

Licensing Act Sub-Committee

Agenda

Date: Monday, 3rd October, 2022
Time: 10.00 am
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

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

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

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

1. Appointment of Chairman

To appoint a Chairman for the meeting.

2. Declarations of Interest

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

3. Application to review a Premises Licence - Cholmondeley Estate, Cholmondeley, SY14 8EZ (Pages 7 - 98)

To consider the above application.

THERE ARE NO PART TWO ITEMS

Membership: Councillors D Edwardes, A Harewood and I Macfarlane

For requests for further information

Contact: Karen Shuker
Tel: 01270 686459
E-Mail: karen.shuker@cheshireeast.gov.uk

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CHESHIRE EAST COUNCIL

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

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

Officers at Hearings

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

PROCEDURE

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

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)	Those who have objected to the application will be invited <u>to make observations on the application</u> and present the bases of their objections.
15	Applicant	Or his representative or witnesses may ask <u>questions</u> of the other persons, by way of clarification.
16	Committee Members	May ask <u>questions</u> of the other persons.
17	Chairman	To invite both Responsible Authorities and Other Persons to make their closing addresses.

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

Notes

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

Summary of Procedure

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



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Licensing Act Sub-Committee

Date of Meeting:	3 rd October 2022
Report Title:	Application to review a Premises Licence – Cholmondeley Estate
Report of:	Jayne Traverse, Executive Director – Place
Report Reference No:	To be provided by Democratic Services
Ward(s) Affected:	Wrenbury

1. Purpose of Report

- 1.1. To allow Members of the Sub-Committee to determine an application to review a Premises Licence made under the Licensing Act 2003 for the following premises:

Cholmondeley Estate, Cholmondeley, SY14 8EZ

2. Executive Summary

- 2.1 The report provides details of an application to review a Premises Licence, under section 51 of the Licensing Act 2003 and outlines the evidence presented by the parties in relation to the review.

3. Recommendations

- 3.1. 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.
- 3.2. 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:
- The prevention of crime and disorder

- Public Safety
- The prevention of public nuisance
- The protection of children from harm

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

3.4. 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

4. Reasons for Recommendations

4.1. 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.

5. Other Options Considered

5.1. No other options have been considered. The Licensing Authority must determine such applications in the manner prescribed in the legislation.

6. Background

6.1. On the 8th August 2022 the Licensing Authority received an application to review the premises licence from the Council's Environmental Protection Team. The application was sent out for consultation in the manner set out in paragraph 7.

6.2. The grounds for the review application are the noise nuisance caused by an outdoor music event, Outlook Festival, held at the estate between 30th June 2022 and the 3rd July 2022. It is contended by the applicant that this noise nuisance undermined the Prevent of Public Nuisance Licensing Objective.

6.3. The full grounds for the Review are set out in the application together with the supporting information provided. This information is set out at appendix A. In addition to the application form the Environmental Protection Team have provided a number of supporting documents:

- i. Appendix AA - A list of complaints made to the Outlook Festival (this information is redacted on the website because it contains personal information of complainants)
- ii. Appendix AB - A further break down of some of the complaints contained in the log
- iii. Appendix AC - Noise management report

iv. Appendix AD - Letter to Cholmondeley Estates following the event

- 6.4.** In addition to the application (where the Environmental Protection Officer includes evidence of complaints made to both them and the event organiser), a number of persons have also made relevant representations. These representations are set out at appendix B.
- 6.5.** Additionally, a relevant representation has been received from TLT Solicitors submitted on behalf of the organisers of the Outlook Festival (New Bohemia Music Group). This is set out at appendix C.
- 6.6.** Cheshire Police have made relevant representation and have suggested a number of additional conditions that they consider appropriate to promote the objectives taking into consideration that the type of events held at the premises may have changed. This representation is set out at appendix D.
- 6.7.** The Council's Public Health team also submitted a relevant representation. This is attached at appendix E.
- 6.8.** Immigration Enforcement (part of the Home Office) confirmed that they had no representation to make.
- 6.9.** No responses were received from any of the other Responsible Authorities.
- 6.10.** The current premises licence, which confirms the licensable activities, the hours for licensable activities, and any conditions attached to the licence is attached to the report at appendix F. At appendix G is the plan of the premises provided with the original application in 2006 and remains the current area for licensable activities. Due to the age and quality of the plan it will be necessary to have clearer paper copies available at the Hearing.
- 6.11.** In order to assist Members, we have included a map of the local area (appendix H) so that the premises can be seen in context. This is for information purposes and does not form the area for licensable activities. The dark gray shaded area represents the boundary of the Borough.
- 6.12. Information of Complaints made to the Licensing Team**
- 6.13.** The Licensing Team received some complaints directly following the Outlook event. As the complaints related to noise nuisance they were shared with our colleagues in Environmental Protection as the lead authority for noise complaints. Information was also provided to the complainants on how they might call a review of the licence.
- 6.14. History of the premises licence**

- 6.15.** The premises licence (number 413) was first granted by Crewe and Nantwich Borough Council in 2006. In accordance with the application the licence covered the full estate (approximately 7500 acres) and authorised licensable activities to take place on a 24 hour basis with a capacity limit of 9,999 people.
- 6.16.** The application was first made on the 21st March 2006 and the application followed the process required in the Licensing Act 2003 and the associated regulations. Cheshire Police confirmed that they had no objections. Additional conditions were proposed by the Environmental Protection Team, which were agreed with the applicant and attached to the licence. No other relevant representations were received. The licence was granted by the Licensing Officer on 7th July 2006 under delegated powers.
- 6.17.** On the 4th May 2012 a variation application was received by the Licensing Team. The application requested to change the capacity of the premises from 9,000 to 29,000 people. No other changes were requested. Cheshire Police confirmed that they had no objections. Additional conditions were proposed by the Environmental Protection Team, which were agreed with the applicant and attached to the licence. No other relevant representations were received. The licence was granted by the Licensing Officer on 2nd June 2012 under delegated powers.
- 6.18.** A further application to vary the licence was received on the 23rd January 2019. This application sought to amend the conditions of the licence that limited outdoor events and remove some conditions that were no longer felt by the applicant to be appropriate (eg requirement for a burglar alarm etc). The application proceeded in the same way as the previous applications, the police proposed amended conditions that were agreed and the Environmental Protection Team confirmed that they had no objection. No other relevant representations were received. The licence was issued in accordance with the application and agreed amendments on 26th February 2019.
- 6.19.** During the life of the licence, there have been various changes to the designated premises supervisor. The premises licence holder has always been Cholmondeley Estates.

7. Consultation and Engagement

- 7.1.** Once an application is received, this triggers a period of not less than 28 days when the application must be advertised. This is to allow Responsible Authorities and other persons to provide any relevant representations.
- 7.2.** In accordance with the legislation, review applications must be advertised in a number of ways.

- 7.3. The application must be sent to all the Responsible Authorities, as set out in the legislation. The application was email to these parties on the 8th August 2022.
- 7.4. The application must be given to the premises licence holder. A copy of the application and supporting information was hand delivered to the Estate Office on 8th August 2022.
- 7.5. Notices (10 in total) on blue paper were put up at various locations around the premises by a Licensing Enforcement Officer on the 8th August 2022.
- 7.6. Notice of the Review was also placed on the Council's website.
- 7.7. On the 30th August 2022, Licensing Officers visited the premises and confirmed that the notices were still in place.

8. Implications

8.1. Legal

- 8.1.1. The Sub Committee must determine this application in accordance with section 51 of the Licensing Act 2003. To do so otherwise would render its determination unlawful and invalid.
- 8.1.2. In accordance with the provisions of section 52 (3) of the Licensing Act 2003 the Licensing Authority 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.
- 8.1.3. Section 52 (4) provides that the authority may:
 - a) modify the conditions of the licence
 - b) exclude a licensable activity from the scope of the licence
 - c) remove the designated premises supervisor
 - d) suspend the licence for a period not exceeding three months
 - e) revoke the licenceand for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added
- 8.1.4. Members are reminded that should any conditions be added, they should be practical, enforceable and appropriate to promote the Licensing Objectives.
- 8.1.5. 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 reoffending.

- 8.1.6. Members must give reasons for their determination and notice of it must be communicated to the parties to this hearing. If Members depart from the Statutory Guidance or the Council's Statement of Licensing Policy, then their decision notice must set out the reasons for doing so.

8.2. Finance

- 8.2.1. There are no financial implications

8.3. Policy

- 8.3.1. The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.
- 8.3.2. The Licensing Authority must also have due regard to the guidance issued under section 182 of the Licensing Act 2003.
- 8.3.3. Both the Council's Statement of Licensing Policy and the 182 Guidance have sections dedicated to the Prevent of Public Nuisance objective and the Review process. While careful attention should be given to those sections, it is important to fully take into consideration both documents.
- 8.3.4. 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.

8.4. Equality

- 8.4.1. There are no equality implications

8.5. Human Resources

- 8.5.1. There are no human resources implications

8.6. Risk Management

- 8.6.1. The Licensing Sub-Committee will hear representations made on behalf of both the applicant, the premises licence holder, and 'relevant persons' who have submitted their representation. The Sub-Committee 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

8.7. Rural Communities

- 8.7.1. There are no implications for rural communities

8.8. Children and Young People/Cared for Children

- 8.8.1. There are no implications for children and young people

8.9. Public Health

- 8.9.1. There are no direct implications for public health

8.10. Climate Change

8.10.1. There are no implications for climate change

Access to Information	
Contact Officer:	Jennifer Rowney, Senior Licensing Officer Licensing@Cheshireeast.gov.uk 0300 123 5015
Appendices:	Appendix A to AD - Review application and supporting information Appendix B - Relevant representations from other persons Appendix C - Representation made on behalf of the organisers of the Outlook Festival Appendix D - Relevant Representations from Cheshire Police Appendix E – Relevant Representation from Public Health Appendix F - Extant Premises Licence 413 Appendix G - Plan of the licensed premises (annex 4 of the licence) Appendix H - Location Map
Background Papers:	Statutory Guidance issued under section 182 of the Licensing Act 2003 Council's Statement of Licensing Policy published under section 5 of the Licensing Act 2003 Licensing Act 2003 The Licensing Act 2003 (Hearings) Regulations 2005

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**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Mark Vyse

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Cholmondeley Estate Cholmondeley	
Post town Malpas	Post code (if known) SY14 8EZ
Name of premises licence holder or club holding club premises certificate (if known) Cholmondeley Estates Estate Office Cholmondeley Malpas, Cheshire.	
Number of premises licence or club premises certificate (if known) 413	

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates (please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes
☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Mark Vyse Cheshire East Municipal Building Crewe Cheshire CW1 2BJ
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

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

Please state the ground(s) for review (please read guidance note 2)

A festival staged at the premises, The Outlook Festival, caused a disturbance to local residents by staging live performances of drum 'n' bass music from 4pm until 4am the following morning over the course of a weekend. The music prevented people from sleeping and was audible up to 11 miles away from the premises. The attached complaint log (Appendix 1) indicates the areas from which complaints were received.

The majority of complainants stated that music up to midnight was acceptable, however, music from midnight until 4 a.m. was not, especially as on this occasion the predominant tone was bass which could often be felt as a low frequency air vibration which often made structures feel as if they were shaking. This is the second time a festival of this nature has been staged at the premises the previous occasion being 2019 - the "One Tribe Festival" which also received numerous complaints for very loud late night / early morning music. There have been no further festivals of this nature at the premises between 2019 and 2022 due to the lockdown that was in place as part of the UK Covid 19 restrictions.

Please provide as much information as possible to support the application (please read guidance note 3)

The Outlook festival 2022 was staged 30th June 2022 until 3rd July 2022. Originally live music had been scheduled to take place on each day of the festival starting at 4pm and continuing until 4am the following morning. After the first nights performances, due to the number of complaints received regarding the excessive volume levels the festival organisers re-scheduled the festival to end at midnight Sunday 3rd July.

Complaints were logged with Cheshire East Licensing team (5), with the Environmental Protection Team (12), via local Cllrs with 2 Cllrs representing numerous residents (Cllr Davies and Cllr Clowes).

The festival organisers also had a complaint log accesible to local residents (Appendix 1) with access granted to Cheshire East Environmental Protection Team, so that complaints could be registered and action taken. The log had in excess of 150 complaints with residents complaining that they couldn't sleep, hear there TV or Hi-Fi, hold a conversation, that there property was vibrating / shaking, children being woken up and pets disturbed / stressed. One family was disturbed so much they spent the third night of the festival in a hotel.

Festival organisers endeavoured to reduce the music volume with little success. In the sound engineers report post festival (Appendix 2) there was stated the fact that a few artists knowingly breached stage sound limits suggeting to me that festival staff were either not controlling the event or just unwilling to undertake corrective action.

The organisers of the outlook festival attempted to communicate with local residents when complaints were received, however, a common theme within the complaints is that when residents contacted the Cholmondeley Castle estate management office complaints were met with an attitude of "its not our problem" or "not our event" despite the festival being held under the premises licence for the Castle.

I contacted the estate management office on two occasions, once leaving a message for somebody to contact me asap (they didn't) and on the second occasion writing to inform the estate manager that I was considering formal action (Appendix 3) to which I received no reply.

By requesting a licence review it is my aim to ensure that a disturbance on such a large scale doesn't happen again. My proposal therefore would be to restrict all licenceable activity to the hours of 0800 - 0000. I would also like to include the following condition on the premises licence -

1. For events of over 499 attendees a contact telephone line / email address should be made available for complaints of nuisance caused by the event to be logged.

The Licence Holder and the event organiser (if not the licence holder) should endeavour to resolve the complaint and details of the complaint should be recorded.

The completed log should be forwarded to Cheshire East Environmental Protection Team for review and comment.

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them
N/A

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☐
- I understand that if I do not comply with the above requirements my application will be rejected ☐

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.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature **Mark Vyse**

.....

Date **14th July 2022**

.....

Capacity **Environmental Health Officer**

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

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Outlook Festival – Complaint Log

Date / Time	Location	Comment	Outlook Response (if any)
05/07/22	Cholmondeley	General comment regarding noise affecting home.	Slight decrease in volume
05/07/22	Cholmondeley	Resident requesting call back to discuss volume / disturbance.	No reply.
04/07/22	Croxton Green	Resident calling to state Sunday night quieter than previous 3.	No reply.
04/07/22 02.01	Bulkeley Grange	Resident calling to complain no prior notification and too loud	No reply.
04/07/22 01.33	Chorley Bank	Resident emailing to complain no notification and too loud.	No reply.
04/07/22	Cholmondeley	Resident emailing to complain of intrusive “boom, boom, boom” noise	No reply.
03/07/22 23.20	Cholmondeley	School Lane resident – complaining music too loud, abusive, hung-up phone.	No reply.
03/07/22	Wrenbury	Resident complaining that even with windows closed music keeping them awake.	No reply.
03/07/22	Cholmondeley	Resident complaining that since 10pm bass louder. Cannot hear TV in house.	No reply.
03/07/22 23.18	Bickley Moss	Resident requesting visit to monitor noise – noise awful.	No reply.
03/07/22	Cholmondeley Estate		5dB reduction in volume across all stages.
03/07/22 22.59	Lower Morrey (Whitchurch)	Resident complaining that noise worse tonight than previous nights.	No reply.
03/07/22	Wrenbury	Resident complaining not loud enough.	No reply.
03/07/22	Chris Beale (Outlook)	Central Whitchurch bass clearly audible – believed to be main stage.	
03/07/22	Aston	Resident complaining of bass tone and vibration clearly audible in own home.	No reply.
03/07/22	Cholmondeley	Resident complaining of bass and vibration – affecting his sleep.	No reply.
03/07/22	Ash - Whitchurch	Resident complaining of excessive bass and vibration for third night running.	No reply

Outlook Festival – Complaint Log

03/07/22	Not stated.	Resident lives over 10 miles from festival and complaining bass / vibration too loud.	No reply.
03/07/22	Cholmondeley	Resident requesting volume decreased as too loud to sleep.	No reply.
03/07/22	Cholmondeley	Resident complaining just as loud as previous nights.	No reply.
03/07/22 22.16	Holtridge	Noise has increased steadily throughout the day. Requesting bass reduced.	No reply.
03/07/22	Cholmondeley Estate	Low end reduction at Gatehouse. Tiltyard reduction.	
03/07/22	Cholmondeley	Resident requesting decrease in bass as promised.	No reply
03/07/22	Cholmodeley	Resident complaining noise is stopping family from sleeping – work in morning.	No reply.
03/07/22 21.29	Bickley Moss	Resident complaining noise levels increasing.	No reply.
03/07/22	Hetherson Green	Resident calling for third time today complaining noise too loud.	No reply.
03/07/22	Chris Beale (Outlook)	Visited Bickley Moss and acknowledged high bass levels. Instructed attenuation in Sinai.	
03/07/22	Cholmondeley	Requested call back to discuss excessive volume.	No reply
03/07/22	Cholmondeley Estate	High pass increased in Gatehouse.	
03/07/22	Cholmondeley Estate	Sinai reduction – site 98dB.	
03/07/22	Brindley	Resident complaining about volume.	No reply.
03/07/22	Bickley Moss	Complaint bass too loud – request for somebody to visit and monitor	No reply.
03/07/22	Hetherson Green	Team visit to check monitor working ok	
03/07/22 0230	Wrenbury	Second complaint, despite promise no reduction in volume.	No reply
03/07/22	Cholmondeley Estate	2dB site wide reduction	
03/07/22	Cholmondeley	3 days of noise, no advance warning, upsetting pets and causing stress.	No reply

Outlook Festival – Complaint Log

03/07/22	Croxton Green	Complained Thurs and Fri, this is to complain noisy Saturday afternoon.	No reply.
03/07/22	Bickley Farm	Has noise monitor fitted, would like somebody to check it as noise so loud.	No reply.
03/07/22	Larden Green	Noise clearly audible in complainants property.	No reply.
03/07/22	Hetherson Green	General complaint that noise is too loud.	No reply.
03/07/22	Cholmondeley	Complainant and children not able to sleep for last 3 nights even with ear plugs – too loud.	No reply.
03/07/22	Cholmondeley	Complaint Saturday very loud after improving on Friday.	No reply.
03/07/22	Broomhall Green	Past 2 nights music too loud preventing sleep.	No reply.
03/07/22	Holtridge	Even with ear plugs music too loud preventing sleep.	No reply.
03/07/22	Cholmondeley	Complaining last night so loud had to leave home and go to a hotel to get some sleep.	No reply.
03/07/22	Whitchurch	Farm camp site concerned losing business as campers leaving because of noise.	No reply.
03/07/22	Cholmondeley	Reporting that Saturday night seemed quieter but may be because act was more “chilled”.	No reply.
03/07/22 09.14		Complainant had to go to sons to get some sleep.	No reply.
03/07/22	Wrenbury	Music audible in property all day long. Getting louder as night falls.	No reply.
03/07/22	Wrenbury	Complained previously – still too loud. Please reduce volume.	No reply.
03/07/22	Cholmondeley	General observation that music too loud.	No reply.
03/07/22	Marley Green	Complaint that music too loud.	No reply.

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Wednesday, 6 July 2022

Outlook 2022 Noise Management Report

This document references Outlook Festival 2022 - Noise Management Plan V2

Contents

1. Abstract	3
2. Weather conditions	4
3. Event hours	5
4. Performance stages	5
5. Environment	6
6. Monitoring data	7
7. Summary	7
8. Appendix 1	8

Attachments

SPLtrackReport_2022-06-30_2022-07-03_Cholmondeley Estate (1).zip
SPLtrackReport_Cholmondeley Estate_2022-06-30_2022-07-03 (2).pdf
SPLtrackReport_Cholmondeley Estate_2022-06-30_2022-07-03 (1).pdf
Outlook 2022 Message Log.csv

1. Abstract

1.1. Outlook Festival took place at Cholmondeley Estate from the 30th June - 3rd July 2022.

1.2. The noise management team comprised two principle engineers:

1.2.1. Chris Beale

1.2.2. Kelly Lawrence

1.2.3. A reserve engineer suffered a back injury and had to leave the site on the 30th June.

1.3. Four offsite monitoring locations were established and fitted with remote meter systems. These were:

1.3.1. Heath Equine

1.3.2. Cross Lanes Farm

1.3.3. Croxton Heath

1.3.4. The Estate Office

1.3.5. The location of meters is shown on the site map.¹

1.4. Four meters were installed at principle sound stages:

1.4.1. The Main Stage

1.4.2. Sinai Arena

1.4.3. The Gatehouse

1.4.4. Dub Smugglers

1.5. Monitors were configured to record data from noon to 04:00 hours the following morning.

¹ Appendix 1

2. Weather conditions

2.1. Weather conditions for the duration of the event were largely fine and warm with variable winds. Evening temperatures fell rapidly at approximately 20:00 each day to approximately 12°C.

2.2. Conditions were ideal for inversion layer development. Inversions occur when cold air moves over warmer air near the ground creating a thermocline layer. The layer acts as an impedance barrier from which sound waves can be reflected, causing audibility at distances from the site that would not be possible under other meteorological conditions.

Time	Temperature (°F)			Dew Point (°F)			Humidity (%)			Wind Speed (mph)			Pressure (in)			Precipitation
Jun	Max	Avg	Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	Min	Total
26	66	59.3	52	48	45.8	43	82	62.8	43	14	9.3	3	29.6	29.5	29.4	0.00
27	63	56.9	52	52	47.0	39	94	70.8	45	14	7.6	2	29.8	29.6	29.6	0.00
28	64	58.8	54	52	48.4	45	82	69.3	56	14	7.4	2	29.7	29.6	29.6	0.00
29	68	60.1	54	55	53.5	50	94	79.0	56	16	5.3	2	29.6	29.5	29.5	0.00
30	66	59.8	54	55	51.0	46	100	74.2	49	12	5.2	1	29.6	29.6	29.5	0.00
1	64	57.8	52	54	51.7	50	100	80.7	63	15	6.0	2	29.7	29.7	29.6	0.00
2	66	58.9	50	55	49.4	46	94	71.9	55	16	8.7	3	29.7	29.7	29.6	0.00

Time	Temperature (°F)			Dew Point (°F)			Humidity (%)			Wind Speed (mph)			Pressure (in)			Precipitation
Jul	Max	Avg	Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	Min	Total
3	64	57.0	50	55	49.0	46	94	76.5	55	14	8.2	2	29.9	29.8	29.7	0.00
4	63	58.4	54	50	47.4	43	88	68.1	48	21	11.2	3	29.9	29.9	29.8	0.00
5	64	59.4	54	55	48.9	46	94	69.1	52	16	10.1	5	30.1	30.0	29.9	0.00
6	64	61.0	57	57	55.8	54	100	84.4	68	17	11.2	2	30.1	30.0	30.0	0.00

2.3. Weather summary:

2.4. These conditions present a dilemma for the festival, as even modest sound levels on the site can produce clear audibility at distance.

3. Event hours

- 3.1. The festival was programmed to operate from 14:00 to 04:00 Thursday to Sunday (Monday morning).
- 3.2. Following observations of impact the organisers elected to stop the event at midnight on the 3rd July to prevent disturbance to those working on Monday 4th.

4. Performance stages

- 4.1. Considerable effort was made to mitigate sound propagation from all stages. This involved hay bale baffle walls and, in some cases, novel systems designs.
- 4.2. High pass filters were applied to reduce very low frequency output.
- 4.3. Stages that presented the greatest challenge were:
 - 4.3.1. Sinai Arena - this stage was under a big top tent. The roof fabric was extremely taught and became a passive loudspeaker in its own right when excited by bass energy from the sound system. Unfortunately the tent that was ordered for the event became unavailable and was replaced at the last minute by this less suitable structure.
 - 4.3.2. SubDub arena - featured reggae sound systems that were variable in quality and in some cases difficult to control. This stage closed at 23:00 each day and 09:00 on Sunday.
 - 4.3.3. The Keep stage - a smaller stage that saw a great variation in audience size depending upon the artist and produced similarly variable impact.
 - 4.3.4. The Gatehouse - a large system under a clearspan marquee. The operators were helpful however the size of the system relative to the audience and the passive effect of the roof fabric demanded regular attenuation.
- 4.4. Stages that were more controllable were:
 - 4.4.1. Main stage - well designed and managed. This stage had a relatively small effect upon environmental noise. It closed at 23:00 each day.

4.4.2. The Tiltyard - a novel design using distributed array techniques with low frequency baffles. This stage emitted very little bass and was one of the better sounding stages.

4.4.3. Dub Smugglers - a smaller stage enclosed by a tall hay bale wall. This stage produced low propagation offsite.

4.5. In general the nature of the event was to showcase music that had significant bass content and there was a strong desire on the part of the system suppliers to present their systems in the best light to an audience that expected that experience. This placed great pressure on the noise team to mitigate environmental impact.

5. Environment

5.1. Rural Cheshire in the areas around the estate is not used to music events of this kind. There was significant response from residents² via the event portal that was accessible on the website and via the complaints phone line.

5.2. Whilst complaints were understandable, there were some that objected to hearing the event at any level, day or night. Events of this nature are always audible to some degree and there is well established guidance³ that provides sound limits that are acceptable for sites that hold a small number of events each year.

5.3. Night noise (post 23:00) has lower noise limit guidance and it was this period that created the greatest challenge for the event.

5.4. Weather gave the event the worst possible conditions for noise propagation. Had the nights been warmer or had there been significant rainfall the noise impact of the event would have been far less. Background levels in virtually still night-time conditions were very low, giving the site greater prominence, and inversion layers caused extreme far-field propagation.

² Attached as separate file

³ Noise Council Guidance on the Control of Noise at Concerts 1995

6. Monitoring data

6.1. Data files are large and have been attached to this document separately.

6.2. Equivalent sound levels were relatively low, not exceeding:

6.2.1. 55dBLAeq(t) from 14:00-23:00 and

6.2.2. 50dBLAeq(t) from 23:00-04:00.

6.3. These levels are similar to those imposed as limits at rural music events in other parts of the country.

6.4. Low frequency levels were higher than expected, reaching:

6.4.1. 70-77dBLCeq(t) from 14:00-23:00 and

6.4.2. Up to 77dBLCeq(t) from 23:00-04:00 at Croxton, the closest point to the event.

7. Summary

7.1.1. Whilst it was possible to manage the stages at this event to suitable A weighted levels the low frequency content was so great that it became very difficult to contain bass propagation.

7.1.2. If the event were to happen again it would be necessary to focus design on structures and avoid marquee fabric covers.

7.1.3. The Tiltyard arena was an example of excellent sound containment that did not create significant offsite noise, whilst the Sinai big top stage had severe impact even when the volume was reduced to marginal levels and much of the bass removed.

7.1.4. Clearly events of this nature cannot operate into the early hours in rural settings on Thursday and Sunday evenings as there is a high risk of disturbance to those with work the following day.

FAO xxxxx
Cholmondeley Castle
Cholmondeley
Cheshire
SY14 8AH

Regulatory Services and Health
Floor 2, Municipal Building
Earle Street
Crewe
CW1 2BJ

DATE: 4th July 2022

OUR REF: N70/056140

Please Contact: Mark Vyse
Direct Dial: xxxx
Email: xxx@cheshireeast.gov.uk

Dear Mr xxx,

**Environmental Protection Act 1990 / Premises Licence 413
Complaints of Nuisance: Amplified Music at Cholmondeley Castle, Cholmondeley
– Outlook Festival 30th June – 3rd July 2022.**

I wish to inform you that multiple complaints have been lodged with this Service concerning alleged noise nuisance regarding the above event.

The complainant(s) have alleged that noise from music, particularly bass tone was audible within their properties up to 6 miles from the premises disturbing the occupants sleep during the night / early morning as late / early as 04.00 a.m.

There have also been complaints made that the volume of music was so loud it prevented complainants from enjoying and spending time in their gardens. The music was also noted to be so loud it was audible within properties over the sound of a TV set.

For your information, the Environmental Protection Act 1990 places a duty on the Local Authority to respond to complaints of noise and to take action in a Magistrates' Court where a statutory nuisance is confirmed or likely to recur.

In the event that a statutory noise nuisance is confirmed following the investigation, then the legislation states that a Noise Abatement Notice shall be served on the person responsible for the noise. A Notice is a legal document and failure to comply with the conditions of the Notice could result in prosecution proceedings being taken by this Authority through the Magistrates Court. Upon a conviction, a fine an unlimited financial amount can be imposed on a trade or business premises by the Magistrates Court.

The Premises Licence for Cholmondeley Castle Ref – 413 has a condition listed that states -

No nuisance shall be caused by noise coming from the premises.

I am currently considering all enforcement options available to this department including serving an abatement notice preventing a recurrence of the noise nuisance and / or requesting a license review which may include reducing operating hours to prevent further nuisance of this nature from disturbing people.

I trust this is a satisfactory explanation of the present position and if you wish to discuss the matter further, please do not hesitate to contact me.

Yours sincerely

Mark Vyse | Environmental Health Officer | Environmental Protection

Relevant Representations from other persons


	Received on	From
	09/08/2022	XXXXX
	<p>Dear Cheshire East,</p> <p>I write with reference to the recent application notice for the review of a premises licence for Cholmondeley Estates, Cholmondeley, Malpas, SY14 8EZ and would like to express my concerns in particular for late night/24 hour music events and the licence for serving alcohol into the early hours. This is on the back of the most recent (but also held in previous years) Outlook Festival held at Cholmondeley Castle, the most recent of which was between the 30th June – 3rd July 2022.</p> <p>As a local resident the noise pollution (I wouldn't even call it 'music') was on another level, the bass literally shock our house and the children and our pets suffered, as did we and other residents that had to work throughout the dates the festival was held and therefore unavoidably had to endure the thumping noise!</p> <p>The communication in the run up and throughout was poor/non-existent for some residents.</p> <p>The communication / issue reporting tools 'broke' during the festival so feedback from residents was down at points over the course of the event. As too was the dedicated phone number.</p> <p>The sound checkers/engineers agreed the noise levels were unacceptable and way above the agreed limits but yet the organisers failed to act / act quickly enough to ease the tensions and annoyance to those who live nearby.</p> <p>The noise was heard and complaints voiced from members of the public from miles away from the site. Some reports as far as Audlem, Acton, Sand, Nantwich, Wrenbury and Whitchurch to name a few!</p> <p>Collectively, a huge number of people, local residents and the wider public were put out by this event and a repeat of similar would no doubt raise more complaints and anger amongst Cheshire East residents.</p> <p>The sheer volume of people who descended on our rural patch of Cheshire itself which led to increased number of cars, pollution, traffic issues and littering are other concerns. As too the management of festival goers who left the designated site and randomly venturing around the local area (there were a number of burglaries reported in the local area around this time, however I do not know if these were specifically linked or just a big coincidence).</p> <p>An event like the Outlook Festival isn't in keeping with the quiet, rural surroundings and consideration ought to be prioritised to those who live and work near to the estate.</p> <p>Cholmondeley Estates put on a number of events throughout the year and this includes a 'Party in the Park' Jazz afternoon and a Classical music event – these type of lower key, small events still allow the estate to make money and attract people to their business without causing stress and nuisance to those who live and work on the Cholmondeley estate and the immediate</p>	

<p>surrounding area. Many years ago they used to host the Manchester Camerata and Opera along with firework displays where thousands of people attended but this never caused the amount of complaints as we have seen as this Outlook Festival has.</p> <p>I am sure many locals would love to see and support more considerate, shorter durations and better planned events, ones which support, respect and enhance the beautiful are we live in. For example , a one off concert for a well known music artist, scheduled 1 or 2 gigs in the grounds of Cholmondeley Castle would go down much better than a noise polluting, 4 day, 24hour, alcohol fuelled event!</p> <p>I am not against music events but this festival was far too loud, the bass too heavy, the event went on far too long in duration and the music was very niche! If granting a licence to the Cholmondeley Estate would enable and encourage them to host another Outlook Festival or similar then I personally would like to object and I believe if the local community were canvassed or event made aware of such feedback channels then a lot more would object too. Unfortunately a lot of the local residents are elderly and do not have the means to communicate (or even know where and how) to object and feedback their concerns.</p> <p>I hope my views and feedback are considered as part of your event licensing review for the Cholmondeley Estates.</p> <p>Yours Sincerely</p>
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Received on	From
10/08/2022	XXXXXX
<p>Dear sir/madam</p> <p>I live approximately 6 miles from where the "festival" took place and could hear every beat for the duration of the festival. I would never complain about loud music on Friday or Saturday night but this was Thursday and Sunday as well, I know that other people had to work Saturday and Sunday who were disturbed by the noise.</p> <p>The knowledge that they had a licence until 4am caused me anxiety as just thinking that the "music" would keep me awake actually kept me awake.</p> <p>This being said I did appreciate that they changed this and announced that they would in fact stop at 12 I believe.</p> <p>I would hop that the licence is changed not necessarily removed.</p> <p>Thanks for your time</p>	

	Received on	From
	10/08/2022	XXXXXX
	<p>To whom it may concern</p> <p>Regarding the above review.</p> <p>The noise from the outlook festival caused my wife and I a great deal of concern.</p> <p>We are both music lovers and love festivals but this was off the scale.</p> <p>We object strongly to that volume of noise going on till 4am in the morning.</p> <p>We would have no objection if the proceedings were brought to a close at a reasonable time say around 11--11.30 pm.</p> <p>Thank you</p>	

	Received on	From
	10/08/2022	XXXXXX
	<p>I wish to comment on the noise at Cholmondeley castle events. We live at XXXXX.</p> <p>The noise was excessive, it kept my husband and I up through the night, our dogs and horses were significantly disturbed. We were given no notice, no offer of cheap or any tickets not given any respect at all by the estate or event. The noise and the hours it was kept was quite outrageous. There have been many festivals there, the local residents are given no notice, or letters or any communication are arrogance is astounding and the inconvenience a disgrace. We have jobs and a living to make.</p>	

	Received on	From
	10/08/2022	XXXXXX
	<p>I would like to comment on this Application Review of the current licence for Cholmondeley Estate.</p> <p>The Estate has used their 24hr licence to host (which is planned to be) an ongoing yearly music event known as the Outlook Festival. This year, it was held on Thursday 30th June through to Monday morning, 4th July. Music began at 11am and ended at 4am. This music event has a bass-heavy genre and is built around a 'sound system culture'. The event boasted a multitude of sound systems: This is from the Outlook Facebook page 17th May;</p> <p>"Sound is a serious thing at Outlook Festival </p> <p>This summer we've upped the levels</p>	

✓. You're in for a treat next month as a massive ELEVEN sound systems and crews power the stages at [Outlook Festival: UK](#) 🎉 – excited is an understatement! "

I have a number of objections to this particular event, which in turn relates to the current 24hr licence.

1. The festival starting on a weekday
2. On-going for 17hours until 4am the next morning. Bad enough during the day but there was no chance of sleep at all at night.
3. The organisers at Outlook adjusted the sound levels to try and reduce the noise and also encased the speaker system with hay bales (see attached photos). This was not effective at all and potentially a fire hazard as an electrical fault could cause a fire. Also, swimming was allowed in the lake only to be reconsidered at the eleventh hour when it was discovered there was algae in the lake that could pose a health risk. Both of these factors illustrate a lack of basic Health and Safety concerns by Outlook and Cholmondeley Estate themselves.
4. Cholmondeley Estate never replied to my email during the festival regarding the noise; I just received a statement from Outlook attempting to placate the community.
5. The very fact that Cholmondeley Estate knew this event was going on well past midnight over 4 days. No consideration at all to local residents. I feel very much that the Estate are exploiting their 24hr licence holding events such as these.

I would have absolutely no objection to a music festival taking place at Cholmondeley, but this particular one I feel, is not suited to this area and wider community. And given we are in a quiet rural area, with Dairy farming and a number of racing stables in the vicinity, having this type of heavy bass noise going on until 4am in the morning I feel is completely unacceptable. There is no way this type of music can be made quieter, particularly past midnight.

Regarding the licence, If at all possible, I would like it to be reviewed to end any entertainment at midnight latest, to prevent Cholmondeley Estate from taking advantage and having a repeat of this year's event,

Kind regards



	Received on	From
	10/08/2022	XXXXXX
	<p>Dear Sir/Madam</p> <p>I am emailing in response to the Cholmondeley Estates application for the review of their premises licence</p> <p>I actually live on the Cholmondeley Estate and have done so for nearly 7 years now.</p> <p>I am under the impression that they currently have a 24-hour licence, which I strongly feel needs to be considered now it is up for renewal</p> <p>The recent festival that took place there had live music playing for 4 days running, from 12 midday until 5am (the volume and bass was intolerable and could be heard for miles around. One comment I saw on facebook was that it could be heard in Hurleston – approximately 7 miles away as the crow flies) Although I have no problem with events being held at Cholmondeley Castle, I do have a problem with being kept awake all night when I have to be up at 5:30am for work (Along with hundreds of other people in the surrounding area)</p> <p>Not only this, but the amount of people walking down the A49 was ridiculous (I am amazed that nobody was killed as a result)</p> <p>The other issue I had personally was the actual response from one of the Cholmondeley Estates agents (XXXXXX) when I drove round to complain about the noise. He told me that he'd not long been around where we live, and the noise levels were fine!</p> <p><u>The purpose of the email is not to try and get the licence removed, but to perhaps get the licence to play music to be limited to maybe no later than 11pm</u></p> <p>As you are probably aware, Delamere Forest holds several concerts/gigs in the summer, that all finish at a reasonable hour – Having attended a few of these over the years, they seem to be very successful and therefore would be welcomed by myself at Cholmondeley Castle – But as long as a curfew is in place</p> <p>I am asking that you please consider the local residents when the application comes up for debate/discussion</p> <p>Kind Regards</p>	

	Received on	From
	10/08/2022	XXXXXX
	<p>The music at this festival was totally out of order. We live about 4 miles away and it was as if it was next door. I saw reports that it could be heard up to 13</p>	

	miles away. After complaint on the first night the base was turned down on the Friday night only to come back with a vengeance on the Saturday night. Apart from disturbing local residents I wonder what effect it had on local wildlife especially those who feed at night? Any such event in the future should finish no later than midnight. XXXXX

Received on	From
10/08/2022	XXXXX
<p>Dear Sir</p> <p>I write following the recent outlook festival and in respect of the specific review you are undertaking:</p> <p>The grounds for the review application are:</p> <ul style="list-style-type: none"> • Prevention of Public Nuisance • Disturbance caused to local residents by festivals held at the premises <p>In response to the above 2 points, as a resident living 1-1 ½ miles away from the recent Outlook Festival, I can honestly say I have never experienced anything like it in my life.</p> <p>The festival was a sound system Dance event – so repetitive, pulsating, loud thump thump thump from around 11am to 4am the following morning. It was scheduled for 4 consecutive nights (but stopped midnight Sunday). We live on a road that is in use most of the day for business traffic and this starts at 6am every day including weekends.</p> <p>In essence there is no respite for 4 days. After 17 hours from 11 am to 4am, it is impossible to switch off and go straight to sleep after such a loud, pervasive and monotonous onslaught to the senses. The residual effect carries over. Then at 6am the traffic starts.</p> <p>I can normally sleep very easily, but I could not through this, and after the festival was finished, I felt like I was severely jet lagged.</p> <p>Far be it for me to spoil people's enjoyment, but there needs to be some balance and consideration. An 11pm complete cut-off of any sound would still yield 12 hours of music for concert goers to enjoy, whilst giving some relief to local residents. 17 hours each day is completely unreasonable and the lack of any reprieve could exacerbate and contribute to mental health issues.</p> <p>Although your review does not include Health and Safety, as a responsible employer working in Healthcare and other industries, safety is paramount in everything my teams do. I noted a couple of disturbing practices and promotions which I think warrant further investigation.</p> <p>Firstly high powered electrical equipment was surrounded by straw bales in an attempt to muffle the carry of sound. This act seemed to be an impromptu response to complaints on the night. Not only are straw bales in this situation inherently dangerous, the spontaneous nature of this in the heat of the moment in all likelihood means no suitable risk assessment was done to protect staff, performers and public. Impromptu actions are one of the biggest causes of accidents in the UK. One spark from a faulty cable or cigarette, and there could have been a disaster.</p> <p>Secondly, it was widely promoted with seemingly little oversight or risk assessment that concert goers were encouraged to swim in the lake. Open</p>	

	<p>water is cold and dangerous, and not a place for anyone to be contemplating lightly let alone alcohol fuelled concert goers being stimulated to have a good time in the lake. There are a lot of weeds in the lake to catch people. I hope they had numerous life guards. In the end this did not go ahead because of an algal bloom, not because of Health and Safety.</p> <p>In summary, I do believe this was an event poorly conceived and operated with little consideration for local residents, nor seemingly from a health and safety point of view for the concert goers themselves.</p> <p>Regards</p>
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	Received on	From
	10/08/2022	XXXXXX
	<p>I am writing in response to the review of the premises licence in respect of the premises known as Cholmondeley Estates, Cholmondeley, Malpas, SY14 8EZ.</p> <p>I wanted to put forward my comments as a local resident who is consistently disturbed when large scale festivals of a certain type (usually dance, drums and bass) have taken place at this site (in recent times 'One Tribe Festival' and 'Outlook Festival'. The main difference and issue with the aforementioned events I speak of at Cholmondely is that they are running until 4am (ref. Outlook Festival which took place recently this year and One Tribe which took place around 2017 - this ran till approx 6am and potentially didn't have the right licence), and they are also running until 4am on working days (however it is prudent to bear in mind even weekends are also work days for nurses, airline pilots etc). This is totally unacceptable, has caused horrific problems with working in the past, and I also suffer noise anxiety (hence my efforts to live in a normally quiet place!).</p> <p>Compare this to Bolesworth who run events within the normal 'sociable hours' time frames - usually 2 or 3 days over weekend with loud music finishing at 11pm. Cholmondeley should be encouraged to also operate within reasonable social hours I believe, and not only that, the event music types we have been subjected to are drum and bass - this is incredibly powerful and resonant and creates a non-stop thud thud, hence quite different to some of the other events in the area and not as 'mild'. it is completely unsociable. This year's Outlook Festival subjected us to approx 16 hours of non stop drum and bass each 'day'</p> <p>The distance the noise can travel is quite phenomenal. We are talking miles. You can expect the disturbance to be quite clear within a 8 mile radius. This means it affects more people than you think. Please bear this in mind. Many residents have had to endure disturbance to animals/livestock also during these events.</p> <p>The events we've had at Cholmondeley create real issues that affect areas such as mental health, environment, wildlife/pets/animals, in practice, and the</p>	

	<p>council is not supporting residents of this area by allowing these types of festivals in their current format (multiple days, 4am finish). These events are too loud and go on too long. This is not reasonable. it is normal practice and tolerable to go to 11.30 - midnight. It is NOT tolerable to go beyond that especially on workdays.</p> <p>I really do think these types of events need to be carefully considered - please bear in mind that they normally take place in party holiday destinations 99% of the time - Ibiza etc if you look at the festival history. Here isn't really the place for them and as residents it feels like organisers force this on us, despite complaints. The livestock and residents etc are in the correct place (their homes) and this isn't Ibiza or a holiday party hot spot - it really would be best if they stuck to those more suitable environments for this nature of event.</p> <p>People really underestimate how much this noise travels - and to great clarity, especially drum and bass music. One Tribe festival was disturbing people in Wrenbury! Outlook was unbearable in Ridley where I live (you couldn't even hear the television clearly on the Friday night - a day we endured 16 hours of constant drum and bass thudding upto 4am!)</p> <p>As I said, these are not events like the pagent of power that used to take place there, or the Carfest at Bolesworth (all operating to reasonable timeframes) - these recent events have been running at unsociable volumes at unsociable hours over extended periods (4 and 5 days) i.e. beyond the normal weekend.</p>
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	Received on	From
	11/08/2022	XXXXXX
	<p>Good Evening, I just want to put in writing about my objection to the licence that Cholmondeley Estate have to play loud music till all hours. We live and work on the estate and whilst the outlook festival was on we got 2hrs sleep a night and my son was expected to go to school on this as well. There wasn't a chance of sleep the whole house was vibrating and all our horses that were in about 75 of them were all distressed by the noise from 12pm-4am. This can't be allowed to happen again next year to the levels of this year I've never heard noise like it. I complained to both Cholmondeley estate and the outlook festival with little response they sent around there sound monitor he said he told them it was too loud but they didn't care.</p> <p>Many thanks</p>	

	Received on	From
	12/08/2022	XXXXXX
	<p>I very strongly object to the renewal of this Licence . I live in Bickley Moss in sheltered accommodation the noise from the recent festival was horrendous not just one day but 4 in fact from early on the Friday just a boom boom noise</p>	

	<p>with no let up my head was banging I dread to think about people who lived any nearer .</p> <p>I rang the estate and left messages also e mailed but to no avail.</p> <p>I left my home for some of the time and stayed with a family member I couldn't stand it anymore my head was banging from it . We shouldn't have to do that it went on until at least Midnight.</p> <p>Therefore I strongly object to this Licence being renewed</p>
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	Received on	From
	13/08/2022	XXXXXX
	<p>We wish to express our concern over the Outlook Festival held at Cholmondeley Castle recently. The venue allowed extremely loud reverberating music to be played from 12 noon until 4 am each day from Thursday to Sunday night. We live in Wrenbury and could clearly hear the drumming/base notes even in the house with the doors and windows closed. This is unacceptable - it disturbed the peaceful enjoyment of our home and garden and I am sure numerous other households were affected too. Any such future events should be restricted to much lower sound levels and reasonable hours of music, not for 16 hours each day ending at 4am! Please take the concerns of local residents into consideration when making your decision.</p> <p>Thank you</p>	

	Received on	From
	13/08/2022	XXXXXX
	<p>I am writing this email in regards to outlook festival on cholmondeley estate. I live local and I work at XXXXX. As a resident I think the noise levels were beyond disrespectful and outrageous. I have been to many festivals however I cannot understand why they were able to play the music to the noise level they were. I had spoken to people who were attending the festival for the entirety and even they had said how it was just too loud and the music went on for too long. Not only did it disturb the residents massively but the horses I work with were constantly distressed and frankly it is a welfare issue. I tried to give it a chance and I went to check it out and frankly the amount of drugs openly on offer and the stench of weed in the air was a disgrace. Driving to work early in the morning there were people flat out in the road and walking in the roads clearly under the influence which obviously is very dangerous. I hope u take into account the amount of disruption this festival has caused and take our opinions into account.</p> <p>Many thanks</p>	

	Received on	From
	13/08/2022	XXXXXX
	<p>Hi,</p> <p>I'm writing this email to complain about the Outlook festival. As a resident on cholmondeley estate I have to say living here whilst this festival was on was horrendous. The time it went on until was incredibly disrespectful to residents on the estate I also work with the horses at XXXXX and they were distressed the whole time it was on. I was unable to get any sleep the whole time it was on so even tried to give it a chance and go over to have a look at the amount of drugs on offer was quite frankly disgusting. The whole place stank of marijuana anywhere you went on the premises and driving into work the next day there were people passed out all over the roads. I think that the whole event tarnished the reputation of the area we live in. I hope you can find a way to solve the issues i and many other residents have brought to light.</p> <p>Many thanks</p>	

	Received on	From
	14/08/2022	XXXXXX
	<p>Dear Sirs,</p> <p>We wish to make representations in the review of the above licence on the following grounds:</p> <ul style="list-style-type: none"> • The Outlook Festival that took place during 30th June to 3rd July cause us substantial distress due to the volume of the noise and the length of time it persisted. • The Event's Compliance Manager who visited us at 3.00am on Friday Night/Saturday morning confirmed that the noise levels were unacceptable. • After two nights of noise as late as 4.00 am we had to move away to get some sleep and respite. <p>Based on the above we are satisfied that Cholmondeley Estates allowed a Public Nuisance to take place and continue on their premises and we can confirm that the Festival caused Disturbance and Distress to local residents.</p> <p>We would also wish to point out certain misleading information stated by the Outlook Festival organisers, and in particular their claim that residents were informed of their activities in advance of the event. No such consultation ever took place with us – and we live adjacent to the Cholmondeley Estate curtilage.</p> <p>We further understand that Cholmondeley Estate intends to hold further similar festivals on their site despite us contacting them to express how the loud noise as late as 4.00am has caused us to suffer loss of sleep and we feel that their allowance of such a sound festival is inappropriate and disrespectful to their neighbours.</p>	

	<p>We hope that Cheshire East Council will support the review of the present licence so that future events will terminate no later than midnight.</p> <p>With kind regards,</p>

Received on	From
17/08/2022	XXXXX
<p>I wish to complain about the recent music event at the above location. We live about a mile from the Castle and over the years have become accustomed to hearing the noise from several events. However, when it is quite impossible to sleep until an end time of 4am. we think that shows a total disregard and thoughtlessness for nearby inhabitants, although many people living much further away from the Castle than us were disturbed by the loud music.</p> <p>Surely it cannot be right to allow loud music to be played until 4am for four consecutive nights and we have not heard of anything similar in the U.K. including Glastonbury! I have written to the Cholmondeley Estate expressing my concerns and I am sure as a Council you would want to know my views, as I think households in the surrounding district to Cholmondeley are entitled to more consideration and fairness.</p> <p>Needless to say, if Lady Cholmondeley we're still alive, this state of affairs would never have been permitted.</p>	

	Received on	From
	20/08/2022	XXXXXX
	<p>Dear Sirs,</p> <p>We wish to make representations in the review of the above licence on the following grounds:</p> <ul style="list-style-type: none"> • The Outlook Festival that took place during 30th June to 3rd July caused us substantial distress due to the volume of the noise and the length of time it persisted. • The Event's Compliance Manager who visited our neighbours at 3.00am on Friday night/Saturday morning confirmed that the noise levels were unacceptable. • As my husband suffers from acute anxiety which is exacerbated by lack of sleep we felt that we had no option but to move away for the duration of the Festival (at our own expense) to ensure his mental health and wellbeing. <p>Based on the above we are satisfied that Cholmondeley Estates allowed a Public Nuisance to take place and continue on their premises and we can confirm that the Festival caused Disturbance and Distress to local residents.</p>	

	<p>We would also wish to point out certain misleading information stated by the Outlook Festival organisers, and in particular their claim that residents were informed of their activities in advance of the event. This is untrue as the first we knew of the event was when the yellow road signs went up just prior to the festival. We were never consulted nor did we receive any written communication and we live adjacent to the Cholmondeley Estate.</p> <p>We further understand that Cholmondeley Estate intends to hold further similar festivals on their site despite our neighbours contacting them to express how the loud noise as late as 4.00am had caused them distress and suffering due to loss of sleep and we feel that their allowance of such a sound festival is inappropriate and disrespectful to their neighbours.</p> <p>We hope that Cheshire East Council will support the review of the present licence so that future events will terminate no later than midnight.</p> <p>Yours faithfully</p>
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	Received on	From
	22/08/2022	XXXXXX
	<p>Hi,</p> <p>With reference to the review of the above applicants Premises Licence: Licensing Act 2003, I should like to provide my confirmation of recent events, which have caused us distress in terms of excessive noise, especially at extremely unsociable hours. As a private householder and neighbour of the above Estate, we had to endure the highest levels of sound we have ever experienced from any previous event when they staged the Outlook Festival at the beginning of July 2022.</p> <p>My complaint to the organisers was sent by email and I quote my comments to them:- <i>"I write to formerly complain about the extremely excessive noise that we experienced last night until about 03-50. The bass and volume was so extreme that we could not sleep. We had no advance notice of this event as per your website for local residents. With notification we could have arranged a weekend away from this horrendous intrusion on our privacy!! We understand that this will continue for the next three nights and would request that the volume be turned down and turned off at a more sensible time of say midnight."</i></p> <p>Needless to say the volume was adjusted down on the Friday evening, only to be turned back up on the Saturday and Sunday evening. Sound engineers from the event verbally informed us (after frequent complaints by us) that indeed a number of stages at the event were exceeding acceptable levels and suggested that they would be advised to reduce the volume. This did not really happen!! Friday and Saturday the noise continued into the early hours (about 4am), and we were unable to sleep. On Sunday the organisers did, appear to have the event finish at about midnight.</p> <p>I seriously request that reductions in noise levels and times of operation of events are restricted to levels that we can enjoy our locality and sleep as any other people would expect to be able to do.</p>	

	<p>Many thanks for your assistance.</p> <p>Regards</p>

	Received on	From
	26/08/2022	XXXXXX
	<p>Dear Sir,</p> <p>I live in Croxton Green on the edge of the Cholmondeley Estate and on the evening of July 1, around 11pm, my windows and doors were vibrating due to the sound from the Outlook festival.</p> <p>I contacted the festival hotline simply to ask that the sound levels be turned down but was told I would have to wait for a sound engineer to be dispatched in order to test the sound levels. By 1pm no engineer had arrived and the sound had not abated, although it did wax and wane at times, I think perhaps because the sounds from the various stages combined and somehow compounded each other.</p> <p>I have no objection to any public events as long as they are legal, orderly and held predominantly during daylight hours. But I fail to understand why it should be necessary for any event to make so much noise until 4am for so many nights running. A curfew at 11pm or midnight would not in any way impair the enjoyment of the festival goers.</p> <p>Faithfully,</p>	

	Received on	From
	29/08/2022	XXXXXX
	<p>I work on the Estate and live in Norbury.</p> <p>On the 4 days of the music festival the noise was loud booming and pounding it commenced at 12am mid day and finished at 4am the following morning. I could not escape it for the 16 hours is proceeded to penetrate the buildings on the Estate and unfortunately where I lived 4/5 miles away.</p> <p>The noise was so loud in Norbury that my cottage literally rocked and the "music" in my garden was clear and loud. It gave no peace inside, it boomed through the floor. I have to get up for work at 6am I work 7 days a week. For those 4 days I was unwell and suffered sleep deprivation. It took me another week to recover. Living through it was torture. I could not leave the area to get relief as I live and work in it, and have domestic animals.</p>	

	<p>I am not against festivals, if they are well managed. However, I will always be against any event that goes on past midnight and at the volume that particular festival was aimed to be at. Apparently the Outlook festival is a noise festival. Why it was allowed to be held on Cholmondeley I cannot imagine. It is the most inappropriate venue I can think of. Cholmondeley Management gave no thought to the residents of Cholmondeley and gave no thought to the hundreds of people living and working in the area. It is countryside and people make their living from animals. Workers are up early in the morning milking cows/riding horses which also are severely effected by noise.</p> <p>I have a shop and did speak to many festival goers, they were nice people who enjoyed festivals, many of them told me they went to all the festivals of a summer. They said that they were enjoying the festival, but that they were getting no sleep and were exhausted and their ears were ringing. They stated that they were used to festivals ending at midnight and were happy to be in bed at 1am. One young man said he was leaving the festival as it was too loud and he was suffering with his ears.</p> <p>At the time of the event I did complain to local councillors, I also complained to the music festival organisers, and I would state that when I emailed them on Saturday midnight to inform them that the music was so loud it was distressing, they turned it up even more. They were irresponsible. I cannot describe how miserable it was living close to this event (4/5 miles!). If the wind is in your direction, you as a resident are in for real noise problems.</p> <p>Therefore I appeal that this music license is granted until midnight only so people that work in particular can get some sleep.</p> <p>If you drive and use machinery under the conditions of lack of sleep you are a danger to everyone around you and yourself.</p> <p>I was driving tired those 4 days let alone farm workers.</p> <p>I have never in my long life heard of a festival going on till 4am. I heard it travelled as far as Shrewsbury on the Saturday morning they could hear it in the early hours. That did not surprise me.</p>
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	Received on	From
	29/08/2022	XXXXXX
	<p>Dear Cheshire East.</p> <p>I am writing to formally complain regarding the horrendous noise and disturbance experienced whilst Cholmondeley Castle held the "Outlook Festival" earlier this summer. We live some 4 miles away and the noise of electronic thumping started on Day one of the festival at 4pm. Yes, mid-afternoon! It was to be heard through our home [with double& some triple glazing], windows shut. The noise was continuous for 12 hours finally ending</p>	

	<p>at 4am on Day2. It drifted across the fields and became even more noticeable as the evening progressed. NO SLEEP whatsoever.</p> <p>Following 'phone calls to the estate office and subsequently to Cheshire East, it appears that during that day someone contacted the festival and we were assured that the noise would subside. It did, slightly and we were graced with an email from the festival apologising that lunchtime, thus proving that they COULD control the noise output.</p> <p>However, presumably after the inspector had left [or whatever contact had been made] the noise increased again. It was 4am AGAIN before the cacophonous electronic rave type thumping stopped. NO SLEEP. The ground was literally vibrating. By the Sunday [last day] it was promised that the noise would terminate at midnight [because people in the area needed to go to work next day] and it did end at midnight.</p> <p>Quite frankly we were horrified that ANYONE could make that amount of continuous "rave" Club style electronic thumping all night till 4am ANYWHERE causing public disturbance and preventing sleep across the fields.</p> <p>This is rural Cheshire- not down- town Ibiza.</p> <p>Kind regards</p>
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	Received on	From
	30/08/2022	XXXXXX
	<p>Hi,</p> <p>Thank you for the opportunity to comment on the issue with Cholmondeley Estate.</p> <p>To put it mildly we as a family were gobsmacked that this event was allowed to go ahead in the first place and secondly that the organisers were not forced to take drastic action to stop the noise issue after the first night.</p> <p>The first point has got to be the noise level which was quite frankly ridiculous. The number of people affected by this is huge and if any future events are going to be permitted then the level needs to be dramatically reduced. In particular the thudding which we could hear quite clearly over our tv and radio. I work from home and had to endure 16 hours per day of this to the extent that a work colleague could hear it when he phoned.</p> <p>Secondly the length of time that this went on for. As I said above I work from home and endured 16 hours of this torture each day. For this to continue until 4am is totally unacceptable and must not happen again. My wife worked on the Friday and Saturday and attempted to function normally performing consultations and operations with literally no sleep. By the time the racket stopped at 4am and we were able to actually get some sleep it was virtually</p>	

time to get up again. Our neighbour starts work on his farm each morning at 5.15, 75 minutes after the noise stops!!!

The third factor is the number of days that this was on for. Thursday to Sunday means that having had a normal night's sleep on the Wednesday night the next opportunity for a proper night is the following Monday. This is not only an issue at night, it is also an issue during the day as we cannot be outside or have windows and doors open without hearing the noise.

We have several other venues around us, Combermere, Alderford and Wrenbury Hall as examples. We do occasionally hear sound from all of these but it is nowhere near as loud and always stops at a sensible time allowing anyone within ear shot to get a night's sleep. They are obviously keen to get on with their neighbours and Wrenbury in particular will always advise the local community if fireworks have been requested at an event giving precise start and finish times thus allowing everyone to be aware and to prepare their pets etc.

I want to make it clear that I have no issue with Cholmondeley Estate hosting events but this one was totally unacceptable and shows a clear lack of care or respect for the local community. To continue until 4am is simply not acceptable! How many children and students preparing for exams had their studies and sleep disrupted? How many people who had to get up for work or who were just going about their lives were disrupted? The numbers must be in tens of thousands. We have friends in Whixall who were disturbed, that is over 10 miles as the crow flies!

I have copied the text of an e-mail to feed back to the organisers and Cholmondeley following their admission that they had received a large number of complaints, this is below.

"To feedback to you following your e-mail. Friday night here in Wrenbury was slightly quieter as the wind was blowing from us towards Cholmondeley but was still audible up to 4am. Saturday night/Sunday morning was horrific and was louder than both of the previous nights put together. We tried all sorts including leaving the radio on but the booming noise could quite clearly be heard above this. My wife was working all day Friday and Saturday and did her best to consult and operate on the three hours of sleep that we managed to get between 4am and 7am.

Your attempts at noise reduction were totally ineffective and, considering that you accept that the complaints were from a wide area, you should have taken more robust action. This whole event is totally selfish abuse of the local (and not so local) community. Thousands must have been affected by this including children who were at school on Friday, students taking exams together with the rest of us who have to go to work. Why do they assume that people only work Monday to Friday? There were shift workers who couldn't sleep during the day and many of us who couldn't even have our windows or doors open for 4 days. Cholmondeley and you as organisers have well and truly "shafted" the neighbours with this stunt and serious action needs to be taken to make you realise this and amend any possible future operation accordingly.

	<p>Thank you again for the opportunity to comment on this issue. I have been in touch with Councillor Stan Davies and our MP Edward Timpson as I feel very strongly that Cholmondeley Estate and the organisers of this event should not be able to ride rough shod over the local and not so local community. I ultimately hold Cholmondeley Estate and their Estate manager responsible for this situation as they are the land owners and venue operators and have ultimate responsibility over what takes place and how it takes place. I believe that unless the noise level can be proved to be down to an acceptable level and the finish time amended to midnight at the very latest then these events should not be permitted. Please do not hesitate to contact me if I can be of assistance or you require further information.</p> <p>Kind regards,</p>
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	Received on	From
	01/09/2022	XXXXXX
	<p>Dear Sirs,</p> <p>This is an extremely sensitive subject, and it is with a heavy heart that write to you now. I have so enjoyed living here in Cholmondeley Park for the past 22 years and wish to continue doing so.</p> <p>I really enjoy many types of music, but the Outlook Festival held here in Cholmondeley Park from Thursday 30th June – Sunday night was extraordinarily loud to the extreme.</p> <p>I contacted Chris Beale SPLtrack (environmental management company) on the Thursday evening and he kindly visited me around 8pm to hear it for himself. The vibration and noise in my Cottage was unbearable. When he arrived on opening my garden door he immediately stated that the “noise and vibration were totally unacceptable.”</p> <p>Unfortunately, I also had reason to call him out again on the Saturday night. My Cottage was built c1850 and felt every vibration as did myself and my two elderly dogs. Sleeping was impossible as the music continued until 4am in the mornings.</p> <p>I did write after the event to Cheshire East council officers, but did not receive any response. My concern is whether this Festival is going to held again over the next four years as I am led to believe it is a five year contract.</p> <p>My proximity to the event brings concerns to my health and wellbeing if it is to be held again. Surely this event does not have to be so excessively loud and disturbing not only to myself but to the other residents.</p> <p>Please would you keep me informed.</p> <p>Thank you.</p>	

	Received on	From
	02/09/2022	XXXXXX
	<p>Dear Sir/Madam</p> <p>I am writing re the license review of the Cholmondeley Estate re the Outlook Festival and I would like to make the following observations.</p> <ol style="list-style-type: none"> 1. I live on the estate and have done so for a number of years. I live approximately 500m from the outlook festival site, I was at home for the duration of the festival. From a noise nuisance point of view I did not regard noise from the festival as a nuisance. I would much rather Cholmondeley estate held an event over 4 days when I can choose to arrange to leave for that weekend than having all the summer weekends with weddings etc every weekend which are likely to cause regular nuisance. A one off event like this didnt constitute a nuisance in my experience and view and I would much rather have an annual one off event around which I can plan to leave if I chose to than regular noise every weekend from weddings and parties. 2. This is not my genre of music - although my daughter loved it. It is a rural area with limited events of this type that she is able to go to and for her and others of her age they seemed to really enjoy it - even if it was not to my taste! There are so few events for people her age in Cheshire East and West that she can go to which plays the music and genre that 20-30 year olds like. 3. I was really impressed with the ethic diversity of the event. I thought it was great to see that diversity enjoying the countryside. I went onto the festival site twice during the weekend and everyone I spoke to was very friendly. I saw no violence or aggression from anyone attending. I know the countryside is poorly visited by BAME communities and I felt the event was likely to encourage everyone attending the festival to see the countryside as a place for everyone to enjoy. Whether young or old and from all or any background and heritage. 4. The organisers were responsible and cleared up the site effectively. They had clearly responded to local concerns by turning down the levels of music on the Saturday night and after 11pm. 5. There was a clear benefit to the local shop and local cab companies from crewe and I am sure to other businesses in Whitchurch/Bunbury and possibly further afield. 6. I have a contemporaneous recording made on the Sunday afternoon in my garden where the loudest thing you can hear are the birds. I did this as I could see that a number of local people were making claims about windows rattling etc which did not relate to my and my families personal experience, despite our close proximity to the festival site. 7. I have experienced more noise nuisance and lack of concern from the pony club events where speakers have been placed directly outside my house with constant "beeping" throughout the day making it virtually 	

	<p>impossible to work and loud announcements about competitors having to go to the dressage rings. Absolutely no. effort being made to minimise any noise impacts. At the outlook festival straw barriers were constructed and speakers had bale noise barriers built around them.</p> <p>8. The car park was directly next to my home but again there was no noise nuisance and those attending the festival did not wander into my garden or use it as a public convenience. There was lots of loos provided for the festival goers and they seemed to respect the property around them</p> <p>I am happy to provide the recording to the council if it deems it relevant. Please redact my personal address from public view if this comment will be published</p> <p>Yours sincerely</p>
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Representation from TLT Solicitors on behalf of New Bohemia Music Group organisers of the Outlook Festival

Dear Sirs

Cholmondeley Estate

We act on behalf of the New Bohemia Music Group (Joe Barnett, managing director) who organised, produced and promoted the recent Outlook Festival the subject of the current licensing review. We wish to submit a representation to the review application on their behalf.

We appreciate that the licensing committee were concerned with the four licensing objectives (prevention of crime and disorder, public safety, protection of children from harm and particularly in the context of this licensing review the prevention of public nuisance) but it will hopefully be helpful to provide an introduction to the company and the individuals involved before turning to the detail.

Outlook Festival

Outlook Festival is a celebration of sound system culture, launched in 2008 by British music professionals Simon Scott, Joe Barnett and Noah Ball. It has held thousands of successful concerts and club events, across the world, as well as an annual festival event that takes place in Croatia. For over 15 years Outlook Festival and its concert events have hosted hundreds of thousands of attendees to excellent effect both culturally and insofar as the licensing objectives are concerned.

The organisers launched Outlook Festival UK in 2022 at Cholmondeley Castle with an attendance of 7,000.

Outlook is a well respected leader in the festival industry, having twice won Best International Festival at the UK Festival Awards as well as twice winning Festival of the Year at the Drum and Bass Arena Awards “won Best International Festival and Festival of the Year”.

The UK event seeks to build on the reputation of musical integrity it has created over the last 14 years and to create a UK based event it can celebrate the music, with talks, workshops, cinema and charitable engagement alongside the musical performances.

Outlook is also well respected for its importance in the music scene within which it sits, in 2019 the Outlook orchestra was created in partnership with London Southbank Centre. Outlook orchestra has performed in prestigious venues such as Royal Albert Hall, Kenwood House, Somerset House as well as internationally regarded festivals.

The partners and directors are also responsible for the Dimensions Festival another small/medium sized music festival based in Croatia whilst two of the directors are also founding partners in a number of other UK based large scale events such as We Out Here, Cross the Tracks, Wide Awake and South Facing.

Cultural significance

Outlook Festival respectfully and faithfully celebrates an often helps rejuvenate the careers of legendary musicians by showcasing them alongside younger and more current recording artists. Previously legendary artists presented at Outlook Festival include Lauryn Hill, Damian Marley, Dawn Penn, Lee Scratch Perry, Mad Professor etc Outlook also provides a supporting platform to young musical talent on their ascendancy, Stormzy, AJ Tracey and countless other acts have all performed at Outlook Festival during their development and rise to (now) international fame. Outside of household named artists Outlook also provides a much needed platform to a significant number of non-mainstream, less commercially widespread artists

Outlook is a community based on a national and international network of music enthusiasts who unify via our client's festival and community events

Individuals

The partners sought to contract with a number of experts to help deliver the inaugural year of Outlook, with the various individuals respected for their experience in the field and the successful delivery of events. This included Louise Woodward (event manager), Clare Goodchild (operations director), Tom Wilkinson (site director), Tim Kelly (health and safety consultant) and Chris Beale (noise management). An initial feasibility study of the site and the event was conducted with all making contributions. All these individuals have significant experience and expertise in their respective fields.

Communication

Prior to delivering the festival the organisers communicated their event plans with the local authorities and resident groups alike.

Resident engagement plan

Louise Woodward was tasked with and delivered a significant resident engagement plan. This was produced as a formal document incorporated within the event safety management plan and disclosed to all officers

On 16 November 2021 an email from Louise Woodward was sent to the relevant individuals representing the five parish councils, notifying of the event with an outline of experience and the approach being adopted. These parish councils were Cholmondeley and Chorley, No Mans Heath and District, Wrenbury-cum-Frith, Bickerton and Egerton and Bulkeley and Ridley Parish Councils.

On 3 March organisers extended an offer to these parish councils extended an offer for the event director to visit these parish councils, at their local meetings with a view to explaining the event and hearing any concerns. Cholmondeley and Chorley accepted that invitation and an in person meeting was held on 22 March. On 14 April Outlook hosted an online local residents meeting, inviting all parishioners from the various parish council areas.

The reason that we have outlined our dialogue and discussions to this extent is we understand that councillors will rightly be concerned as to the integrity of the

organisers and their willingness to engage and deliver a satisfactory event (from a licensing objectives perspective). Whilst we appreciate that there are a number of points of concern for the licensing committee to consider, we believe having dialogue, discussion and a commitment to deliver these communications, fairly disclose a willingness to engage, to learn and to improve.

Operational planning and delivery

The event was managed, as is national and **international common** practice, and in line with the Estate's licence, with an event safety management plan. This document pulls together all of the risk assessments, policies and procedures for all of the various elements necessary to deliver a satisfactory event. This document addressed noise management which is obviously a key component of any such event.

Event safety management plan

The event safety management plan index is attached hereto. The index sets out all of the various issues, plans and procedures that were engaged to ensure that the event passed off successfully. We have not produced the whole document here as the issues set out in the application attend to noise management which are but a feature of this significant document.

We believe that it fairly discloses a professional approach and, noise management aside, successful planning and delivery.

Complaint hotline

We accept that the complaint hotline did not work as well on Thursday as it should have done. The failure of the resident temporary phone line on the Thursday night, meant that the majority of the first evening, residents were not getting answers on the phone, when ringing. As soon as our clients realised this, they got the team relocated to the Estate Office (where there are no issues with the wifi upon which the lines are reliant). The phonenumber redirected there. Our clients put significant resource into getting our VOIPs fixed by Friday afternoon so that they could resume normal operations.

Intrusion

It is right to advise that there is inevitably some intrusion and impact upon residents where large scales are held. The balance, if that is the right phrase, is to ensure that that intrusion does not tip over into public nuisance.

Premises licence

The premises licence under which the event was undertaken is the Cholmondeley estate licence. That licence will obviously feature as a discussion between the various parties at the licensing review hearing, a summary of the licence conditions here:

- Maximum capacity is 30,000
- 5,000+ persons attending events limited to 6 per annum
- For amplified music events planned to cater for numbers in excess of 5,000, written notice of the event and dates will be supplied to all responsible authorities and the Cheshire East Council safety advisory group (ESAG) no later than 6 months before the start date of such an event, or such less period as may be agreed in writing by Cheshire East Council (ESAG)
- The notification will be accompanied by a draft copy of specific event management plan (EMP) for their information and perusal
- EMP produced for such an event will cover all aspect of the provision of entertainment and alcohol including noise and traffic management issues and the health and safety and security of structures and persons attending
- The content of the plans should also address all the concerns of the current licensing act in order to promote the licensing objectives
- Where agreed recommendations made by the ESAG concerning an EMP will be incorporated in to the EMP
- Any changes to the EMP will be notified to the ESAG on at least a fortnightly basis and the licence holder (or representative) will undertake to attend ESAG meetings if required
- During the week immediately prior to the event the event manager shall provide access to the event site to any member of ESAG or other
- No nuisance shall be caused by noise coming from the premises
- For all outside licensable activities a minimum of 14 days' notice shall be given to the licensing authority, police, fire and rescue authority and where appropriate the ambulance service (or first aid provider) notifying them of the nature of the event, the location of the beer tents, marquees, stages etc marked on the plan of the estate, the hours for each activity, the numbers expected and the risk assessment for health and safety and public order

Noise management

Christopher Beale was appointed to assist and support in respect of noise management. A noise management plan (NMP) was produced and circulated to environmental health for their approval and approval.

Chris has significant experience and expertise in managing noise from large outdoor events and the directors had worked with him on a number of other events over recent years. All of these events had been delivered to a good standard.

Noise conditions contained within NMP

It is important to note that despite the concerns articulated by the environmental health officer in the application and the residents at the time, the noise measures

and proposals that governed the manner in which music was to be delivered and monitored were not breached. At no point were there any levels that were exceeded. We accept that it may fairly be said that specific levels are incorporated within the conditions on the licence. We also accept that it may fairly be said that the weighting (bass levels) need to be incorporated within the conditions on the licence.

Communication post Thursday

After the first night of the event our clients received a significant number of complaints to which they endeavour to respond with a list of actions being undertaken.

First of all our clients decided to finish activities much earlier than first anticipated and/or permitted under the auspices of the premises licence. Correspondence was sent to all local parish councils and any local residents with whom we had direct communication, (provided contact details had been left).

Our clients explained the unique circumstances that had conspired to create a first difficult evening but additional resources were secured in order to ensure improvements were undertaken and, candidly, seen to be undertaken.

A number of procedures were initiated which included removal of sub-bass elements from the loudspeaker systems, reduction in noise levels from all systems onsite, increased management presence and monitoring, curtailment of Sunday night hours, further dialogue to advertise sound reporting portal and additional contact information.

After the event further correspondence was sent, explaining and apologising for the issues caused re noise (Thursday night).

Noise management report post event

We attach a copy of Chris Beale (SPLTrack Environmental) report of 6 July attending to the noise issues that arose at the festival between 30 June and 3 July. It is important to note the following:

1.3 – agreed offsite monitoring locations were established

1.4 – sound metres were installed at the principle sound stages

3.1 - Weather conditions were hot during the day and much cooler during the evening.

4.1 - considerable effort was made to mitigate sound propagation from all stages

4.2 - high pass filters were applied to reduce very low frequency output

4.3 - a number of stages presented a greater challenge to sound attenuation.

4.3.1 – a big top tent became (inadvertently) a passive loudspeaker in its own right

4.3.2 – sub dub arena featured sound systems of variable quality (albeit closing at 11.00 pm each day and 9.00 pm on Sunday)

4.3.3 – variable impacts were introduced by great variations in audience size dependent upon artistic performance

4.3.4 – the gatehouse demanded regular attenuation due to audience size and the roof fabric aggravating feature referenced above

The Tillyard and Dub Smugglers stages were all managed and attenuated appropriately. Environmental considerations are touched in section 5 summarised at 5.4 as “weather gave the event the worst possible conditions for noise propagation”. Monitoring data is set out at section 6 confirming that 55dB until 11.00 pm and 50dB after 11.00 pm were not exceeded. But at 6.4 low frequency levels were higher than expected with 70-77 dB until 11.00 pm and up to 77dB after 11.00 pm (at Croxton the nearest point to the event).

The summary is also instructive: Low frequency content was the source of the problem. Further design and structural considerations need to be effective in order to help avoid a repeat.

This noise report has been circulated, under our client’s instruction, to the various officers engaged in the event management. It is a transparent document that recognises the failings onsite and the issues caused. We believe that transparency is indicative of the appropriate and professional manner in which our clients have sought to operate both this and their other events. Whilst the report concludes that Thursday and Sunday’s will not be appropriate for later night activities it is not SPL’s conclusion that Friday and Saturday need be prohibited. We accept that further work needs to be undertaken but the draconian step of essentially prohibiting the event from proceeding, ever again, is neither appropriate nor necessary.

Weather

The weather conditions are explained in the Noise management post event report. This almost unique circumstance made the low end frequencies travel much further than one would usually forecast. Attenuation for the conditions was put in place, but the nature of some of the sound systems made it difficult to control that bass frequency after midnight.

It not proposed to use these same sound system’s after midnight because they do not now appear to have sufficient control in built to allow for immediate control and management.

Diminution in hours

The net effect of the condition proposed by environmental health to restrict and control event activities to midnight, whether on this event or on the estate licence more generally would, have the effect of blocking this event from ever returning to the Cholmondeley estate. As touched on above a restriction to midnight on the Thursday and Sunday is something that we respect and accept. The Sunday was voluntarily imposed after the Thursday night complaints.

But the nature of large outdoor event licensing, in short, festivals, is that some late night activity is part and parcel of the celebration and the event. If this event is limited to midnight across all four days it will not be able to go ahead. We believe, respectfully that much the best approach for the committee is to focus on ensuring that the activities, whilst permitted to go later than midnight, do not unreasonably intrude upon local residents. Ensuring that the noise conditions are robust and that they are delivered is we believe much the best approach

Second condition

The second condition proposed by the officer, in respect of a contact telephone line being made available, with complaints being recorded and resolved, is accepted as being appropriate to attach to this event.

Event de-brief.

After the event the team engaged in a dialogue with the Responsible Authorities. It is our understanding that the event, noise apart, was considered a significant success. To quote correspondence Louise Woodward sent to the ESAG on the 7th July : Outside of the issues we faced with the external sound management, we're delighted with how the event went from an operational and safety perspective. We had just under 5000 customers on-site, there were no incidents of note from a crime, highways, H&S, safeguarding or medical perspective. We were pleased to welcome representatives from fire, police and EHO to site and receive positive feedback, alongside some valuable liaison, from all. In general, we hope a great building block for the future.

Conditions

Finally and no doubt the Authority will hear from the licence direct but we would ask that the committee give consideration to modifying the licence to take account of our event or similar events, rather than imposing restrictions and controls on all events. The EHO has suggested that his second condition only take effect for events of over 500 and this we believe, respectfully, should apply to the approach adopted to this whole review.

Hearing

We understand that the licencing Authority will now fix the matter for a committee hearing. We look forward to engaging with officers and the committee. We will forward our supporting documentation (if any) through in due course

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CHESHIRE EAST COUNCIL

Representation Form.

Responsible Authority.

POLICE

Your Name	Lesley Halliday
Job Title	Police Licensing Officer
Postal and email address	Warrington Police Station, Charles Stewart House, 55 Museum Street, Warrington, WA1 1NE
Contact telephone number	XXXXX

Name of the premises you are making a representation about.	Cholmondley Estate
Address of the premises you are making a representation about.	Cholmondley, Malpas, SY14 8EZ

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

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	See Below:
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COMMENTS: Given the nature of the festival style events being held at the premises, the Constabulary would like to ask the Committee whilst reviewing the premises licence to consider adding the following conditions to the licence, the police feel that these conditions would assist the management with making sure that all necessary considerations have been made and appropriate steps have been taken to meet the licensing objectives when holding events at the premises.

These conditions shall apply to all events at the premises whether they are hosted by the premises or a 3rd party company where the event is being managed under this premises licence.

The Premises Licence Holder shall comply with the Key dates set out in the time-table below in each year that the Premises Licence remains in force:-

Key Date 1 No later than 6 months prior to the proposed dates of the event taking place: -

The Event Manager shall notify all Responsible Authorities and ESAG of his intention to hold the event and the proposed date it is to be held.

Key Date 2 No later than 120 days prior to the event taking place: -

The Event Manager shall consult with Cheshire East Council Highways and Cheshire Police with regard to his proposals for traffic management, security and stewarding

Key Date 3 No later than 90 days prior to the event taking place: -

The Event Manager shall submit draft copies of his Event Management Plan to ESAG for consultation and review by the appropriate authorities. It is appreciated that this is a living document and may be subject to change as the event develops. Where changes are made, these are to be detailed and highlighted to ESAG: -

The Event Safety Management Plan shall include unless provided as separate documents: -

- Crowd Management Plan
- Security and Stewarding Plan
- Traffic Management Plan drawn up by his appointed traffic management contractor which shall include any Temporary Traffic Regulation Orders he may seek to be imposed
- Noise Management Plan detailing the sound control procedures, music noise limits and sound propagation tests
- Medical/First Aid/Welfare Plan detailing the location(s) on site, number of staff and the operational times
- Fire Safety Plan detailing the fire safety equipment and personnel to be available on site, evacuation points and projected exit times
- An Emergency/Contingency Plan detailing blue light access routes, rendezvous point(s) and public evacuation areas
- A gridded and scaled plan of the event site
- Risk Assessment(s)
- A list and descriptions of any temporary structures
- A copy of his Public Liability Insurance document

Key Date 4 No later than 35 days prior to the event taking place: -

The Event Manager will submit final copies of the documents referred to above and any subsequent changes must immediately be brought to the attention of ESAG.

Key Date 5 During the week immediately prior to the event and if requested to do so:-

The Event Manager shall provide access to the event site to any member of ESAG or other Responsible Authority for the purposes of a site inspection and confirmation of compliance with the Event Safety Management Plan.

The Prevention of Crime and Disorder

The Licence Holder will appoint a Security and Stewarding provider and their Operational Plans will be contained in the EMP. All Security and Stewards will be easily identifiable and have appropriate training for their duties. A register will be maintained of all stewards and security staff employed before, during and after each event containing their full names, dates of birth, home addresses, employers, event specific identification and where appropriate, their Security Industry Authority (SIA) registration details.

Where individuals are required on the Licensed Premises to carry out licensable security activities under the Private Security Industry Act 2001 they must be licensed by the Security Industry Authority.

(a) The numbers of SIA registered staff and stewards and their deployment areas and times of duty shall be set by the security provider and agreed by Police and ESAG. These details shall be included in the Event Safety Management Plan or other plan(s) where these are separate documents.

(b) Sufficient numbers of security staff shall remain on duty to complete the egress process and this number shall be agreed at ESAG meetings.

(c) Each member of security staff shall continue to wear uniquely numbered tabards or other agreed form of individual identification for the duration of the event.

(d) There shall be no replacement of Police personal by civilian security staff without the prior agreement of the ESAG.

To be considered:

(a) A comprehensive CCTV system shall be employed and must comply with the reasonable recommendations of Cheshire Constabulary and ESAG.

(b) A CCTV Liaison Officer shall be appointed by the organisers who will have continuity of access to material both during and after the event. All subsequent requests for CCTV material needed for the investigation of crimes will then be directed through this person.

The Alcohol Management Plan will set out procedures to minimise any contribution to crime and disorder from the consumption of alcohol.

The Premises Licence Holder shall take all reasonable steps to prevent drunkenness or other disorderly conduct and shall not permit entertainments which are obscene offensive to public decency or calculated to incite a breach of the peace.

The Premises Licence Holder shall prepare a drugs policy for events which will be based on 3 core messages:

- Prevention
- Drug Dealers and users
- Welfare and treatment

Random searching at a search ratio agreed with the Police will take place at all entrances and within the Licensed Premises for offensive weapons or drugs along with other prohibited items such as but not limited to glass bottles, illegal drugs, legal highs, nitrous oxide or weapons of any kind. In addition, all bags will be searched on entry. Searching of persons shall be carried out by members of the same gender.

The ticket conditions shall indicate that searching for prohibited items will be carried out and there will be signage with this message at all entrances.

The sale or supply of alcohol will only be permitted by the Designated Premises Supervisor (DPS) or by his/her written authority. The DPS will remain on site during the hours of alcohol service.

In accordance with the Alcohol Management Plan, ticket holders will not be permitted to bring alcohol into the Event.

Anyone deemed to be drunk and/or disorderly or under the influence of any controlled substances will be refused entry to the Event.

A "Challenge 25" policy will be in place at all bars and displayed on the Website and ticket outlets.

Any person displaying drunken or aggressive behaviour will be removed from the Event and their removal recorded in the incident log book. Anyone found to be using illegal substances will be dealt with in

accordance of the Drugs Policy. No legal highs or nitrous oxide will be allowed into the event. Anyone found with these items in their possession will be refused entry or ejected if there are grounds to suspect that they are selling them. Anyone found using or in possession of illegal substances will be dealt with in accordance with the agreed drugs policy for this event, which will be found in the EMP.

An incident and log book will be completed for any incident of crime and disorder or anti-social behaviour that takes place within the Licensed Premises. The log book/record will be made available upon request to officers from the Licensing Authority, Trading Standards and the Police.

A strategy will be put into place to steward areas outside the licensed area.

There shall be:

- (a) A review of concerns of the community in relation to public nuisance on an annual basis,
- (b) A review of crime and disorder on an annual basis,
- (c) A review of the Event Safety Management Plan and any ancillary documents shall take place on an annual basis with the Event Safety Advisory Group.
- (d) An appointed representative of the Premises Licence Holder shall attend advisory briefings with senior Cheshire Constabulary staff appointed by Cheshire Constabulary when arranged prior to and after any event.

Public Safety

GENERAL

The venue and all equipment, furnishing, fittings and the like shall be constructed, provided and maintained so as to be in a thoroughly safe condition for entertainment purposes.

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.

Authorised officers of the Licensing Authority, the Fire Authority, the Ambulance Service and the Police shall have free access to all parts of the Licensed Premises for the purpose of inspection at all reasonable times.

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 the Licensing Authority, Fire Authority, Ambulance Service and the Police.

CAPACITY AND ENTRY CONTROL

The ticketed capacity will not exceed the maximum capacity permitted by the premises licence.

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.

Admission to the Licensed Premises will be by ticket only unless otherwise approved by the Licensing Authority. Ticket printing manifests and sales figures will be available upon request to the Licensing Authority.

SAFETY OF THE BUILT ENVIRONMENT

The Premises Licence Holder when requested by the Licensing Authority shall provide evidence that the Built Environment is being effectively maintained.

The Built Environment shall not be altered without the written consent of the Licensing Authority.

HEALTH AND SAFETY REQUIREMENTS

The Licensed Premises shall conform to all relevant provisions of current Health and Safety legislation in respect of persons employed in or visiting the venue and the Premises Licence Holder shall comply with all such legislation and the reasonable requests of the Health and Safety Inspectorate.

The Premises Licence Holder shall maintain good order in the Licensed Premises and shall appoint a staff of competent security/stewards for this purpose. The security/stewards shall be adequately trained and instructed in their duties, briefed thoroughly before the performance starts and shall wear distinctive dress. They shall be controlled from the central control point and shall be under the control of supervisors, equipped with suitable means of communication to the Event Control Team. While on duty they shall not be engaged on other activities which would prevent them from carrying out these functions. All security/stewards shall be made aware of the position and arrangements for First Aid. Security/stewards

shall be positioned at all exits and at key points where control is most needed, particularly in a central area near the stage. Security/stewards shall exercise proper control over the audience.

Sufficient security/stewards shall be available to ensure that all access and exit routes are kept clear until the site is completely cleared.

MEDICAL AND FIRST AID PROVISION

The Premises Licence Holder will appoint a suitably competent provider to manage and provide suitably staffed and equipped medical/first aid facilities to the satisfaction of the ESAG.

SANITARY PROVISION

The Premises Licence Holder shall ensure that adequate sanitary provisions and hand cleansing facilities are provided for the number of people expected to attend the event to the satisfaction of the Licensing Authority. Toilets shall be kept in good order and repair and serviced throughout the event to ensure they are kept safe, clean and hygienic. Toilets shall be supplied with toilet paper, in a holder or dispenser at all times. The quantity of toilets provided will be at least the number advised in the Purple Guide.

STAGING OF STRUCTURES

Details of all temporary structures (including stages) will be included in the Event Management Plan.

VEHICLE MOVEMENT

Vehicle movement within the Licensed Premises will be limited to those which are essential and will be controlled to ensure safety of the public and staff. Vehicles moving within public areas will require a Banksman at all times.

DISABLED PERSONS

The Premises Licence Holder will ensure that arrangements and provision for disabled persons, namely access and egress, sanitation facilities and viewing areas are provided and maintained for each event to the satisfaction of the ESAG.

REFRESHMENT FACILITIES

The siting of all concessions will be in consultation with the ESAG.

All food concessions will be available for inspection at times suitable to the Council's Environmental Health Officers. Any food concession not complying with food safety or occupation Health and Safety at Work Requirements will be closed upon request of the appropriate Environmental Health Officer.

One drinking water tap shall be provided for each 3,000 persons and a drinking water supply shall be available at the first aid point.

No glass bottles will be sold anywhere on site. All bottles will be PETs sold with tops removed, and where practicable, draft will be sold in plastic/paper cups

ALCOHOL

Where more than one bar is in use there shall be a Personal Licence holder on duty at each one.

The "Challenge 25" Policy will be robustly enforced. Bar staff shall ask for proof of age ID whenever the customer appears to be under 25 years old.

The alcohol policy for all events will take all reasonable steps to minimise the likelihood of supply or consumption of alcohol by persons under 18.

The Premises Licence Holder shall prominently display notices at bars stating it is an offence to purchase or attempt to purchase alcohol for anybody under 18.

All staff employed in the sale of alcohol will be fully trained regarding age restricted sales and sales to persons who are drunk. All sales training undertaken by staff members shall be fully documented and recorded prior to being allowed to sell alcohol, all training records shall be made available from officers from the Licensing Authority, Trading Standards and the Police.

Soft drinks and free drinking water shall be available on the Licensed Premises as an alternative to alcohol.

No glass bottles will be sold anywhere on site. All bottles will be PETs sold with tops removed, and where practicable, draft will be sold in plastic/paper cups.

SITE ACCESS AND EGRESS

A Transport Plan including a Traffic Management Plan will be provided within the Event Management Plan.

SIGNAGE

Suitable notices shall be provided throughout the Licensed Premises to indicate clearly the location of all available services and facilities such as sanitary accommodation, refreshments, drinking water, first aid points and exits, all of which shall be clearly signposted.

The Prevention of Public Nuisance - Conditions to be agreed with Environmental Health Protection (EHO – Noise Control)

- (a) The Premises Licence Holder shall appoint a suitably qualified and experienced Acoustic Consultant who shall be required to advise the Premises License Holder. The Consultant shall manage noise generated during the licensed events and liaise with all the relevant parties ie the Premises License Holder, the Environmental Protection Team at Warrington Borough Council, Event Promoters, Sound System and Performers, prior to and during the licensed event.
- (b) At least three calendar months in advance of the event taking place each year, the Premises Licence Holder shall submit to the Environmental Protection Department a "Noise Management Plan" for prior written approval in advance of the event taking place. Thereafter, the approved "Noise Management Plan" shall be observed and complied with in full. Subject to Environmental Protection being satisfied, written approval will be given no later than two months in advance of the event taking place with any modifications only being made with the prior consent of Environmental Protection. For the avoidance of doubt the "Noise Management Plan" shall include the following elements:
 - (i) Shall clearly define the measures to be taken to achieve (e.g. sound propagation, calculation, Mapping or similar), and ensure compliance (e.g. manned monitoring locations, remote monitoring with feedback system to the sound mixing desk), with the "Music Noise Level".
 - (ii) The Premises License Holder shall include an initial noise assessment in the Noise Management Plan. This shall detail the ambient noise levels at specific locations together with details of predicted noise levels during the event at agreed residential locations (taking into account all amplified noise sources). It shall also provide details of how the applicant and their Acoustic Consultant propose to ensure that noise conditions across the site are complied with. This shall be submitted to and agreed by Cheshire East Borough Council's Environmental Protection Department prior to the submission of the Noise Management Plan. Cheshire East Council does not expect that the ambient noise levels will alter year after year and so would only require that the applicant's Acoustic Consultant carry out a further ambient noise assessment in the event of a significant change to the local noise environment.
 - (iii) Shall clearly define the continuous noise monitoring arrangements and locations to be monitored, to determine compliance with the "Music Noise Level" for the full duration of each performance.
 - (iv) Shall consider other sensitive activities that may be affected by the event(s), for example, church services. (only applicable if there's a village church nearby)
 - (v) Any use of public address systems, other potentially noisy activities such as fairgrounds and pyrotechnics) shall be considered and detailed in the noise management plan.
 - (vi) Shall specify the operator competency and type of noise monitoring equipment to be utilised.
 - (vii) Measurements shall be undertaken on a real time basis for the full duration of the event.
 - (viii) Shall clearly define the arrangements to secure compliance with the "Music Noise Level" throughout the event and the organisational management to secure the same. Where the "Music Noise Level" is breached, details of corrective action shall be appropriately documented.

- (ix) Shall clearly define the arrangements for receiving and responding to complaints from the community about noise and other issues associated with the build-up and clearance of the site infrastructure and the event itself.
- (x) All complaints shall be documented with the date and time of receipt, contact details for the complainant, details of the person receiving the complaint, details of the complaint, details of the investigation made and the date and time of any feedback given to the complainant.
- (xi) The sound systems associated with each ride on the fairground shall not be operated after 22:00. (Only applicable if Fairground rides are present)
- (xii) Not later than 7 days in advance of the event taking place each household and business within the vicinity of the site (to be agreed with the Local Authority) shall be provided with details of how to make a complaint about event related noise, and be provided with an event timetable including times and dates for the erection and dismantling of the site infrastructure, sound propagation and speaker tests, sound checks time of the first chord and last chord for each day
- (xiii) Erection and dismantling of the site infrastructure shall not take place before 08.00hrs or after 20.00hrs on any day. If for any reason, these times need to be extended, such as a result of poor weather conditions, permission must be sought by the local authority and only 'non-noisy' works may take place.
- (xiv) Timings for sound propagation and speaker tests shall not take place before 08.00hrs or after 20.00hrs on any day.
- (xv) The appointed acoustic consultant will comply with any reasonable noise management request from the environmental protection team.
- (xvi) The Premises License Holder shall ensure that any Sound System Supplier, Sound Engineer, Sound Equipment Operator or Performer is informed of the noise conditions contained within the licence and that they will be required to comply with any instructions given to them by the Premises License Holder or the employed Acoustic Consultant.
- (xvii) Within one calendar month of the event taking place, a full "Noise Report" prepared by a technically competent representative of the Acoustic Consultant shall be submitted to the Environmental Protection Department in writing.

This report shall include:

- i. Details of the findings of the noise monitoring undertaken during the event.
- ii. Details of the number of occasions and duration when the "Music Noise Level" was exceeded.
- iii. Details of the corrective action taken to ensure compliance with the "Music Noise Level".
- iv. Provide a full breakdown of noise complaints received and the action taken.
- v. Make recommendations for improvements in the management of event related noise for subsequent events.

(xvii) Allow for authorised, named, Local Authority employees to access any area of the site where a main sound system may be operable, to conduct noise monitoring if it is deemed necessary and safe.

The "Music Noise Level" shall not exceed 75dB LAeq (15 mins) 1 metre from the facade of any noise sensitive premises in the areas surrounding Victoria Park (measured or where this is not achievable calculated from a nearby representative measurement position).

At least 28 days prior to any event involving lighting or fireworks which are to be visible outside the Licensed Premises a scheme containing full details of such lighting or fireworks the Premises Licence Holder will submit to the Licensing Authority for approval such approval not to be unreasonably withheld or delayed and any such scheme shall be implemented as approved.

No firework displays at the end of an event shall be held without the consent of the Licensing Authority.

At least 28 days prior to the event a scheme for collection and clearance of litter shall be submitted by the Premises Licence Holder to the Licensing Authority for approval, such approval not to be unreasonably withheld or delayed and clearance of litter shall be carried out in accordance with the approved scheme.

The Premises Licence Holder will appoint a litter management company which will produce a litter management plan for the Licensed Premises. The litter management plan will include sufficient suitably trained and equipped staff who will be employed to collect litter during and after the event. This will include areas outside the licensed site including neighbouring residential areas

The Premises Licence Holder will also ensure that waste generated from sanitary facilities is properly disposed of with details being contained in the Event Management Plan.

At least 28 days prior to any event a scheme (a dispersal policy) based on a risk assessment undertaken by the concert organisers for the stewarding of the adjoining areas on the day(s) of the concert(s) shall be submitted by the Premises Licence Holder to and agreed by the ESAG, relevant Responsible Authorities (including Police) and the Licensing Authority.

Stewarding shall be carried out in accordance with the approved scheme save for any amendments or variations at the direction of the event control or security teams for the concert made necessary in the interests of the safety or security of persons attending the concert or living in the immediate vicinity of the Licensed Premises by circumstances arising on the day(s) of the Event.

The Protection of Children from Harm

The Premises Licence Holder will carry out a risk assessment for every event to consider the implications of attendance of children at the event. If appropriate, information will be given out in advance to say that no-one under the age of 16 years will be allowed to attend the event unless accompanied by an adult.

ALCOHOL

Soft drinks and free drinking water shall be available on the Licensed Premises as an alternative to alcohol.

WELFARE

At the point of sale of tickets for events recommendations will be given upon the suitability of the entertainment and the attendance of children whether accompanied or not.

At events when children are present, parents and guardians will be advised to instruct children to contact security, stewards, police or first aiders if they become separated.

Staff at the event will be briefed with the protocol for appropriately escorting and caring for children until they are reunited with parents / guardians.

Any child entering with an adult will be offered a wristband with the accompanying adults' telephone number written on it in case they get separated during the event. A welfare tent will be situated on site which will also house a dedicated "lost children" staff member.

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

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

A documented training programme shall be introduced for all staff in a position to sell, serve or deliver alcohol. The programme shall be made available for inspection at the request of the Local Authority officers and/or the police. Alternatively, where agency staff are to be employed the organisers of the event shall provide documentary evidence that all staff in a position to sell, serve or deliver alcohol have received appropriate training

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

Signed: XXXX

Date: 15/08/2022



Working for a brighter future together

Jennifer Rowney
Senior Licensing Officer
Regulatory Services and Health
Cheshire East Council

Public Health
Westfields
Middlewich Road
Sandbach
CW11 1HZ

DATE: 16/08/2022

Dear Jennifer,

Review of Premises Licence held by Cholmondeley Estate

Further to your email of 8th August regarding a review of the premises licence at Cholmondeley Estate, I am writing as one of the Responsible Authorities for licensing in Cheshire East.

My comments relate to the licensing objective 'the prevention of public nuisance' although it could be argued that some complainants were of the view that the loud music was causing harm to their children through lack of sleep and impact on their education when they returned to school after the weekend.

It is well established under licensing conditions that to prevent public nuisance, amplified music, whether played by a DJ, juke box system or by live performers must be controlled. The control measures put in place should ensure that the music is "not intrusively loud" at the boundary of the premises, i.e. a person outside the premises should not be disturbed by the entertainment occurring inside the premises.

It is evident from the large number of complaints and the nature of those complaints that this event and the loud music emanating from it caused significant public nuisance over an extended period of time (four days) and over a wide geographical area. Many complainants (including estate tenants) were very angry at the intrusion and impact of the noise on both themselves, family members, pets and livestock. A few people moved out of their homes to a hotel or relatives because they found the noise so intolerable. Some business owners also complained, concerned about the impact on their business with, for example, people leaving campsites early. The nature of the complaints indicates that high levels of stress and mental anguish were caused to individuals aggravated by lack of sleep. Significant nuisance was caused to these complainants over the course of the four days.

Although there were efforts made to control the sound levels and some complainants received visits over the weekend, these arrangements were inadequate and failed to address the complaints of the majority until the fourth night (the Sunday) when the event was ended at midnight.

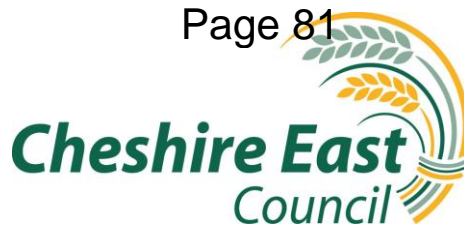
OFFICIAL

On the basis of the evidence provided by the complainants I would therefore support the proposal that future licenceable activity is only permitted until midnight and that a contact telephone line / email address be made available for any events with more than 499 attendees, to allow complaints to be logged and resolved.

Yours sincerely,



Dr Matt Tyrer
Director of Public Health



Premises Licence

Premises Licence Number:

413

Part 1 - Premises Details

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

Cholmondeley Estates
Estate Office
Cholmondeley

Post Town: Malpas

Post Code: SY14 8EZ

Telephone Number: 01829 720203

Where the Licence is time limited, the dates:

Not applicable.

Licensable activities authorised by the Licence:

Sale by retail of alcohol
Plays
Films
Live music
Recorded music
Performances of dance
Provision of facilities for dancing
Late Night Refreshment

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

Supply of alcohol

Monday to Sunday 00:00 - 23:59

Plays, Films, Live music, Recorded music, Performances of dance and Provision of facilities for dancing (all indoors and outdoors)

Monday to Sunday 00:00 - 23:59

Late Night Refreshment

Monday to Sunday 23:00 - 05:00

The opening hours of the Premises:

Monday to Sunday 00:00 – 23:59

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

Sale and supply of alcohol for consumption both on and off the premises

Part 2

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

Cholmondeley Estates
Estate Office
Cholmondeley
Malpas
SY14 8EZ

Tel No: 01829 720203

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

Not applicable

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

Robert Miller
XXXXXXX

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: XXXXX

Issuing Authority: XXXXXX

Issued: 4th August 2022

XXX

Signed By XXXX
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 no 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.

General – All Licensing Objectives

1. The maximum capacity at any one time is 29,999 persons.
2. Amplified concerts, consisting of live and/or recorded music with an audience of more than 5000 persons attending, will be limited to no more than 6 days per calendar year.
3. For amplified music events planned to cater for numbers in excess of 5000 written notice of the event and dates will be supplied to all Responsible Authorities and the Cheshire East Council Safety Advisory (ESAG) no later than 6 months before the start date of such an event, or such less period as may be agreed in writing by the Cheshire East Council ESAG. This notification will be accompanied by a draft copy of event specific Event Management Plan (EMP) for their information and perusal. Every EMP produced for such an event will cover all aspects of the provision of entertainment and alcohol, including noise and traffic management issues and the health and safety and security of structures and persons attending. The content of the plan should also address all the concerns of the current Licensing Act in order to promote it's licensing Objectives. Where agreed, recommendations made by the ESAG concerning an EMP will be incorporated into the EMP. Any changes to the EMP will be notified to the ESAG on at least a fortnightly basis and the Licence Holder (or representative) will undertake to attend ESAG meetings if required. During the week immediately prior to the event the Event Manager shall provide access to the event site to any member of ESAG or other. Responsible Authority for the purposes of a site inspection and confirmation of compliance with the Event Safety Management Plan.
4. No nuisance shall be caused by noise coming from the premises.
5. For all outside licensable activities, a minimum of 14 days notice shall be given to the licensing authority, police, fire & rescue authority and, where appropriate, the ambulance service (or first aid provider) notifying them of the nature of the event, the location of the beer tents, marquees, stages etc. marked on a plan of the Estate, the hours for each activity, the numbers expected and the risk assessment for health and safety and public order.
6. All bar staff will be trained in the basic law relating to the sale/supply of alcohol.
7. The licensee shall ensure that at all times when the premises are open for any licensable activity, there are sufficient, competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The licence holder will increase steward, paramedic and security staff deployment commensurate to the attendance at any one time, in liaison with Cheshire Police.
8. The licensee shall not advertise, promote, sell or supply alcoholic drinks in such a way that it is intended or likely to encourage persons to consume alcohol to an excessive extent.
9. An adequate number of staff must monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.
10. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 18 years and who is seeking to purchase or consume alcohol on the premises.
11. A suitably worded sign of sufficient size and clarity must be displayed at the point of entry to the buildings forming part of the premises and in a suitable location at any points of sale, advising customers that they may be asked to produce evidence of their age.

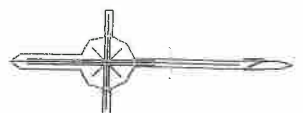
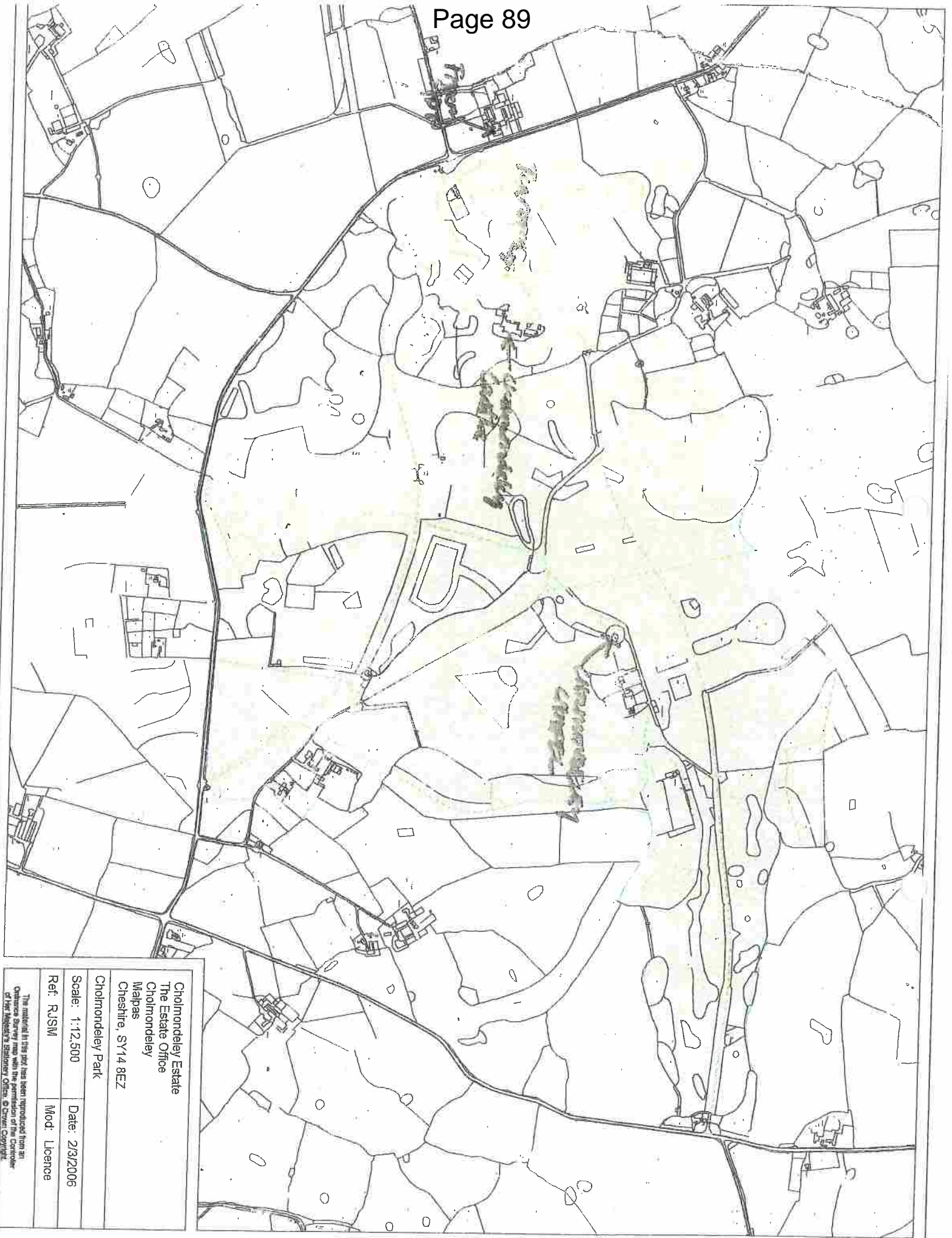
12. A conspicuous notice must be displayed on or immediately outside the buildings forming part of the premises, or which is immediately adjacent to the buildings forming part of the premises, which gives details of any restrictions relating to the admission of children to the buildings forming part of the premises.

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

Not applicable

Annex 4 - Plans

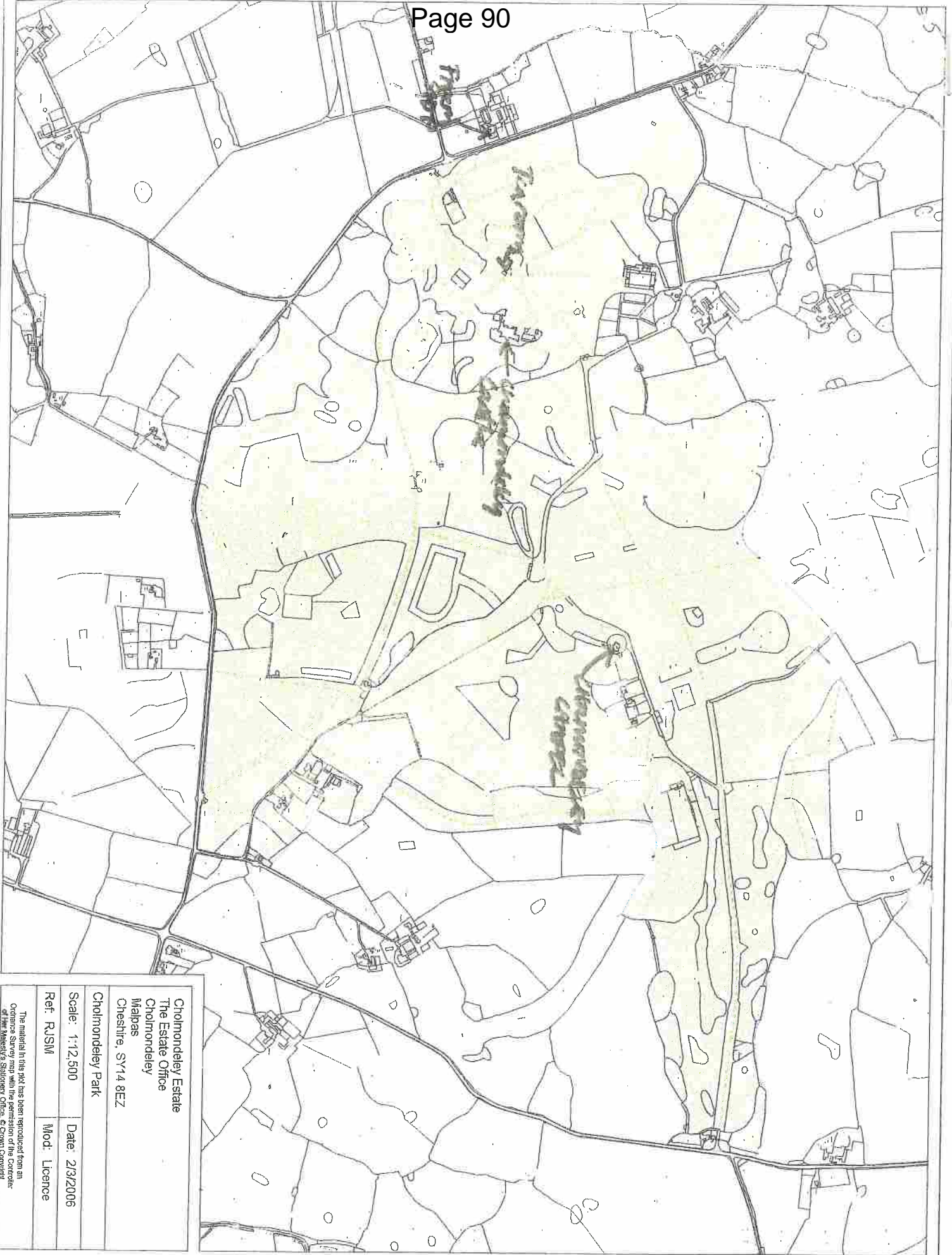
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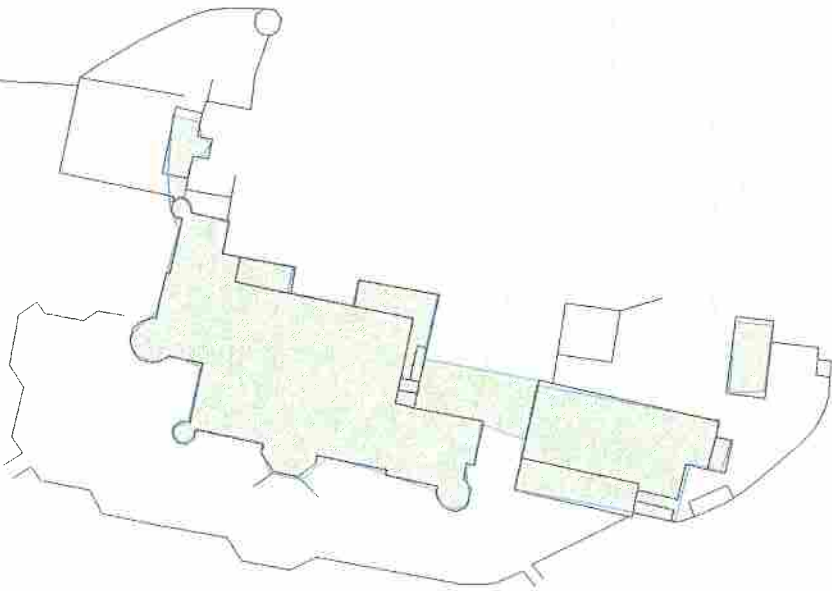


Annex 4 - Plan

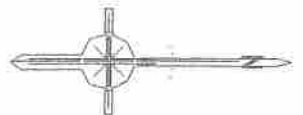
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The Estate Office	
Cholmondeley	
Malpas	
Cheshire, SY14 8EZ	
Cholmondeley Park	
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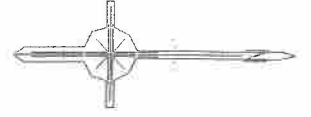
Cholmondeley Castle



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Cholmondeley Estate The Estate Office Cholmondeley Malpas Cheshire, SY14 8EZ			
Cholmondeley Castle			
Scale: 1:1,250	Date: 23/2/2006		
Ref: RUSM	Mod: Licence		

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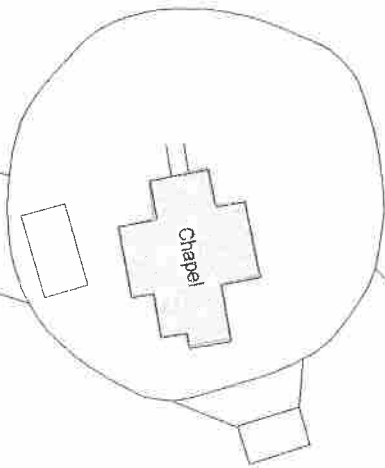
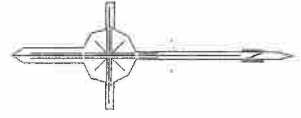
Castle Garden Tearoom



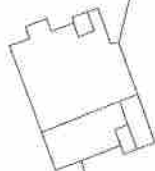
Cholmondeley Estate The Estate Office Cholmondeley Malpas Cheshire, SY14 8EZ			
Castle Garden Tearoom			
Scale: 1:1,000	Date: 2/3/2006		
Ref: RUSM	Mod: Licence		

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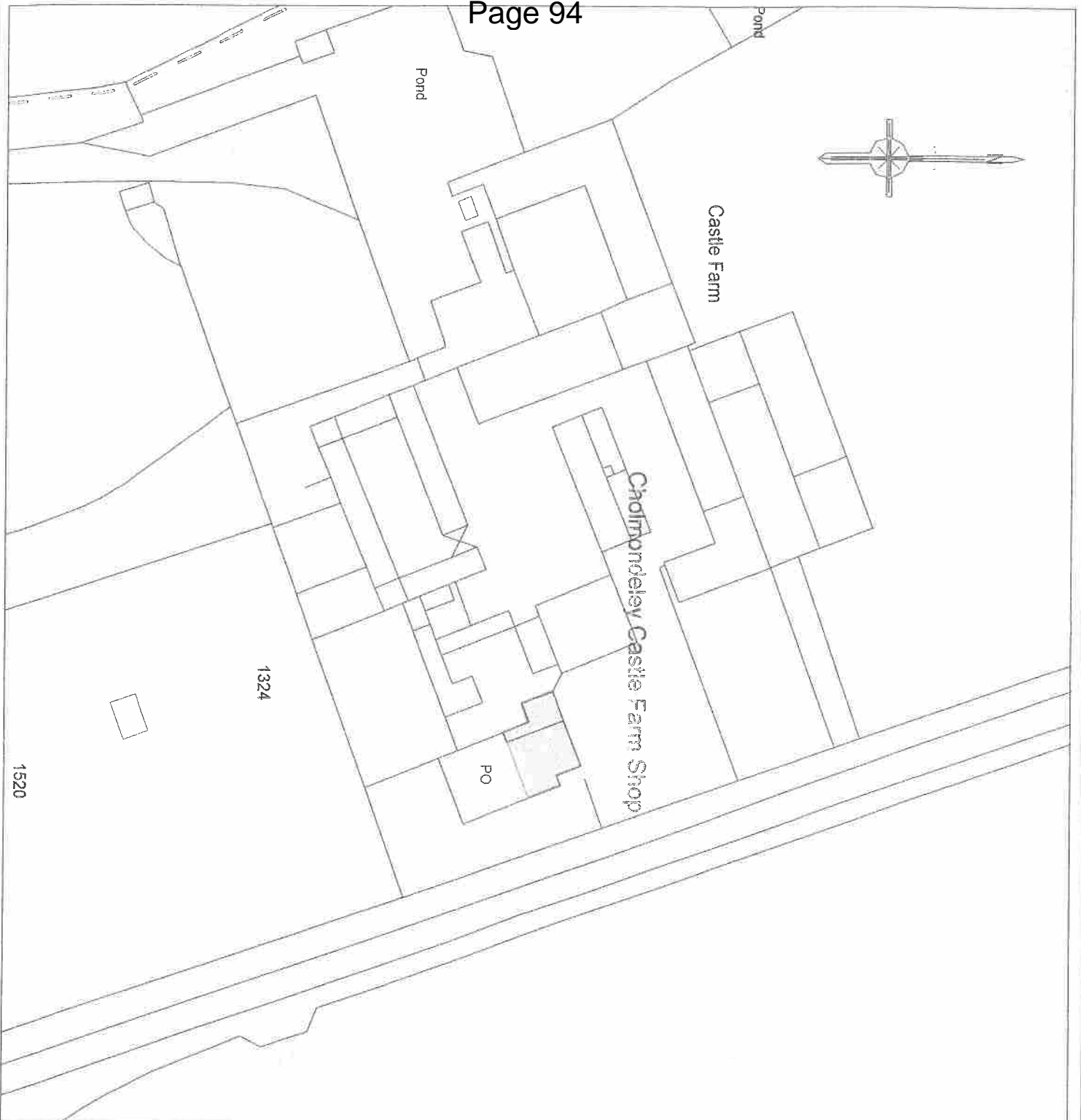


The Old Hall

Cholmondeley Estate	
The Estate Office	
Cholmondeley	
Malpas	
Cheshire, SY14 8EZ	
Cholmondeley Chapel	
Scale: 1:1,000	Date: 2/3/2006
Ref: RJSM	Mod: Licence

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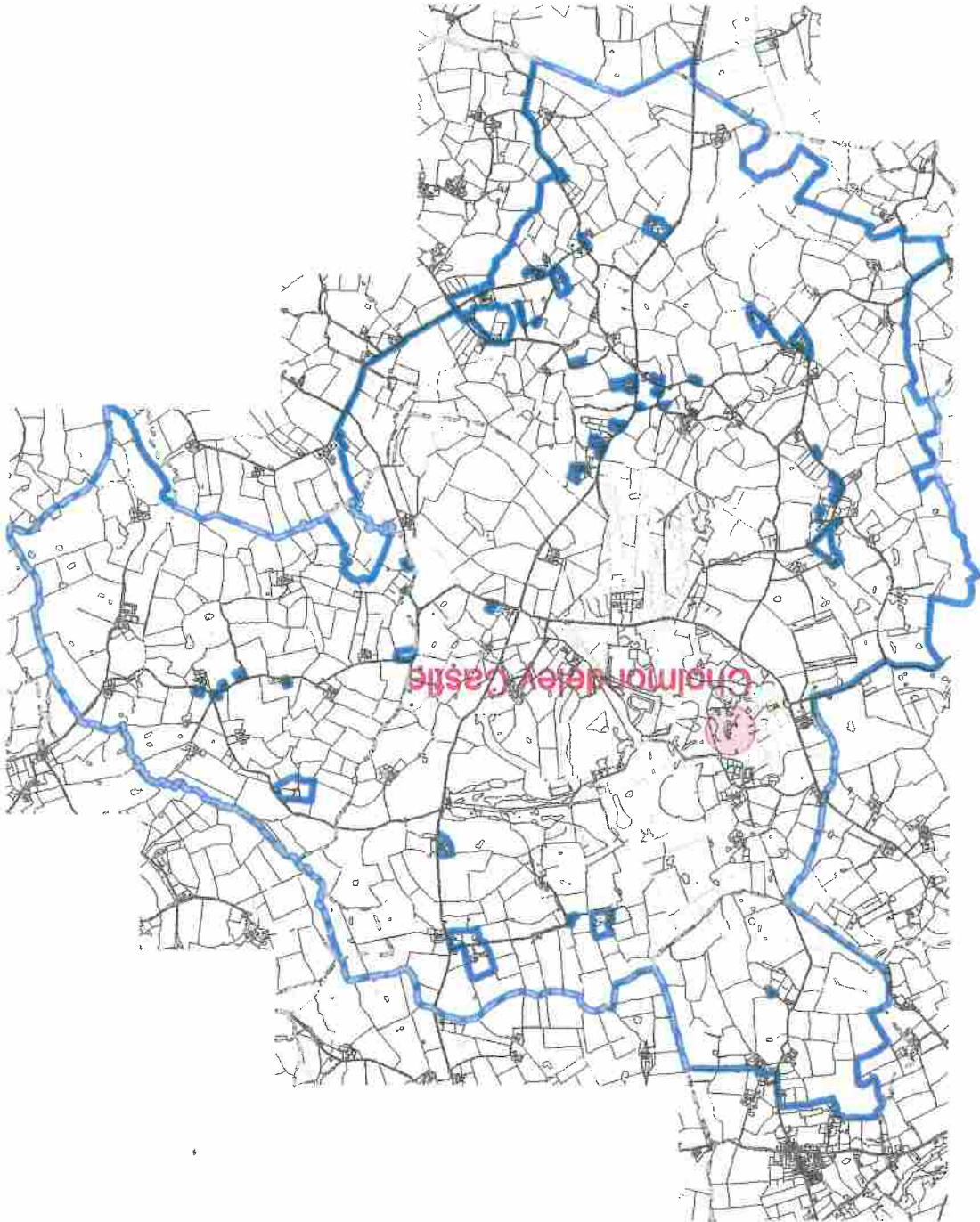
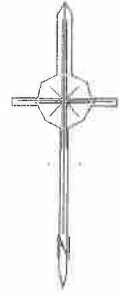
4



5

Cholmondeley Estate The Estate Office Cholmondeley Malpas Cheshire, SY14 8EZ	
Cholmondeley Castle Farm Shop	
Scale: 1:1,000	Date: 2/3/2006
Ref: RJSM	Mod: Licence

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Scale: 1:50,000 Date: 2/3/2006

Mod: Licence Ref: RJSM

Cholmondeley Estate

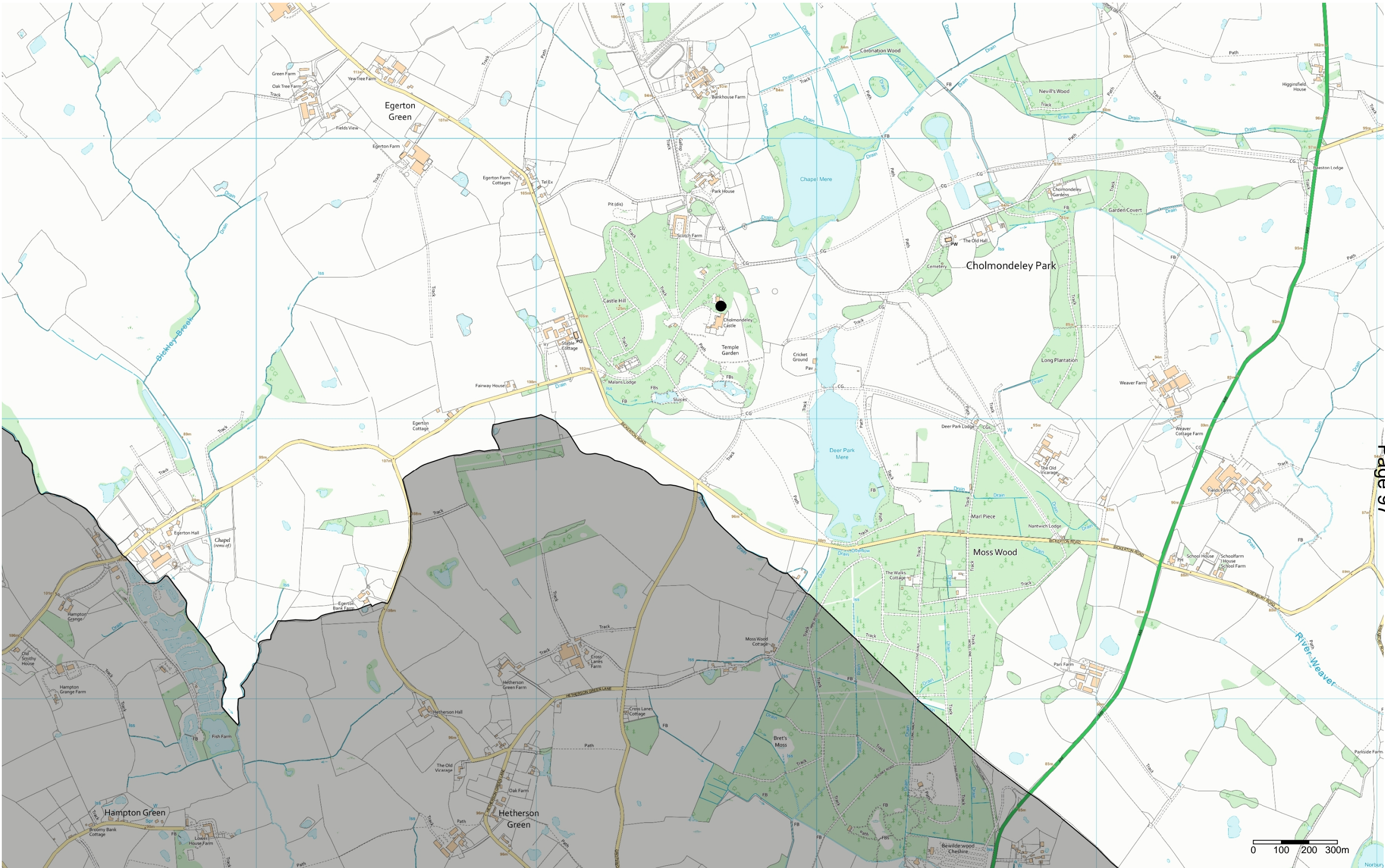
Malpas

Cheshire, SY14 8EZ

The Estate Office

Cholmondeley Estate

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2/9/2022



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