

**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 ✓

☐
☐
☒
☐

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.

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

Please tick ✓ yes

☐

If yes please state the date of that application

Day Month Year

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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.