

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Thursday, 14th March, 2019 at Room S9, Westfields, Middlewich
Road, Sandbach, Cheshire CW11 1HZ

PRESENT

Councillor S Davies (Chairman)

Councillors Rhoda Bailey and J Wray

Officers in attendance

Aoife Ryan, Lawyer

Julie Zientek, Democratic Services Officer

25 CONTINUATION OF MEETING HELD ON 8 MARCH 2019

The meeting was reconvened to enable the Sub-Committee to continue to consider the application for the review of a Premises Licence for Knutsford Masonic Club, Leicester Warren Hall, Bexton Lane, Knutsford.

After taking account of:

- The Secretary of State's Guidance under section 182 of the Licensing Act 2003
- Cheshire East Borough Council's Statement of Licensing Policy
- The four licensing objectives (namely the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm)
- All the evidence, including the oral representations made at the meeting and the written representations of interested parties

the Sub-Committee

RESOLVED - to impose the following conditions, which they considered appropriate to prevent harm to the licensing objectives:

1. The Premises Licence Holder shall ensure that the DPS/Manager fully complies with the conditions of this Premises Licence and takes all reasonable measures to promote the licensing objectives whenever Licensable Activities take place at the Licensed Premises.
2. The Premises Licence Holder shall be responsible for the management of events to ensure that no nuisance is caused to residents who live in the vicinity of the Licensed Premises.

3. The Premises Licence Holder will operate the premises in accordance with:-
 - a) Noise levels agreed with the Environmental Protection Department of Cheshire East Council. Where the parties cannot agree the limit the Council's Environmental Health Team will be the final arbiter;
 - b) A Security and Stewarding Plan which sets out the roles and duties of Security and Stewarding staff. Staff will be fully briefed to understand their duties;
 - c) To adopt a policy to prevent anti-social behaviour which sets out all measures to be undertaken. Staff will be fully briefed to understand their duties. A copy of which is to be provided to the Licensing Authority within one month of the notification of the decision.
4. Local Residents within an area designated by the Licensing Authority shall be given at least 4 weeks prior notice by the Premises Licence Holder of wedding events at the Licensed Premises and at least 2 weeks notice for all other events where amplified music or amplified voices are to be played, save in exceptional circumstances e.g. funerals where notice shall be provided to local residents upon confirmation of booking. All details shall be included on the website.
5. The Premises Licence Holder/DPS will ensure that their contact details to include email address, landline and mobile telephone numbers are available on the website and will provide this information to the occupants of the adjacent cottage and properties along Beggarmans Lane.
6. The Premises Licence Holder shall ensure that all complaints received shall be logged and the actions taken to address complaints shall be recorded in the log. The log shall be available for inspection by the Licensing Authority or Police upon request.
7. The number of events where amplified music and/or amplified voices is played shall not exceed 60 in any calendar year.
8. Events where amplified music and/or amplified voices is played shall not take place on consecutive days, save for activities on New Year's Eve into New Year's Day.
9. The Premises Licence Holder shall notify hirers of the Licensed Premises of these Licence conditions and measures contained in the premises guidance notes and anti- social behaviour policy to include details of licensable hours prior to accepting a booking which must also be published on the website.
10. Regulated Entertainment may take place between the following hours:
Monday to Thursday 11:00 to 23:00
Friday and Saturday 11:00 to 00:00
Sunday 12:00 to 22:00

New Year's Eve 11:00 to 01:00

The Premises Licence hours for opening will be reduced by 30 mins as follows:

Monday to Thursday 10:00 to 23:30

Friday and Saturday 10:00 to 00:30

Sunday 12.00 to 22.30

New Year's Eve 02.00

11. Music performed by live bands and performers shall cease by
Monday to Saturday 23.00
Sunday 22.00
Recorded music played by DJs shall be permitted until the relevant terminal hour. Thirty minutes before the end of the time permitted for the provision of regulated entertainment the music levels shall be gradually reduced to a lower volume and tempo.
12. The sale and supply of alcohol shall cease at least 30 minutes before the premises close.
13. Within six weeks from notification of the decision, the Premises Licence Holder shall install and maintain a permanent in-house sound system in the Licensed Premises which shall incorporate a compressor limiter device which prevents music noise levels being increased from pre-set levels agreed with the Council's Environmental Health Team. That limiting will include when the audio equipment is being used for amplification of voice e.g. by the use of microphones. The system shall be used for all performances of live and recorded music and for speeches and announcements using microphones.
14. The noise limiter shall be set at a level agreed with the Council's Environmental Protection Department so that music noise and noise from the use of microphones is not audible as to create a nuisance/disturbance at the following premises:-
the adjoining cottage as measured from any rooms within the cottage;
Such properties on Beggarmans Lane as measured from the boundary of the property.
15. The sound system shall be managed by the Premises Licence Holder to effectively contain subbass (low frequency noise) so as to not to cause music noise nuisance.
16. Bands, Performers and DJs shall not be allowed to use any means of the amplification of music and voices other than the in-house system.
17. The Premises Licence Holder shall comply with all reasonable instructions given by the Licensing Authority and/or Environmental

Protection Team of the Council that seek to control noise nuisance irrespective of whether the limits in these conditions are being met.

18. During any events where amplified music/amplified voices are being played the venue doors (including fire doors) shall be kept closed (except when in use for access and egress to and from the premises). The operation of the doors shall be monitored by security/stewards throughout events when amplified music/voices is being played.
19. The Bowling Green/garden area, car park and driveway shall not be used for any activities which cause nuisance and no amplified music or amplified speeches shall be played on them beyond 21.00 hours.
20. Following appropriate risk assessment of each event, to be recorded and held at the premises, a suitable number (determined by the risk assessment) of Security and/or Stewards shall be deployed at events to:-
 - i) manage the exterior doors of the Licensed Premises;
 - ii) prevent antisocial behaviour within the Licensed Premises and all external areas under the control of the Premises Licence Holder, in accordance with the anti- social behaviour policy.
21. The morning after an event the Premises Licence Holder shall ensure that litter including, but not limited to, cigarette ends, bottles, glasses and broken glass is cleared up. Any vomit and urination is to be cleaned from the areas surrounding the adjoining cottage and the driveway.
22. Signs will be erected at the exits of the Licensed Premises and in the car park and pick up and drop off area asking patrons to respect local residents by leaving the premises quietly. Similar messages will be included in the conditions of hire and website advertising functions at the Licensed Premises.
23. External lights shall be extinguished no later than 15 minutes after the closure time of the Licensed Premises.
24. The setting up and taking down of events shall only take place within the hours of 08:00 -20.00 hours Monday to Sunday save for the removal of live performers' equipment which must be removed within thirty minutes of the regulated entertainment having concluded.
25. The smoking area shall be designated at the rear of the premises so that no nuisance is caused to the adjoining cottage and shall be managed by security/stewarding staff.
26. The taxi pick up and drop off area shall be situated at the rear of premises so that no nuisance is caused to the adjoining property and shall be managed by security/stewarding staff. Appropriate signage

shall be erected to direct the flow of taxis and other traffic as to the correct location for drop off and collection of customers.

27. Signage will be erected at the front gate and rear of the Premises to discourage the sounding of vehicle horns.
28. Staff shall be trained to understand the importance of preventing noise nuisance and antisocial behaviour and reminding guests to exit and depart from the Licensed Premises quickly and quietly out of respect for neighbours. Such training will be documented and records of training will be kept and made available to the Police and Licensing Authority upon request.
29. A new CCTV system will be installed within six weeks of the notification of the decision with internal and external cameras which will be monitored throughout each event.
30. There shall be no emptying of bottles by staff into external bins or receptacles after 20:00 hours or before 09:00 hours.
31. The number of guests at events when Licensable Activity takes place shall be limited to 180.

And the following additional conditions offered on behalf of the Premises Licence Holder:

1. Within 3 months of notification of the decision a porch area will be erected between the exterior of the premises and the fire doors. There will be triple glazed acoustic self closing doors. This entrance/exit will be orientated so that patrons leave the premises in a southerly direction.
2. A CCTV monitor screen will be installed behind the bar. Management and security staff will have an iPhone link to the cameras for monitoring purposes/traffic management.
3. The Bowling Green /garden area shall not be used for any Licensable activities after 21:00 hours.
4. There will be no fairground events held at the premises.
5. A fence will be erected along the driveway, with sympathetic planting. Customers will be directed not to walk along the driveway save for access and egress.
6. An electronic gate will be erected at the end of the driveway entrance. Access and egress will be monitored by security staff.
7. Live music events are to be limited to 2 live events per week.

The Sub-Committee noted that the Applicant and Parties who had made relevant representations would be reminded of their right to appeal this decision to the Magistrates' Court within 21 days of service of the written notice of the decision.

The meeting commenced at 2.00 pm and concluded at 3.10 pm

Councillor S Davies (Chairman)