshire.pnn.police.uk
[REDACTED]@cheshire.pnn.police.uk

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

From: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Sent: 22 December 2021 14:17
To: [REDACTED]@homeoffice.gsi.gov.uk; Cheshire East Planning <CEPlanning@cheshireeast.gov.uk>; COMMERCIAL SERVICES (Cheshire East) <CommercialServices@cheshireeast.gov.uk>; ENVIRONMENTAL PROTECTION (Cheshire East) <EnvironmentalProtection2@cheshireeast.gov.uk>; fireadvicecheshireeast@cheshirefire.gov.uk; [REDACTED]@cheshireeast.gov.uk; [REDACTED]@cheshireeast.gov.uk; Macclesfield Licensing <Macclesfield.Licensing@cheshire.police.uk>; TRADING STANDARDS EAST <TRADINGSTANDARDS@cheshireeast.gov.uk>
Cc: [REDACTED]@cheshireeast.gov.uk; [REDACTED]@cheshireeast.gov.uk; [REDACTED]@cheshireeast.gov.uk; [REDACTED]@cheshireeast.gov.uk; [REDACTED]@cheshireeast.gov.uk
Subject: [EXTERNAL] (071882) APPLICATION TO VARY A PREMISES LICENCE - HIDE & SEEK FESTIVAL, CAPESTHORNE HALL & GROUNDS, SIDDINGTON, MACCLESFIELD

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Good afternoon

Please find attached application to vary the premises licence. The last date for representations is 19th January 2022

Regards

[REDACTED]
Licensing Team | Cheshire East Council
Regulatory Services and Health
Municipal Buildings, Earle Street, Crewe, CW1 2BJ
T: 0300 123 5015
E: Licensing@cheshireeast.gov.uk
W:

<https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.cheshireeast.gov.uk%2Fbusiness%2Flicensing%2Flicensing.aspx&data=04%7C01%7CMacclesfield.Licensing%40cheshire.police.uk%7Cd8433ed294524b7599e908d9c555c363%7C0ce2112857c447589f3969bc679e12bf%7C0%7C637757794691102001%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C3000&data=AcGUNfA71hF8WotiMtOs0xwp33A%2Bbh56x6aTdyl6ebU%3D&reserved=0>

Application ref:
cheshire-east-1165529
Licence:
Application to vary a premises licence
Applicant name:

[REDACTED]
Applicant email:

[REDACTED]
Submitted on:
22/12/2021 10:38
Total fee:
Variable
Payment status:
Paid
Capita ref:

[REDACTED]
Amount paid:
£1,190.00

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[F council information%2Fwebsite information%2Fprivacy-notices%2Fprivacy-notice.aspx&data=04%7C01%7CMacclesfield.Licensing%40cheshire.police.uk%7Cd8433ed294524b7599e908d9c555c363%7C0ce2112857c447589f3969bc679e12bf%7C0%7C0%7C637757794691102001%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6Ik1haWwiLCJXVCi6Mn0%3D%7C3000&data=u%2BYG8uhS%2FSb5mglhS4d9rv0xuzaozElqfvJuXv2wkHg%3D&reserved=0](http://www.macclesfield.police.uk/privacy-notice.aspx?data=04%7C01%7CMacclesfield.Licensing%40cheshire.police.uk%7Cd8433ed294524b7599e908d9c555c363%7C0ce2112857c447589f3969bc679e12bf%7C0%7C0%7C637757794691102001%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6Ik1haWwiLCJXVCi6Mn0%3D%7C3000&data=u%2BYG8uhS%2FSb5mglhS4d9rv0xuzaozElqfvJuXv2wkHg%3D&reserved=0)

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Sent: 19 January 2022 20:15
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: PREM1344 APPLICATION

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern,

I write with regard to the above application made by Capesthorne Hall and Gardens to extend the Hide & Seek Festival 2022 from a 1 day event to a 2 day event.

I have no objection to the event taking place, even over 2 days, providing it is run and managed in a manner that doesn't affect the local residents and wildlife. Unlike the farce that took place in 2021.

Like others, I live at [REDACTED] and during the hours of the festival in 2021 the sheer volume and depth of base was unbearable. Within minutes of the event starting at 11am, until finish at 11pm, we were bombarded by pure base to such a depth that it physically reverberated throughout the house. It was so loud and deep that we couldn't turn the television or radio up enough to hear them.

The lack of organised onsite parking was all too evident by the vast number of vehicles that were parked on the verges down an already narrow lane in such a fashion they looked abandoned. Once the event had finished we had to deal with intoxicated youngsters aimlessly wombling about on the lane and in the fields until the early hours of Sunday morning.

As already mentioned I have no objection to the event taking place but it does need more and better governance and organisation, as happens with the Rewind event.

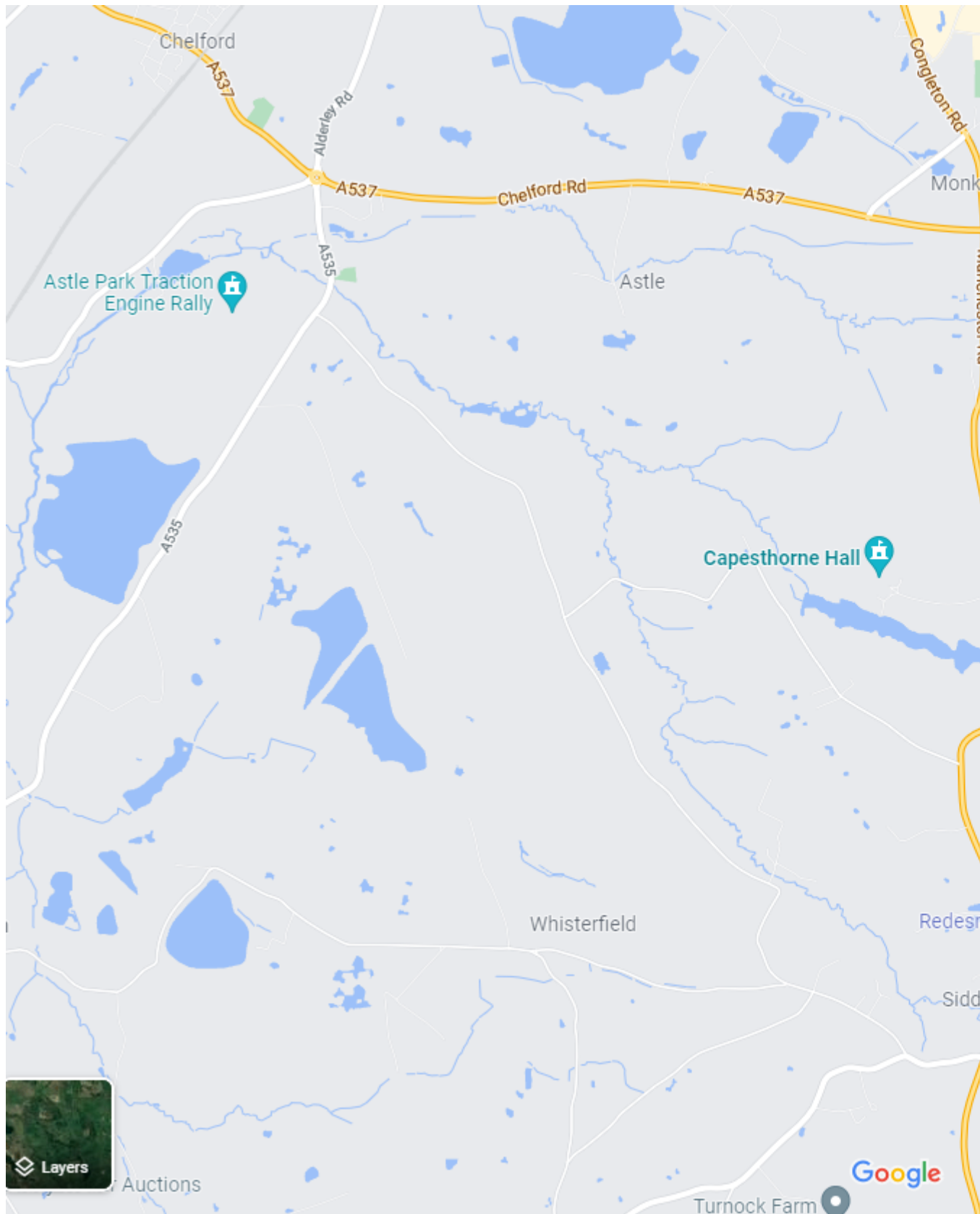
Rewind is a far bigger event and is usually run in such a manner to have no detrimental affect on the surroundings, residents or wildlife. Actually a credit to the organising teams.

Maybe someone from the council noise abatement team could come and monitor the volume levels down the bottom end of [REDACTED] more frequently throughout the entire event.

Rgds.



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