

Licensing Act Sub-Committee

Agenda

Date: Monday 21st September 2015

Time: 10.00 am

Venue: The Silk Room - Town Hall, Macclesfield SK10 1EA

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 at the foot of each report.

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 for a Premises Licence at Holford Hall, Marquee & Grounds, Chester Road, Plumley, Cheshire, WA16 0UA** (Pages 45 - 250)

To consider an application for a Premises Licence at Holford Hall, Marquee and Grounds, Chester Road, Plumley WA16 0UA

THERE ARE NO PART 2 ITEMS

For requests for further information

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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.



CHESHIRE EAST COUNCIL
STATEMENT OF LICENSING POLICY
(LICENSING ACT 2003)
POLICY DATED JANUARY 2014 TO JANUARY 2019

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1. Introduction

- 1.1 Cheshire East Council (**the Council**) is the Licensing Authority for the area of Cheshire East under the provisions of the Licensing Act 2003 (**the Act**).
- 1.2 The Local Authority's current Statement of Licensing Policy was published on 24th February 2009. A review of that policy is due by January 2014. This Statement of Licensing Policy (**the Policy**) is the result of the review and is published by the Council in accordance with section 5 of the Act. The Policy provides information and guidance to applicants and persons who are likely to be affected by an application (e.g residents and businesses) and Responsible Authorities or anyone interested in these matters. It will clarify the manner in which the Council will approach matters relating to licensing. Whilst the policy provides framework guidance regarding the considerations it will take into account when determining any licence application, the Council, as the Licensing Authority, will ultimately determine each individual application on its own merits.
- 1.3 Cheshire East's mission is for 'Cheshire East to be a great place to live, work, visit and enjoy'. The mission statement complements the aims of this Policy. There are a number of Corporate Objectives some of which link with this Policy. They include:
 - Cheshire East has a strong and resilient economy
 - People live well and for longer
- 1.4 The context of the Policy includes the Local Authority's statutory responsibility under the Health and Social Care Act 2012 for the health of the population of Cheshire East and it is noted that it is a priority of the local Health and Wellbeing Board to reduce alcohol related harm.
- 1.5 The context of the Policy includes the Local Authority's statutory duty under the Crime and Disorder Act 1998 to have regard to the need to do all that it reasonably can to prevent crime and disorder, misuse of drugs and alcohol and reoffending in its area.
- 1.6 The Policy takes into account the guidance issued under section 182 of the Act. The latest guidance was published by the Home Office in June 2013. A copy of the guidance may be accessed via the Home Office website www.homeoffice.gov.uk
- 1.7 In accordance with section 4 of the Act, the Licensing Authority shall have regard to the Policy in the exercise of its functions in respect of Licensable Activities and qualifying Licensable Activities in accordance with Section 1

and Schedules 1 and 2 of the Act. The following is a summary of what comprises Licensable Activities:

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of a member of the club
- The provision of regulated entertainment:
 - performance of a play
 - exhibition of a film
 - indoor sporting event
 - boxing or wrestling entertainment
 - performance of live music
 - playing of recorded music
 - performance of dance
 - entertainment of a similar description to the above

There are certain exemptions to this definition, which relate to incidental live and recorded music, and spontaneous music, singing and dancing, which are set out in full in the Act.

- The provision of late night refreshment (supply of hot food or drink from a premises between 23:00 and 05:00 hours)

1.8 The Licensing Authority has noted that the vicinity test in respect of relevant representations has been removed and consequently any person can now make a representation.

1.9 In formulating the Policy, the Licensing Authority has consulted all Responsible Authorities, holders of licences under the Act and the public within Cheshire East.

1.10 This policy will be for a 5 year period and a review will take place in accordance with statutory procedures and will take into full account of any relevant information received by way of consultation or otherwise.

2. The Aim of the Policy and Statutory Licensing Objectives

2.1 The aim of the Policy is to secure the safety and amenity of communities within the Cheshire East area, whilst facilitating a sustainable entertainment

industry. The Local Authority recognises the need of residents for a safe and desirable environment in which to work and live and the importance of well-run licensed premises in a vibrant and diverse local economy. The Local Authority will promote the safety of residents and visitors whilst out at night and on their journey home.

- 2.2 In accordance with the guidance issued by the Secretary of State, the Local Authority recognises the need to encourage and promote a broad range of entertainment, particularly live music, dancing and theatre for the wider cultural benefits of our communities. A natural concern to prevent disturbance in the neighbourhood will always be balanced with the wider cultural benefits of our communities
- 2.3 The Local Authority has a duty to protect the amenity of its residents. This extends to the business community, who can expect the Local Authority to ensure that the environment is attractive and sustainable for the conduct of their business.
- 2.4 It is the Local Authority's duty to exercise its licensing functions with a view to promoting the four Licensing Objectives set out in section 4 of the Act:
- **The prevention of crime and disorder**
 - **Public safety**
 - **The prevention of public nuisance**
 - **The protection of children from harm**
- 2.5 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.
- 2.6 The legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:
- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises
 - giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems
 - recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises

- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them

2.7 The Licensing Authority will have proper regard to amongst other issues:

- Location and environmental impact of the proposed activity
- Suitability of the applicant
- Suitability of the premises to the application
- Operation and management of the premises
- Monitoring, review and enforcement

Policy Considerations

2.8 This policy does not prejudice the requirement for the Licensing Authority to consider each application on its own merits.

2.9 Nothing in the policy will

- Undermine the rights of any individual to apply under the terms of the Act for a variety of permissions and have the application considered on its individual merits; or
- Override the right of a person or a body or a Responsible Authority (as defined in the Act) to make representations on an application or to seek a review of a licence or certificate in accordance with the provisions of the Act.

2.10 All persons have equal rights to make representations concerning applications for premises licenses (and hours of trading) and to receive appropriate consideration to their representations. Irrelevant, frivolous and vexatious representations will be disregarded.

2.11 Following Relevant Representations the Licensing Authority will only depart from this Policy where there is satisfactory evidence/information that the Licensing Objectives will be met in full. In cases where a departure occurs, the Licensing Authority shall provide reasons for the departure.

- 2.12 If an application for a licence or certificate has been made lawfully and there have been no Relevant Representations from Responsible Authorities or other persons, the Licensing Authority will grant the application, subject only to conditions consistent with the operating schedule and any relevant mandatory conditions.
- 2.13 To achieve its aims the Local Authority is committed to working in partnership with the Responsible Authorities, local businesses, residents and others towards ensuring the continued success of this Policy in achieving the statutory objectives of the Act. In considering these issues the Local Authority will focus on the four statutory Licensing Objectives.

3. Matters within the Control of the Premises Licence Holder

- 3.1 The Licensing Authority recognises that licensing law is not the primary mechanism for the general control of individuals once they are away from a licensed premises, and therefore away from the direct control of the premises licence holder. Accordingly, in exercising its licensing functions the Licensing Authority will focus on matters which are within the control of the individual licensee and others who are granted relevant permissions. Nevertheless licensees should take reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, e.g. on the pavement, in a beer garden or in a smoking shelter, where and to the extent these matters are within their control.
- 3.2 The Licensing Authority will expect applicants to consider and make appropriate provisions to ensure that harm is not caused to the Licensing Objectives as a result of activity in, or in the vicinity of, the licensed premises.
- 3.3 It will normally be the responsibility of the premises licence holder to ensure that the managers, designated premises supervisor and door supervisors are competent and appropriately trained.

4. Planning and need for Licensed Premises

- 4.1 When exercising its licensing functions the Licensing Authority will not be influenced by questions of need. The issue of whether or not there is a need for a particular premises is a commercial matter, which is not relevant to the Licensing Authority's considerations.
- 4.2 The Planning Regulation and Licensing Regulation functions are separate statutory regimes. The Licensing Authority recognises that there should be a clear separation of the planning, building control and licensing regimes in order to avoid duplication. The Licensing Authority when exercising its licensing functions will not consider whether there has been any alleged

breach of planning conditions. Planning Permission will usually be required prior to the use of premises for Licensable Activities.

- 4.3 The Licensing Authority is not bound by decisions made by the Planning Authority and vice versa.
- 4.4 There may be circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensed hours, the earlier closing time must be observed. Premises operating in breach of their planning permission would be liable to enforcement action under planning law.
- 4.5 It should be noted that Building Regulations govern a variety of issues, which directly contribute to the Licensing Objectives, including means of escape, structural integrity, accessibility and public safety. Building Regulation Approval and Completion Certificates may be required prior to the use of the premises for licensable activities.

5. Integrating Strategies

- 5.1 The Licensing Authority will consider the Local Authority's approved strategies and policies where they are relevant to the exercise of its function as the Licensing Authority.
- 5.2 The Local Authority recognises that Licensed Premises are an important contributor to the local economy. Any licence application will be considered by taking certain factors into account. These include:
 - Employment opportunities
 - The enhancement the proposal might have on the attractiveness of the wider area
 - The general impact in attracting visitors to the area
- 5.3 In undertaking its statutory licensing function the Licensing Authority may have regard to:
 - Section 17 of the Crime and Disorder Act 1998 and requirement that the Local Authority do all that it reasonably can to prevent crime and disorder in its locality
 - The European Convention on Human Rights (which is given effect by the Human Rights Act 1998), which places a duty on public authorities to protect the rights of individuals in a variety of circumstances
 - Any other relevant legislation drawn to its attention

5.4 The Licensing Authority will seek to discharge its responsibilities identified by other Government Strategies, insofar as they impact on the objectives of the Licensing Act. Examples of these strategies are:

- In accordance with Guidance the Licensing Authority will seek to establish a Safe Scheme so that proper liaison and partnership working with all relevant stakeholders will ensure that appropriate Action Plans for Tackling Alcohol Related Crime, Disorder and Nuisance are in place
- Safer Clubbing
- Local Authorities Coordinators of Regulatory Services and Trading Standards Institute Code of Best Practice on Test Purchasing
- Alcohol Harm and Reduction Strategy
- Crime and Disorder Reduction Strategy
- Enforcement Concordat, under which the Local Authority has developed an Enforcement Strategy

6. Anti-Social Behaviour

- 6.1 The Licensing Authority recognises that in addition to the requirements for it to promote the Licensing Objectives, the Local Authority has a duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder within its area.
- 6.2 The objective of the licensing process is to allow the retail sale of alcohol and the provision of other Licensable Activities in a manner that ensures the public's safety and which is neither to the detriment of residents, nor gives rise to loss of amenity. It is the Licensing Authority's aim to facilitate well run and managed premises with premises licence holders displaying sensitivity to the impact of their premises on local residents.
- 6.3 In accordance with the Guidance, the Licensing Authority does not regard this policy as a mechanism for the general control of anti-social behaviour by individuals once they have left the immediate vicinity of the licensed premises.
- 6.4 Recurring problems of alcohol-related anti-social behaviour, crime and disorder or serious public nuisance can occur in an area, which are not directly attributable to specific premises. In such cases, particularly if supported by the Police, the Licensing Authority may consider whether an Early Morning Alcohol Restriction Order (EMROs) might address the problems. These Orders are considered later in this Policy.

7. Prevention of Crime and Disorder

- 7.1 The Licensing Authority will have regard to the Crime and Disorder Act 1998 (See Section 6.1 above). Any conditions attached to the premises licence should reflect any local crime prevention strategy. Including, the Safer Cheshire East Partnership Plan or a subsequent replacement plan.
- 7.2 The Licensing Authority will consider whether the premises make or will make a detrimental contribution to levels of crime and disorder, and whether the Operating Schedule is based on an adequate risk assessment, undertaken by the applicant, of the likelihood of crime and disorder occurring as a result of the application.
- 7.3 In order to meet its duty to prevent and reduce crime this Policy will have regard to the likely impact of licensing on related crime and disorder in the area. The Licensing Authority will consider the location of the premises and the impact, operation and management of the Licensable Activities. In particular these issues may include:
- Whether the layout, lighting and fittings of the premises have been designed so as to minimise conflict and opportunities for crime and disorder
 - Whether the Operating Schedule includes appropriate management measures to prevent crime and disorder
 - Door supervision together with the maintenance of an incident book
 - Use of toughened glass or plastic glasses
 - Mechanisms for combating drug dealing and use
 - Use of CCTV cameras
 - Membership of any Pubwatch or similar scheme
 - Use of ID scan equipment
- 7.4 The Licensing Authority may impose conditions on licences or certificates. These may include the following conditions (although the list is not exhaustive). The decision to impose conditions and their extent will depend upon the risks of crime and disorder at the particular premises
- Appropriate ratio of tables to chairs to customers and for areas to be allocated for seated customers
 - A requirement for Security Industry Authority door supervisors to control numbers and to deny entry to individuals who appear drunk, disorderly or intent on crime

- A requirement that drinking vessels do not form a sharp edge when broken
- Restrictions on drinking in areas within and outside the premises
- Procedures for checking the ages of young people who appear under the age of 21 or 25 to ensure alcohol is not sold to those under 18 and that those under 16 are accompanied in alcohol-led premises
- Appropriate 'early warning' communication systems with the Police and with other licensed premises
- The installation of CCTV
- Clear policies and measures to prevent illegal drugs being brought onto and used on the premises
- Searching of customers and staff

7.5 The Licensing Authority will carefully consider Police representations and other conditions relating to the deterrence and prevention of crime and disorder and initiatives to reduce crime will be drawn up in liaison with the police to deal with particular premises or types of premises where concerns may arise.

Safer Clubbing

7.6 The Licensing Authority wishes to promote the principles of 'Safer Clubbing'. The current Home Office Guidance on the subject is recommended to relevant Premises Licence and Club Premises Certificate holders. Following relevant representations appropriate licensing conditions may be imposed to control the environment at relevant premises in support of the 'Safer Clubbing' objectives.

Drugs

7.7 Following Relevant Representations, conditions may need to be imposed for certain types of venues to seek to eliminate the sale and consumption of drugs and to create a safer environment for those who may have taken them. These conditions will take into account the above-mentioned 'Safer Clubbing' advice issued by the Home Office. In all cases where conditions are to be imposed advice will be sought from the Drug and Alcohol Action Team and the Police.

7.8 The Licensing Authority, Police and Licence Holders need to be aware that power is available under the Anti-Social Behaviour Act 2003 that allows for the closure of a licensed premises by the Police where there is production,

supply or use of Class A drugs and/or serious nuisance or crime and disorder. This provides an extra tool to the Police in enabling instant action with regards to premises where there is a Class A drug problem.

Door Supervisors

- 7.9 Following Relevant Representations the Licensing Authority may consider that certain premises require supervision for the purpose of promoting the reduction of crime and disorder, and to generally provide a safer operation of the premises. In such cases licensed door supervisors (registered by the SIA) must be employed at the premises either at all times or at such times as certain licensable activities are taking place, at a number and ratio to be determined by the Licensing Authority. (This excludes stewards/glass collectors who are not involved in the security of the premises and do not therefore require registration with the SIA).

CCTV

- 7.10 Licence holders may wish to install cameras for the protection of staff, customers and for the prevention of crime on or in the vicinity of the premises. In exercising its licensing functions, the Licensing Authority may for the purpose of promoting any of the Licensing Objectives, impose as a condition of the licence the installation of a CCTV system. It should be noted that in such cases the Licensing Authority may take into account the type and quality of recordings, the location of cameras, storage and the availability of recordings to the Licensing Authority and Police.

Cinema Exhibitions (see also under Protection of Children from Harm)

- 7.11 No film shall be exhibited at a licensed premises which is likely to:
- Lead to disorder
 - Incite hatred or violence towards any section of the public on grounds of colour, race or ethnic or national origin, disability, religious beliefs, sexual orientation or gender

8. Public Safety

- 8.1 The Licensing Authority wishes to promote high standards of public safety in relation to premises and activities within the scope of the Act.
- 8.2 The Licensing Authority recognises that the Public Safety Objective is concerned with the physical safety of the customers using the relevant premises and not with Public Health, which is dealt with by other legislation.

- 8.3 Where the Local Authority Director of Public Health submits a relevant representation the relevant Licensing Objective is likely to be Public Safety. This may include where a premises has undermined the objectives in respect of accidents and injury and other harms that may be caused by alcohol consumption. These issues may also impact on the prevention of crime and disorder objective and/or the protection of children from harm objective.
- 8.4 Where activities are organised by volunteers or a committee of a club or a society the Licensing Authority considers it good practice that the same level of Health and Safety protection is provided as if an employer/employee relationship existed, irrespective of whether there are strict legal duties applicable under Health and Safety legislation.
- 8.5 Following Relevant Representations, where the Licensing Authority considers that general health and safety duties do not adequately cover certain Licensable Activities, conditions may need to be attached to the licence to ensure public safety.
- 8.6 Organisers of temporary/large scale events will be encouraged to seek advice and information from the Local Authority's Event Safety Advisory Group prior to submitting any application.

Fire Safety

- 8.7 The Licensing Authority will have due regard to the representations of Cheshire Fire and Rescue Service regarding licensing applications.
- 8.8 Following Relevant Representations, the Licensing Authority may impose appropriate conditions in relation to fire safety matters in consultation with Cheshire Fire and Rescue Service.
- 8.9 The Licensing Authority will only include an occupant capacity condition on a Premises Licence or a Club Premises Certificate where there is a genuine fear or a genuine problem with overcrowding and it is considered appropriate for public safety. This figure will be arrived at in consultation with Cheshire Fire and Rescue Service. If an occupant capacity is fixed in accordance with any risk assessment required by The Regulatory Reform (Fire Safety) Order 2005 that figure will be used.
- 8.10 Where the special provisions of Section 177 of the Act (dancing, amplified and unamplified music in premises with a capacity of no more than 200 persons) are utilised, the Licensing Authority reserves the right to confirm with Cheshire Fire and Rescue Service the safe capacity of the premises.

9. Prevention of Public Nuisance

- 9.1 If Relevant Representations are received the Licensing Authority, when making an objective judgment about what constitutes a nuisance in respect of an application or review of a premises licence or certificate, will take a broad common law meaning when considering matters such as:
- Noise from premises
 - Waste
 - Litter
 - Car parking
 - Light pollution
 - Noxious odours
- 9.2 In considering the potential impact of licensed premises on the surrounding locality the Licensing Authority, when in receipt of any Relevant Representations will take into account the type of entertainment activity, proposed hours of operation, the capacity of the premises, the character of the areas and the proximity to local residents. Consideration will be given to the potential steps which could be taken to reduce the risk of nuisance occurring. This will particularly apply in areas where there is residential accommodation in the proximity of the premises.

Noise and Vibration

- 9.3 In order to enforce the provisions of the Environmental Protection Act 1990 (which relate to noise nuisance) the Police, Environmental Health Officers and Licensing Officers will liaise to ensure that adequate control measures are properly used to protect the local environment. Any action taken will be conducted in accordance with relevant enforcement policies
- 9.4 Consideration will be given to whether the operating schedule contains adequate measures to prevent noise and vibration, generated from within the premises, outside it, or from an open site, that may cause disturbance. Stricter conditions will be considered on premises in areas that have dense residential accommodation or have residential accommodation close to them. Noise includes music and human voices. Measures in the Operating Schedule may include installation of soundproofing, air conditioning, acoustic lobbies, sound limitation devices or locking doors at specified hours. If the proposed operating schedule fails to address noise nuisance issues, the Environmental Health Department may request that an independent acoustic report is conducted. Environmental Health may use any recommendations from such a

report to propose amendments to the Operating Schedule or suggest conditions for the consideration of any (Sub) Committee.

- 9.5 Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to:
- Restrict the generation of any noise within the premises and from activities associated with the premises in the vicinity, or from an open air site
 - Limit the escape of any noise from the premises or open air site
 - Restrict any noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping
 - Minimise and control any noise from customers arriving and departing from the premises
- 9.6 The Licensing Authority will not impose conditions on licensed premises that cannot be directly controlled, or on matters not related to the vicinity of the premises.
- 9.7 If it is considered that any noise emanating from within the curtilage of a licensed premises is causing a public nuisance, under the provisions of the Anti-Social Behaviour Act 2003, an Authorised Officer can require its immediate closure for a period of up to 24 hours. It should be noted that the 'test' is a lesser one than that required to determine a Statutory Noise Nuisance and the statutory defence of 'best practicable means' is not available.
- 9.8 The Licensing Authority further recognises the Government's view that licensing hours should not inhibit the development of thriving and safe evening and night-time local economies which are important for investment and employment locally and attractive to domestic and international tourists. Whilst providing consumers with greater choice and flexibility is an important consideration, the Licensing authority takes the view this should always be carefully balanced against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.
- 9.9 The Licensing Authority will not seek to impose uniform closure times in relation to alcohol licensed premises and will consider each application on its merits. However, where premises are situated in sensitive areas, in circumstances where the Licensing Authority's discretion has been engaged through the receipt of relevant representations, consideration will be given to the imposition of conditions aimed at limiting the impact of noise and

disturbance on residents. Such conditions may, for example, include the use of door supervisors, or measures to prevent the escape of sound from within the premises. Licensees and certificate holders are reminded that they should take reasonable steps to prevent the occurrence of crime and disorder and public nuisance in outside areas such as beer gardens or smoking shelters and in areas such as pavements immediately outside their premises, where and to the extent that , these matters are within their control.

Eating, Drinking and Smoking Outside Premises

9.8 The Licensing Authority will take the following into consideration:

- Whether people standing or sitting outside are likely to cause obstruction or other nuisance
- Whether premises are under or near residential accommodation
- The hours of sale of alcohol in open containers or food for consumption outside the premises
- Measures to make sure that customers move away from outside premises when such sales cease
- Measures to collect drinking vessels and crockery, cutlery and litter
- The extent and location of areas proposed to be set aside for the consumption of food and alcoholic drink for smoking
- Whether there is a need for door supervisors to prevent or to control customers congregating in outdoor areas to smoke, consume food or drink (whether supplied by the premises or not), between certain hours or at all times.

Other Environmental Impacts

9.9 Consideration will be given to whether Operating Schedules contain adequate measures to prevent:

- Litter, smells, fumes, dust, tobacco or other smoke, or other emissions
- Street fouling
- Light pollution
- Congestion of the pavement or roadway, impeding reasonable access

arising from the proposed licensable activity that may cause nuisance to people in the vicinity.

9.10 If the sale of alcohol in open containers or food for consumption outside the premises has been proposed, the following considerations are relevant:

- Whether measures would be undertaken to prevent nuisance caused by the storage, handling and collection of refuse and recyclable materials
- Whether late night premises are likely to generate litter and whether the sale of take-away food is proposed and the measures planned to prevent littering in the vicinity and to clear up any litter that occurs
- The steps proposed to prevent queuing or, if some queuing is inevitable, to divert queues away from residential properties and entrances to neighbouring premises, and to manage the queue to prevent disturbance and obstruction
- The steps taken to prevent disturbance by patrons arriving at or leaving the premises
- The steps taken to ensure staff leave the premises quietly
- The arrangements made or proposed for parking by patrons and the effect of parking on local residents
- Whether taxis and private hire vehicles serving the premises are likely to disturb local residents
- Whether routes to and from the premises on foot or by car or service or delivery vehicles pass residential premises
- Whether other measures to prevent nuisance such as the use of CCTV or the employment of SIA registered door supervisors are necessary
- The measures proposed to prevent the consumption or supply of illegal drugs, including any search procedures
- The likelihood of any violence, public disorder or policing problem arising if a licence were to be granted
- If the applicant has previously held a licence within the Cheshire East area, the details of any enforcement action arising from that premises
- Whether the premises would result in increased refuse storage or disposal problems, or additional litter in the vicinity of the premises.

10. Protection of Children from Harm

10.1 Protection of Children from harm includes the protection of children from moral, psychological and physical harm. This includes protection from premature exposure to strong language and sexual expletives. The Act does not prevent children having free access to premises selling alcohol for consumption on those premises, although the Licensing Authority when in receipt of Relevant Representations may impose conditions necessary for the prevention of harm to children. Where there are matters that give rise to serious concerns and the restriction of access may not ensure adequate protection of children from harm, children should be excluded. Examples of what may give rise to these concerns include:

- Where there have been convictions for serving alcohol to minors or where the premises has a reputation/evidence for underage drinking (to include any action undertaken regarding test purchases in relation to the supply of alcohol)
- There is a known association with drug taking or dealing
- There is a strong element of gambling on the premises
- Entertainment of an adult or sexual nature is provided

Note: The Act makes it an offence to permit children under the age of 16 who are not accompanied by an adult to be present on premises used exclusively or primarily for the supply of alcohol for consumption on the premises.

10.2 Matters which the Licensing Authority will take into consideration include:

- Whether there are effective measures to check the age of those young people who appear under 25, to ensure alcohol is not sold to those under 18 and those under 16 are accompanied in alcohol led premises
- Whether the supply of alcohol for consumption on the premises is the exclusive or primary purpose
- The hour to which accompanied children under 16 are proposed to be on the premises where the exclusive or primary purpose of the services provided at the premises is the supply of alcohol for consumption on the premises
- The likelihood of children being attracted to the premises e.g. by the nature of activities or facilities provided, whether or not these are licensed
- Whether there is evidence of heavy, binge or underage drinking on the premises

- 10.3 Where Relevant Representations have been received and it is considered necessary that the access of children should be restricted to protect them from harm then conditions may be attached to the licence. These may include:
- Limitation on the hours when children may be present
 - Restrictions to the age of persons on a premises (e.g. to over 18's only)
 - Restrictions on access to certain parts of the premises
 - Limitations or exclusions when certain activities may take place
 - Require an accompanying adult to be present at all times
- 10.4 Where large numbers of children are likely to be present on any licensed premises, for example, a children's show or pantomime, then the Licensing Authority may require the presence of an appropriate number of adult staff (who will have provided a satisfactory Disclosure and Barring Service check) to ensure their safety and protection from harm. The exact ratio is to be assessed in respect of each individual application and is dependent on the type and size of the premises and the control measures in place as outlined within the operating schedule, and importantly the particular group of children likely to visit the premises in question.

Cinema Exhibitions (see also under Prevention of Crime and Disorder)

- 10.5 Where the exhibition of films is permitted the Licensing Authority will expect age restrictions to be complied with in accordance with the British Board of Film Classifications (BBFC) recommendations. Where a film has not been classified by the BBFC the Licensing Authority will consider whether it is appropriate to provide a local classification. When setting a local classification the Licensing Authority will have regard to the BBFC's guidelines.
- 10.6 In considering applications, the Licensing Authority will take into account any evidence that age restrictions for cinema exhibitions have not been adhered to.

11. Cumulative Impact

- 11.1 The Licensing Authority does not consider that there are areas where Cumulative Impact occurs presently nor is there a need at this time for the Licensing Authority to adopt a special policy relative to designating 'Stress Areas'.

- 11.2 Where there is a concentration of licensed premises this can lead to serious problems of nuisance and disorder arising in the area itself and even some distance away from the premises. In such circumstances the impact of those premises when taken as a whole can be far greater than that arising from individual premises and it may not be possible to distinguish individual premises as being the sole cause or even a major contributing factor, of a particular problem. It is the **Cumulative Impact** of all the premises which causes problems for the wider area.
- 11.3 It is clear however, that the vicinity within which licensed premises are or may be located is a major consideration in determining whether a licence should be granted and what conditions should be attached to it should representation be received. Due consideration will be given to the direct impact of the operation of the premises on members of the public living, working or engaged in normal activity in the vicinity of the premises.
- 11.4 It should be noted that 'Cumulative Impact' should not be confused with the issue of 'need', which relates to commercial demand for licensed premises. 'Need' is not a matter to be taken into account by the Licensing Authority.
- 11.5 Where a particular area becomes saturated with licensed premises making it a focal point for large groups of people to congregate, this might create exceptional problems of disorder, noise and other nuisance and in such circumstances the grant of further Premises Licenses or Club Premises Certificates may undermine the Licensing Objectives.
- 11.6 Notwithstanding these concerns each application has to be considered on its own individual merits. Where an objector is seeking to establish that the grant of a licence or certificate would result in a cumulative impact which undermines one or more Licensing Objectives, the following shall apply:

Objections on the grounds of Cumulative Impact

- 11.7 In cases where objectors seek to establish that an application should be refused on the grounds that it would result in or further contribute to cumulative impact which would undermine one or more of the Licensing Objectives the objector shall:
- Identify the boundaries of the area from which it is alleged problems are arising
 - Provide full details and evidence as to the seriousness of the nuisance and disorder caused in the area
 - Identify the licensing objective(s) which it is alleged will be undermined with specific regard to:

- The occupancy figure for the proposed premises
- The nature of the licensed activity to be carried on at the premises and its patrons.

Identifying Stress Areas

11.8 Where as a result of an objection under paragraph 11.7 above and the Licensing Authority is satisfied that there is a serious or chronic concern about nuisance and disorder in a particular area and has refused an application on the grounds of Cumulative Impact the area shall be declared as a 'Stress Area'. In doing so the Licensing Authority shall:

- Follow the statutory procedures outlined in the Home Office Guidance issued under Section 182 of the Act
- Identify the boundaries of the area
- Identify the licensable activities causing the nuisance and/or disorder
- Monitor and review the 'Stress Area'

Applications for a New Premises Licence in a Stress Area

11.9 New premises licenses will not be granted for the activities identified as causing nuisance and/or disturbance in Stress Areas except where:

- No objections are received to the application, or
- The grant of the licence will not undermine the Licensing Objectives

11.10 In considering such applications the Licensing Authority will have particular regard to:

- The occupancy figure for the proposed premises
- The proximity of the premises to others in the Area licensed for similar activities and the occupancy figures for those other premises
- Whether the proposed premises will act as a replacement for others in the Area that no longer has a licence
- The proposed methods of management outlined in the applicants' operational plan
- The proposed hours of operation
- Transport provision for the Area

Existing Premises Licenses in Stress Areas

- 11.11 The above factors cannot be used as a justification for removing an existing licence. If representations are received about existing licensed premises relating to matters other than cumulative impact and which undermine the Licensing Objectives then appropriate action may be taken.

Applications for variations to existing Premises Licenses in Stress Areas

- 11.12 Applications for variations to existing Premises Licenses in Stress Areas will not be granted where those modifications directly affect the issue of Cumulative Impact in the Stress Area or otherwise undermine the Licensing Objectives. An example of where a modification may directly affect the issue of cumulative impact would be where an application was received to extend premises and significantly increase the occupancy level of the premises.

12. Applications for New Grants and Variation of Existing Terms and Conditions

- 12.1 In the absence of any Relevant Representations in respect of any application made to the Licensing Authority, it is the duty of the Authority to grant the licence or certificate subject only to conditions that are consistent with the Operating Schedule and any Mandatory Conditions prescribed in the Act. This will also apply to any applications made in respect of premises within an identified Stress Area.
- 12.2 The EU Services Directive (Directive 2006/123/EC) and the Provision of Services Regulations 2009 require the Authority to enable an electronic application facility. This is available through www.GOV.uk for Premises Licence applications, renewals and variations and for Club Premises Certificates, renewals and variations. An automatic grant is not available for these applications since visits to premises are required in order to ensure the Licensing Objectives would be promoted. In addition the consideration of a licence needs to take into account the management of the premises.
- 12.3 The Licensing Authority will consider the same issues in respect of a variation and a renewal as they do in respect of an application for a new grant.
- 12.4 The Licensing Authority may take into account any non-compliance of other statutory requirements brought to its attention. Particularly where these undermine the Licensing Objectives, as non-compliance with other statutory requirements may demonstrate that the premises are unsuitable for the activities proposed or that the management of the premises is not adequate to protect the public from harm or nuisance.

- 12.5 The Licensing Authority will consider whether appropriate measures have been put into effect by the applicant to mitigate any adverse impact.

13. Temporary Events

- 13.1 Arrangements are made under Part 5 of the Act for the temporary carrying on of licensable activities which are not authorised by a premises licence or a club premises certificate.
- 13.2 The Licensing Authority will provide advice about, amongst other things, public safety. Organisers of temporary/large scale events will be encouraged to seek advice and information from the Local Authority's Event Safety Advisory Group prior to submitting any application.
- 13.3 Legislation states that a minimum of ten working days notice should be given to the Licensing Authority of temporary events (or five working days in respect of a late temporary event). In accordance with the Act, 'Working Day' excludes Saturday, Sunday and Bank Holidays. The Licensing Authority cannot and will not accept notification of a Temporary Event Notice or a late Temporary Event Notice outside the statutory time limit.
- 13.4 The Licensing Authority acknowledges that in exceptional circumstances, some Temporary Events may and do have an impact upon crime and disorder. Therefore, in cases of large scale events, organisers should consider providing as much notice as possible. The Licensing Authority considers two months notice to be advisable in relation to such events.
- 13.5 The Licensing Authority expects organisers to give due consideration to the four licensing objectives and to consider local residents and those attending events, in areas such as:
- Health and Safety
 - Noise Pollution
 - Use of Temporary Structures
 - Road Closures
 - Use of Pyrotechnics or Fireworks
 - Controlling Anti-Social Behaviour
- 13.6 The Licensing Authority may advise applicants to consult with Cheshire Fire and Rescue Service and North West Ambulance Service for guidance with regards to assessing possible risks.

- 13.7 Applicants will also be reminded that giving a Temporary Event Notice does not relieve the premises user from planning law and any requirement to obtain the appropriate planning permission where it is required.

14. Operating Schedule

- 14.1 It is recommended that that applicants contact Responsible Authorities when preparing their operating schedules. This is likely to reduce subsequent objections.
- 14.2 This Statement of Licensing Policy sets out criteria and considerations, which relate to the Licensing Objectives, which applicants should have in mind when drawing up their Operating Schedule.

15. Hours of Operation

- 15.1 The Licensing Authority will determine licensing hours based on the individual merits of each application.
- 15.2 The Licensing Authority will consider whether longer licensing hours will achieve a gradual dispersal of people leaving licensed premises and therefore promote the Licensing Objectives.
- 15.3 The Licensing Authority recommends that applicants indicate within the operating schedule that consideration has been given to the extent the licensing hours applied for will impact on local residents and the surrounding area.
- 15.4 The Licensing Authority will consider licensing shops, stores and supermarkets to sell alcohol for consumption off the premises at any time when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting the hours. Consideration may be given to restricting the licensing hours of individual shops in circumstances where representations received indicate that the premises is a focus of disorder and disturbance.

16. Conditions

- 16.1 The Licensing Authority may, when considering the content of the Operating Schedule, select appropriate conditions from the Home Office Guidance, pool of Conditions, where it is deemed appropriate to ensure that the Operating Schedule reflects the four Licensing Objectives.
- 16.2 Where appropriate, following receipt of Relevant Representations, the Licensing Authority, may attach conditions to the grant of a licence which seeks to regulate the behaviour of persons as they leave licensed premises.

- 16.3 Where existing law already places statutory obligations on applicants the Licensing Authority will not usually impose the same or similar duties by way of condition.

17. Enforcement and Review

- 17.1 It is the intention of the Licensing Authority to work proactively with the Cheshire Police and other enforcement agencies. Proportionate targeting of agreed problem and high-risk licensed activities needing greater attention will be applied. A corresponding lighter touch for well run, lower risk premises will also be applied.
- 17.2 The Review of licences or certificates provides a key protection for the community where the Licensing Objectives are being undermined. The Review system should allow the Licensing Authority to apply a light touch bureaucracy to the grant or variation of a licence or certificate. The Licensing Authority may then take a more robust approach when problems relating to the Licensing Objectives arise later in respect of any premises.
- 17.3 At any stage following the grant of a premises licence or a club premises certificate, a Responsible Authority or any other person, may ask the Licensing Authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives. The Licensing Authority shall refer to Guidance when assessing whether any Relevant Representations are irrelevant, vexatious, frivolous or repetitious.
- 17.4 Although the Act does not require premises inspections to be undertaken, they will take place at the discretion of the Licensing Officers charged with this role and will take place as judged necessary. This will ensure that the Licensing Authority manages resources efficiently and that 'effective enforcement' is directed at 'problem premises'.
- 17.5 Where any conditions have been applied to a Premises Licence or Club Premises Certificate and Authorised Officer of the Local Authority may inspect the premises at any reasonable time for the purpose of checking that the conditions are being complied with.

Door Supervisors

- 17.6 The Security Industry Authority (SIA) plays an important role in preventing crime and disorder by ensuring that door supervisors are properly trained and licensed. Specific enquiries or premises visits may occur in order to ascertain that SIA Licenses are being executed in the correct manner and not as a tool for crime and disorder such as fronts for serious and organised criminal activity. Intelligence led operations by the SIA, Licensing Authority and/or Police will be conducted without notice

18. Early Morning Alcohol Restriction Orders (EMROS)

- 18.1 Under Section 172 A to E of the Act, the Licensing Authority has the power to make an EMRO prohibiting the sale of alcohol for a specified period between the hours of 24:00 and 06:00. They are designed to address recurring problems with licensed premises, serious public nuisance and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.
- 18.2 The Licensing Authority will consider evidence that such a decision is appropriate for the promotion of the Licensing Objectives. Consideration will be given to evidence provided by partners, Responsible Authorities and the Local Community Safety Partnership as well as evidence the Licensing Authority has gathered to determine whether an EMRO would be appropriate for the promotion of the licensing objectives. The Licensing Authority will consider the problems that have been identified. A range of evidence may be considered, including local crime and disorder statistics, statistics on anti-social behaviour offences, health related statistics (e.g. alcohol related emergency attendances and hospital admissions, environmental health complaints, complaints recorded by the Local Authority, residents' questionnaires, evidence from local councillors and evidence obtained through local consultation).
- 18.3 It is acknowledged by the Licensing Authority that an EMRO is restrictive, whilst also being a powerful tool to address recurring problems of alcohol-related crime and disorder, serious public nuisance and alcohol-related anti-social behaviour. Prior to making an EMRO the Licensing Authority will consider whether any other measures (implemented by themselves or with partners) may address the problems that have been identified, in particular other measures might include:
- Development of a Cumulative Impact Policy
 - Reviewing the licenses of specific problem premises
 - Encouraging the creation of business-led practice schemes
 - Use of powers of the Local Authority to designate an area where alcohol may not be consumed publicly (Designated Public Places Order)
 - The confiscation of alcohol in designated areas
 - Police enforcement of the general law concerning disorder and anti-social behaviour

- Prosecution for the offence of selling (or allowing such a sale of) alcohol to a person who is drunk
- Use of Police powers to close down any licensed premises instantly for up to 24 hours in respect of which a TEN has effect

18.4 In taking any decision to make an EMRO, the Licensing Authority will follow the statutory process and will invite representations.

19. Late Night Levy

19.1 Under Section 125 of the Police Reform and Social Responsibility Act 2011 the Local Authority can adopt a Late Night Levy, following a consultation process, outlined by the Home Office. It allows the Local Authority to charge an additional fee to any licensed premises that has a licence for the sale of alcohol (on and off sales) after 12 midnight and up to 06:00 in order to cover the additional costs associated with late night alcohol trading. Legislation allows this to start from midnight but it is up to the Local Authority to decide when they wish to apply it.

19.2 Any income raised by the Levy must be split with the local Police force; the Police would receive a minimum of 70% of funds raised and the Local Authority's 30% must be used to fund services which make the late night economy a more welcoming place.

19.3 The Local Authority will consider implementing a Late Night Levy if appropriate.

20. The Licensing Process

20.1 Applications can be made on the prescribed forms that can be found on the Home Office website.

20.2 Applications can also be made via the government website www.gov.uk. In order to fulfil its obligations under the Provision of Services Regulations 2009 (and the EU Services Directive) the Council will continue to enable the application process and payment online. Tacit consent is however not applicable for applications under the Licensing Act 2003 since the suitability of an applicant and the suitability of premises are under consideration.

21. Delegation and Decision Making

21.1 One of the major principles underlying the Licensing Act 2003 is that the licensing functions contained within the Act should be delegated at an appropriate level to ensure an efficient and cost effective service.

- 21.2 The Licensing Authority is committed to the principle of delegating its powers to ensure that these objectives are met and has arranged for its licensing functions to be discharged in accordance with the Home Office Guidance. The table at Appendix 1 sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub-Committees and Officers
- 21.3 The Act itself creates a presumption that applications will be granted unless a Relevant Representation (objection) is raised. Where a function is delegated to an officer, that officer will be responsible for liaising between the applicants, objectors and Responsible Authorities to ensure that any licence granted is subject to any appropriately agreed conditions and relevant mandatory conditions
- 21.4 Where objections are made, an officer of the Licensing Authority may liaise with the Applicant, objectors and the Responsible Authorities to see if agreement is possible to conditions which would overcome the objections, without the need for the matter to go before the Committee or Sub-Committee. Only where objections are raised which cannot be reconciled will matters be referred to either the Sub-Committee or the Full Committee for determination.
- 21.5 Contested Licensing Applications and Review Hearings are administrative in nature and the (Sub) Committee will ensure that any meetings are conducted as informally as possible. However, some degree of formality is needed to ensure that all parties receive a fair hearing. Procedural requirements will be established to ensure that all parties are able to express their views openly and fairly. The (Sub) Committee procedure is inquisitorial rather than adversarial and, whilst applicants, objectors and Responsible Authorities are entitled to bring legal representation with them if they wish, this is by no means a requirement or a necessity.
- 21.6 Whilst the (Sub) Committee usually meets in public, it does have the power to hear certain applications in private. The Committee, however, will always reach its decision in private. A public announcement of the decision is normally made at the end of the Hearing together with an outline of the reasons for that decision. However on occasion this may not be possible, due to time constraints and/or the complexity of the issues under consideration, in which case a written decision will be issued as soon as possible after the Hearing.
- 21.7 The procedure which will generally be used by the (Sub) Committee, unless the Chairman of the (Sub) Committee takes the view that natural justice and fairness require a change to be made to the process, is set out at Appendix 2.

22. Exclusions

- 22.1 In formulating this Statement of Licensing Policy in accordance with Guidance and recognising the need to treat each application on its individual merits the Licensing Authority makes specific exclusions, which are detailed below.

Commercial Demand

- 22.2 The commercial demand for additional premises licenses (as distinct from cumulative impact) will not be a matter for the Licensing Authority, such matters being a specific consideration for the Planning Authority.

Zoning and licensing hours

- 22.3 Fixed predetermined closing times for particular areas will not form part of the Policy and restriction on trading hours will be considered only where appropriate to meet Licensing Objectives.

Children

- 22.5 Nothing in this Statement of Policy shall limit or require access of children to premises unless there is an overriding necessity to prevent harm to children. Areas that will give rise to particular concern are highlighted elsewhere in this Policy.

Standardised conditions

- 22.6 The Policy does not provide for 'standard conditions' to be imposed so as to avoid the imposition of disproportionate and burdensome requirements. Conditions attached to licenses or certificates, if deemed appropriate in particular circumstances, will be tailored to reflect the individual operation of the premises in question. Conditions will not be imposed which are beyond the responsibility or control of the premises licence holder.

23. Consultation

- 23.1 In reviewing this Policy the Licensing Authority has consulted widely to ascertain an appropriate licensing framework for its area. Various bodies have been consulted including:
- Cheshire Constabulary
 - Cheshire Fire and Rescue Service
 - Cheshire East Health and Wellbeing Board
 - Current licence holders
 - Representatives of the local licensing trade

- Representatives of local businesses and residents
- Community Safety Partnership and Event Safety Advisory Group
- Borough Councillors
- Parish and Town Councils
- Macclesfield Charter Trustees
- Council Officers

24. Changes to Legislation

24.1 This Statement of Licensing Principles reflects the law in force in June 2013. The following are some of the main changes which are currently proposed:

- An authorisation for an indoor sporting event or a performance of a play or dance may be required only when the audience exceeds a specified number (1000 for an indoor sporting event and 500 for the performance of a play or dance) or the entertainment does not take place between 8am and 11 pm on any day
- It is intended that it will be made clear that a contest exhibition or display which combines boxing or wrestling with one or more martial arts (a 'combined fighting sport') is licensable under the Act as a boxing or wrestling entertainment rather than an indoor sporting event

24.1 As changes to legislation occur the Local Authority will implement them using the principles stated in this Statement.

25. Review of the Statement of Licensing Policy

25.1 The adoption of a revised Statement of Licensing Policy is reserved to Full Council. However if a review were necessary during the 5 year period for which the Policy is adopted this can be undertaken by the relevant Cabinet member and the Council's Licensing Committee which would make a recommendation to Council.

Table of delegations of licensing functions

Functions under the Licensing Act will be dealt with as follows:

Matter to be Dealt with	Full Committee	Sub-Committee	Officers
Application for Personal Licence		If a police objection	If no objections made
Application for Personal Licence with unspent convictions		All Cases	
Application for premises Licence/Club Premises Certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation is made	If no relevant representation is made
Application to vary Premises Licence/Club Premises Certificate		If a relevant representation made	If no relevant representation made
Application to vary designated Personal Licence holder		If a police objection	All other cases
Request to be removed as designated Personal Licence Holder			All cases
Application of transfer of Premises Licence.		If a police objection	All other cases
Application for Interim Authorities		If a police objection	All other cases
Application to review Premises Licence/Club Premises Certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc			All cases
Decision to object when Local		All cases	

Matter to be Dealt with	Full Committee	Sub-Committee	Officers
Authority is a consultee and not a lead authority			
Determination of a relevant objection to a Temporary Event Notice		All cases	
Power to issue a Counter Notice in respect of a Temporary Event			All cases
Determination of a minor variation			All cases
Decision to exercise the Licensing Authority's powers as a Responsible Authority			All cases

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)	The local residents who are objecting to the application will be invited <u>to make observations on the application</u> and present the bases of their objections.
15	Applicant	Or his representative or witnesses may ask <u>questions</u> of the Local Residents, by way of clarification.
16	Committee Members	May ask <u>questions</u> of the Local Residents.
17	Chairman	To invite both Responsible Authorities and Local Residents 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.

Mandatory Conditions

Mandatory conditions where licence authorises supply of alcohol

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:

1. No supply of alcohol may be made under the 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 the premises licence must be made or authorised by a person who holds a personal licence

Mandatory condition: exhibition of films

1. Where a premises licence or club premises certificate authorises the exhibition of films, the licence/certificate must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence/certificate, unless condition (3) (b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
3. Where
 - (a) the film classification body is not specified in the licence, or
 - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

Admission of children must be restricted in accordance with any recommendation made by that licensing authority

Mandatory condition: door supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must:
 - (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 that Act

Prohibited conditions: plays

1. In relation to a premises licence or club premises certificate 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.

Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

1. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act)
 - (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
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring
 - (e) 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

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
4. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. 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 a holographic mark.
5. The responsible person shall 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: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

Conditions 1- 3 and 5 do not apply where the Premises Licence authorises the sale and supply of alcohol only for consumption off the premises.

CHESHIRE EAST COUNCIL

LICENSING ACT SUB-COMMITTEE

Date of Meeting:	Monday 21 st September 2015 at 10.00am
Report of:	Mrs N Cadman, Licensing Officer
Subject/Title:	Application for a Premises Licence at Holford Hall, Marquee & Grounds, Chester Road, Plumley, Cheshire, WA16 0UA

1.0 Report Summary

- 1.1 The report provides details of an application for premises licence and the proposed operating schedule together with details of relevant representations received in relation to the application.

2.0 Recommendations

- 2.1 The Licensing Act Sub-Committee is requested to determine the application for a Premises Licence by Ladybarn Corporation Limited, in respect of:

Holford Hall, Marquee & Grounds
Chester Road
Plumley
Cheshire
WA16 0UA

- 2.2 Acting in the capacity of Licensing Authority, Members must seek to promote the Licensing Objectives, and where Members consider matters have engaged one or more of the objectives, they may exercise their discretion. The licensing objectives are:

- (a) The prevention of crime and disorder
- (b) Public safety
- (c) The prevention of public nuisance
- (d) The protection of children from harm

- 2.3 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 application and relevant representations in light of the proposed operating schedules.

- 2.4 The Sub-Committee in respect of this application must have regard to the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy.

- 2.5 Finally, Members are also reminded that in determining the application in accordance with the Licensing Act 2003, Members must also have regard to:

- The rules of natural justice
- The provisions of the Human Rights Act 1998

3.0 Reasons for Recommendations

- 3.1 The Licensing Act Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003 and the Council's Constitution.

4.0 Wards Affected

- 4.1 Chelford

5.0 Local Ward Members

Cllr George Walton

6.0 Policy Implications

- 6.1 The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.
- 6.2 Whilst having regard to the general principles within the Statement, Members may wish to consider the following:
- 6.2.1 The representations relate to the all four Licensing Objectives. The Licensing Authority sets out at paragraphs 7 to 10 of its Statement of Licensing Policy how it will deal with representations under these objectives.
- 6.3 Members should provide reason(s) for any decision taken and should set out they reasoning where they determine to depart in any way from the Policy or Guidance.

7.0 Financial Implications

- 7.1 Not applicable.

8.0 Legal Implications

- 8.1 In accordance with the provisions of section 18 of the Licensing Act 2003 the Licensing Authority must, having regard to the representations, take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. Section 18(4) provides that the authority may:
- (a) Grant the licence subject to the relevant mandatory conditions and conditions consistent with the operating schedule
 - (b) Modify the application to such extent as the Authority considers appropriate for the promotion of the Licensing Objectives
 - (c) Exclude from the scope of the licence any of the Licensable Activities to which the application relates
 - (d) Refuse to specify a person in the licence as the Premises Supervisor

(e) Reject the application.

8.2 Members are reminded that should any conditions be added, they should be practical, enforceable and appropriate to promote the Licensing Objectives.

8.3 Members are also reminded of the statutory obligation placed on the Local Authority under section 17 of the Crime and Disorder Act 1998 to through all of its various functions, and Licensing is one of those functions to do all that it can to prevent Crime and disorder, Anti-social Behaviour, behaviour adversely affecting the environment and re-offending.

9.0 Risk Management

9.1 Section 181 and Schedule 5 of the Licensing Act 2003 make provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority.

10.0 Background and Options

10.1 The application was initially received on the 14th July 2015, however was resubmitted on 30th July 2015 due to the initial application not being advertised in accordance with the Licensing Act 2003, i.e. no public notices at the site of the premises. The public notices were subsequently found to be satisfactory. The application is for the grant of a Premises Licence under section 17 of the Licensing Act 2003.

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

Sale and Supply of Alcohol
Provision Regulated Entertainment (as listed below)
Late Night Refreshment

10.3 The hours applied for are as follows:

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

Monday to Sunday 10.30 to 01.30

Seasonal Variation: from the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.

Plays (to take place both indoors and outdoors)

Films (to take place both indoors and outdoors)

Live and Recorded Music (to take place both indoors and outdoors/external speakers to finish at midnight)

Performance of Dance (to take place both indoors and outdoors)

Monday to Sunday 10.30 to 01.30

Seasonal Variation: from the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.

Late Night Refreshment (to take place both indoors and outdoors)

Monday to Sunday 23.00 to 02.00

Seasonal Variation: from the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.

Hours Premises are Open to the Public

Monday to Sunday 24 hours a day

10.4 A copy of the application form is attached as Appendix 1.

10.5 Relevant Representations

Responsible Authorities:

10.5.1 The Environmental Health Officer's representation is at Appendix 2 of this report.

There were no responses from any of the other Responsible Authorities.

Other Persons:

10.5.2 Written objections have been received from 71 other persons. A written objection has also been received from Plumley with Toft & Bexton Parish Council, which is supported by Cllr George Walton. Copies of these representations are attached as Appendix 3 of this report, numbered 1 - 73. Five of the other persons made representation before the application was resubmitted on 30th July 2015, these persons have all confirmed that they wish their representations to be carried forward to the resubmitted application.

10.5.3 Following receipt of the representations from Environmental Health and other persons detailed in 10.5.2, the applicant has proposed the following:

1. To remove the second marquee (in the adjoining field) from the application.
2. To reduce the terminal hour for all licensable activities by 1 hour.

A document submitted by the applicant, detailing proposed additional conditions and other information is attached to this report at Appendix 5.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Mrs N Cadman

Designation: Senior Licensing Technician

Tel No: 01270 685957

Email: nikki.cadman@cheshireeast.gov.uk

APPENDICES

Appendix 1 – Premises Licence application form

Appendix 2 – Representation from Environmental Health

Appendix 3 - Written objections from other persons (numbered 1 – 73).

Appendix 4 – Acoustic Report referred to in Appendix 3 by objector 64 and 73.

Appendix 5 – Document submitted by the applicant.

Appendix 6 – Maps

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Cheshire East
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

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

Applicant Business

* Is the applicant's business registered in the UK with Companies House? ☒ Yes ☐ No

* Registration number

* Business name

* VAT number

* Legal status

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

* Applicant's position in the business

Director - Frances Phillips

Home country

United Kingdom

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

* Building number or name

c/o Edwards Veeder

* Street

Alex House, 260 - 268 Chapel Street

District

* City or town

Salford

County or administrative area

Greater Manchester

* Postcode

M3 5JZ

* Country

United Kingdom

Agent Details

* First name

Licensing Legal Solicitors Limited

* Family name

Licensing Legal Solicitors Limited

* E-mail

sw@licensinglegal.co.uk

Main telephone number

0161 237 9961

Include country code.

Other telephone number

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

Are you:

☒ An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

☐ A private individual acting as an agent**Agent Business**

* Is your business registered in the UK with Companies House?

☒ Yes☐ No

* Registration number

7171662

* Business name

Licensing Legal Solicitors Limited

If your business is registered, use its registered name.

* VAT number

-

986265078

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

* Legal status

Private Limited Company

Continued from previous page...

* Your position in the business Practice Manager - Stephanie Williams

Home country United Kingdom

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

* Building number or name Barclay House

* Street 35 Whitworth Street West

District

* City or town Manchester

County or administrative area

* Postcode M1 5NG

* Country United Kingdom

Section 2 of 19**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

☒ Address ☐ OS map reference ☐ Description
Postal Address Of Premises

Building number or name Holford Hall

Street Chester Road

District

City or town Plumley

County or administrative area Cheshire

Postcode WA16 0UA

Country United Kingdom

Further Details

Telephone number 01565 722 840

Non-domestic rateable value of premises (£)

0

Section 3 of 19**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company
- ☐ A partnership
- ☐ An unincorporated association
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales
- ☐ Other (for example a statutory corporation)

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private Registered Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Section 5 of 19**OPERATING SCHEDULE**

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

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

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Continued from previous page...

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

☒ Yes

 ☐ No

Standard Days And Timings

MONDAY

Start End Start End

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

TUESDAY

Start End Start End

WEDNESDAY

Start End Start End

THURSDAY

Start End Start End

FRIDAY

Start End Start End

SATURDAY

Start End Start End

SUNDAY

Start End Start End

Will the performance of a play take place indoors or outdoors or both?

☐ Indoors

 ☐ Outdoors

 ☒ Both

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

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

2 external marquees (orangery / field)

Continued from previous page...

State any seasonal variations for performing plays

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

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

An extra hour on the day that British Summer Time commences.

Non standard timings. Where the premises will be used for the performance of a play at different times from those listed in the column on the left, list below

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

Section 7 of 19**PROVISION OF FILMS**

Will you be providing films?

☒ Yes ☐ No

Standard Days And Timings**MONDAY**

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 10:30

End 01:30

Start

End

SUNDAY

Start 10:30

End 01:30

Start

End

Will the exhibition of films take place indoors or outdoors or both?

☐ Indoors
 ☐ Outdoors
 ☒ Both

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

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

2 x external marquees (orangery / field)

State any seasonal variations for the exhibition of film

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

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

An extra hour on the day that British Summer Time commences.

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

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

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

☐ Yes
 ☒ No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

☐ Yes
 ☒ No

Section 10 of 19

PROVISION OF LIVE MUSIC

Continued from previous page...

Will you be providing live music?

☒ Yes
 ☐ No
Standard Days And Timings

MONDAY

Start End Start End

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

TUESDAY

Start End Start End

WEDNESDAY

Start End Start End

THURSDAY

Start End Start End

FRIDAY

Start End Start End

SATURDAY

Start End Start End

SUNDAY

Start End Start End

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

☐ Indoors
 ☐ Outdoors
 ☒ Both

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

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

External speakers (finish at midnight)
2 x external marquees (orangery / field)

State any seasonal variations for the performance of live music

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

Continued from previous page...

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

An extra hour on the day that British Summer Time commences.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

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

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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

Continued from previous page...

SUNDAY

Start 10:30

End 01:30

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☐ Indoors
 ☐ Outdoors
 ☒ Both

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

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

 External speakers (finish at midnight)
 2 x external marquees (orangery / field)

State any seasonal variations for playing recorded music

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

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

An extra hour on the day that British Summer Time commences.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

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

Section 12 of 19**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

☒ Yes
 ☐ No
Standard Days And Timings

MONDAY

Start 10:30

End 01:30

Start

End

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

TUESDAY

Start 10:30

End 01:30

Start

End

Continued from previous page...

WEDNESDAY

Start 10:30

End 01:30

Start

End

THURSDAY

Start 10:30

End 01:30

Start

End

FRIDAY

Start 10:30

End 01:30

Start

End

SATURDAY

Start 10:30

End 01:30

Start

End

SUNDAY

Start 10:30

End 01:30

Start

End

Will the performance of dance take place indoors or outdoors or both?

☐ Indoors
 ☐ Outdoors
 ☒ Both

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

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

2 x external marquees (orangery / field)

State any seasonal variations for the performance of dance

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

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

An extra hour on the day that British Summer Time commences.

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

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

Continued from previous page...

Section 13 of 19

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

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes☐ No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes☐ No**Standard Days And Timings**

MONDAY

Start 23:00

End 02:00

Start

End

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

TUESDAY

Start 23:00

End 02:00

Start

End

WEDNESDAY

Start 23:00

End 02:00

Start

End

THURSDAY

Start 23:00

End 02:00

Start

End

FRIDAY

Start 23:00

End 02:00

Start

End

SATURDAY

Start 23:00

End 02:00

Start

End

SUNDAY

Start 23:00

End 02:00

Start

End

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

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

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

2 x external marquees (orangery / field)

State any seasonal variations

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

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

An extra hour on the day that British Summer Time commences.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

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

Section 15 of 19**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start 10:30

End 01:30

Start

End

THURSDAY

Start 10:30

End 01:30

Start

End

FRIDAY

Start 10:30

End 01:30

Start

End

SATURDAY

Start 10:30

End 01:30

Start

End

SUNDAY

Start 10:30

End 01:30

Start

End

Will the sale of alcohol be for consumption:

- ☐ On the premises
 ☐ Off the premises
 ☒ Both

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

State any seasonal variations

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

2 x external marquees (orangery / field)

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

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

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

An extra hour on the day that British Summer Time commences.

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

*Continued from previous page...***Name**

First name

Ross Nathan

Family name

Phillips

Enter the contact's address

Building number or name

Holford Hall

Street

Chester Road

District

City or town

Plumley

County or administrative area

Cheshire

Postcode

WA16 0UA

Country

United Kingdom

Personal Licence number
(if known)

PE1410

Issuing licensing authority
(if known)

Cheshire East Council

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent
form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19**ADULT ENTERTAINMENT**

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

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

N/A

Section 17 of 19**HOURS PREMISES ARE OPEN TO THE PUBLIC**

Continued from previous page...

Standard Days And Timings**MONDAY**Start End Start End

Give timings in 24 hour clock.

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

TUESDAYStart End Start End **WEDNESDAY**Start End Start End **THURSDAY**Start End Start End **FRIDAY**Start End Start End **SATURDAY**Start End Start End **SUNDAY**Start End Start End

State any seasonal variations

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

2 x external marquees (orangery / field)

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

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

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

An extra hour on the day that British Summer Time commences.

Continued from previous page...

Section 18 of 19

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

All staff will be briefed on the event timetable, site layout, emergency procedures and other relevant site specific information.

Open containers of alcohol shall not be removed from the premises, except for consumption in any external area within the grounds of Holford Hall.

b) The prevention of crime and disorder

All entrances, exits and other strategic points will be staffed while an event is taking place.

A digital hard drive CCTV system will be in operation to cover internal and external areas of the premises, any area where customers have legitimate access must be sufficiently illuminated for the purposes of CCTV. All CCTV recorded images will have sufficient clarity/quality/definition to enable facial recognition. CCTV will be kept in an unedited format for a period of 31 days, any DVDs subsequently produced will be in a format so it can be played back on a standard personal computer or standard DVD player. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and able to produce / download/ burn CCTV images upon request by a person from a Responsible Authority. CCTV will be maintained on a regular basis and kept in good working order. CCTV maintenance records to be kept, details of contractor used and work carried out to be recorded. Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc), a secure storage system to store those recording mediums will be provided.

Any person who tries to gain entry to the premises who is involved in disorderly conduct or anti-social behaviour outside of the premises will not be permitted entry. The Premises Licence holder or Designated Premises Supervisor shall ensure that any person within the premises who is involved in disorderly conduct or anti-social behaviour inside the premises will be removed from the premises.

Staff will be trained in how to recognise and refuse service to customers who have had too much to drink, how to handle potential troublemakers and how to diffuse difficult situations.

The need for door security will be assessed by the Premises Licence holder or Designated Premises Supervisor and door staff will be employed when and where the risk assessment deems this appropriate.

c) Public safety

All firefighting equipment is inspected and serviced in line with the appropriate British Standard.

Appropriate fire safety and information signs shall be displayed.

All staff will be trained in the safe handling of emergencies and emergency protocols. Emergency exits will be unlocked and kept clear at all times.

Staff will ensure that glasses and bottles are collected on an on-going and frequent basis, make regular inspections for broken glass and clear up glass and any spillages as quickly as possible.

d) The prevention of public nuisance

Continued from previous page...

The Premises Licence holder will ensure that any complaints from local residents are managed appropriately.

Notices to be displayed requesting patrons to respect local residents and leave the premises quietly.

Car park staff are to use their best endeavours to ensure patrons leave quietly.

Local taxi numbers shall be available for customers to assist in ordering a taxi.

e) The protection of children from harm

Entry by children under the age of 18 to the premises is prohibited unless accompanied by an adult.

The premises must prominently display appropriate signage indicating that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.

Section 19 of 19**PAYMENT DETAILS**

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

100.00

ATTACHMENTS**AUTHORITY POSTAL ADDRESS**

Continued from previous page...

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

DECLARATION

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

☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

Date (dd/mm/yyyy)

Add another signatory

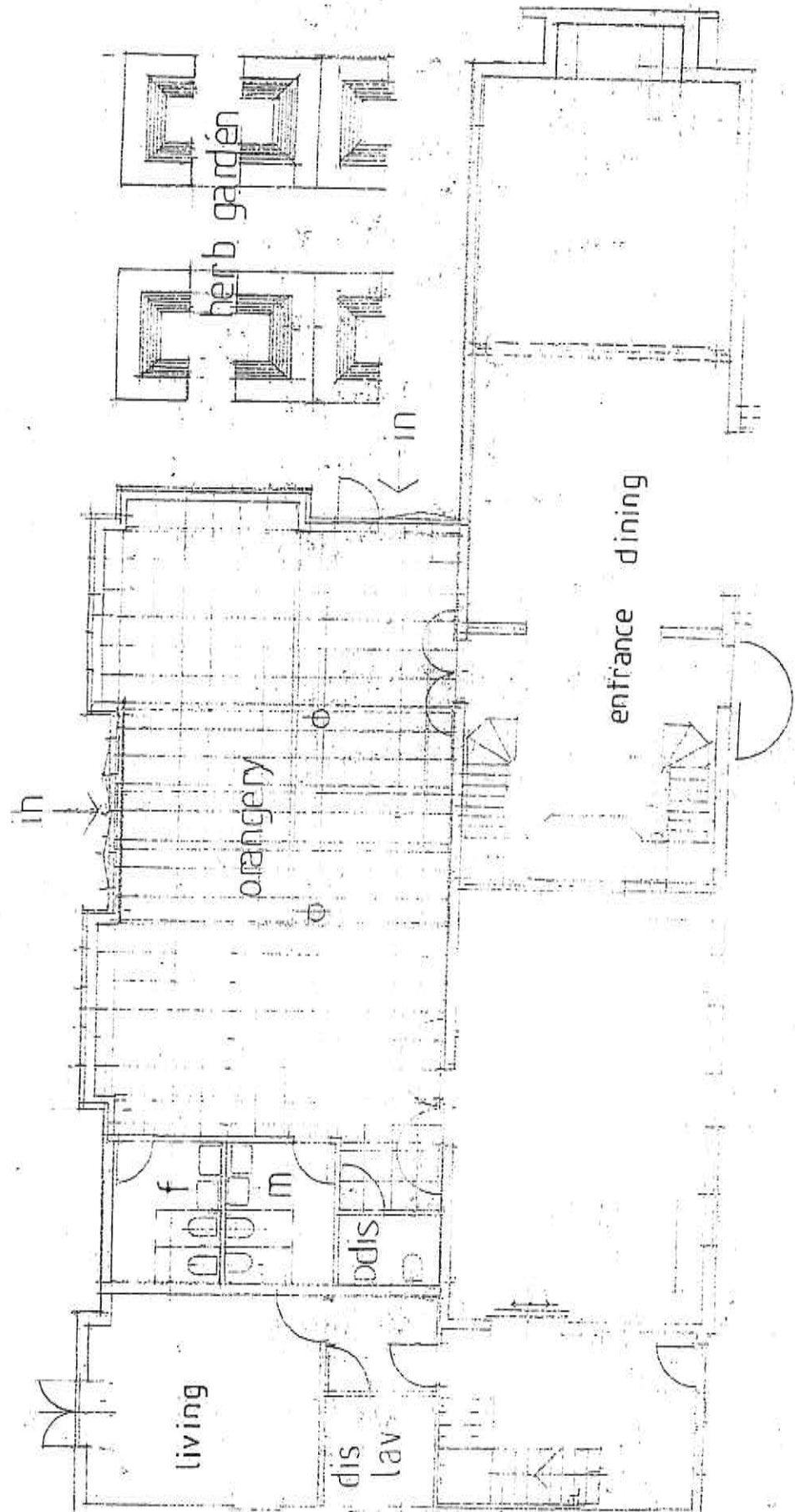
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

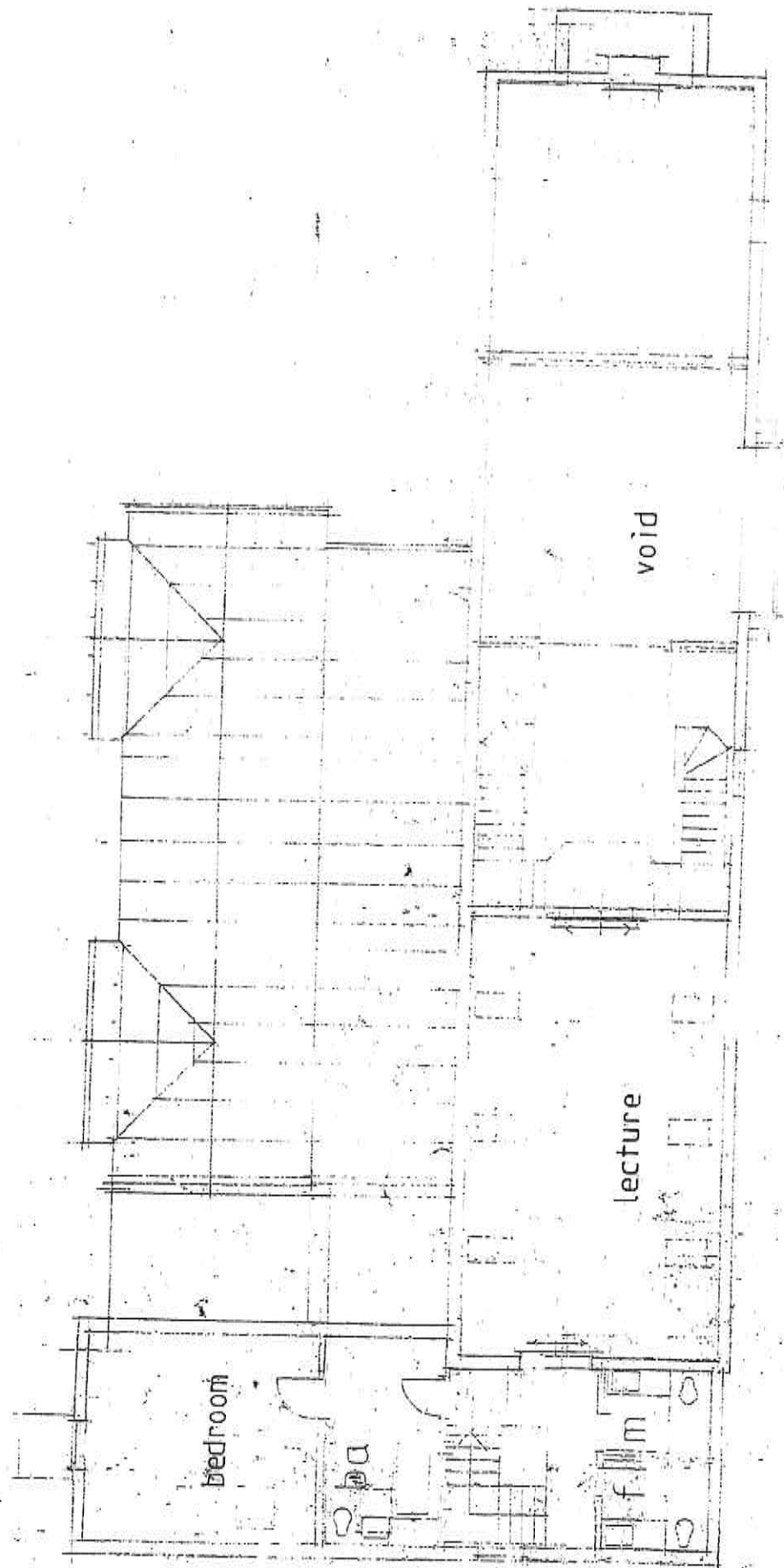
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/cheshire-east/apply-1> to upload this file and continue with your application.

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

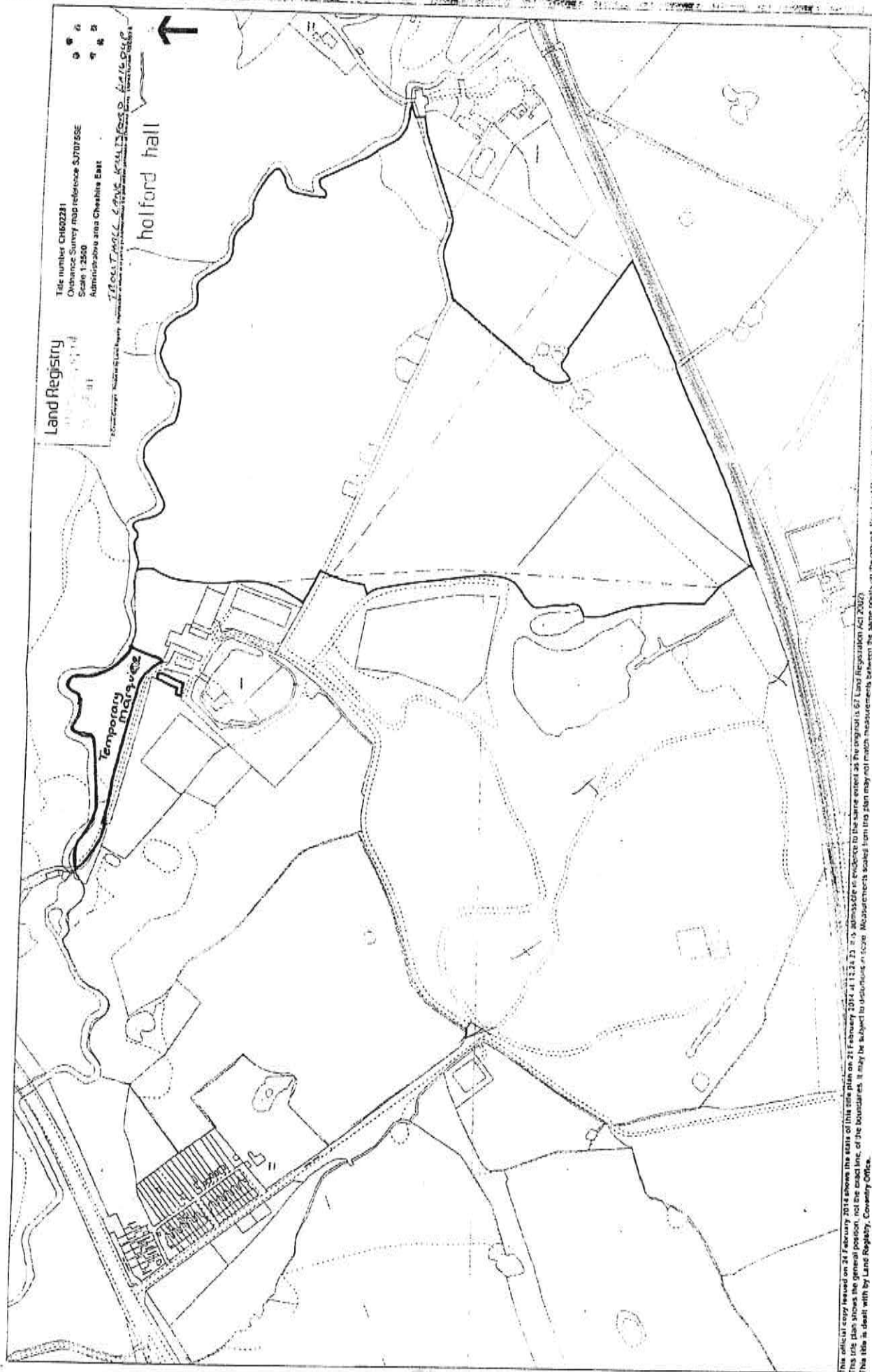
IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION



ground floor plan



first floor plan



This official copy based on 24 February 2014 shows the state of this title plan on 21 February 2014 at 12.34.23. It is admissible in evidence to the same extent as the original is. 67 Land Registration Act 2002.
This title plan shows the general position of the boundaries. It may be subject to disputation in court. Measurements scaled from this plan may not match measurements taken on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries.
This title is dealt with by Land Registry, Coventry Office.

Page 74
LICENSING ACT 2003
Environmental Health Consultation
Response

EP Ref: ELL/038480

Date Received:

14 July 2015

Name of Applicant:

Holford Hall, Marquee and Grounds,

Address to which application relates:

Chester Road, Plumley, Knutsford, Cheshire, WA16 0UA

Conversion:

☐

Variation:

☐

New:

☒

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

Approve

Approve with Conditions

Object to Section (s)

Prevention of Public Nuisance

Insufficient information has been submitted with the Premises Licence application relating to the protection of public nuisance by entertainment noise break out from the use of the proposed marquees (x2) during events.

In the absence of this information, it has not been possible to demonstrate that the Premises Licence application would promote the prevention of public nuisance. As such, at this time this directorate OBJECTS to the application and would recommend that the application be refused at this time.

In order to adequately assess the impact of the application for a Premises Licence at this location, a site specific Noise Management Plan for events within the marquees shall be provided by the applicant. This directorate is in direct contact with the applicant in order to work with them to develop a satisfactory noise management plan.

Further Information

In order to protect the interest of local residents and ensure that the licensing objective of public nuisance prevention is upheld; aall necessary steps shall be taken to ensure that any noise from the premises including marquees shall not be at a level which could cause a noise nuisance at the boundary of the nearest residential premises.

The Noise Management Plan shall address the various issues which may arise from holding events within the marquees and detail a scheme of measures to minimise noise generation from events.

The noise mitigation measures detailed in the Noise Management Plan to reduce noise impact arising from regulated entertainment within the marquee off site shall include (but is not limited to):

Time limitations on the duration of events

Consideration of limiting certain acts to specific timeframes; the noise breakout from a band is usually more than that of a DJ, which is generally more manageable. It could be that you limit bands to 9pm and any entertainment afterwards has to be recorded music from a DJ.

Event Contracts

It is important that bands booked, should be aware of the need to be sensitive to potential noise problems and should accept imposed restrictions. In some cases verbal assurances have been proven inadequate and you are strongly advised to include suitable clauses in contracts so as to ensure that you retain effective control over sound levels.

Sound Systems & Speaker Orientation

Employ a sound system whenever possible that uses circuit speakers (i.e., a range of relatively low powered speakers) sited around the marquee rather than one with a bank of speakers on either side of the stage to force sound out over the whole audience.

A statement that: no external / open air loudspeakers are permitted.

Choice of Entertainment

As marquees are acoustically weak structures, they are not suitable when using high levels of amplified music. Therefore, careful consideration shall be made to the type of entertainment to be held within the marquees.

Careful consideration shall be made to the type of performers at this location. Some acts will result in higher sound levels than others, for example, solo singers are likely to be quieter than bands.

Some acts may have higher levels of low frequency noise. Low frequency noise has more energy than high frequency noise and will travel further and penetrate buildings and double glazing. Low frequency noise can result in increased disturbance to local residents and may require additional control measures.

Public Relations

It is recommended that you advise local residents in advance of events so that they can make alternative arrangements, for themselves and their pets, should they wish to do so.

You should provide a contact number for residents in order that they may contact you during events should they have any concerns.

Premises Licence Application without Marquees

For the promotion of prevention of public nuisance at this location; this Directorate cannot support the application for a Premises Licence incorporating marquee structures without a site specific Noise Management Plan, approved by this Directorate, addressing public entertainment within marquees.

However, this Directorate has no objections to the approval of a Premises Licence on the proviso that no marques shall be used on site; with the following conditions for the promotion of the prevention of public nuisance:

- Only regulated public entertainment shall take place within the building (not marquee).
- Noise emanating from the premises as a result of regulated entertainment shall not be clearly audible at the boundary of any adjacent residential premises.
- All external windows and doors shall be closed whilst regulated entertainment is taking place, except for normal access and egress.

- There shall be no temporary or permanent speakers for the use of amplified music, speech or dance, permitted in the open air.

- **Proactive Noise Assessments during Events**

The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the Premises shall ensure that any noise emanating from the Premises is not audible at the boundary of noise sensitive properties.

Regular noise assessments shall be undertaken by a competent person (either the Licensee or Manager) and steps shall be taken to reduce the level of noise where it is likely to cause a disturbance to local residents.

The noise assessments shall be undertaken during events at the premises and when entertainment or music is occurring.

A written record shall be made of those assessments in a log book, kept for that purpose and shall include: the time and date of the checks, the person making them, location of the assessment and the results including any remedial action in order to reduce the level of noise where it is likely to cause a disturbance to local residents.

INFORMATIVE

Planning Permission

There are sometimes circumstances where planning conditions have been set which may impact on your activities. If the Planning Permission and the Premises Licence differ; for example where the Planning Authority have set a terminal hour which is earlier than those conditioned by the Premises Licence; you must abide by the earlier time otherwise you leave yourself open to enforcement action.

Signed: **Stephanie Bierwas | Enforcement Officer | Environmental Protection**

Dated:

To/ Cheshire East Council

Licensing Unit

Crewe

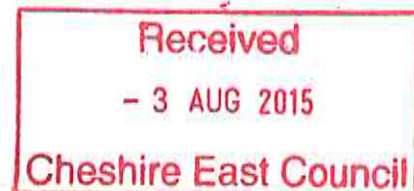
Dear Sir ,

We wish to strongly OBJECT to the proposed application to sell alcohol and provide entertainment from Holford Hall, Chester road , Plumley.

This would cause a significant Public Nuisance in the area. Depending on access which would be either through a quiet residential area or onto a trunk road.

We hope this application is therefore turned down.

Yours Faithfully



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

Dear Sir/Madam,

Premises licence application - Holford Hall, Chester Road, Plumley

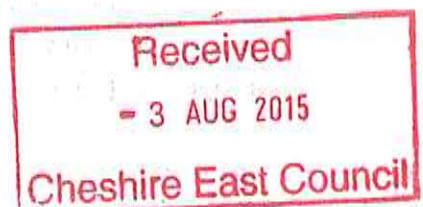
We write to object to the above application to sell alcohol, provide entertainment, and late night refreshments.

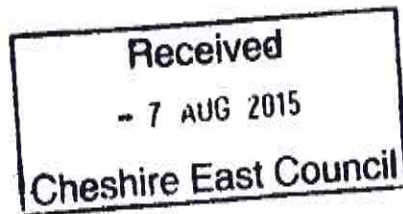
We object firstly on the grounds of public safety. Access to Holford Hall from the A556 is by a long and narrow road, suitable only for a very low volume of traffic. Not for sizeable numbers of vehicles carrying guests and staff, or for the delivery vehicles supplying the alcohol, refreshments, etc. If two vehicles meet there will be a blockage until one reverses, and if this blockage causes a traffic back up onto the A556 this will cause a major accident. Vehicles exiting onto the A556, particularly if turning right, are also a source of risk.

Given the difficulties of access from the A556, it is inevitable that use will be made of the access from Holford Hall to Trouthall Lane. This bridlepath has recently been made up to a standard where it is navigable by a 4x4. Staff and guests will make use of this to avoid the A556. The bridlepath and the lane it connects to are currently safe for children and walkers, and such traffic will make them dangerous.

Secondly we object on the grounds of prevention of public nuisance. The music, dance, and entertainment are going to be loud. Playing inside a marquee does not lessen the sound much. Sound carries over the fields. In the past there have been occasions when we, and our neighbours, have been very much aware of late night music at Holford Hall. For the occasional party at Christmas etc one accepts this, but for such disturbances to be a more frequent occurrence would be a source of real discomfort to the people of the village.

Yours faithfully,





Cheshire East Council
Licensing Unit
Municipal Buildings
Globe St.
Crewe
CW1 2BS

Dear Sirs

Holford Hall, Cheshire Rd. Plumley
Provides License Application

I understand that an application for a license to sell alcohol, to provide entertainment (music & dancing) and to provide late night refreshments from 11 pm to 2 am, has been applied for.

I also understand that the application does not specify where access to the premises is to be provided. The current access from the A556 is off a busy main road which could result in traffic problems any proposal to provide access from front hall lane, Plumley should be turned down due to the narrow access road and safety issues regarding volumes of vehicles crossing the narrow bridge over the Peover Eye.

I object to the proposal on the grounds of:-

1. Prevention of crime & disorder.

What steps would be taken to control events which usually result in drunkenness & rowdy behaviour?

Will steps be taken to control any substance abuse?

2. Public Safety.

As indicated previously with the issue of a license result in road traffic problems on the very busy & accident prone A516? If access was to be sought through the village & town hall lane road works are clearly necessary to facilitate entry.

3. Prevention of Public nuisance

Whilst acknowledging that the Hall is in a rural area, at night sound travels considerably and the primarily elderly local population would not welcome ongoing noise on a regular basis throughout the day and evening.

I hope that the police & licensing unit will take the residents' concerns into account when taking a decision on the license application.

Yours faithfully

4.

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

4th August 2015

To whom it may concern

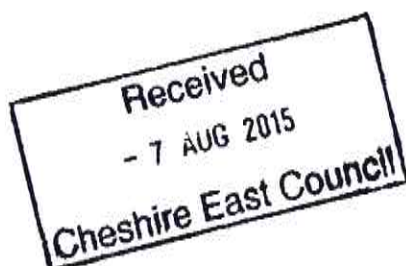
I have recently become aware that Holford Hall, Chester Road, Plumley, is applying for a premises licence in order to do the following: Sell alcohol from 10.30am to 1.30am, play music indoor till 2pm, outdoor till 12am, dance performances until 1.30am, Adult entertainment until 12am.

I understand that door staff will be employed to remove disorderly and anti-social people from the premises.

My objections to this Application are:-

1. Noise from these activities late at night drifting into the Village.
2. Traffic problems both from Trouthall Lane and Holford Lane at all times of day.
3. People denied access to the premises coming into the village causing possible problems.
4. Possible traffic disruption caused by people parking their cars in the Village in and around the Trouthall Lane area.

Yours sincerely



Received

10 AUG 2015

Cheshire East Council

Cheshire East Council

Dear Sirs

Re, Holford Hall Licence Application

As a resident of 32 years in Trenchell Lane - now 92 years of age - I was most distressed to learn that the above establishment have applied for a license to sell ~~alcohol~~ alcohol until 2 AM and provide live music + dancing Monday to Sunday.

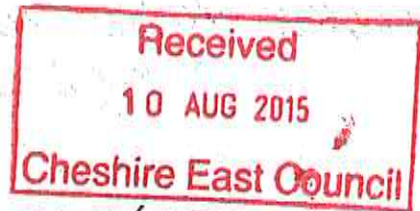
This will inevitably mean large numbers of cars flying down the lane with obvious risk to local residents, many of whom walk their dogs at different times.

I have been burgled three times already and the criminal element will most certainly be on the look-out for properties where people are away.

I hope to be able to enjoy my remaining years in peace + tranquillity, so most certainly object to the proposed developments.

Yours faithfully,





7/8/15 TO WHOM IT MAY CONCERN

I AM WRITING TO STRONGLY OBJECT TO THE APPLICATION FOR A "PREMISES LICENSE" FOR HOLFORD HALL, CHESTER ROAD, PLUMLEY, ON THE GROUNDS THAT THE TRAFFIC IT WOULD BRING TO THE NARROW LANE FROM TRUTHALL LANE TO HOLFORD HALL WOULD BE HIGHLY DANGEROUS AS THE SMALL LANE KNOWN AS "PEPPER STREET" IS WALKED BY MOST PEOPLE IN THE VILLAGE, I.E. CHILDREN, OLD FOLKS & THEIR DOGS AND MANY WALKERS FROM FURTHER AFIELD.

AS IT IS AT PRESENT I HAVE TO BE EXTREMELY CAREFUL COMING OUT OF MY ENTRANCE WHICH IS THE CLOSEST TO THE SAID LANE AND ONLY TWO RESIDENCES USE IT ON A REGULAR BASIS, IMAGINE WHAT IT WOULD BE LIKE IF THE TRAFFIC THAT A LICENSED PREMISES WOULD BRING CAME THERE. I WOULD BE SIGNING MY OWN DEATH WARRANT. THIS SITUATION CANNOT BE ALLOWED TO HAPPEN.

ALSO THE NOISE THAT THE MUSIC FROM THAT VENUE WOULD CAUSE UNTIL THE EARLY HOUR.

WOULD BE A REAL DISTURBANCE TO THIS
END OF PLUMLEY. I AM SURE YOU KNOW
THAT THE RESIDENTS ARE PRETTY UPSET
ABOUT IT.

YOURS SINCERELY

7.

Received
12 AUG 2015
Cheshire East Council

DEAR SIR OR MADAM

I AM WRITING to voice My objection to this Application for A LICENCE. I IS GOING to be A NIGHT CLUB, THIS SORT of establishment should be in A TOWN OR CITY where it can be Policed Properly, we MIGHT not hear the noise from the venue, it IS what happens when people make their way Home, it IS going to be SEVEN NIGHTS A Week, so people who live in this quiet VILLAGE will have to put with noise & CARS that will Probaby won't stick to the SPEED LIMIT on VERY NARROW Country Roads, I have lived in Plumley over SIXTY years we Do not anything like this in Plumley.

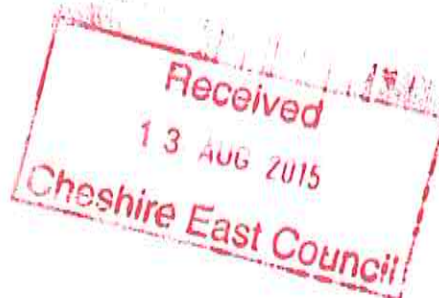
Yours Sincerely



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

**PLUMLEY WITH TOFT & BEXTON
PARISH COUNCIL**

11th August 2015



Dear Sirs

RE Premises License Application – Holford Hall, Chester Road Plumley, WA16 0UA

Following a meeting of the Parish Council on the 10th of August 2015 which was attended by 56 local residents I have been asked to formally make representation on behalf of the Council with regards to the above application.

As a general comment about the application there needs to be clarity as to how the access to and from the site for both guests and service vehicles will be managed and where parking of vehicles will be accommodated. This is quite fundamental should a license be granted and large scale events take place within the Hall and the grounds.

The Council also wanted to make you aware that Holford Hall is a listed building and is adjacent to an SSSI site which they feel are important factors you need to be aware of when considering the granting of a license.

During the meeting the Council resolved unanimously to object to the application for a license on the following grounds

Public safety

- The road infrastructure is not suitable in terms of width and lighting to support the increased volume of traffic for proposed events and activity, The likely / expected access routes could be in areas where residents regularly walk and children historically play games and ride horses.
- There is a clear association between late night drinking and anti - social behaviour which could impact on local residents.
- Access to and from Holford Hall via the A556 is already extremely hazardous, an increase in the volume of traffic using this route will create further risk of serious accidents.
- During a previous public inquiry into the request for the movement of a footpath at Holford Hall, part of the justification was that people walking through the grounds of Holford Hall could "spook" the horses thus making them a danger to the public.

The prevention of public nuisance

- Both the noise generated by, and the physical quantity of, vehicles attending events both daytime and during anti- social hours.
- Noise generated by base resonance of entertainment, this was evidenced as an issue on Ascol Drive during a recent late night birthday party at Holford Hall.
- Increase in events and activity will require an increase in larger service vehicles creating an increase in noise and obstructions on the narrow lanes.

The protection of children from harm

- The likely / expected access routes could be in areas where residents regularly walk and children historically play games and ride horses.
- People walking through the grounds of Holford Hall could "spook" the horses thus making them a danger to the public including children.

The prevention of crime and disorder

- It is noted that the intention is for Holford Hall to employ doormen for events which in itself implies that they anticipate some form of disorder confirming residents' concerns.
- Concerns about criminal activity and violence from guests and visitors who have been ejected or not allowed entry to Holford Hall.

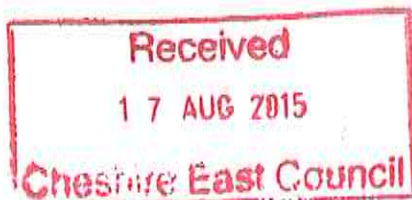
Should the licensing committee be minded to grant this application the parish council would ask that access and egress of Holford Hall between the hours of 2100 and 0500 be restricted to Mill Lane and the A556.

I would be grateful if you could confirm receipt of this representation from the Parish Council

Yours sincerely

David McGifford
Clerk to the Council

12 Bagmere Close, Brereton, Sandbach, Cheshire CW11 1 SG



9.

Licensing Unit
Cheshire East Council
Municipal Buildings
Earle St
Crewe
CW1 2BJ

12th August 2015

Dear Sir/Madam

I believe that I have until the 21st of August 2015 to lodge a Licensing objection.

I live at Plumley Village as the Yewtree Ratepayers Homewatch co-ordinator, caring for the security of a mainly elderly retired community. I live approximately 700 metres across mostly uninterrupted open fields from Holford Hall post code WA16 0UA.

I wish to object to the proposed Licensing application put forward by Ladybarn Corporation on behalf of the owners of Holford Hall on the following three counts.

Firstly the antisocial airborne sound level created by loud music especially into the early hours in the summer when my bedroom windows are open for fresh air.

Secondly the safety aspect associated with the main A556 Chester road i.e. taxis turning right in the main road towards Manchester to avoid a longer journey up to the large roundabout towards Northwich.

Thirdly the inevitable drunken behaviour and associated results of late night or early morning revellers cutting through our quiet and peaceful Plumley village to get to the main Plumley Moor Road.

I am yours in anticipation and hope that common sense and a sympathetic ear to these objections I have raised are listened to.

Kind Regards



13th August, 2015

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

Sirs,

Re: Application for Licence for Holford Hall, Plumley

We wish to register our very strong objection to the application for licence at Holford Hall.

To say that we were staggered to hear of this application would be an understatement. You will be aware that Plumley is a small village. You may not be aware of the problems that we already contend with.

We object to this on the grounds of it being a public nuisance. Why should a small Cheshire village have to contend with the obvious noise levels from a venue with hours more suited to a London nightclub. Is it not enough that we already have the airport and aircraft noise, the noise of goods trains thundering through during the night, and the prospect of yet more noise if HS2 comes to our doorstep?

What about crime and public disorder. Who is to police this venue? Are we to expect Cheshire Police to control it – hardly likely.

What about the traffic issue? How is the traffic supposed to get to and from this venue. Will it be via the A556 – already a dangerous road and used dangerously by people insisting on turning right across 3 other lanes. Or maybe they will come along Plumley Moor Road – the favourite choice of the boy/men racers. We are continually subjected to vehicles going well in excess of 60 miles per hour on a 30 mile an hour road and more so late at night.

We feel that the application should not be granted licence and that alcohol and music until the early hours benefit no resident in any village.

We therefore register our objection.

Yours faithfully

Cheshire East Council.
Licensing Unit
Eagle St. Crewe.



Re. Application for a licence, for Holford Hall, Plumley to
sell alcohol, provide entertainment and late-night refreshment
until 2am, 7 nights a week inside or in 2 marquees.

Dear Sir,

As residents, living in Ascot Drive, Plumley, we would like to object to the above application.

1. There are 3 entrances to Holford Hall

- Ascot Drive
- Holford Hall Lane.
- New Road from Troutfall Lane.

Options 'b' & 'c' each have bridges over the Peover bye which will not take heavy vehicles, so almost all Holford Hall heavy traffic uses 'a' Ascot Drive. This drive is an unmade private road leading directly to and from the busy A556 making turning in and out hazardous for residents' cars, without the added pressure from Holford Hall traffic, which would not just be confined to evening, but daytime disruption by the logistics needed to stock and service the premises. When the new road was being constructed from Troutfall Lane all the aggregate and materials came along Ascot Drive, churning up the surface and creating pot holes.

2. There are several children of school age and under, living in Ansel Drive and extra movements of all types of vehicles would be dangerous to all residents.
3. Noise levels, emanating from late night "music and entertainment" would be severely disruptive to all residents as would traffic movements in the late night-early morning hours, ruining the peace and relative tranquility of this small corner of Cheshire countryside.

Hoping these points will be taken into
○ consideration.

Your faithfully,



19 August 2015

Re: Halford Hall, Chester Road, Plumley. WA160UA

Dear Sirs,

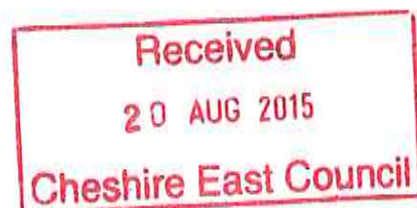
I would like to register my objection to the licensing application for a premises licence for alcohol sale from 10.30 – 1.30 and provision of regulated entertainment between 23.00 and 02.00 seven days a week at the above address on the grounds of Prevention of Public Nuisance.

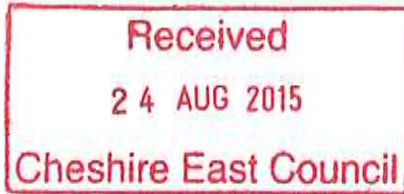
a). Plumley is essentially a quiet semi-rural area and this application is not in the interests of the villagers who live less than half a mile away. Most particularly due to the noise from MARQUEES disturbing the peace in the early hours of the morning.

b). Depending on the access needed to service this application public safety could also be affected due to extra traffic through and around the village.

I do find this application somewhat confusing as it is not five years ago that the same applicant won a court case to change the course of a five hundred year public right of way through the property in order to minimise the noise level and disturbance caused by people passing close to the building's equine business.

Yours faithfully,





20 August 2015

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

Dear Sir/Madam

Re: Application for a premises licence by Ladybarn Corporation for Holford Hall, Chester Road, Plumley

I strongly object to the above application for a premises licence at Holford Hall on the grounds that it would constitute a public nuisance. Holford Hall is located approximately half a mile away from Truthall Lane, across an open field, and we have already experienced how sound travels across open land when Holford Hall played host to a private party one evening last summer. The music and noise from revelers was clearly audible until the early hours of the morning and unfortunately kept us awake. The potential for this level of disturbance seven days a week is totally unacceptable.

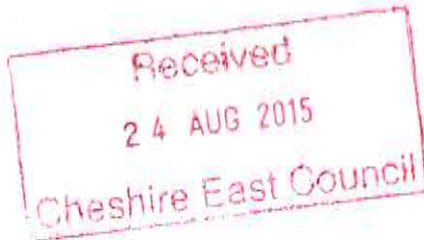
The combination of music, entertainment, outdoor loudspeakers, marquees and revelers is not, in my opinion, a recipe for peace and quiet, and could also be a trigger for increased crime and disorder in the neighbouring area as partygoers try to make their way home – two exits from Holford Hall are via Plumley village. This, in turn, could impact on public safety in general, and in particular impact on the safety of children who currently are able to play/dog walk relatively safely in the fields close to Holford Hall.

Plumley is a semi-rural village which offers relative peace and tranquility, very little crime/disorder and a place where children can play freely. This application has the potential to totally disrupt village life and I strongly object to the application.

Yours sincerely



2



14.

20 August 2015

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

Dear Sir/Madam

Re: Application for a premises licence by Ladybarn Corporation for Holford Hall, Chester Road, Plumley

I strongly object to the granting of the above licence on the grounds of the public nuisance that would be caused by the noise from music and dancing accompanied by the sale of alcohol until 2am, especially by the use of external marquees and external loudspeakers.

The surrounding countryside is enjoyed by many, including children, and their safety could be put at risk by disorderly behavior. Plumley is an area enjoyed by its residents for its rural ambience and this would most certainly be jeopardized should this application be granted.

Yours faithfully



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

21st August 2015

Holford Hall Premises Licence Application

To whom it may concern

As residents of Plumley we share the considerable concerns of our community about the proposals for the licensing of Holford Hall.

We wish to object to these proposals on the following grounds:

Prevention of Public Nuisance

The use of this venue for the proposed activities will cause unwelcome noise over a significant distance in a largely rural area.

Previously the owners of the Hall were given permission to close the old public right of way because of the noise created by the walkers using the footpath close to the stables. The proposed development will result in considerably more antisocial noise over long periods of time causing sleep deprivation for nearby residents.

Public Safety

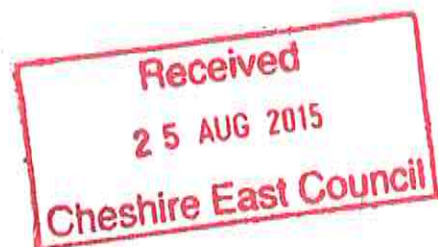
The inevitable increase in traffic will result in a greater hazard along roads and tracks which were not built to accommodate the flow of modern traffic. Plumley residents already have concerns about standards of driving with many drivers ignoring the 30mph speed limit. We understand that these concerns are shared by the police and local council

Prevention of Crime and Disorder

At present Plumley has low crime statistics. We wish to keep it that way. The experience of other venues with alcohol and entertainment licences shows that late night consumption of alcohol leads to antisocial and criminal behaviour.

Hoping you will take our concerns into consideration

Yours sincerely



16.

Licensing Unit
Cheshire East Council
Municipal Buildings, Earle Street
Crewe CW1 2BJ

23 August 2015



Dear Sir or Madam

Holford Hall Chester Road, Plumley, Cheshire WA16 0UA
APPLICATION FOR A PREMISES LICENCE - LICENSING ACT 2003

We wish to object to the above application. This is a tranquil, rural locality to which many people moved because of these qualities. This application proposes activities which are incompatible with the nature of the area. The idea of loud music and alcohol-fuelled noise continuing into the early hours in such a quiet rural location is abhorrent and would represent a serious deterioration in the quality of life here. It would be particularly distressing for the elderly residents of the area.

There is also the problem of an increase in traffic. The adjacent A556 is a dangerous road to accommodate all the extra traffic that this proposal will generate. If the lanes away from the A556 are used for access there is then the problem of traffic flow on narrow ill-suited lanes plus the noise disturbance the traffic will generate in the early hours.

The activities to which this proposal relates are far more appropriate to an urban location where noise levels are already high and where the road system is capable of safely accommodating the associated traffic.

Yours sincerely



Received
25 AUG 2015
Cheshire East Council

20th August 2015

Licensing Unit
Cheshire East Council.

Dear Sirs,

Page 98

I wish to place on record my objections to a proposed licensing application made by Hobybarn Corporation, acting on behalf of Heyrod Hall, in Plumley. The objections - in no particular order - are:

The safety implications of ingress and egress to the site, whether from the A556 or Plumley Village itself, the latter on lanes totally unsuited to heavy traffic

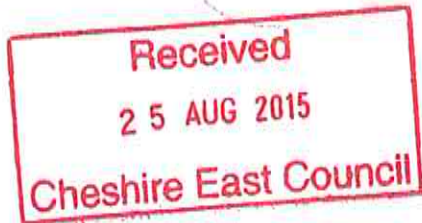
The public nuisance of loud music etc, 8 even days/nights a week, until the early hours.

2

An update on the proposal in due course, would be much appreciated

Yours faithfully,

To CHESHIRE EAST COUNCIL
LICENSING UNIT,
MUNICIPAL BUILDINGS
EARLE STREET,
CREWE CW1 2BJ.



Dear Sir/Madam,

I refer to application for license at Holtford Hall.
Lady Barnard's Vespers/estete
Chester Road
Plumley.

The grounds we object to. A quiet rural area, in conservation area, wild life,
Sound travels over the fields, the music dancing. Time 10.30am - 1.30am.
Prevention of crime and disorder, consumption of excess alcohol,
consequences wander over fields making public nuisance and safety,
and disturbance to the area. Also, many children and their
parents walk over public footpaths adjoining fields of Holtford Hall.

Application, states nothing about access to and from premises.
I'm sure you are aware of narrow country lanes in areas surrounding
fields adjoining. Also, access onto a very busy speedy Chester Road.
Extra traffic particularly late at night, safety features not
to mention noise disturbance.

I await your response to this objection, among MANY
residents of Plumley which we are proud of our community.

Yours faithfully,

24 August 2015



Dear Sirs,

I write in connection to the application made by the occupants of Holford Hall, Chester Road, Plumley. WA160UA.

May I please make the following initial comment which may not be directly applicable to licencing law but does to me seem relevant to the situation. Some years ago the occupants spent a considerable amount of money and time to secure the moving of an historic footpath and right of way past Holford Hall on the grounds of privacy and noise. This was very much against the wishes of many local residents and other parties, however, permission was granted on those grounds. It does therefore seem strange to me that there should now be an application for a licence to promote drink, dancing and music to all hours, seven days a week at the Hall.

Having made that comment I understand that there are specific criteria that govern licencing laws and I would like to register my objection to the licensing application for a premises licence for alcohol sale from 10.30 – 1.30 and provision of regulated entertainment between 23.00 and 02.00 seven days a week at the above address on the grounds of Prevention of Public Nuisance.

The application seems to suggest that the licence, if granted, would be for the provision of drink, dancing and music in one or more marquees sited in the grounds of the Hall. I do not think that there is any material known to man that can suppress the noise pollution that will come from such a type of building. Plumley has always been a quiet and respectful village with many older residents and to introduce the possibility that any level of noise should be imposed on the residents at unsociable hours is against everything that rural life is about and will disturb the peace.

20.

From:

Sent: 30 July 2015 10:55

To: LICENSING (Cheshire East)

Subject: Licensing Application by Holford Hall, Plumley

Dear Sir/Madam

I note there is an application for Licensing of alcohol at Holford Hall. As a resident of Ascol Drive I would like to submit an objection to this being granted on the following grounds:

Public safety – the area surrounding Holford Hall is very rural , it is frequented by walkers and cyclists who would be at risk on the narrow tracks that any vehicles would have to take to arrive/depart from Holford Hall. The venue is a residential building not designed for large groups of people attending events.

Increase in crime and disorder – this peaceful rural area would be at risk from theft and damage to vehicles/property.

Protection of children – there are a number of young children living in the area where an increase in traffic would have an impact on their safety.

Public nuisance – the noise from large events held at Holford Hall would travel locally to Ascol Drive and other neighbouring properties.

Venues in the area –The Smoker, The Golden Pheasant and the Peover Golf Club all have function rooms capable of holding events and I do not believe another venue is necessary.

In addition the residents of Ascol Drive pay for and maintain the current private road which would be access to Holford Hall. Any increase in vehicles using the drive would have an impact on the cost and manpower needed to retain the standard of the drive.

Please lodge my complaint.

Regards.

Owner of properties at Ascol Drive

21.

From:

Sent: 30 July 2015 10:55

To: LICENSING (Cheshire East)

Subject: Licensing application from Holford Hall Plumley Knutsford- OBJECTION!

To Whom this May Concern,

I write regarding a Licensing Application submitted by Mrs Phillips at Holford Hall. As a resident of Ascol Drive I am concerned about the increase of noise in such a quiet and peaceful residential area that we live in. Access to Ascol Drive is by an unadopted road which the residents contribute to the upkeep of, by way of funding and manpower. Any increase of traffic to Holford Hall would have a major impact on the drive and the access to and from Ascol Drive is directly onto the busy A556.

The location of Holford Hall is not conducive to providing social gatherings for large numbers of people attending events, it involves vehicles driving through small tracks, crossing a bridge not designed for such volume of vehicles and interrupting peaceful countryside enjoyed by walkers, cyclists and the wildlife.

There are alternative wedding/entertainment venues in Plumley namely. The Old Peover Golf club and both Village Pubs, The Smoker and The Golden Pheasant have function rooms and similar types of facilities, so there is no requirement for another venue of this type in this area.

Please lodge my objection to this application being approved.

22.

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

From

Sent: 29 July 2015 15:46

To: LICENSING (Cheshire East)

Subject: Licensing application Holford Hall, Plumley

Dear Sir/Madam,

With regard to the licensing application at Holford Hall, PLumley by Mrs Phillips, I would like to register my opposition to this application.

This is a residential area and noise carries very easily across the fields. I live by myself and I have a young child and feel our peace, quiet and more importantly our sleep will be seriously disturbed. This is a lovely village/rural location that already has several pubs and a designated wedding venue. One of the pubs is only a matter of a couple of hundred yards away. This is not a commercial area or an urban area.

The property of Holford Hall can only be accessed by a single track lane which in turn is off the A556, already a high collision route. This lane is also a footpath with another residential property on the lane, and it cannot possibly cope with increased vehicular traffic. There is limited pedestrian access and completely dangerous to have intoxicated individuals walking from this venue onto the A556, where there is not always a footpath. I very strongly oppose any licensing or change of use at this venue.

Please can you confirm receipt of this e mail.

Yours faithfully

23.

From:

Sent: 29 July 2015 15:04

To: LICENSING (Cheshire East)

Subject: Holford Hall Chester Road, Plumley, Cheshire WA16 0UA

Dear Sir

I wish to strongly object to the Premises Licence application at the above property

I am a local resident and can see the property across the field from my family home, the main reasons for my objection are

1. Holford Hall is in a quiet rural setting with a number of residential properties in the vicinity including, Plumley village, Plumley moor road, Chester Road and Ascol Drive, noise will travel to these properties where a mix of individuals reside including many young children and OAP's causing a nuisance
2. Access to the property is across a small bridge that is not designed for volume traffic and along a public footpath used by walkers and cyclists which may result in injuries or worse.
3. The only access for large vehicles is via Ascol Drive, a private residential drive that is not surfaced and leads to a farm track not designed for heavy traffic.
4. There are alternative wedding/ entertainment venues in Plumley at the old Peover Golf club additionally both Village Pubs, the Smoker and The Golden Pheasant have function rooms, so there is no requirement in the area.

If you would like any further information please do not hesitate to contact me on the details below.

Kind regards

24.

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

From:

Sent: 29 July 2015 19:28

To: LICENSING (Cheshire East)

Subject: licensing application from Holford Hall

Dear Sir/Madam,

As a resident of Manchester Road, Plumley, (near to Ascol Drive), I would wish to raise the following issues in relation to the above licensing request received.

1. Holford Hall is in a quiet rural setting with a number of residential properties in the vicinity including, Plumley village, Plumley Moor road, Manchester/Chester Road and Ascol Drive, noise will travel to these properties where a mix of individuals reside including many young children, disabled residents and elderly residents causing a nuisance.
2. Access to the property is across a small bridge that is not designed for volume traffic and along a public footpath used by walkers and cyclists which is not lit and is likely to result in injuries or worse.
3. The only access for large vehicles is via Ascol Drive, a private residential drive that is not surfaced and leads to a farm track not designed for heavy traffic. In addition, residents of Cranage Villas and Ascol Drive contribute to the private road upkeep, together with Mr Bristow (owner of the Nursery and the road on Ascol Drive). The licensing applicant does not contribute to the road upkeep and we would be unhappy at additional cost for further road maintenance from additional traffic to the property.
4. There are alternative wedding/ entertainment venues in Plumley at the old Peover Golf club additionally both Village Pubs, the Smoker and The Golden Pheasant have function rooms, so there is no requirement in the area.
5. Given the lack of public transport in the area, we also feel that the remote location would increase the potential for drink driving late at night, near a busy bypass; causing a dangerous risk to local residents and wider. We appreciate that there is a request for overnight stays but if the venue was for a large party, it is unlikely that accommodation on site could fully cater to eliminate this risk.

Finally, should the above points not be considered and the request is approved- has a personal licence been approved for sale of alcohol? what experience does Mrs Phillips have of this type of enterprise and have any training courses been arranged by Mrs Phillips to satisfy quality aspect.

I would also like to add to these that Ascol Drive, past the first gate (at the end of the last house), is single track with no passing points for vehicle access.

If you require further information, please do not hesitate to contact me.

Kind Regards

25.

From:

Sent: 30 July 2015 20:39

To: LICENSING (Cheshire East)

Subject: Holford Hall Plumley

To whom it may concern,

I write to object to the license application for Holford Hall, Plumley. As this is a small semi rural village the surrounding area and road networks are not able to cope with an entertainment venue with it's environs. It will pose a threat to public safety and local children because of increased traffic. Also another objection is that it could possibly cause a public nuisance in terms of noise, traffic, drunken behaviour etc.

Regards,

26.

From:

Sent: 30 July 2015 21:21

To: LICENSING (Cheshire East)

Subject: holford hall premises license

Dear sir/madame,

I write to register my objection to the application for Holford hall to be given a license to sell alcohol, and provide entertainment (music and dancing).

my grounds for objection are as follows:-

1) Prevention of crime and disorder, public safety, public nuisance, protection of children from harm.

Alcohol consumption is associated, with disorderly and antisocial behaviour. Door staff will bar or remove disorderly individuals. Where will these individuals end up? In order to reach public transport links they would need to navigate off road tracks and small lanes or dual carriageway on foot or in vehicles. This may create a public nuisance and safety risk to local people and other road users especially if the newly refurbished track from Plumley is used for ingress or egress.

2) Holford hall is in a rural location surrounded by flat farmland. Noise will carry further than might be the case in a more built up area and is more out of character. The noise will be unconstrained by buildings if it is to be held in marquees. This will constitute a public nuisance in areas such as Plumley and other adjacent residential areas.

3) Events will create additional demand and traffic on rural infrastructure i.e. roads. Plumley already has a problem and this is evidenced by Cheshire East Highways installing traffic calming measures in the village.

4) It is the case that when other developments at Holford hall have been subject to agreements made, the owner of Holford hall has not abided by these agreements e.g. open day for local residents (footpath diversion) viewing platform occluded by new planting - requiring intervention by parish/ Cheshire East Councils. I have therefore no confidence they would honour any promises made in support of the current license application.

Whilst Holford hall may wish to provide a venue for events, there are arguably four other licensed premises within walking distance better suited to such activity who have established their low impact on the area.

Yours sincerely

(Plumley resident)

27.

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

From:

Sent: 30 July 2015 21:02

To: LICENSING (Cheshire East)

Subject: Holford Hall application for a licence.

As a senior citizen living on Ascol Drive, I am deeply concerned that an application for an alcohol licence has been applied for at the end of our lane. Who in their right mind would want the sort of disturbance this could cause in our area. This is a country lane that has been used for many years by dog walkers and children who are able to cycle safely. If this lane becomes an access route to Holford Hall with late night activity up and down it, the whole area will be spoilt. Do we really need yet another venue in the area when there are plenty in the locality already. Please, we have the very busy Chester road with ever increasing traffic. We are frequently on the flight path for Manchester Airport. We have the threat of HS2. How much more are we expected to cope with?

Sincerely,

28.

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

From:

Sent: 03 August 2015 11:52

To: LICENSING (Cheshire East)

Subject: PremisesLicense - Ladybarn Corporation Ltd re Holford Hall, Chester Road, Plumley WA16 OUA

Dear Sirs,

I wish to make representations regarding the above application for a Premises License which as a resident in the locality of the said premises it is my right to do.

I have no objection to issuing a Premises License, however, my objection is to the terms of that License as requested in the Application. Therefore I would make representation that the said License, if granted, is issued with Conditions which is the Committee's remit to do. These are:

- 1) Sell Alcohol between the hours of 12 noon and 12 midnight.
- 2) Play Music indoors till 1.0.a.m
- 3) Play music outdoors till 11.0.a.m
- 4) Dance Performances until midnight, if indoors, and 11.0.p.m. if outdoors.
- 5) Adult Entertainment until 11.0.p.m.

The reasons for my representations are:

- 1) The selling of alcohol at 10.30.a.m and before 12 noon. is unnecessary.
- 2) The playing of music indoors after 1.0 a.m. means that partygoers will not be leaving the said premises until very much later therefore causing disturbance to local residents through noise and increased traffic flow.
- 3) The playing of music outdoors later than 11.0.p.m. will cause disturbance and a nuisance to both farm stock and local residents. Plumley is a rural area and therefore sound carries easily.
- 4) Dance Performances after midnight will cause further disturbance within the locality and increase traffic flow.
- 5) Adult Entertainment after 11.0.p.m. is unnecessary.

I believe my representations are reasonable, come within the Council's Guidelines for Objections and would ask the Committee to take these into consideration.

29.

From:

Sent: 01 August 2015 16:26

To: LICENSING (Cheshire East)

Subject: holford hall licence application

hello

I am emailing to formally object to the application for holford Hall to sell alcohol. The grounds for the objection are prevention of public nuisance.

The application doesn't state which entrance they plan to use for the venue and if it is the trouthall lane route this will have an impact on the surrounding neighbours with drunk and disorderly behaviour. Although we are moving very soon, I feel I have to object for the benefit of the new owners of the cottage and the other neighbours we are leaving behind.

.

30.

From:

Sent: 02 August 2015 19:21

To: LICENSING (Cheshire East)

Subject: Holford Hall Chester Road Plumley

Licensing application for Alcohol and Entertainment

As a Plumley resident , a resident that will be affected by this proposal I am totally against this application on the grounds that there will noise from these Marquees and the surrounding roads are just not suitable for the possible traffic that could be created by this proposal.

Plumley has its fair share of elderly residents and such a proposal being granted would be noisy, upsetting and certainly dangerous for the elderly and all residents in this area.

I object on the grounds of public safety and the prevention of Public nuisance and excess noise

31.

From:

Sent: 02 August 2015 20:35

To: LICENSING (Cheshire East)

Subject: Holford Hall Premises Licence Application

Dear Sirs,

Subject: My Objection to the granting of a Premises Licence for Holford Hall

Would you please accept this email as my formal objection to the Application that a Premises Licence - Licensing Act 2003 be granted;

My objection is based on the following grounds:

1. Environmental Noise.

The noise environmental issue of music being played from 10.30 am to 1.30 am Monday to Sunday outdoors which together with aircraft noise, traffic noise from the A556 Chester Road and in the future noise from the High Speed train is going to have a severe and unacceptable impact on the residents in Plumley and other houses nearby. We are all aware of the terrible impact of loud music and how it travels across the countryside when played outside.

2. Access to Holford Hall

The access to Holford Hall is **severely** restricted past some houses and directly on to the A556 Chester road

with heavy traffic travelling up to 60 mph and sometimes beyond this legal limit. Many drivers leaving Holford Hall will have consumed alcohol and considering the opening hours applied for – 10.30 am to 2 am Monday to Sunday this in my opinion constitutes a considerable risk to the visitors of Holford Hall and other members of the public using the A556 Chester Road. In my opinion it would contravene Health & Safety Regulations and there could be consequences under the Road Traffic Act. Public Safety would certainly be compromised. I have already experienced an incident with a Land Rover coming out of the access road to Holford Hall on to the A556.

3. Residents living on the access road to Holford Hall

The passing traffic, the noise from music between the suggested times together with the consumption of alcohol is going to subject these people to what I would describe as a "living hell" and will devalue their properties and I believe compromise their Human Rights under European Law and certainly this would have to be tested.

I earnestly request those responsible for considering this application to take account of the consequences and ask themselves could they and their children tolerate and live with the consequences of this application if it were granted.

Please reject this application in it's entirety.

Would you kindly acknowledge receipt of my objection to this Application.

Thank you.

Plumley Resident.

From:

Sent: 01 September 2015 14:24

To: CADMAN, Nikki

Subject: Re: NOTICE OF HEARING - PREMISES LICENCE APPLICATION - HOLFORD HALL, PLUMLEY

Dear Mrs Cadman

There is a potential serious traffic risk problem associated with this application and for experienced professional authorities to disregard this is something which perhaps should be kept on record. You may consider the Highways/Road Safety, not acting as a consultee, should be at least be informed about what is being proposed in terms of the road and traffic criteria so that, in the event of any future incident, this action will be a matter of record.

I do hope you appreciate I am merely trying to help your Committee as it seems to me most people can appreciate imminent danger but not so often potential danger. If this were otherwise perhaps the terrible aircraft accident in the South of England could have at least spared the lives of innocent people. Having flown jet fighters in the RAF myself I have been aware of the potential danger! There have been some terrible accidents, some fatal at the junction of Plumley Moor Road and the A556 and that is why the Highways Department spent so much money constructing a link road and traffic lights.

As a retired pensioner (82) I am merely trying to help the present and younger generations in a logical, fair and constructive manner and trying to ensure your Committee has a true understanding of the facts. That is why I suggested a visit to Holford Hall would be appropriate so you can form your own opinions by direct observations without relying on the statements of others and images from maps and photographs etc.

Thank you for your attention.

32.

From:

Sent: 10 August 2015 10:05

To: LICENSING (Cheshire East)

Subject: Holford Hall Chester Road Plumley

I am absolutely amazed that a neighbour would even consider inflicting such thing on the surrounding area .

If you were to list the things you would not want to live near this comes pretty close to the top .

Noise must be a major concern , the sound travels for very long distances and when the wind is in certain directions we can already hear the noise from events many miles away .
The thought of this noise on a regular basis from a venue on our doorstep will complexly shatter our quality of life . Noise travels as the crow flies and as the crow flies we are all very close to this venue.

They are proposing to use marquees , they have little or no sound reducing capabilities what so ever.

In addition to this we have crime prevention , disorder and public nuisance , it is interesting to see they have their own door staff to remove anti-social and disorderly people from their premises which is great for them , but not so good for us when they turn up on our door step . These event inevitably bring this type of problem that is why they have door staff.

When the event finishes all the above will continue for many hours afterwards .

No doubt the staff which will be used will come from outside caterers , event hire companies , deliveries , guests arriving , leaving etc . Coaches taxis , cars, mini buses etc travelling down the lanes getting lost looking for the venue and the drunken drivers leaving looking for back roads to avoid detection.

The developers may well be able to demonstrate proposed routes but guests and delivery companies will be all over the village looking for this venue, no matter what the organisers say or promise.

These are large numbers of people all arriving and leaving at the same time who are not regular visitors to the area and have very little knowledge of the roads and routes to the area. It will be chaos.

Not only in summer we will also have the Christmas period for events which is a major part of the events calendar.

We are local voices up against well organised business people who are well versed in obtaining licences for this type of venue, and will no doubt have expensive lawyers to go with it , we can only look to our official bodies such as yourselves to bring common sense and fair play into being .

Kind Regards

33.

From:

Sent: 09 August 2015 14:54

To: LICENSING (Cheshire East)

Subject: Holford Hall, Chester Road, Plumley

I refer to the application for a premises licence for the above premises.

Planning permission was given recently to upgrade an existing footpath and farm track from Pepper Street in Plumley to Holford Hall. In addition electric gates were fitted. It is obvious that this is the route for vehicle access to the Hall

This will entail a considerable number of vehicle journeys down a very narrow lane passing very close to residential properties. In addition these vehicle journeys will be made well into the early hours of morning thus causing noise and disturbance to residents.

The public footpath is used extensively not only by Plumley residents but by residents of other local villages. Increased access by vehicles will constitute a safety hazard to all walkers.

In view of the above I strongly object to this licensing application.

Plumley Resident.

34.

From:

Sent: 09 August 2015 17:02

To: LICENSING (Cheshire East)

Subject: re:license for entertainment and alcohol at Holford Hall, Plumley

I have lived in the small village of Plumley for over 17 years and frequently walk my dog or grandchildren along the path from Trouthall lane and passed Holford Hall. Over these years, changes have been made to the path itself, the gates leading to the hall and the diversion to the path that crosses the halls grounds which seems to indicate bigger changes to come. This license application seems to indicate a much increased expected number of cars would be travelling along inadequate paths with no indication of which path would be used. This would cause hazards for the public, including children, when walking to the village from Astley or visa versa. Noise carries in the countryside and I consider it unreasonable to have outside music until 1.30am every night of the week. The only notice I could see about this application was attached to the entrance of the path over the halls grounds but have been told that others have been torn down.

35.

From:

Sent: 09 August 2015 19:07

To: LICENSING (Cheshire East)

Subject: Objection to Licencing request for Holford Hall, Plumley

Hi,

I wanted to write to you to voice mine and my families objections to the licencing application for Holford Hall.

It seems that we are progressing from a cookery school to Equestrian residence to weddings and parties 7 nights a week and drinking in the morning through to the early hours.

This is a residential area with quiet and dark country roads. The risk to public safety will rise dramatically and somebody will get hurt driving home before too long.

The increased noise level in the early hours of the morning from the increase in traffic will cause disruption and concern to the village and I am guessing it is only a matter of time before crime increases dramatically.

I am not sure what the long term plans for Holford Hall are but it seems they change by the day and I suspect where things will end up will be very different to the variety of things they have been along the way. Maybe this is their plan all along and we are all being played for fools?

Either way, we object very strongly.

If this gets through, maybe I will turn my house in to a night club for bikers.....

Best regards

Plumley Resident

36.

From:

Sent: 06 August 2015 11:00

To: LICENSING (Cheshire East)

Subject: Holford Hall - OBJECTION

I object profusely to the application for Holford Hall to obtain a premises license.

It will bring alot of unwanted vehicles, noise and inappropriate behaviour from drunken people to the village. Most of the residents in Plumley are elderley and the noise from the music and people is a given NO NO. We all moved here for peace and quiet - if we had wanted music and noise we would have moved into a town / city!!!!!!

What a stupid thing to suggest when the road leading to Holford Hall is a dirt road and single track.

I certainly OBJECT.

37.

From:

Sent: 05 August 2015 14:27

To: LICENSING (Cheshire East)

Subject: Holford Hall Licenses Application

I would like to object to the granting of a Alcohol License on the following grounds.

1. Prevention of Public Nuisance.

There could well be a breach of the Noise Criteria Levels associated with Evening and Night-time levels listed for Rural Areas.

The noise propagation from one to three noise sources can become apparent after noise calculations are fed into a Noise Map/s.

The noise will not be contained within the Hall or Marquees and any amount of trees and bushes will have no affect on the noise

Levels. Even acceptable day-time levels at NC 30/35 could well be exceeded.

2. Public Safety / Prevention of Public Nuisance.

A cursory glance at the expectant number of vehicles travelling either to or from the A556 can cause a serious hazard by traffic 'backing up' into the turning to the entrance of the Hall. The A556 can be 'a race track' during the day let alone at night,second only to Brands Hatch, Oulton Park etc.

There could well be a possibility of traffic using the track road at the rear of the Hall which is frequented by walkers and ramblers from outside the area which eventually merges with Trouthall Lane. The thought of cars using this route presents itself as even more hazard forming for pedestrians the residents who are already besieged by wannabee Louis Hamiltons.

Thank you for your consideration.

38.

From:

Sent: 04 August 2015 14:01

To: LICENSING (Cheshire East)

Subject: Formal objection to the Premises License application by Holford Hall, Chester Road, Plumley, WA16 0UA

Importance: High

4th August 2015

Objection by email:

Dear Sir / Madam,

RE: Formal objection to the Premises License application by Holford Hall, Chester Road, Plumley, WA16 0UA

Please accept the attached letter as an official objection to the Premises License application by Holford Hall, Chester Road, Plumley, WA16 0UA. In the attached we outline seven points for your consideration under the following categories of objection: A. Prevention of Public Nuisance B. Public Safety C. Protection of Children from Harm D. Prevention of crime and disorder.

RE: Formal objection to the Premises License application by Holford Hall, Chester Road, Plumley, WA16 0UA

Please accept this letter as an official objection to the Premises License application by Holford Hall, Chester Road, Plumley, WA16 0UA.

In the following we outline seven points for your consideration under the following categories of objection: A. Prevention of Public Nuisance B. Public Safety C. Protection of Children from Harm D. Prevention of crime and disorder

A. Prevention of Public Nuisance

1/ Increase in disturbance: noise

Our first objection concerns the disturbance that will result from this scheme. We believe these disturbances are twofold: noise disturbance and disturbance resulting from significant influx of people moving into, through, and from the village.

Noise pollution:

Plumley is a quiet village with a strong sense of community. The noise that will result from this venue will have a significant impact on the nature of the area and will have a very negative effect on those living in the village. Plumley is often silent from as early as 8pm even on the weekends. This is because the dominant demographic of Plumley is made up of elderly and semi/retired people. The noise pollution from this proposal to hold licensed events from as late as 2pm will be devastating to this community.

Disturbance from increased flow of people:

Presently movement through the village is mostly limited to local residents and, at weekends, small groups of walking enthusiasts and dog walkers. The disturbance caused by a temporal flow of visitors to wedding events will be significant.

B. Public Safety and C. Protection of Children from Harm

2/ Traffic and highways issues:

It is not clearly stipulated in the application details we have seen as to how the venue is to be accessed for this premises purpose. If it is accessed via Trouthall Lane and the small private road running from Trouthall Lane to Holford Hall's secondary entrance, these proposals will introduce a number of negative issues.

The roads on this route do not have the capacity for this purpose and are not suited to anything more than slow, occasional traffic. The small dusty road from the corner of Trouthall Lane to the secondary entrance to Holford Hall is steep and must accommodate access to and from the two properties at the bottom of this road, but other than access to these dwellings, is mostly used by walkers and children. Situated on the corner, it offers very limited visibility. This is currently not an issue as traffic flow through this section of Trouthall Lane is exceptionally light and occasional. Adding additional traffic along this road would render this turning very dangerous and the use of the roads in question would become a hazard for walkers and children.

These risks are all the greater when one considers access for emergency vehicles such as ambulances, police and fire services. By changing the use and population density of Holford Hall as per this proposal, we do not feel that these roads would provide sufficient emergency access without endangering the lives of local residents or significant changes to the highway provision, which would be highly detrimental to the area.

A further traffic and highway concern centres on parking. Trouthall Lane is already used as informal parking for walking enthusiasts and dog walkers. This already proves problematic at weekends. Introducing a high capacity event venue to this area may make this issue far worse and render this lane unusable.

3/ Conflict with current use:

We also worry that there is a clash between current and proposed uses. Dog walkers often use these paths late at night, especially those who work long hours or commute. Large flows of traffic along these dark paths would put these people and their pets at risk.

D. Prevention of crime and disorder

Plumley is currently a low crime area. Any introduction of large groups of people external to the village may increase the likelihood of crime and public disorder – particularly given the nature of the application license to sell alcohol, hold adult entertainment and play music until 2am potentially from Monday to Sunday.

E. Other

5/ Loss of amenity value:

Holford Hall and the access routes around the fields and paths surrounding Holford hall have long been an important feature of the area. It has a significant amenity value treasured by the community and the broader community. It is used regularly by walking clubs, dog walkers, local families and local children who use this space as a place to play safely (i.e. without the risks associated with traffic and groups of strangers) This license will put this amenity value at great risk. Please note that the amenity value of Holford hall has already been compromised through a previous planning approval to limit public access around the building by diverting the public access route. This recent application reflects a further distancing of this historic building and grounds from the local community.

6/ Harm to the green belt and countryside:

We hold that this proposal could have a very negative impact on the countryside resulting from damage to pathways and roads not designed for this purpose as well as the increased risk in

littering.

7/ Other more suitable venues:

We would like to draw your attention to other local venues that are far more appropriate for this function. In Plumley, the Oak Tree of Peover (the old Peover Golf Club) is used as a successful wedding and function venue. It successfully avoids many, if not all, the issues we raise above. It is accessed from a main road (Plumley Moor Road) with a distanced connection to the local village. This road is used for all visitors and emergency vehicles. The venue is acoustically isolated from the village as a whole and is masked by its location close to the motorway and Plumley Moor Road. It is visually isolated from the village and is set in grounds formerly used as a private golf club rather than a series of paths open to the public.

Given the six points raised above we urge you to consider this application, not simply as an opportunity for the owners of Holford Hall to generate further income, but to take into account the character of the area and the negative effects it will have on the established community of Plumley village.

Yours faithfully,

39.

From:

Sent: 04 August 2015 14:55

To: LICENSING (Cheshire East)

Subject: Re: licensing application from Holford Hall

I would be concerned if another licensed establishment was to open in the quiet rural setting of Holford Hall as it would destroy its character and create noise for the mixed neighbouring communities of Ascol Drive and Plumley village. Therefore I do NOT want it.

I object to any activities which will potentially increase the volume of traffic on the A556, which is already very busy and too noisy especially for the residents of Ascol Drive. Also there are some slow vehicles (tractors and other agricultural machines) it may lead to more traffic accidents.

We should not make it easy for anybody to obtain/buy alcoholic beverage as it often leads to unruly behaviour even from the best of people. I do not want this on my doorstep.

Finally there are a number of other venues with licensing in the area therefore it seems to me that there is no need of another one.

40.

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

From:

Sent: 10 August 2015 14:54

To: LICENSING (Cheshire East)

Subject: Licensing app Holford Hall, entertainment and alcohol

Dear Sir or Madam,

My wife and I would like to object to the submitted licensing app for the above premises.

The idea that dozens of cars could travel through the village and back again at up to 2am is not conducive to a stable natural environment, or, the peace of a small rural village.

The access, which used to be a farm track, and is single width, has a blind bend coming off Trouthall lane. This part is used daily by a number of walkers and is therefore a safety concern.

Delivery vehicles to supply these functions would find access difficult also.

We therefore object on two grounds :-

Public Safety and Prevention of Public Nuisance

Yours faithfully

41.

From:

Sent: 11 August 2015 10:20

To: LICENSING (Cheshire East)

Subject: Representation against application for premises licence for Holford Hall, Plumley WA16 0UA

Dear Sirs

Re: APPLICATION FOR A PREMISES LICENCE - LICENSING ACT 2003 -

Holford Hall Chester Road, Plumley, Cheshire WA16 0UA

My name is and I live at Manchester Road, Plumley. I wish to make a representation against the above application for a premises license at Holford Hall in Plumley, with a number of grounds for objection. I recently attended a parish council extraordinary meeting on this subject and the level of feeling in the village was apparent by the number of attendees.

I object primarily on the grounds of public safety; the accesses to Holford Hall, of which there are potentially three, are inadequate for this volume and kind of traffic. The lane from Holford Hall exits onto the Chester Road which is a busy and extremely fast moving dual carriageway without centre a divide. Volumes of traffic entering and exiting from here will cause an additional hazard as fast moving traffic will have to brake hard to avoid a collision.

The farm track from Holford Hall to Trouthall Lane, Plumley, which has been recently surfaced in rough aggregate, is used by walkers and people exercising their dogs. A volume of traffic along this track will cause a hazard to them, particularly in the hedged sections where there are blind bends and no separate footpath.

The track from Holford Hall to Chester Road via Ascol Drive passes many residential properties where some families with young children live. Young children play in Ascol Drive and their safety would be compromised by the increase in traffic, not only from the guests but also from the delivery lorries of catering contractors and brewery/vintners. Undoubtably some of the people leaving the premises will be driving whilst under the influence of alcohol causing further problems. Ascol Drive again exits onto the Chester Road at a hazardous junction and the volume of traffic here will cause the fast moving traffic to make avoiding manouvres.

The playing of loud amplified music at Holford Hall until late at night will cause a significant public nuisance as the noise will carry a significant distance across open farmland. This will disturb residents in nearby properties, particularly those in Ascol Drive with young children who are trying to sleep.

Regards

▪ The prevention of crime and disorder ▪ Public safety ▪ The prevention of public nuisance ▪ The protection of children from harm

42.

From:

Sent: 11 August 2015 09:40

To: LICENSING (Cheshire East)

Subject: Holford Hall

Dear nikki cadman

thank you for replying to my e-mail, this is a formal objection to the granting of a premises licence.

Objection 1-prevention of public nuisance. door staff to be employed. where will the disorderly anti-social people go; this is a rural location; no buses no taxi ranks also close proximity to the A556.

Objection 2-prevention of public safety. there are three entrance ways to holford hall two are of the mentioned A556. one opposite linnards lane is a cars width road used by walkers. the other is ascol drive which is a privately owned road. the next is off truthall lane. again a narrow road to brookfield farm access to holford across a field track. this is a popular route for dog owners and their children as there is no definite access route on the application this is the most critical issue to be considered.

yours peter wright

resident 58yrs ish

43.

From:

Sent: 10 August 2015 16:47

To: LICENSING (Cheshire East); Cheshire East Planning; Ed Long

Subject: Holford Hall, Plumley, Objection to Liquor Licence and associated Development

Dear Sir or Madam,

Please find my objection to the above proposal attached.

Yours faithfully,

Dear Sir or Madam,

RE: Objection: Proposed Liquor Licence and Subsequent Ultimate Significant Residential Development and Catering Facilities Expansion at HOLFORD HALL.

My letter is by way of an objection to the granting of any form of liquor licence. It is understood that the granting of a liquor licence is a necessary requirement in order to lead to extended catering and residential use of Halford Hall and create significant and dangerous traffic problems and that will create significant noise generation which in itself will detract from the rights of the local population to a quiet and peaceful existence. The proposals which include the current application for a liquor licence take the property away from being the beautiful and serene country residence that it is, blending harmoniously with the locality and country ambience that has existed for hundreds of years. The reasons for my view are set out below.

I would also plea to your good selves to think of and consider the feelings, wishes and lives of the local population on both sides of Halford Hall that are going to have their lives dramatically changed permanently by the commercial development and increased traffic volumes that will be generated by such a significant development of the house and grounds in the way ultimately proposed.

The house is presently occupied by one person who naturally wants to put the house to a more extensive use and whilst one can understand this desire on her behalf, I believe the lives and emotions of many hundreds of other people that will be adversely effected should be the overriding consideration. The owner/occupier Frances Phillips has already admitted that should the property be subsequently sold at some later date, she could not have any control of what the property may become or how a "new business" may further develop in the event of her new commercial enterprise being achieved.

The view may be taken by controlling authorities that this may well be a good use for such a building, and no doubt if the property was placed in a more accessible location and either further from other significant populations or in a more commercial area one might not disagree with them.

We have lived in Plumley for over 25 years, as indeed have many other "small country village lovers" that currently call Plumley home. I am sure that many of those that were not born here in Plumley came here to be in the peaceful community and rural setting that the village offers.

Plumley has an ideal balance sought by so many people. The infrastructure that makes Plumley so wonderfully rounded off is the existing infrastructure that it has, and at the same time, the limited nature of that same infrastructure. The population of Plumley is harmonious, happy and socially desirable which is due not only to what it does offer but also to what it does NOT. Your good-selves will know we have one village store with post office, one chapel, one community hall, tennis courts, one "in village" public house, a railway station located well for commuting and at the same time only being a short drive to lovely surrounding towns together with more extensive towns of Chester and Manchester.

It is hoped that it is appreciated that these reasons are by and large why PLUMLEY has been chosen by these residents to be the peaceful village where they live.

The direct concerns of the proposed uses for Holford are essentially two fold. The more significant one being the largely increased traffic generation and the second the intrusion of loud party music late into a peaceful summer evening in particular when bedroom windows are open to the fresh country air.

TRAFFIC. The Halford Hall property technically has three access points, one its own driveway and the other two by rights of way. Taking these one at a time.

Halford Hall driveway. The existing driveway is single track, narrow and as a driveway is relatively long by most standards. The driveway is accessed from Halford Lane which is also considered a narrow country lane. This having been said the most concerning point about the possible use of this driveway is the ultimate need to enter and depart from Halford Lane from or onto a notoriously dangerous highway where there is a speed limit of 60 miles per hour. There are already restrictions in place in relation to the turning into the lane on the opposite side of the Chester Road but it should be pointed out that local residents are very aware that the wider public's extensive abuse of this restriction is widespread. Essentially it is hard to police such movements and no doubt such abuses would be increased in the event of similar restrictions being imposed on the lane opposite being Halford Lane. Even

given that such restrictions were imposed and adhered to in relation to the use of this ingress and egress point from Halford Hall and the Chester Road it is a very dangerous highway to enter from the lane, which is itself all but invisible until you are almost upon it.

Ascol Drive. Whilst Ascol Drive itself has many of the same concerns as does Holford Lane it is wide enough for two vehicles to pass for the first part of its construction, which is privately owned. There will no doubt be very strong opposition to the increased traffic on this private road which is used to access dwelling driveways and is also used for parking of resident's and visiting cars. The road itself is in a poor condition and then leads to a very long narrow section, more of a track and possibly the longest of the three access options. It is envisaged that there would be traffic problems on this track generated to an unmanageable level with the track in its present form. This indeed may be said of all the access options.

Pepper Street, off Trouthall Lane. This lane is a Public Highway, albeit possibly the narrowest and most dangerous of all the options. Sight distances are not good, the road has a seal on it which is somewhat degenerated and overhanging trees and heavy growth on the road banks makes driving down this lane dangerous even with the limited traffic use of today. The street or more accurately lane is used by farm machinery on a year round basis and by the two residences that currently have this as their only access. These residents are patently aware of the inherent dangers of the lane here and drive with caution at all times. Access to Halford Hall from Pepper Street is gained by a sharp right hand turn at the end of Pepper Street with virtually no sight distance at all and after entry into the hall property proceeding down a very narrow track in the region of a kilometre long and itself having poor sight distances in some locations. The track ends at the Halford Hall. Access though Pepper Street itself and the use of this route as an option perhaps presents the greatest problems because of the Public Highway status of Pepper Street, the narrowness of it and it could NOT be made one way. The village of Plumley itself and the general use of Trouthall Lane would become adversely effected at concentrated times, some of which will be very late at night when guests of Holford Hall were passing en route for their homes.

Access summation; all the possible access points are fraught with problems for any larger traffic volumes than at present and the dangers of using any of them will of course only increase late at night and with the consumption of alcohol.

A one way system has been mooted. Who would police such a system? Are guests to the Hall going to take any notice of such restrictions especially as they will have no legal bearing. How could a one way system work for the

residents of Pepper Street and their visitors and for the agricultural traffic and public services and utilities that presently use Pepper Street as their only legal or safe access. The Chester Road has a very bad history of accidents and any increased traffic concentration at the peak times of either the public at large on the main road or of the Halford guests at either of the Chester Road junctions would obviously create further difficulties and increase driver aggravation. This itself can be very dangerous.

NOISE POLLUTION. Creation of this style of development in proximity of a quiet country village, bringing all the traffic **noise** and other problems that it would together with the **noise pollution** aspect from loud music would be intolerable. Loud music played in marquees or indeed outside in the grounds of Holford Hall would travel for miles on a calm and balmy summer night and make the concept unacceptable to the people of Plumley.

It is not considered that granting a liquor Licence and/or consent to any further proposed developments of related nature could be said to be in the Public interest. I would urge the consenting authorities to recommend refusal.

Yours faithfully,

44.

From

Sent: 12 August 2015 11:00

To: LICENSING (Cheshire East)

Cc:

Subject: Holford Hall Chester Road, Plumley, Cheshire WA16 0UA

Dear Sir / Madam

I am writing to register an objection to the application for a premises licence - licensing act 2003, for Holford Hall, Chester Road, Plumley, Cheshire WA16 0UA.

There are a number of areas to my objection.

1) Public Safety

The village is a small place and has previously been deemed by Cheshire East Council as a tranquil area, as such the roads, with the exception of Plumley More Road are generally quite, and the byways used by walkers and children. The delivery of stock to the Hall would significantly increase the danger of road traffic accidents involving pedestrians and other vehicles on what is a tight lane. This is without considering the traffic moving individual party goers and patrons to the hall which would be significantly higher than the commercial delivery traffic for the Hall.

There is also the safety of the customers who have potentially been explicit from or refused entry to the Hall on by the door staff that will be employed. These individuals will need to find some means of getting home / to another venue. There are a number of potential shortcuts that could be taken by individuals to get back to the main A556 or to the village, all of which pose significant risk of injury to one whom is intoxicated or unfamiliar with the area.

2) Prevention of Public Nuisance

As stated above the village is a quiet place, occupied by a mixture of young families and retired pensioners. Drunken revellers returning through the village hold the ability to create a public nuisance with noise and other offenses such as urinating in public, or on private property. There is also the consideration of noise from Holford Hall itself and the planned marquees to be erected. Late night music and dancing will involve low level base and drum sounds that will travel across the village and be highly audible. On previous occasions when events have been held at the Hall the noise of the music has been clearly audible within the village.

3) Prevention of Crime and Disorder.

Trespassing on to private property by rejected revellers and those looking for a way home is a concern. There is also the potential damage that could be caused to both physical property within the surrounding farms / residential properties and injury to livestock held

on the various farms around the Hall. There are many examples of issues where drunken individuals have taken their frustrations and anger out on residence adjacent to venues.

I would also ask that the planning application Planning ref 15/2446M for a variation to allow guest to stay at Hartford Hall for the equestrian business, not for a wedding venue business be considered in relation to the application for a license. This is in contradiction to the details of the licensing application for late night provision for the sale of alcohol, and provision of late night entertainment.

I look forward to your response.

Yours sincerely

45.

From:

Sent: 12 August 2015 17:51

To: LICENSING (Cheshire East)

Subject: 15/2446M Holford Hall Plumley

Dear Sir/Madam

I would like to register my objection to the Licence Application being made for Holford Hall.

I live in Plumley.

There are a number of reasons based on my current understanding of the application and I have attempted to categorise them as per the East Cheshire guidelines although inevitably there is some overlap.

Prevention of Public Nuisance

Plumley is currently an 'area of tranquillity' which is the reason most people seek to live here.

Generally there is little noise (despite the relatively infrequent aircraft, largely during the day) so much so that an event being held at Tatton Park or Tabley Hall can often be heard quite easily. Similarly on the odd occasion that the village hall is used for a party or celebration it can be heard in most parts of the village. But both of the above finish by ~11pm if not before and so cause little nuisance.

The planned hours for the activities at Holford Hall will mean that not only will the noise (generally party music) be heard in many parts of the village, that noise may be happening to various degrees from late morning opening to early next morning 7 days a week. This is totally unacceptable and will utterly destroy what Plumley is - a quiet peaceful village. There have already been examples of events at Holford Hall in marquees which have disturbed residents in the village and on Ascol Drive so we know what to expect and this is not simply hysteria.

Traffic nuisance is already an issue in Plumley both speeding on Plumley Moor Road and the fact that all the local roads and lanes are narrow so that traffic flow is restricted. This application if passed will lead to greatly increased traffic volumes throughout the day and into early morning. There will be delivery and similar vehicles during the day with visitors to the Hall including taxis at all times. Not only will this cause traffic volume problems in the surrounding lanes and at the junction near the Chapel, it will also cause increased pollution, there will be large delivery vehicles trying to get down narrow lanes and will certainly increase significantly the likelihood of accidents to pedestrians since many of the lanes do not have footpaths and accidents between vehicles due to the narrow lanes. It will not even be possible to restrict which routes are used because it will be impossible to know who should or should not be on a lane at any given time and anyway it will be nigh on impossible to 'police'.

Public Safety

As stated above traffic is already a problem and this will be significantly increased if this application is approved. There are a significant number of dog walkers in and around the village and on the footpath past Holford Hall. Children also play on the path and near the Peover Eye. And so increased traffic is bound to increase the likelihood that there will be accidents.

However, there are also safety implications for the visitors to the Hall especially at night. Plumley village has few street lights and so is quite dark. Worse however are the paths and fields surrounding the Hall where there are of course no lights. We understand that access to events will be controlled by 'door staff' so there is every likelihood that people will be refused access or ejected especially those that are drunk. Unless there are taxis to hand this will result in the ejected people wandering about in the dark potentially falling into ditches, fields, gardens, etc and possibly being injured but no-one will know.

It is also likely that people will expect to be able to arrive and depart by train without realising how far the station is from the Hall. This will lead to those people wandering about the village often lost and in the dark.

The village already has past experience of this when members of Take That lived here and there were often large groups of 'fans' milling around in the village. There was also increased vandalism and damage in the village and at the station during that period.

Another area of concern for safety is the road and junction near the village shop. There is very limited parking for the shop and even now there are near accidents due to bad parking and drivers not able to see clearly when pulling away. This will only get worse because inevitably there will be more people and vehicles using the shop.

Prevention of Crime and Disorder

For many of the reasons set out above there are likely to be more people around the village at all hours including those who will wish to take advantage of the situation. Many older people live in the village and there are many large houses with secluded gardens and drives and these will be particularly attractive to those with any criminal intentions, planned or opportunist.

There is little lighting in the village (as the villagers want) and again this will be ideal for criminality. Currently in most parts of the village 'strangers' tend to be noticed especially if acting what might be perceived to be suspiciously. With increased numbers of cars and hence people in the village it will be extremely difficult to know who is associated with the Hall activities and who is not.

Up to a year or so ago there were very few crimes committed in Plumley. This has changed and with the activities at the Hall it is unlikely to reduce.

Protection of Children from Harm

As outlined above children play in the woods near Holford Hall, on the footpath past the Hall, on Ascol Drive, at the Peover Eye, etc. Clearly with a greater number of vehicles and people around the possibility of harm (vehicular or otherwise) to those children will be greater.

Similarly children playing in the village (e.g. village hall, tennis courts, on the various avenues) will be at greater risk arising from the increased numbers of people and the fact that they are unlikely to be challenged especially if they are 'worse for wear'.

I trust that the above meets your criteria for categorisation and that you will reject the application for the good of the village rather than narrow commercial interests.

Please contact me if you require any further information.

Best Regards

46.

From:

Sent: 14 August 2015 13:33

To: LICENSING (Cheshire East)

Cc:

Subject: Holford Hall Premises Licence Application

Dear Sir/Madam,

I am a resident of Plumley and would like to register my objection to the application for the premises licence for Holford Hall.

I feel that 2am is excessive, particularly if drinking, music, dancing etc is to be held outside or in marquee tents.

11pm is a reasonable deadline so close to the residential areas which sit nearby and along the line of the prevailing winds.

Noisy outside parties, particularly in summer months risk becoming a statutory nuisance to the neighbours in Plumley.

These type of venues also invariably set off fireworks late into the night - and I can see this happening with parties at Holford Hall if they are allowed to operate until 2am.

So I would like to register this objection on the grounds of potential public nuisance.

Yours faithfully,

47.

From:

Sent: 15 August 2015 20:05

To: LICENSING (Cheshire East)

Subject: holford hall premises license application

we wish to object strenuously to the above application.plumley is a quiet and tranquil small village.we feel that granting this application would be detrimental to village life.we are very concerned that there will be a lot of late night noise from the premises which will be a nuisance and keep a lot of the residents awake.the constant flow of traffic in a small village will present a considerable public safety issue.this application should be refused.

48.

From:

Sent: 17 August 2015 12:55

To: LICENSING (Cheshire East)

Subject: Holford Hall Chester Road, Plumley, Cheshire WA16 0UA Premises License Application

Good afternoon,

I wish to express my concerns about the license application for Holford Hall. I have lived in Plumley Village for nearly 30 years and from our house Holford Hall is visible across the fields. My main concern is from a road safety aspect should the Hall be used for large scale events on a regular (potentially daily) basis which would be facilitated by the granting of a premises license with the scope requested in the application

There are three access routes to the hall, Mill Lane, Ascol Drive & onto the old Pepper Street which joins Trouthall Lane. Mill Lane is the usual road access to the Hall. It is surfaced but is not wide enough to allow vehicles to pass in both directions. It also joins the A556 opposite Linnards Lane a serious potential hazard for any vehicle trying to turn left let alone right.

Ascol Drive is essentially an unadopted road it has a poor road surface & is only used normally by the residents of the drive & the nursery business. It is not a through road and also joins the A556 at a hazardous junction.

Following the Hall gaining permission to re-route the public footpath away from the hall, the owners of Holford Hall have turned the route of the former footpath into a gated drive leading from the hall onto Pepper Street and then onto Trouthall Lane. Pepper Street is a single track with a small bridge over the Peover Eye & apart from the residents of Brookhouse Farm is used regularly by walkers & farm vehicles accessing the fields. It is unlit & leads onto Trouthall Lane, a quiet residential lane with minimal street lighting, no directional signage. As far as we can tell planning permission has never been sought to make this a vehicular access however should it be used as such the village roads cannot accommodate a large increases in traffic without it being dangerous to residents, walkers and the visitors to the Hall.

My other concern is noise. We are less than a kilometre from the Hall across open fields & nightly late night events are potentially a nuisance to us & could encroach upon our peaceful enjoyment of our home. Increased traffic noise is also another potential nuisance as the front of our house is on Plumley Moor Road.

Thank you for taking my concerns into consideration when reviewing this application.

Yours sincerely

49.

From:

Sent: 18 August 2015 20:31

To: LICENSING (Cheshire East)

Subject: Holford hall objection

Dear Sir

We are residents of ascol drive plumley and we wish to object to the impending holford hall function facility which is located near to our property

We wish to object on the grounds of nuisance noise - we purposely moved to the area to be in a semi rural location away from excessive noise and disturbance yet this potentially will create nuisance noise at unsociable hours affecting our welfare

We are concerned re the public safety of all the residents especially children and elderly residents. There is a risk of increased traffic flow to the location causing restrictions to the current childrens lifestyle within our community. Increased traffic flow will also affect the general wear and tear of the road surface where we live and again the increased nuisance noise disturbance past our homes. There is also concern that individuals could be intoxicated with alcohol at unsociable hours causing disturbance and disorder issues to our community

Undoubetly there will be an increase risk of litter affecting the habitats of wildlife and the general feel of the community which we live.

Regards

50.

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

From:

Sent: 19 August 2015 19:39

To: LICENSING (Cheshire East)

Subject: Holford Hall objection

Dear Sir/Madam

I would register the strongest possible objection to the planning application to provide alcohol, music and dancing etc until 2 a.m. 7 nights per week at the Holford Hall premises.

I object on the grounds of Prevention of Public Nuisance which includes noise and access problems.

I find it incredible that such an activity could be even considered in this quiet country area, an area that I and many others moved to in order to escape from the noise of town and city life.

Yours sincerely -

51.

From:

Sent: 20 August 2015 17:38

To: LICENSING (Cheshire East)

Subject: Objection to application for premises licence at Holford Hall

I wish to object to the application for a premises licence at Holford Hall, Chester Road, Plumley on the following grounds:

Prevention of crime and disorder

I feel that there is a risk of increased public disorder for premises that are open from 10.30 am to 01.30 am Monday to Sunday in what is essentially a rural location. The application indicates that "anyone who tries to get in who is disorderly or behaves anti-socially won't be allowed in or will be removed from Holford Hall. Door staff will be employed when appropriate." My question would be where would these individuals go having been ejected from the premises and there is risk that unsuitable people will then be roaming around the village of Plumley.

Public safety

For the reasons stated above there is a risk to public safety from disorderly conduct. The access to the hall is also very limited and there will not only be cars coming and going but also dray lorries, marquee companies and catering deliveries all of represent a risk to public safety. The access from the village is limited and similarly the A556 is a fast two line highway where traffic turning right from the Northwich direction towards Holford Hall would be extremely dangerous.

Prevention of public nuisance

There is likely to be an unacceptable level of noise coming from Holford Hall during events in terms of loud music, fireworks etc and this would undoubtedly cause a public nuisance if the premises were occupied on a regular basis for events. Indoor music is less likely to be a problem but outdoor music until 12 am will be an issue.

Protection of children from harm

There is a risk the safety of children from heavy traffic and potential disorderly conduct from anyone who has been removed from Holford Hall.

In summary Holford Hall is situated in a rural location with no public transport links (apart from the train in Plumley) and if this licence were granted there is a significant risk that the peace and quiet we enjoy in the village will be disrupted.

52.

From:

Sent: 20 August 2015 22:20

To: LICENSING (Cheshire East)

Subject: holfordmhall.docx has been shared with you.

Please see attached.

Regards

Paul

Licensing unit.

Cheshire east council.

Municipal Buildings.

Earle St.

Crewe

CW1 2BJ

20th August 2015

Ref: licensing application for Holford Hall, Plumley, WA16 0UA

Dear Sir or Madam

I would like to object to the above licensing application, I live in close proximity to the above property and feel that this application if approved would be detrimental to the village, firstly the noise would carry to and through the village disrupting quiet peaceful life in this rural village.

Second vehicular access, if from the A556 then it would be extremely dangerous for cars Turing on and off this main trunk road with speed at 60 mph approaching a 70 mph speed limit not too far up this road. If from Trouthall lane it would be totally unacceptable for cars to be travelling down this single width farm track at all hours of the day and night this could potentially ruin Plumley village one of the few remaining traditional Cheshire village Third and finally the possible increase in disorderly behaviour by people leaving this venue late at night and cutting through the village.

I hope that the council sees that this is a totally ludicrous idea.

Regards

Secretary of The Yewtree Ratepayers

53.

From:

Sent: 23 August 2015 21:27

To: LICENSING (Cheshire East)

Cc:

Subject: Objection against premises license at Holford Hall

Dear Cheshire East,

I am formally objecting against the proposed premises licence and an entertainment licence at Holford Hall. This is on the following grounds;

Prevention of Public Nuisance

The guests will be leaving Holford Hall at past 2am in the morning and the main route will be through Ascol drive. This will lead to noise, taxis coming and going with many houses on the road having young children the night time peace will be shattered and the affect that will have on school work and education.

The nearest hotel is the Travelodge and Ascol drive will be the main route to it from Holford Hall, this again will be gone 2am in the morning potentially 7 nights a week. This will also be one of the main ways to get to the venue from the Travelodge. The noise and Anti Social Behaviour will cause great distress to the residents.

The Hall had a party last year with 1 Marquee and the music was plainly heard in my house on Ascol drive all night, if this will be seven days a week it will be intolerable. Plumley is a 'tranquil place' and should remain that way.

The hours are so long that, incorporating deliveries for the hall and people making there way from Holford Hall the residents of Ascol Drive and Plumley may just get 6 hours away from the noise.

The length of the time for the licenses is excessive and there are many venues in the area that already supply this market adequately.

The environment agency state that it is good planning strategy to complete a noise impact assessment, has one been completed for this application?

Prevention of Crime and disorder

The licence for alcohol and music is so long it will lead to people getting drunk as they do at weddings. The application states that anyone misbehaving will be removed or not let in. This then leads to drunk aggressive people at large in Ascol Drive or in Plumley Village. This is a fact of the issues brought from such wide licenses. The Police are known not to support them as it is a fact that it causes crime and disorder.

People leaving the Hall may commit vandalism and crime as they make there way home either down Ascol Drive or into Plumley.

Public Safety

The area is very poorly lit and this may lead revellers injuring themselves under the influence of drink whilst making there way home.

The senior people in Ascol Drive and Plumley village will feel threatened by this influx of rowdy all night partying so destroying their quality of life.

Protect Children from Harm

The influx of people to the hall for parties will leave many residents concerned about the safety of their children with people suffering the affects of alcohol being in the area.

The will be considerably more traffic which will put the children in danger.

The children on Ascol Drive play in Mill Wood and we could not let this continue with unknown people in the area for the children's safety.

54. (See Appendix 3 number 8)

From: WALTON, George (Councillor)
Sent: 19 August 2015 17:05
To: CADMAN, Nikki
Cc: EVANS, Kim
Subject: Holford Hall, Plumley WA16 0UA

Dear Nikki

I attach an email from the Clerk to Plumley Parish Council, dated 11/8/2015, which attaches a letter, dated 11th August, relating to the objection to the application for a premises licence.

I wish you to know I am in full support of the Parish Council's letter for all the reasons contained within their letter.

Kind Regards

Cllr George M. Walton
Chelford Ward

55.

From:

Sent: 24 August 2015 15:33

To: LICENSING (Cheshire East)

Subject: Holford Hall Premises Licence

Dear Sir / Madam,

Please find attached a letter concerning the Premises Licence application for Holford Hall, Plumley,

Regards

D.Lees

Cheshire East Council,

24th August 2015

Reference: Holford Hall application for a Premises Licence.

Dear Sir / Madam,

We write to object to the application for a Premises Licence at Holford Hall, Chester Road, Plumley WA16 0UA by Ladybarn Corporation Limited. We have reviewed the four licencing objectives and strongly object on the following grounds:

Nuisance

We are greatly concerned about the increase of traffic through the village at unsociable hours, should the licence be granted. If traffic is directed from the Hall through the village, the route back to the main A556 carriageway passes directly in front of our house and therefore, as a result of this traffic, there will be an increased noise disturbance, potentially after 2:00 A.M. We are also concerned about the safety aspect, as there are no local taxi ranks, and guests at events may choose to drive through the village or down the A556 following alcohol consumption.

In our view, there are no adequate roads either into or out of Holford Hall that could cater for the potential volumes of traffic that an event would attract.

Although our house is separated from the Hall by a number of fields, the bass from music is extremely loud and disturbing, even from a distance, thus causing us an audible nuisance. The prospect of hearing a bass beat until 2 A.M. is extremely concerning, particularly as the application is for a 7 day licence.

Whilst not directly related, we refer to the Applicants previous history of re-directing a public highway used by walkers / dog walkers, on grounds that we believe were the invasion of privacy and noise disturbance to their horses which, on the face of it, appears hypocritical.

Plumley is historically a tranquil village with limited traffic and little disruption and therefore the prospect of a high capacity licenced venue and the increased volume of traffic it will bring with it will greatly upset this tranquillity.

Public Safety

There will be a safety risk given that walkers / dog walkers frequently use the tracks to the Hall as these will be required as routes for all traffic to and from the Hall and presumably this will include larger delivery vehicles.

I think it's important to highlight that we have no objection to any of our neighbours holding an individual family celebration event. However, the prospect of such events being hosted at Holford Hall, potentially seven days a week, is extremely concerning.

Yours sincerely

56.

From:

Sent: 25 August 2015 20:26

To: LICENSING (Cheshire East)

Subject: Holford Hall Chester Road Plumley WA16 0UA

To : Cheshire East Council, Licensing Unit.

Re : "Holford Hall", Chester Road, Plumley, Cheshire WA16 0UA

I wish to register my objection to the premises licence application in respect of the above property on the following grounds :-

1)Prevention of Crime and Disorder

By its very nature a licence to sell alcohol until the early hours of the morning will result in drunken behaviour with late night drinking resulting in associated problems of anti-social behaviour, crime and disorder. As well as being likely to adversely affect the occupiers of residential properties in this area the potential for damage to surrounding farmland and forestry must also be considered.

2)Public Safety.

Anti-social behaviour associated with excessive alcohol consumption clearly has the potential to result in danger to residents in this area. The granting of a licence would result in a significant increase in traffic with guest vehicles, taxis, delivery vehicles etc. requiring access to and exit from Holford Hall over single track/public footpaths which are totally unsuitable for this purpose. The prospect of large numbers of vehicles using Ascol Drive and/or Mill Lane to access or exit Holford Hall from the main A556 Chester Road – a dangerous high speed four lane carriageway – represents a major road safety hazard and will significantly increase the risk of serious traffic accidents on this stretch of road. The relatively high volume of traffic already using Plumley Moor Road necessitated the recent introduction of road safety measures involving the construction of a new mini roundabout and pedestrian traffic light crossing – any further significant increase in traffic usage in this area would be unacceptable.

3)Prevention of Public Nuisance.

The granting of the licence will potentially result in large numbers of people using Plumley railway station with this being of particular concern given the fact that many of the alcohol fuelled partygoers will be looking to catch the "last train home". The potential for noise nuisance and associated disturbance to all residents in the area together with the likelihood of criminal damage to vehicles, properties etc. on the unlit roads cannot be over-emphasized.

The playing of loud music and the associated disturbance created by large numbers of partygoers until the early hours of the morning will inevitably create a serious disturbance to all residents in the locality.

In the light of the above observations/objections it is my strongly held view that this licence application should be refused.

Date : 25th August 2015

57.

From:

Sent: 25 August 2015 20:21

To: LICENSING (Cheshire East)

Subject: Holford Hall, Chester Road, Plumley WA16 0UA

To : Cheshire East Council, Licensing Unit.

Re : "Holford Hall", Chester Road, Plumley, Cheshire WA16 0UA

I wish to register my objection to the premises licence application in respect of the above property on the following grounds :-

1)Prevention of Crime and Disorder

By its very nature a licence to sell alcohol until the early hours of the morning will result in drunken behaviour with late night drinking resulting in associated problems of anti-social behaviour, crime and disorder. As well as being likely to adversely affect the occupiers of residential properties in this area the potential for damage to surrounding farmland and forestry must also be considered.

2)Public Safety.

Anti-social behaviour associated with excessive alcohol consumption clearly has the potential to result in danger to residents in this area. The granting of a licence would result in a significant increase in traffic with guest vehicles, taxis, delivery vehicles etc. requiring access to and exit from Holford Hall over single track/public footpaths which are totally unsuitable for this purpose. The prospect of large numbers of vehicles using Ascol Drive and/or Mill Lane to access or exit Holford Hall from the main A556 Chester Road – a dangerous high speed four lane carriageway – represents a major road safety hazard and will significantly increase the risk of serious traffic accidents on this stretch of road. The relatively high volume of traffic already using Plumley Moor Road necessitated the recent introduction of road safety measures involving the construction of a new mini- roundabout and pedestrian traffic light crossing – any further significant increase in traffic usage in this area would be unacceptable.

3)Prevention of Public Nuisance.

The granting of the licence will potentially result in large numbers of people using Plumley railway station with this being of particular concern given the fact that many of the alcohol fuelled partygoers will be looking

to catch the "last train home". The potential for noise nuisance and associated disturbance to all residents in the area together with the likelihood of criminal damage to vehicles, properties etc. on the unlit roads cannot be over-emphasized.

The playing of loud music and the associated disturbance created by large numbers of partygoers until the early hours of the morning will inevitably create a serious disturbance to all residents in the locality.

In the light of the above observations/objections it is my strongly held view that this licence application should be refused.

Date : 25th August 2015

58.

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

From:

Sent: 25 August 2015 17:25

To: LICENSING (Cheshire East)

Subject: HOLFORD HALL, CHESTER ROAD, PLUMLEY, WA16 0UA - Application for Premises Licence

As a resident/home owner on Trouthall Lane I wish to object to the above Application.

I have lived in PLUMLEY for approx 14 months. A few weeks after moving into PLUMLEY there was a wedding being held at HOLFORD HALL. The noise from the event was very disturbing and caused us sleep loss! The traffic volume was a public nuisance not to mention a risk to local children. Whilst this was a one off event if this became a regular problem in a peaceful village it is possible we would see an increase in public nuisance and crime! There is a risk with late night functions and attendees under the influence of alcohol, creating a public nuisance, rowdy behaviour and property damage! This is a quiet rural location which should remain as such and not be turned into a hipe of drunken activity.

In view of my concerns I strongly object to the permission being granted.

Kind regards,

Sent: 27 August 2015 08:11

59.

To: LICENSING (Cheshire East)

Subject: Licensing application for Holford Hall, Chester Rd, Plumley

To whom it may concern,

We are writing to object to the licensing application for Holford Hall on the grounds of prevention of public nuisance (noise and traffic) to residents of Plumley and Ascol Drive. We are also objecting on the grounds of prevention of crime and disorder in Plumley. In the event that access to Holford Hall is via Plumley village, Trouthall Lane would be the return route for anyone ejected or refused access for being disorderly or for anti-social behaviour, placing residents and their property at risk.

60.

60.

From:

Sent: 27 August 2015 06:36

To: LICENSING (Cheshire East)

Subject: holford hall email objection

Cheshire East Council,
Licensing Unit
Municipal Buildings
Earle Street
Crewe
CW1 2BJ
26th August 2015

Objection by email: licensing@cheshireeast.gov.uk

Dear Sir / Madam,

Please accept this letter as an official objection to the Premises License application for Holford Hall, Chester Road, Plumley, WA16 0UA applied for by Ladybarn Corporation Limited.

My names is and I live at Trouthall Lane, Plumley, Cheshire,

I object to the premises licence on the following grounds:

Prevention of Public Nuisance

For my wife and my two young children the biggest issue is noise and the misery this would bring.

A licence to play music and supply alcohol and adult entertainment seven days a week till the early hours of the morning.

Of particular concern, is the fact that music is to be played in a marquee – which of course has a very thin skin, and offers limited reduction in sound.

I attach with this letter for your consideration, an acoustic engineer's report in relation to possible noise disturbance from the property.

He estimates that our home which is the second nearest to Holford Hall is some 650m away from it.

Please see points 1) and 2) in the acoustic report attached below. They refer to Cheshire East Council's own licensing policy.

This policy says “consideration must be given to whether the operating schedule contains adequate measures to prevent noise and vibration, generated from within the premises, outside it, or from an open site, that may cause disturbance.”

It goes on to say that: “Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to:” (Section 9.5)

- i. “Restrict the generation of any noise within the premises and from activities associated with the premises in the vicinity, or from an open air site”
- ii. “Limit the escape of any noise from the premises or open air site”
- iii. “Restrict any noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping”
- iv. “Minimise and control any noise from customers arriving and departing from the premises”

Its conclusion, and my own too, is that there is no mention within the licence of “adequate measures to prevent noise, and vibration, generated from within the premises, outside it, or from an open site, that may cause disturbance.”

The report then refers to a similar application in a separate part of the country, where acoustic reports were obtained and provided helpful information when considering a licence. It also says that a noise survey needs to be carried out to establish the possible problems and the houses it will affect. This should be carried out at night time and then accurate measurements can be taken to determine how the noise will affect those neighbouring properties.

No such reports have been obtained in this case and they need to be, ensuring of course that they are completely independent. Based on these results, and only on these results, can it be ascertained whether there would be disturbance.

It is my understanding that anything which interferes with my ability to live without disturbance and sleep in my house should not be allowed in a residential area.

I moved to Plumley from West Didsbury in Manchester because I wanted to live in a quiet, rural village. I chose to move away from venues playing music until the early hours, from large groups of people wandering home drunk after a night out and from petty acts of crime and vandalism. I would not have moved here if Holford Hall had this licence.

Plumley is a quiet, residential village and that is why and I and so many who live here chose it. This licence would ruin that.

Prevention of Crime & Disorder

Plumley is currently a low crime area. Any introduction of large groups of people external to the village may increase the likelihood of crime and public disorder – particularly given the nature of the application licence to sell alcohol, hold adult entertainment and play music until 2am potentially from Monday to Sunday.

The licence talks of CCTV, of security, of refusing entry to anyone who is involved in disorderly conduct or anti-social behaviour and removing anyone inside who does the same.

Where will these people go? Into Plumley – they will simply take their disorderly conduct and anti-social behaviour into our village and there will no security to deal with them there. This in my opinion has not been thought through. This also therefore feeds into the prevention of public nuisance objection.

Public Safety

I also question how this venue would be accessed. There is no mention of entrance / exit in the licenses application which seems to me to be crucial.

My property is also one of three (including Holford Hall) that use the narrow track off Trouthall Lane for access.

It is only just wide enough for one car. I drive no faster than 5mph down it because it is popular with walkers and most importantly children.

It is the place young children ride their bikes in safety and often fish over the bridge.

If the proposal is for the access point to be the track off Trouthall Lane which leads to three houses, including my own and Holford Hall, this is very concerning.

Situated on the corner, it offers limited visibility. Currently, it is just three residential houses that use it, plus a steady stream of walkers with dogs and children, because there is a public right of way alongside Holford Hall.

It is a fairly narrow track, it goes over a small bridge. It is not suitable for big vehicles, it is certainly not suitable for a lot of traffic, and turning it into such a road would make it dangerous. It is also not lit.

If this is to be the access route how will hundreds of people, and many cars use it?

Further there must be safety concerns about a number of cars turning into the two Holford Hall entrances on the A556 and travelling legitimately up to 60mph, if this is instead to be used as the access route.

I trust there will now be a hearing into this licence. Please keep me informed of all and every development.

Many thanks,

61.

From:

Sent: 26 August 2015 23:36

To: LICENSING (Cheshire East)

Subject: Holford Hall Chester Road Plumley - Premises Licence Application

Dear Sirs,

Re; Holford Hall Chester Road Plumley - Premises Licence Application

We would like to raise a few concerns in connection with the above application, please find further details below;

The only access for large vehicles to Holford Hall is via Ascol Drive.

Ascol Drive is privately owned, it is not surfaced, and it already has many potholes.

When the potholes are filled it quickly deteriorates, with just the cars coming to and from the houses on Ascol Drive.

With this in mind Ascol Drive is definitely not designed for heavy traffic and large vehicles, which would be used when organising entertainment events etc...

If more than one vehicle tries to get down to or come back from Holford Hall via Ascol Drive and the single track lane at the end of Ascol Drive leading to Holford Hall, currently used by pedestrians (and farm vehicles depending upon the time of year), there isn't enough room to pass safely if coming in opposite directions.

This would pose a safety risk to both the public, i.e. pedestrians including local children, and drivers of said vehicles.

The music, especially outdoors until 12am and indoor until 2am, adult entertainment until 12am, and dance performances until 1.30am (presumably also with music) potentially Monday to Sunday is a real concern.

This is because the area is very quiet and noise will travel causing nuisance to all living close by, however especially the children and the elderly residents living within the area.

The noise of people leaving potentially after 2am Monday to Sunday would also travel to the quiet surrounding area causing a nuisance to locals whilst they try to sleep.

If people are leaving via cars along the unsurfaced and pot hole covered Ascol Drive, this would cause a particular nuisance to those living on Ascol Drive.

We hope our concerns are taken into consideration when reaching a decision.

Yours faithfully

Ascol Drive Residents

62.

From:

Sent: 26 August 2015 22:46

To: LICENSING (Cheshire East)

Subject: Holford Hall Application

Cheshire East Council

Licencing Unit

Municipal Buildings

Earle Street

Crewe

CW1 2BJ

Wednesday, 26 August 2015

Objection by email: Licensing@cheshireeast.gov.uk

Dear Sir/ Madam

Re Formal objection to the application for a premises licence by Ladybarn Corporation Limited for Holford Hall.

Please accept this letter as an official objection to the Premises licence application above. My objections are as follows:

1. Prevention of crime and disorder

- a. The applicant plans to have security guards at entrances so as to prevent people involved in disorderly conduct or anti-social behaviour gaining entry, and any people involved in such activity on the premises will be ejected. Such individuals will be ejected not into a busy town centre, with lighting, policing and cameras, but instead into a quiet rural community with endless opportunity for unobserved nefarious activity. That the applicant sees fit to state the need for security for Holford Hall indicates that they anticipate trouble already.

2. Public safety

- a. There would be a significant increase in traffic through the village or down Ascol Drive if this application is permitted. The lanes of Plumley are not currently busy with traffic and consequently are safe for children and walkers to use. Any increase in traffic will compromise this amenity.
- b. The lane from Pepper Street to Holford Hall is currently a public right of way, narrow and safe for walkers. There is no refuge or footpath for those using

the route leading to a significant increase in potential injury in the event of additional traffic.

- c. Additional traffic may compromise the structural integrity of the bridge over the Peover Eye and lead to a flooding risk for the properties locally.
- d. The management of traffic exiting onto the A556 will pose a very significant additional risk with the temptation to turn right from Ascol Drive irresistible.

3. Prevention of Public Nuisance

- a. There is an extensive history of noise related issues in Plumley with complaints relating to the use of the village hall for normal village pursuits such as band practice. It is inconsistent with previous decisions by the council to allow what will be a very significant noise intrusion by events held in Holford Hall if this application is permitted. There is nowhere on the Holford Hall site in which an event could be held in a temporary structure without a major impact on evening and night time noise levels.
- b. The traffic associated with the arrival and, even more, the departure of guests attending events at Holford Hall will cause a very significant nuisance as such high spirited guests will be tempted to hoot as they depart, especially if entreated not to.

Given the points above I urge you to refuse this application.

Yours faithfully

63.

From:

Sent: 26 August 2015 22:38

To: LICENSING (Cheshire East)

Subject: Holford Hall premises licence

I am writing with strong objections with regards to the proposed entertainment and premises licences at Holford Hall.

Prevention of Public Nuisance.

It is a concern that guests would be leaving at 2am and this would cause a much increased volume of traffic using Ascol Drive, private cars and taxis being used to transport guests to and from the venue, creating an increase in noise especially in the early hours of the morning. Ascol Drive is a quiet rural location and home to many young children who will potentially be disturbed, causing an adverse affect on their established sleep routines, which will create further problems : of lack of concentration at school for example and general behaviour at home.

Access to the Travlodge hotel (the nearest overnight accommodation) would again be using Ascol Drive, potentially 7 nights a week, and later than 2am. Any anti social behaviour and increased noise levels will become very distressful. Deliveries to the hall would also have to make use of Ascol Drive, thus causing increased traffic and noise levels during the day, upsetting and disturbing the more senior residents. There are many suitable and already established venues in the area supplying this market. The application hours are excessive for such a rural location, considering the function that was held there last year, with the noise clearly being heard until the early hours of the morning. If this was to continue 7 nights a week it would become unbearable.

Has a noise impact assessment been completed with regards to this application ?

Prevention of Crime and Disorder.

The license for alcohol and music is extensive. This will lead to drunken behaviour. Anyone misbehaving will either be refused entry or evicted from the premises, putting them now at large in Ascol Drive or Plumley village and being such a rural location, nowhere else to go, leading to loud and aggressive behaviour, with the potential to commit crime and vandalism. The police are known not to support such wide licenses as it is a known cause of crime and disorder. It is rare to see policing in Ascol Drive and I would like to keep it that way.

Public Safety.

I am sure many people will feel threatened and afraid knowing that this sort of behaviour is now on their doorstep. I enjoy an evening stroll most nights with my children in the local area and frequently use the local walks as part of an exercise regime, jogging with colleagues and sometimes alone. Ascol Drive and surrounding areas are also popular with dog walkers and local ramblers, walking and running clubs...this now destroying a safe environment we have all become accustomed to.

Areas are poorly lit, roads are unadopted and hazardous, leading to railway crossings, brooks and rivers, woodland areas...a whole host of potential dangers to people under the influence of alcohol and unfamiliar with the area. Anyone inebriated coming to harm could potentially go unnoticed too.

Protection of Children from Harm.

The influx of people attending the hall for functions is a major concern with regards to the safety of my children and other residents of Ascol Drive with youngsters. People under the influence of alcohol can be loud, abusive, offensive and act irrationally..frightening children and putting them in danger. The increase in the volume of traffic also has an effect on their safety. The road is

unadopted and non resident drivers are inconsiderate with regards to speed and awareness. I have already experienced a near miss involving my child and can foresee the potential for disaster. My children play freely in the private gardens to the rear of my property and in Mill Wood and I could not let this continue with an increased amount of strangers in the area who are under the influence of alcohol.

Ascol Drive and Plumley were chosen as safe peaceful and tranquil areas to live, the outcome of this license application will cause a devastating effect on our community.

64. (See also Appendix 4 for Acoustics Report attached to this objection)

From:

Sent: 26 August 2015 22:21

To: LICENSING (Cheshire East)

Subject: Official objection to Holford Hall, Plumley Premises Licence application

Please find attached an official objection to the Premises License application for Holford Hall, Chester Road, Plumley, WA16 0UA applied for by Ladybarn Corporation Limited.

Also attached a preliminary acoustics report on the same licence.

Please acknowledge receipt of this email and the objection.

Many thanks,

Cheshire East Council,
Licensing Unit
Municipal Buildings
Earle Street
Crewe
CW1 2BJ
26th August 2015

Objection by email: licensing@cheshireeast.gov.uk

Dear Sir / Madam,

Please accept this letter as an official objection to the Premises License application for Holford Hall, Chester Road, Plumley, WA16 0UA applied for by Ladybarn Corporation Limited.

My names is and I live at Trouthall Lane, Plumley, Cheshire,.

I attach with this letter for your consideration, an acoustic engineer's report in relation to possible noise disturbance from the property.

He estimates that our home which is the second nearest to Holford Hall is some 650m away from it. My property is also one of three (including Holford Hall) that use the narrow track off Trouthall Lane for access.

I object to the premises licence on the following grounds:

Prevention of Public Nuisance

For us, by some way, the biggest issue. A licence to play music and supply alcohol and adult entertainment seven days a week till the early hours of the morning. Of particular concern, is the fact that music is to be played in a marquee – which of course has a very thin skin, and offers limited reduction in sound.

Please see points 1) and 2) in the acoustic report which refer to Cheshire East Council's own licensing policy. This policy says "consideration must be given to whether the operating schedule contains adequate measures to prevent noise and vibration, generated from within the premises, outside it, or from an open site, that may cause disturbance."

It goes on to say that: "Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to:" (Section 9.5)

- i. "Restrict the generation of any noise within the premises and from activities associated with the premises in the vicinity, or from an open air site"
- ii. "Limit the escape of any noise from the premises or open air site"
- iii. "Restrict any noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping"
- iv. "Minimise and control any noise from customers arriving and departing from the premises"

Its conclusion, and my own too having studied the application is that there is no mention within the licence of "adequate measures to prevent noise, and vibration, generated from within the premises, outside it, or from an open site, that may cause disturbance."

The report then refers to a similar application in a separate part of the country, where acoustic reports were obtained and provided helpful information when considering a licence. It also says that a noise survey needs to be carried out to establish the possible problems and the houses it will affect. This should be carried out at night time and then accurate measurements can be taken to determine how the noise will affect those neighbouring properties.

No such reports have been obtained in this case and they need to be, ensuring of course that they are completely independent. Based on these results, and only on these results, can it be ascertained whether there would be disturbance.

It is my understanding that anything which interferes with my ability to live without disturbance and sleep in my house should not be allowed in a residential area.

I moved to Plumley from West Didsbury in Manchester because I wanted to live in a quiet, rural village. I chose to move away from venues playing music until the early hours, from large groups of people wandering home drunk after a night out and from petty acts of crime and vandalism. I would not have moved here if Holford Hall had this licence.

Plumley is a quiet, residential village and that is why and I and so many who live here chose it. This licence would ruin that.

Prevention of Crime & Disorder

Plumley is currently a low crime area. Any introduction of large groups of people external to the village may increase the likelihood of crime and public disorder – particularly given the nature of the application license to sell alcohol, hold adult entertainment and play music until 2am potentially from Monday to Sunday.

The licence talks of cctv, of security, of refusing entry to anyone who is involved in disorderly conduct or anti-social behaviour and removing anyone inside who does the same.

Where will these people go? Into Plumley – they will simply take their disorderly conduct and anti-social behaviour into our village and there will no security to deal with them there. This in my opinion has not been thought through. This also therefore feeds into the prevention of public nuisance objection.

Public Safety

I also question how this venue would be accessed. There is no mention of entrance / exit in the licenses application which seems to me to be crucial.

If the proposal is for the access point to be the track off Trouthall Lane which leads to three houses, including my own and Holford Hall, this is very concerning.

Situated on the corner, it offers limited visibility. Currently, it is just three residential houses that use it, plus a steady stream of walkers with dogs and children, because there is a public right of way alongside Holford Hall.

It is a fairly narrow track, it goes over a small bridge. It is not suitable for big vehicles, it is certainly not suitable for a lot of traffic, and turning it into such a road would make it dangerous. It is also not lit.

If this is to be the access route how will hundreds of people, and many cars use it?

Furthermore, if the access route is instead to be the two Holford Hall entrances off the A556, there must be safety concerns about a number of cars turning into those entrances from a road where traffic travelling legitimately up to 60mph, is regularly very heavy.

I trust there will now be a hearing into this licence. Please keep me informed of all and every development.

Many thanks for your consideration in this matter,

65.

From:

Sent: 26 August 2015 10:35

To: LICENSING (Cheshire East)

Subject: Application for a premises licence for Holford Hall

Dear Sir/Madam

I would like to make a formal objection to the Premises Licence Application by Holford Hall, Chester Road, Plumley, WA16 0UA. Please find the attached giving my reasons.

Yours faithfully

26th August, 2015

Dear Sir or Madam

I would like to formally object to the application for a Premises Licence by Holford Hall, Chester Road, Plumley, WA16 0UN.

1. Prevention of Public Nuisance

- I would be very concerned about the increase in noise coming from Holford Hall, particularly in the evening/at night when the background noise in this rural community is very low. This would be even worse if an event is held in a marquee as has been proposed when there will be little barrier to the noise travelling over the fields to us on Trouthall Lane, residents on Plumley Moor Road and those on Ascol Drive. The late hours proposed are bound to disturb residents both during a summer's evening if trying to sit in our gardens and also prevent sleep.
- The increase in traffic to the venue both along Trouthall Lane or Ascol Drive would cause both noise and disturbance to residents as both are quiet, narrow lanes where there is barely room for 2 cars to pass each other. Any cars left parked on the side of either lane cause obstructions to other vehicles passing and for residents to enter or leave their drives.
- The service vehicles needed to provide for events would cause more of a problem on the narrow roads also.
- Many dog walkers use Trouthall Lane and the lane from there towards Holford Hall and any increase in traffic will cause disturbance to them.

2. Public Safety

- As a dog walker myself, I would be concerned about walking the public footpath with the increase in traffic. Also this would be a concern due to the narrow footpath and the width of Trouthall Lane.
- Ascol Drive is also narrow and the houses there have many families with children which would be a concern with increased traffic flow.
- The A556 is well known to be a busy, dangerous road which would make accessing the venue from there a concern.

- Larger vehicles carrying supplies to Holford Hall would be a danger on the narrow access routes.
- I would be concerned how emergency vehicles might access Holford Hall.

3. Prevention of Crime and Disorder

- There is the potential for increase in antisocial behaviour if the doormen are proposing to eject or refuse admission to people who appear drunk. These people will inevitably then be wandering around Plumley looking for transport.
- After events there will be again be people wandering around looking for transport who may be drunk and I would be concerned about rowdy behaviour and/ or damage to property.

4. Protection of children

- Increased risk to children walking along Trouthall Lane, Ascol Drive or using the footpath towards Holford Hall from the increase in traffic.
- Likely disturbance to their sleep by loud music late at night or by people passing through the village late at night.

Yours faithfully,

66.

From:

Sent: 26 August 2015 21:25

To: LICENSING (Cheshire East)

Subject: Holford Hall , Chester Road, Plumley License Application

Dear Sirs

Representation Re Holford Hall, Chester Road, Plumley – Application for Premises License

In respect of the above application I am writing to object to the granting of a license as follows:

Public Safety and Public Nuisance

There is a lack of footpaths along parts of Ascoll Drive, Touthall Lane and Plumley Moor Road. This is also the case for street lighting. Event attendees, residents and drivers will be placed at increased risk of accident through increased traffic along narrow roads that would result were a license granted. I live on a part of Touthall Lane that has no street lighting or footpath and have experienced how dangerous it can be to walk during evening darkness when drivers barely have passing space, never mind the room to move around pedestrians.

The application covers the provision of late night refreshments between 11pm and 2am. There is little provision of public transport in the area so venue attendees will either require late night taxis or expect to drive once the venue closes. This will add to both late night noise and increase road traffic accident risk.

The granting of a license for external sound speakers and live and recorded music to be played inside the premises and marquees in the grounds will cause significant noise nuisance. The local area is currently a quiet place. The open nature of the surrounding countryside will allow noise and vibration to travel to nearby dwellings. The council's own statement of licensing policy states that consideration will be given to whether the operating schedule "contains adequate measures to prevent noise and vibration.....that may cause disturbance". As the application fails to address noise nuisance issues I believe it should be rejected.

Yours faithfully

67.

From:

Sent: 26 August 2015 20:33

To: LICENSING (Cheshire East)

Subject: Holford Hall, Plumley

We are writing to say that we agree wholeheartedly with the contents of the letter sent to you by Plumley with Toft and Bexton Parish Council opposing this application.

In particular we are concerned with the safety aspect. The vehicular route from the notoriously busy and dangerous 4-lane A556 does not have a safe turn right lane into Mill Lane which gives access to Holford Hall. Mill Lane is narrow, with no street lights and no pavement. Should CEC be minded to allow this application, which we firmly hope they are not, then a No Right Turn in or out of Mill Lane should be imposed at the expense of the applicant.

Mill Lane is used by pedestrians, and many of these are dog walkers using it to access the footpath which was diverted two or three years ago as the residents of Holford Hall felt that the disturbance of walkers near the Hall were making the stabling of their horses unsafe.

Perversely, this current proposal is to have social functions for many people in the buildings near the footpath which was diverted because of potential disturbance from walkers. We feel there is a potential dangers to visitors to the social functions from the horses, and problems too for the horses, which a vet should consider.

There is an ancient footpath, roughly a mile long, leading from the Hall across fields going towards Trouthall Lane. In the last year or two this has been gravelled over by the owners of Holford Hall. The gravelled, unlit footpath passes by a recently constructed brick gateway which can be opened by remote control. It then links into a tractor track to Pepper Street and thence to Trouthall Lane. Pepper Street is very narrow, room for only one vehicle in width and again has no pavement or lighting. It is used extensively by walkers, particularly dog walkers at all hours of day and night. Trouthall Lane is narrow and unlit and without a pavement at the point that Pepper Street joins it.

On safety grounds, therefore, we are opposed to the proposals should there be any intention at all that attendees at the proposed social functions should use this route to or from Holford Hall.

68.

From:

Sent: 26 August 2015 21:18

To: LICENSING (Cheshire East)

Subject: Re application for Holford Hall

Dear Sir/ Madam ,

I am writing with respect to the application for a premises license at Holford Hall , Plumley We live 1 kilometre from the named premises . I wish to object to this application on the following grounds .

1 .There are going to be issues regards access to the premises as the main access is a single track road so would not really be suitable for delivery vehicles , along with vehicles attending the functions this will increase the traffic through the area . Creating which surely is a public safety issue.

2. There is another route the property can be accessed is through the area down Trouthall lane . Again this is a narrow lane that is not really suitable for two lane traffic . The volume of traffic will increase through the village and create a public safety issue .

3. Access to the property off the A556 is a safety issue . Particularly accessing it from the Chester direction . People wanting to turn right will have to wait in the inside lane and this is the main road to Manchester / Chester traffic traveling at 60 miles an hour . Also people wanting to turn right leaving the property are going to have to cross three lanes of traffic again travelling at 60 miles an hour . There is going to be an increase in accidents . Creating a public safety issue .

4.The application states that bouncers will be in attendance the people that are refused entry or made to leave the party , These people are going to be in the area and walking narrow lanes with no lighting and cars might not see them . Creating public safety issue . Also causing a public nuisance in the village and possibly increase the crime rate . There was an instance in last week Northwich Guardian were there was a party held at a local barn some 1 kilometre from the above named property and the police had to be called and the police helicopter was in operation . People had commented how it had disturb them that night .

5 . It is only 2 years or so ago were the owners of the property had a public footpath which had been there for years going through their property re routed as they claimed walkers upset the horses . Now they are inviting people on to their land .

6. Everybody accepts that from time to time people might hold a party but it is a one off . But this is going to be 7 days a week . As they are in marquees the noise is going to travel and cause a public nuisance to the local village community .

Yours Faithfully,

69.

From:

Sent: 27 August 2015 10:46

To: LICENSING (Cheshire East)

Subject: Fwd: Licence Application Holford Hall

-----Original message-----

From :

Date : 26/08/2015 - 11:47 (GMTST)

To : licensing@cheshireeast.gov

Subject : Licence Application Holford Hall

Dear Sir

I would like to register my objections to the application for a licence to sell alcohol and provide entertainment at Holford Hall, Chester Road, Plumley, WA16 0UA.

My main ground for objection is the disruption and noise which is likely to be generated late at night, seven days a week. I live in Ascol Drive and sound from previous events at Holford Hall has carried across the fields. Operation of the venue every night will be disruptive to residents of Ascol Drive during the working week. I do not believe this type of business is appropriate for a rural location; Plumley is already served by two licensed premises, The Smoker and The Golden Pheasant, with more restricted opening hours.

I am also concerned at the safety aspects of access to the site. At present, private access to Holford Hall is via a narrow road and bridge over the Peover Eye. Increased use of this access route will require traffic coming from the Chester direction to make a right hand turn across a section of the A556 which already has a poor safety record. I have similar concerns over customers exiting the venue by this route and making a right turn onto the A556 if they were returning towards Knutsford/Manchester. Right hand turns out of Ascol Drive onto the A556 are illegal and an appropriate Traffic sign is in place. Alternative access is possible via the public footpath between Plumley and Ascol Drive - this has been resurfaced with stone and can be used by motor vehicles. However, this would require access via Ascol Drive (a private, unadopted road) and its use, late at night, would cause further disruption to residents during the working week.

In conclusion, I do not believe that the scale and scope of the proposed licence is appropriate

Your Sincerely

70.

From:

Sent: 27 August 2015 20:08

To: LICENSING (Cheshire East)

Subject: Holford Hall premises Licence Application

As a Plumley village resident I have the following objections to the above application.

1. prevention of crime & disorder: Likelihood of crime & disorder due to late night drinking.
2. public safety at risk once again due to late night drinking and the fact that the access roads to the the Hall have private dwellings nearby.
3. public nuisance could be caused yet again by the late serving of alcohol and if no taxis are available for the customers at the hall they will have to make their way past the homes of local residents.

71.

From:

Sent: 27 August 2015 20:59

To: LICENSING (Cheshire East)

Subject: Objection against premises license at Holford Hall

Dear Cheshire East,

We would like to add our names and support to various communications you will have received from other residents of Ascol Drive, namely, our formal objection against the proposed premises licence and an entertainment licence at Holford Hall.

On the following grounds;

Prevention of Public Nuisance

The guests will be leaving Holford Hall at past 2am in the morning and the main route will be through Ascol drive. This will lead to noise, taxis coming and going with many houses on the road having young children the night time peace will be shattered and the affect that will have on school work and education.

The nearest hotel is the Travelodge and Ascol drive will be the main route to it from Holford Hall, this again will be gone 2am in the morning potentially 7 nights a week. This will also be one of the main ways to get to the venue from the Travelodge. The noise and Anti Social Behaviour will cause great distress to the residents.

The Hall had a party last year with 1 Marquee and the music was plainly heard in my house on Ascol drive all night, if this will be seven days a week it will be intolerable. Plumley is a 'tranquil place' and should remain that way.

The hours are so long that, incorporating deliveries for the hall and people making there way from Holford Hall the residents of Ascol Drive and Plumley may just get 6 hours away from the noise.

The length of the time for the licenses is excessive and there are many venues in the area that already supply this market adequately.

The environment agency state that it is good planning strategy to complete a noise impact assessment, has one been completed for this application?

Prevention of Crime and disorder

The licence for alcohol and music is so long it will lead to people getting drunk as they do at weddings. The application states that anyone misbehaving will be removed or not let in. This then leads to drunk aggressive people at large in Ascol Drive or in Plumley Village. This is a fact of the issues brought from such wide licenses. The Police are known not to support them as it is a fact that it causes crime and disorder.

People leaving the Hall may commit vandalism and crime as they make there way home either down Ascol Drive or into Plumley.

Public Safety

The area is very poorly lit and this may lead revellers injuring themselves under the influence of drink whilst making there way home.

The senior people in Ascol Drive and Plumley village will feel threatened by this influx of rowdy all night partying so destroying their quality of life.

Protect Children from Harm

The influx of people to the hall for parties will leave many residents concerned about the safety of their children with people suffering the affects of alcohol being in the area.

The will be considerably more traffic which will put the children in danger.

The children on Ascol Drive play in Mill Wood and we could not let this continue with unknown people in the area for the children's safety.

72.

From

Sent: 27 August 2015 22:04

To: LICENSING (Cheshire East)

Subject: Holford hall licensing

For the attention of:

Cheshire East Council,
Licensing Unit,
Municipal Buildings.

I would like to object to this licensing application, we have moved to the area in the past month, to live in the countryside, only to find out that across a field we could have late night function in operation, this will also play a huge part in the increased traffic on our lane when we have small children and dogs that we regularly take our walking an on our bikes.

Sent from my iPhone

73. (See also Appendix 4 for Acoustics Report attached to this objection)

From:

Sent: 26 August 2015 08:32

To: LICENSING (Cheshire East)

Subject: Holford Hall - Premises License Application

Dear Sirs

I am writing this email to formally object to the Application for a Premises Licence at Holford Hall by Ladybarn Corporation Ltd.

I have been a resident of Plumley since July 2014 and one of the factors for my choice in moving to the village was because the area is rural and offers a level of peacefulness and tranquillity that cannot be replicated when living within the suburbs of towns and cities.

Having read the grounds upon which residents can formally object to this application, I would like to address my concerns in relation to a number of them:

1. The prevention of crime and disorder

The granting of this application would undoubtedly bring a substantial increase in the number of people passing through the village either travelling to or returning from any event held at Holford Hall. Given the applicant's stated opening hours and intention to serve alcohol for the entirety of any event, it is therefore not un-reasonable to assume that a common occurrence would be for members of the public attending such events to be under the influence of alcohol. This in turn could potentially lead to an increase in "alcohol related crime".

The Institute of Alcohol Studies (www.ias.org.uk) states that the term "Alcohol related crime", it is used to refer to 2 main categories of offences:

- Alcohol-defined offences such as drunkenness offences or driving with excess alcohol
- Offences in which the consumption of alcohol is thought to have played a role of some kind in the committing of the offence, usually in the sense that the offender was under the influence of alcohol at the time. Examples of offences often committed by people under the influence are assault, breach of the peace, criminal damage and other public order offences.

The IAS website clearly shows that alcohol related offences are increasing as a proportion of all violent crimes committed in England & Wales.

(<http://www.ias.org.uk/Alcohol-knowledge-centre/Crime-and-social-impacts/Factsheets/UK-alcohol-related-crime-statistics.aspx>)

2. Public Safety

East Cheshire Council are already aware of the issues regarding speeding that are impacting upon the village in terms of public safety as per the ongoing discussions between East Cheshire Council and Plumley Parish Council. The increased volume of commercial (i.e. delivery vans / heavy good's vehicles for catering, alcohol, venue services such as port-a-loo's and marquees etc) traffic will potentially add to the existing issues the village is already facing with regard to speeding traffic and the use of Plumley Moor Road and other "B" roads in the village as "rat runs".

Furthermore Trouthall Hall Lane and Ascoll Drive are narrow roads and not suited to volumes of two way traffic or larger delivery vehicles' as they have neither pavements nor street lighting. Given that the area around Holford Hall is popular with ramblers, dog walkers, runners and cyclists, an increase in both commercial and private traffic on either of these roads would substantially increase the potential of injury to pedestrians and other users of these roads.

3. The prevention of public nuisance

I referring you your own document, the Cheshire East Council Statement of Licensing Policy (Licensing Act 2003) The policy dated January 2014 to January 2019 (Cheshire East Council 2014); one of the council's duties is 'The prevention of public nuisance' (Section 2.5) and the following statements are taken from Section 9 within the document:

- a. "Consideration will be given to whether the operating schedule contains adequate measures to prevent noise and vibration, generated from within the premises, outside it, or from an open site, that may cause disturbance." (Section 9.4)
- b. The document further notes "Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to:" (Section 9.5)
 - i. "Restrict the generation of any noise within the premises and from activities associated with the premises in the vicinity, or from an open air site"
 - ii. "Limit the escape of any noise from the premises or open air site"
 - iii. "Restrict any noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping"
 - iv. "Minimise and control any noise from customers arriving and departing from the premise"

I can see there is absolutely no reference to any adequate measures to prevent noise within the licence application by Holford Hall.

As my property is 1.2km away from Holford Hall across relatively open land, I refer you to the attached report that I have had prepared and the questions I feel it raises in relation to the license application that East Cheshire Council should require the Applicant to respond to.

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Comments on the application for a premises licence (LAD003-1) at Holford Hall, Plumley Cheshire.

Dr Paul Kendrick

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

20th August 2015

Certain residents, living near to the premises for which the application is being made, have concerns regarding the possibility of noise from this new licence application which may cause a nuisance, and they have asked me for my comments on this case. The following views are mine alone and do not represent any organisation I am associated with. I hold an MSc and a PhD in Acoustics. The following documentation highlights the appropriate policy points and provides precedence in the form of reports on noise made by an Acoustic consultancy for a similar licence application, and presents a short guide on how some basic calculations of the noise level at nearby dwellings would be carried out.

Introduction

1. The licence application specifies that recorded and live music will be provided, both within the orangery and within an external marquee(s).
2. Referring to the Cheshire East Council Statement of Licensing Policy (Licensing Act 2003) The policy dated January 2014 to January 2019 (Cheshire East Council 2014); one of the council's duties is 'The prevention of public nuisance' (Section 2.5) and the following statements are taken from Section 9 within the document:
 - a. "Consideration will be given to whether the operating schedule contains **adequate measures to prevent noise** and vibration, generated from within the premises, outside it, or from an open site, that may **cause disturbance**." (Section 9.4)
 - b. The document further notes "Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to:" (Section 9.5)
 - i. "Restrict the generation of any noise within the premises and from activities associated with the premises in the vicinity, or from an open air site"
 - ii. "Limit the escape of any noise from the premises or open air site"
 - iii. "Restrict any noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping"
 - iv. "Minimise and control any noise from customers arriving and departing from the premises"

3. Within the licence application for Holford Hall there is no mention of **adequate measures to prevent noise**.
4. The only way to address this issue is to first **establish** if there is a possibility that noise from the proposed application may **cause disturbance** and to then **ensure** that there are **adequate measures to prevent noise** in the form of mitigating equipment or procedures (such as, for instance, additional sound insulation or the fitting of a sound limiting device to ensure levels do not exceed a prescribed amount). From the documentation I have seen this licence application does not fulfil these requirements.
5. Of particular concern is the mention of music, both recorded and live, to be provided outside in a marquee. The thin skin that makes up a marquee offers limited reduction in sound and, particularly in summer when there may be the tendency to leave the door open (if there is no provision of air conditioning), there will be very little reduction in sound level especially at low frequencies, which are particular to drums and bass instruments .
6. The only way to establish if there is a possibility of causing a disturbance is to employ an acoustic consultant(s) to perform measurements and simulations in order to establish the sound pressure level that can be expected at the residents' houses. Based on these results the consultant(s) could either recommend mitigation procedures or note that the disturbance would be unavoidable.

Precedence – disturbance from music in a marquee at a wedding venue

The following reports from Waveney District Council describe the result of a similar investigation where an application was made by the Ivy House Hotel, Oulton Broad for variation of the existing licence to permit the use of a marquee within the grounds of the hotel for live and recorded music, dancing and the supply of alcohol every day from 1100 hours to 0200.

Reports from two consultancies are available from the Waveney District Council website:

- Sharps Redmore Acoustics consultancy report - (King 2014)
- Adrian James Acoustics Limited (Andrew Oldridge MIOA 2014)

The marquee was located within 300m of a place of residence and the conclusion of the report was that "has the potential may [sic] cause a public nuisance to neighbouring residential properties in contravention of the policy aims contained within the Waveney DC Statement of Licensing Policy" (King 2014)

Calculations

The following represents some calculations to estimate the possible levels that may occur at the nearest residence to Holford Hall should the licence be approved. The results of the calculations have large uncertainties associated with them and only through a proper survey will realistic values be gleamed. This following section is only to demonstrate what procedure the consultant(s) may follow, and the result at the end is only guesstimate of the possible levels at the nearest dwelling.

- The first task would be to establish the possible problem locations and to perform a noise survey of the area to establish the background noise levels.
- The noise survey would involve recording the sound pressure levels at the property(s) usually at night time, to establish the background noise levels. This will usually be done by placing a sound level meter at the location and computing an index known to represent the background noise level known as the L_{90} . (L_{90} is the level exceeded for 90 percent of the time, it is often used to quantify the background noise level)
- The next step would be to either make measurements if the noise is already active or if the issue concerns a proposal (as in this case) to design a model to predict the levels of noise that may occur at the problem locations. The steps to carry this out involve:
 1. Establish the sound level within the marquee; the following details approximate the levels of reverberant sound within a barn for a typical rock/pop function band) (Rees 2014). Each level represents the average sound level on the dancefloor, in a particular octave band. Then using the a-weighting correction from (Bies & Hansen 2009), a single measurement of the noise level can be expressed as the "equivalent continuous A-weighted level", LA_{eq} .

Octave band (Hz)	63	125	250	500	1000	2000	4000	8000	LA_{eq}
Sound pressure level (dB)	97	96	91	90	90	75	70	65	93 dBA

Table 1. Typical sound levels during a live music event.

2. Use an appropriate model to predict the level of sound at the receiver locations. The simplest method of modelling this propagation is described in British Standard 4142:2014 (Standard 2014) and involves computing the attenuation of the sound due to:
 - Geometrical spreading
 - Air absorption
 - Attenuation due to barriers (marquee walls)
 - Attenuation due to vegetation
 - Attenuation due to ground effects
 - Attenuation due to meteorological effects

Figure 1 shows a map (Google Maps) of the proposed venue and the nearby dwellings, the distance to the nearest dwelling is 580m, although the exact location of the marquee is unknown so a nominal 600m is used in the calculations.

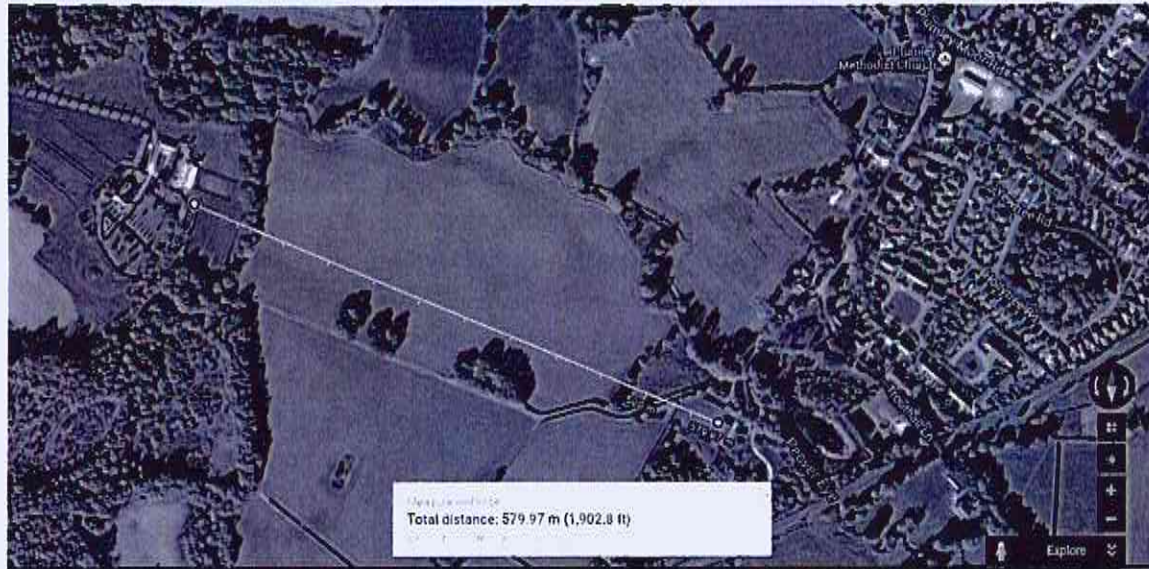


Figure 1 Map of area, showing nearest dwelling (approximate)

The hemispherical spreading is computed using equation 5.151 in (Bies & Hansen 2009), and the air absorption using the approximate solution in (Anon n.d.) (assuming 90% humidity), the attenuation due to the marquee walls is taken from (Andrew Oldridge MIOA 2014) (although (King 2014) claims this is a significant over estimation). There does not appear to be any significant barrier(s) or foliage in the path. The simple method of (Bies & Hansen 2009) for ground effects is adopted; which is, no effect for soft ground and +3dB for hard surfaces. As there does not appear to be any hard surface(s) in the path this is neglected. Meteorological effects are neglected due to lack of data. These calculations are presented in Table 2.

	63.0 (dB)	125.0 (dB)	250.0 (dB)	500.0 (dB)	1000.0 (dB)	2000.0 (dB)	4000.0 (dB)	8000.0 (dB)	Total (dBA)
Hemispherical spreading	-63.5	-63.5	-63.5	-63.5	-63.5	-63.5	-63.5	-63.5	
Air absorption	0.0	0.0	0.0	-0.1	-0.5	-2.0	-7.9	-31.6	
Barriers / housing	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Attenuation due to marquee	-4.3	-4.3	-6.4	-8.5	-8.3	-13.7	-17.3	-22.3	
Attenuation due to foliage	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Attenuation/Amplification due to ground effects	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Attenuation due to meteorological effects	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total attenuation	-67.8	-67.9	-70.0	-72.2	-72.3	-79.2	-88.7	-117.4	
Level at residence (Leq)	37.1	36.1	29.0	25.8	25.6	3.8	-10.8	-44.4	29

Table 2. Computation of Sound Levels (Leq) at dwelling

Table 2 shows the sound pressure level (expressed in LAeq) at the closest dwelling is around 29 dBA. This value is subject to large uncertainties due to the unknown parameters of the situation. However the next step would be to establish if this sound level would be likely to cause a nuisance. To achieve this Sharps Redmore (King 2014) suggested following the Institute of Acoustics (IOA) Draft Code of Practice on the Control of Noise from Pubs and Clubs' which suggested that the "LAeq (music playing) should not exceed the background LA90 (music off)". "In addition the L10 (level

exceeded for 10% of time) of low frequency 'bass' noise (40 – 120 Hz) should not exceed the background noise level with music off."

Summary

Measurements need to be made at the possible problem dwelling(s) to establish if the noise from the proposed licensed venue will exceed the background noise levels near Plumley. (Andrew Oldridge MIOA 2014) reported that the background noise levels (LA90) varied between around 25 to 30 dBA between the hours of 23:00 and 00:00; from 00:00 to 01:00 the levels decreased to between 19 and 28 dBA in the vicinity of the Ivy House Hotel which is near to the Lowestoft urban agglomeration. Plumley is more rural suggesting that the background noise levels could be lower. This indicates that if the 'guesstimate' of 29dBA was accurate, this is similar to and possibly louder than the background noise levels near Lowestoft. If the noise levels are similar or lower in Plumley, there may be a noise nuisance. In conclusion an independent acoustic survey is required to establish if there is a possibility that noise from the proposed application may **cause disturbance**.

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Holford Hall, Chester Road, Plumley, Knutsford, Cheshire WA16 0UA

Proposed Additional Conditions

1. A Noise Management Plan for events to take place within the marquees shall be provided, as agreed with Environmental Health. The plan will address the various issues which may arise from holding events within the marquees and a detailed scheme of measures to minimise noise generation from events.
2. Management will take all necessary steps to ensure that any noise from the premises, including marquees, shall not be at a level which could cause a noise nuisance at the boundary of the nearest residential premises.
3. Tamper-proof noise-limiting devices shall be fitted to the sound systems within the premises and the marquees, and all amplified music played at the premises must pass through this sound limiter at a level agreed in advance with the Council's Environmental Health Office. The noise limiters shall not be altered without prior agreement with Environmental Health.
4. While live or recorded music takes place, the Licensee or management shall undertake regular monitoring of noise levels at the nearest noise-sensitive locations or other representative positions to be agreed.
5. A written record shall be maintained of all noise assessments, and shall include: the time and date of the checks, the person making them, location of the assessment and the results including any remedial action taken to reduce the level of noise where required. Records shall be kept for no less than six months and shall be made available upon request by a Police Officer or an Authorised Officer of the Local Authority.
6. Management will give careful consideration to the type of performers hired at the location. All externally-contracted performers will be asked to sign a document ensuring that Management retain effective control over all sound levels.
7. There will be no external speakers (other than those located within the marquees and controlled by a noise-limiter) for the use of amplified music, speech or dance permitted in the open air.
8. Apart from two sets of double doors to the rear of the premises, all external windows and doors shall be closed whilst regulated entertainment is taking place, except for normal access and egress or in case of emergency.
9. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
10. Trouthall Lane will only be used for access purposes, but never for egress.
11. There shall be no firework displays at the premises without prior written consent from the Licensing Authority.

Approval for Premises to be used as a Venue for Civil Ceremonies

Cheshire East Council has approved the premises shown below to be regularly used as a venue for the solemnization of marriages by civil ceremony under the provisions of Section 46A and 46B of the Marriage Act 1949 and for Civil Partnerships under Section 6A of the Civil Partnership Act 2004.

Name and Address of the Approved Premises:

*The Holford Estate
Chester Road
Plumley*

Ceremonies may only take place in the room(s) described below:

*The Barn (ground floor) The Barn (first floor)
The Sitting Room*

This Approval will continue, subject to revocation until:

12th August 2018

Signed *L. J. Parry* *Date* *24th August 2015*
Manager of the Registration Service

The Marriages & Civil Partnerships (Approved Premises) Regulations 2005 set out the conditions under which ceremonies may take place in approved premises. It is a requirement of the Regulations that a suitably qualified Responsible Person (or Deputy) be available one hour before and during each marriage ceremony on the premises to ensure that these conditions are met in full.

Cheshire East
Council

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pany had failed properly to train the relief manager. Accordingly, if the justices' finding related to a head office failure in implementing training policy, then that finding was not supported under the evidence before them. In these circumstances, while, as I have said, I have great sympathy for the justices in the circumstances in which the case was put before them, I would, for my part, having answered the questions along the lines that I have suggested, and set aside the conviction.

MR JUSTICE SEDLEY: I agree that this appeal must be allowed and the conviction set aside, for the reasons given by my Lord. I wish, however, to add two observations. One is that I found disturbing the repeated submission by Mr Philpott, for the Appellant, that it was a material fact that people, including the complainant, could, but did not always, ask for a top-up if they felt that the head on their beer was excessive. The person who orders a pint is entitled to a pint. If a pint (including, if legally proper, a head) is not supplied, there is no onus on the customer to demand full measure before an offence is committed. My second reservation I express briefly and tentatively. We have heard very little argument upon it because Mr Gioserano has had to live with the concession made below that the Appellant could be liable, if at all, only by way of vicarious liability or an "other person" under section 32, namely the relief manageress. I simply wish to put on record my doubts about what appears to be the accepted approach to Part IV of the Weights and Measures Act 1985. The primary offence of giving short measure created by section 28 is committed by any person who sells beer by the pint. The concession made before the justices reflected the conventional view that the decision of this Court in *Goodfellow v Johnson* [1966] 1 QB 83, precludes any prosecution of the owners whose beer the licensee is selling on the ground that it is the licensee alone who may sell beer. I have been concerned whether it follows from the proposition that only a licensee may sell beer that the company which owns the premises, provides the beer and employs the licensee to sell it is not equally selling beer. I have also asked myself whether the decision in *Hitchin v*

Hindmarsh [1891] 2 KB 181, on which the Divisional Court founded in *Goodfellow v Johnson* and which holds that the forbidden act in this context is the parting with possession and not with title, truly negatives this possibility. If the true position were that a company in the Appellant's position is selling beer though the licensee, then the only relevant question would be under section 34 whether each had exercised due diligence in order to prevent the bartender giving short measure. If this were the statutory scheme, then absent a defence of due diligence neither the brewer nor the licensee could escape liability by blaming the bartender. Indeed section 32 makes it clear that the bartender may also be prosecuted. There would then be no need for the artificiality of trying, as Mr Gioserano has skilfully but unsuccessfully tried, to bring in the Appellant by the device of common-law vicarious liability, a doctrine which distributes civil liability on grounds of legal policy without regard to fault, pinning such liability on the default of someone not (so far as we know) before the Court as a Defendant. The problem of slotting a due diligence defence into a vicarious liability case is evident. The defence either exonerates the licensee or fails altogether, but cannot help the owner. This cannot be right. These considerations, however, cannot directly arise here because the conceded basis on which the case proceeded below makes them immaterial. Given this, I agree that the appeal has to succeed upon the single ground explained by my Lord, Brooke LJ.

R v Liverpool Crown Court, ex parte Luxury Leisure

COURT OF APPEAL
9 October 1998

Lord Justice Simon Brown, Lord Justice Aldous and Lord Justice Clarke

Section 34 Gaming Act 1968 and section 16, Lotteries and Amusements Act 1976 — permits for amusement machine premises — local authority refused application — whether

social conditions and nature of community relevant considerations in refusing permit — whether opposition to project should be taken into account

Decision: local authority entitled to take social conditions into account — nature of community, prevalence of young people and possible effects of amusement arcade on the area were relevant — Crown Court entitled to take extensive evidence as justifying refusal

John Saunders QC, instructed by Hay & Kilner, Newcastle, for the appellants
Stephen Sauvain QC, instructed by Liverpool Legal Services, for the respondents

LORD JUSTICE SIMON BROWN: The appellants are part of the Noble Organisation Group, the largest privately owned group of companies in the leisure field, whose operations include something over 70 amusement centres. They wish to open a further such centre at 72 Broadway, Norris Green in Liverpool. For that purpose they require permits respectively under s.34 and schedule 9 to the Gaming Act 1968, and under s.16 and sch.3 to the Lotteries and Amusements Act 1976.

On 15 August 1995 the second respondents, Liverpool City Council, refused the appellant's application for such permits. On 12 January 1996 the first respondent, the Liverpool Crown Court, dismissed the appellant's appeal against that refusal. On 17 October 1997 Owe J dismissed the appellant's judicial review challenge to the crown court's decision. Before us now is the appellant's appeal from Owen J's order, brought with the leave of the single Lord Justice.

The statutory context in which this appeal arises can be shortly stated. Paragraph 8(1)(a) of sch.9 to the Gaming Act provides that:

The grant of a permit [a permit under section 34 of the Act in a case like the present one] shall be at the discretion of the appropriate authority.

That authority here was the Liverpool City Council. An appeal from the refusal of the necessary permit lies by way of rehearing to the crown court, and on such an appeal the crown court has a precisely similar discretion. The Lotter-

CASE NOTES

ies and Amusements Act 1976 contains similar provisions, which I need not consider separately.

The reasons given by the second respondents for their refusal of the permits were these:

After very careful consideration the sub-committee is agreed that in view of the social conditions prevailing in the area and the nature of the community, the granting of this licence would have a negative effect on the area (which is frequented by children and young people in significant numbers). Furthermore, the Sub-Committee also notes that facilities for gaming are already available in the area for he client who is most likely, according to the applicant, to make use of the facilities, and for those reasons the sub-committee considers that, on balance, this is the wrong location for this facility and therefore refuses the application.

The appeal to the crown court was heard by Judge Crompton and four justices, judgement being given extempore after a retirement of some two or three hours at the conclusion of a three-day hearing. The crown court accepted that the appellants were a fit and proper applicant for a permit of this kind, and the premises (for which indeed the applicants had already obtained the necessary planning permission in March 1995 for change of use) were physically suitable for the purpose. The crown court further accepted that the appellants would endeavour to enforce an undertaking which they were prepared to give to the court not to allow admittance to the premises of persons under the age of 21. They had, I may note, in their original application given an undertaking in relation to persons under 18, an undertaking which would not, as it happens, be necessary today; a recent amendment to the 1968 Act has now introduced a statutory condition restricting entry to such premises to those over 18.

One area of concern had been the risk of young people congregating outside the premises, were a permit to be granted. Having regard to the evidence given on that issue, however, the crown court concluded that that was simply not to be regarded as a problem at all.

What then was it that decided the

crown court to reject the appeal? The critical passages in Judge Crompton's judgement, the reasoning in which was agreed unanimously by all four of the justices with whom he was sitting, are these:

I move on next to the question of the social problems in the area. *[One of the specific issues identified by counsel for the crown court's determination was the second respondent's assertion 'that because of the social conditions in this area persons over 21 must be protected from the provision of AWP machines']*. We have, of course, heard statistical evidence about the very high rate of unemployment and the number of single parent families. We have also heard evidence from witnesses who have many years experience of actually living in the area, and who have evidence not simply of their own views, but also on behalf of a very large number of groups and organisations operating in the Norris Green area.

The quantity of the groups and organisations was itself indicative of the perceived problems in this area. In assessing that evidence we had no hesitation in coming to the conclusion that Norris Green is a very deprived area with wide social problems.

Furthermore, we had the advantage yesterday of going to the area and viewing it for ourselves. We have to say that confirmed our assessment of the evidence presented to us.

Then, a little later:

... we are satisfied there has been very wide consultation amongst the community. Furthermore, there has been careful explanation made of what is involved and therefore the views expressed are informed and not simply a gut reaction.

We consider that in those circumstances the view of the majority should be considered as an important factor, and not be lightly cast aside. the voice of the people in this context is important. we were urged to listen to it and we have. We have no doubt on the evidence that there is strong opposition to this application, and by a substantial majority of the community ...

Ultimately we came to this conclusion: that those who wish to play

machines can do so at the bingo hall which is no more than a few yards from the premises [which are] the subject of this appeal.

Overall we take the view that, having regard to the social conditions prevailing in the area, the very strongly expressed view of the community and facilities for gaming already available in what is a relatively small shopping area, the location of these premises is, on balance, unsuitable and we are therefore dismissing the appeals for the reasons I have endeavoured to express.

Before turning to consider the grounds upon which the applicants sought to challenge that decision, initially before Owen J and now again before us, let me finally summarise the contents of certain petitions which were put in evidence before the crown court, two in opposition to the proposal, two in support. Those in support were, first, what was described as a demand survey of 300 members of the public conducted by a polling organisation on a particular day within the vicinity of the premises. In answer to the question 'If such an amusement centre existed would you use it?' some 25 per cent answered yes. The second petition in support, carrying just over a thousand names, was in these terms:

We, the undersigned agree that there is a demand for a Nobles Amusement Centre (restricted to adults - those over eighteen) with fruit machines and prize bingo and should be available in Norris Green Shopping Centre.

The first of the two petitions in opposition had been conducted by the Morningside & Area Residents Association and contained 500 signatures under this rubric:

We, the undersigned object most strongly to the proposal to open an amusement arcade in Broadway shopping centre, Liverpool 11, on the grounds that in an already impoverished area with a high percentage of unemployment young people especially will be tempted to waste their money on the machines and some may resort to petty thieving in order to finance their gambling.

The other was a petition organised by local churches signed by some 650 peo-

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ple in support of the proposition that:

We, the undersigned, do not want an amusement arcade in Broadway.

Thirty three of the signatories to that petition had added short comments of their own, amongst which were included 'Harmful to the community', 'Very bad for our youth' and 'Encouraging the young to spend money they do not have.'

I turn to the grounds upon which it is sought to impugn the crown court's decision. These are conveniently summarised in the appellant's skeleton argument as follows:

(a) Taking into account the strength of the local opposition per se rather than considering whether the grounds for that opposition were valid.

(b) Failing to deal adequately with the question of demand

(c) Failing in its judgement to set out clearly why the appeal had been rejected.

Ground (b) is no longer persisted in. Ground (c) is pursued, but essentially as an alternative to ground (a), i.e. on the footing that if the strength of local opposition was taken into account permissibly and for reasons other than merely the strength of numbers involved, the crown court failed to make that plain in their judgement.

Let me turn at once, therefore, to the critical issue as to the relevance, if any, of the strength of opposition to the proposal

That there was strong local opposition cannot be doubted. What Mr Saunders QC submits, however, is that this is frankly irrelevant unless only, first, the reasoning underlying that opposition is plain and secondly, the court itself agrees with that reasoning.

That submission is said to be supported by a line of Scottish authorities, most importantly *The Noble Organisation Limited v City of Glasgow District Council* (No.3), (1991) SLT 3 March, 213, and *Kilmarnock and Loudon District Council v The Noble Organisation Limited* [1992] unreported, transcript 25 June 1992.

In the first of those cases, which I shall call *Noble*, these same appellants succeeded in the second division of the Court of Session, as indeed they had done before the sheriff below. Under the legislation there in play, the licens-

ing authority were entitled to refuse the licence on certain specified grounds or for 'other good reason'. (Here I would observe that although under the English legislation the discretion afforded to the licensing authorities is on its face wholly untrammelled, I accept that in England too a permit could only be refused for some good reasons.) The 'other good reason' relied upon by the licensing authority in *Noble* was the strength of local opposition to the proposal. As their decision letter made plain, this was evidenced by the receipt of objectors from Dennistoun Community Council, local churches, business interests and some 94 local residents whose names and addresses are attached hereto. While the committee accepted the submission that these objectors came from only a small proportion of the total population, it took the view that the objection by the Community Council could be regarded as representing the feelings of the local community and it was impressed by the fact that some 94 persons were prepared to sign individual letters objecting to your clients' application. The Committee concluded that such a substantial body of local opinion could not be ignored and the fact that the local community did not wish an amusement centre to be located at 523/525 Duke Street, Glasgow, was good reason for refusing the application.

In upholding the sheriff's decision that the licensing authority 'erred in law in considering the mere number of objectors to be a good reason for refusal', the Lord Justice Clerk, Lord Ross, at page 216 said this:

Counsel for the defenders made it plain that it was no longer being contended on behalf of the defenders that any of these grounds had in fact been made out. The consequence accordingly is that the grounds of objection relied on by the objectors have been rejected and, if that is so, I agree with counsel for the pursuers that there is nothing left in any of the objections. The fact that there were 94 objections is therefore of no consequence. As counsel for the pursuers put it, 94 times nothing still equals nothing ... I am not persuaded that an 'other good reason for refus-

ing the application' would be the number of objections which contained grounds which had been rejected ...

It is unnecessary to determine whether the number of objections could ever be relevant, but I am certainly satisfied that the mere number of objections irrespective of their content could never be a good reason for refusing an application. I am accordingly persuaded that the committee erred in law in considering that the strength of local opposition per se justified their decision to refuse the application. I am also of the opinion that the sheriff was well founded in his conclusion that the defenders' discretion was not reasonably exercised by counting objections, regardless of their content. Indeed, the case is stronger than that because the defenders were not merely regardless of the content of the objections but attached weight to the number of the objections despite the fact that these were all objections which had been rejected so far as their content was concerned.

Lord Murray's supporting judgement concluded, at page 217

It might even be open to a licensing authority in an appropriate case, where the quality and quantity of opposition is adequately vouched by written objections and evidence led before the committee for a licensing authority to take account, say, of overwhelming local opposition against an application, but I would prefer to reserve judgement upon that matter. It is perfectly clear in this case not only that the licensing authority erred in law in taking into account as a separate factor the mere number of objections but also that there is no rational basis upon the undisputed facts here on which the licensing authority could hold that an 'other good reason' for refusal was constituted by the number of these objections alone.

The second case, *Kilmarnock*, perhaps carried that decision a little further forward. The petition of objection there consisted solely of a substantial number of signatures in support of the proposition that 'Kilmarnock does not need a bigger arcade' (that being the proposal

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in question).

As to that the Lord President, Lord Hope, having referred to Noble, at page 13 said this:

The mere number of objections irrespective of their content can never be good reason for refusing an application. What matters are the grounds on which the objection is based. This makes it all the more important, when numerous signatures have been obtained to indicate the weight of opinion on the point, for the grounds of the objection to be clearly specified. Unless this is done it cannot be assumed that the signatories are all objecting for the same reason. Lack of precision in the reason given in the petition may indicate that they themselves were not clear in their own minds about the content of the objections with which they wished to be associated. An objection is not to be treated more leniently in this regard simply because it takes the form of a petition for public signature. On the contrary, it is important that the requirement that the grounds of objection must be specified should be applied as strictly in these cases as it must be in the case of an objection by an individual. If this is not done, the licensing authority may be tempted to attach weight to the objection because of the number of persons associated with it regardless of its content, which is something they are not entitled to do.

As to the terms of the petition in that case, the Lord President said:

The question is whether the grounds for the objection have been specified in the seven words which remain. Although the point is a narrow one, we have reached the opinion without much difficulty that the sheriff was entitled to hold that this test was not satisfied. It seems to use that these words contain a proposition which simply invites the question, why not? It is in the unspoken answer to that question that the grounds for the objection are concealed, not in the proposition which invites it.

Whereas, therefore, *Noble* can be explained on the footing that the reasons underlying the weight of public opposition there had been plainly demonstrated to be invalid, *Kilmarnock*

appears rather to suggest that the burden lies on those seeking to rely on public opposition to show that the reasons underlying it are in fact demonstrably sound.

Let me at this stage turn briefly to the one other authority on this central aspect of the appeal which seems to me of some relevance: the judgement of Brooke J in *R v Chichester Crown Court ex parte Forte* [1995] JPR 285. In common with Owen J, I find in this some broad support for the view that strong local opposition may in certain circumstances indeed be relevant.

True it is, as Mr Saunders submits, that the *Chichester* case was concerned principally with the question whether the extent of the demand is a relevant consideration in all these cases. As to that, Brooke J held, at page 291:

Issues involving gaming machines often gave rise to strong and passionate feelings in 1968, as they still do in Chichester today, and if there has never been an amusement centre in an authority area and its proposed introduction awakens strong opposition I can see no reason why the authority may not lawfully consider the extent to which a demand for the centre exists before deciding whether to grant or refuse a permit.

A little later he said, at page 292:

... I am concerned with the 1968 Gaming Act, when Parliament must be taken to have known that in some areas of the country there would be strong opposition to the introduction of amusement centres. Parliament left these matters for local decision, with an appeal to the local Crown Court, and I do not see any reason why the introduction of a criterion by which the likely demand for a new centre, against a background where none existed before, required any special justification in that context.

Those passages in Brooke J's judgement to my mind reflect the fact that in this context opposition and demand are to some extent related concepts. If a lot of people for perfectly good reason want the facility of a new amusement centre, then that is relevant, but so too is it relevant if a lot of people, again for acceptable reasons, object to it. That is local decision making in action, something which Parliament plainly intended in

this area. Judge Crompton to my mind expressed it well in the present case:

The view of the majority should be considered as an important factor, and not be lightly cast aside. The voice of the people in this context is important.

If of course the objections of the public are founded on a demonstrable misunderstanding of the true factual position, or otherwise indicate no more than an uninformed gut reaction to a proposal, then I would accept that they can carry no weight whatever and must be ignored. Take this very case as an example. Insofar as the objections here were based on the anticipated problem as to youths congregating outside the premises, those objections would fall once the court concluded, as it did, that in fact no such problem was going to arise.

That, however, was by no means the only, or indeed the main, objection here. Take the terms of the Morningside petition itself. The objections expressed there were to introducing this temptation to further gambling into an 'already impoverished area with a high percentage of unemployment', against the fear, entirely understandable, that young people (an expression I would take to include those in their 20s) would be tempted to waste their money on the machines and some might resort to petty thieving to finance their gambling.

Perhaps more important still was the crown court's finding that there had been 'very wide consultation amongst the community', 'careful explanation ... of what is involved' and, in the result, their conclusion that 'the views expressed are informed and not simply a gut reaction.'

I would reject the appellant's central contention here that the crown court relied on what the Scottish cases forbid, namely the mere weight of local opposition. Still less did it rely on opposition based on demonstrably unsound reasoning. Rather, it is plain that the crown court (having listened to very extensive evidence and benefited from their own view of the area) were in agreement with the weight of objection that this was an undesirable proposal. They effectively say that when they state that their view 'confirmed our assessment of the evidence presented to us.'

As to their final overall conclusion,

CASE NOTES

that seems to me wholly unexceptionable. They have regard to three, plainly interlocking, considerations: (a) the social conditions prevailing in the area, (b) the very strongly expressed views of the community and (c) the fact that there are already available facilities for gaming in this area. The very strongly expressed views of the community there being referred to are those objecting to this proposal in the light of the social conditions prevailing, objections which the court does not regard as outweighed by the demand for the facility given the alternative opportunities for gaming provided elsewhere in the area.

That conclusion effectively disposes of the other limb of the challenge too, the reasons ground. All I need to say as to that is that I regard the reasons given here as more than sufficient to satisfy the requirement that decisions of this nature be properly reasoned, a requirement analysed and explained in Kennedy J's decision in *R v Warwick Crown Court ex parte Patel* [1991] 8 LR 22. I would accordingly dismiss this appeal.

LORD JUSTICE ALDOUS: I agree. His Honour Judge Crompton gave on 12 January 1996 an extempore judgement which set out the reasons why he and the bench of justices who sat with him dismissed the appeal of Luxury Leisure Ltd. As has been pointed out by Brown LJ, the substantive attack upon that judgement which was made before us was that the crown court had erred in taking into account the strength of local opposition per se, rather than considering whether the grounds for that opposition were valid.

I do not believe that the crown court took into account merely the strength of local opposition. In his judgement, the judge said:

We have, of course, heard statistical evidence about the very high rate of unemployment and the number of single parent families. We have also heard evidence from witnesses who have many years experience of actually living in the area, and who gave evidence not simply of their own views, but also on behalf of a very large number of groups and organisations operating in the Norris Green area.

He went on to conclude that the Norris Green area was a very deprived area

with wide social problems, and pointed out that he and the bench of justices had had the advantage of going to the area and viewing it for themselves. He concluded that they were satisfied that there had been wide consultation amongst the community, there had been careful explanation made of what was involved and that 'the views expressed are informed and not simply a gut reaction.'

The discretion given in the legislation is unfettered. That means that the council and the crown court must act judicially and found their decision upon a rational basis. However, it is for the local court and council to decide the matter. To adopt a sentence from the judgement of Lord Scarman in *Westminster City Council v Great Portland Estates plc* [1985] 1 AC 661 at 670:

It would be inhuman pedantry to exclude from the control of our environment the human factor.

That, of course, was a planning case. However, informed views of the community can be a factor which can be taken into account by both the crown court and the council. It will only be one factor which a council, exercising the discretion given to it, will take into account.

As I have said, the council and the court must act judicially when exercising their discretion. It follows that opposition which is misinformed is of no weight, and remains of no weight even if held by many people. However, that is not this case. As I have pointed out, the court heard evidence. It held that there had been wide consultation, careful explanation and that the views expressed by the witnesses were informed. It was implicit in that conclusion that the views were not unreasonable. I believe that the court was right to conclude that the views expressed, being informed views, were one of the factors to consider.

It was also submitted that the reasons which were given by the court were not sufficient. It is sometimes possible to attack a judgement on the basis that the reasons are not sufficient. The attack in this case was made with hindsight. It was not suggested to the judge when he gave his judgement that further reasons were necessary. Like my Lord, I believe the reasons are more than adequate. I

would dismiss this appeal.

LORD JUSTICE CLARK: I agree that for the reasons given in both judgements, this appeal should be dismissed.

Etridge v Leeds Licensing Justices

CROWN COURT, LEEDS
7 September 1998

Adams J and justices

Licensing Act 1964, section 1 — refusal of grant of new on-licence — condition on existing licence prohibiting off sales — applicant wished to place tables on pavement outside premises — condition inhibited service to tables — whether condition valid under terms of Act

Decision: Justices cannot lawfully exclude off sales from an on-licence by condition — statement of intent by applicant on method of operation might offer a solution

John Saunders QC appeared for the applicant;
Martin Walsh for the respondent justices

JUDGE ADAMS: This is the second day of an appeal which began on 24 April 1998 and it began by a notice of appeal dated 28 July 1997 when the applicant, the licensee of the All Bar One, situated at the corner of East Parade and Greek Street in Leeds, appealed against the refusal of the licensing justices on 18 July 1997 to grant a new on-licence for the premises.

The applicant already held a licence, granted on 17 March 1995, which was subject inter alia to a condition which forbade off sales; and the purpose of the application was to obtain an on-licence without this condition.

There was no desire on the part of the applicant to promote off sales, but permission had been obtained, or perhaps the position is it was hoped to obtain it, for the local authority to place seven tables on part of the adjacent pavement and the existing licence would not allow the customers seated there to be served with drinks; hence the application for a new licence.



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ARR/PPN/C/2521.01 Rev C

2nd September 2015

Holford Hall

Assessment of noise impact of a
Function Room and Marquee on
nearby residential development

Prepared for :-

Frances Philips at Holford Hall
Holford Hall
Chester Road
Plumley
Cheshire
WA16 0UA

Prepared by :-

Andrew Raymond

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1.0 SUMMARY

A licence application has been submitted as part of the evolving plans for Holford Hall to hold corporate events and weddings. The proposals will inevitably involve amplified music and customers arriving and leaving.

A large number of Representations have been made by local residents, including an outline acoustic assessment, as well as a consultation response from the Local Authority. All comments relating to noise are addressed in this report.

It is highly unlikely that functions of any kind held within the Function Room with doors and windows closed will be audible at any residential location. With doors open, then music could be audible but only with function room levels likely to be well in excess of anything proposed. A well designed sound system should easily allow acceptable levels from an operational point of view and still be generally inaudible at all residential locations, even with doors open.

Music played in the Marquee will be controlled to much lower levels, particularly in terms of bass. It will be less suitable as a "dance floor" without expensive and very specifically designed sound systems but entirely suitable for quieter music and as overspill from the main function room. This report confirms that the mitigation measures proposed will ensure that there is no noise disturbance as a result of the proposed licence application.

Traffic noise is unlikely to have a significant impact, even with rather extreme assumptions of numbers, routes and times.



A R Raymond



P J Durell

2.0 INTRODUCTION

2.1 Basic Instruction

ADC was instructed to carry out an independent assessment of the noise impact of function facilities at Holford Hall on surrounding residential properties.

2.2 Qualifications and Experience

A summary of Andrew Raymond's qualifications and experience is as follows:-

- Founder and director of Acoustic Design & Control Ltd.
- Full-time acoustic consultant since 1990, specialising in all aspects of environmental noise and architectural acoustics.
- Worked for a broad range of clients including defendants/applicants/appellants of all sizes, local authorities and third party objectors on issues of housing, industrial, entertainment, transportation, etc.
- BSc in Electro-Acoustics and an MBA.
- Member of the Institute of Acoustics and a Chartered Engineer.
- ADC holds corporate membership of the Association of Noise Consultants.

Mark Pickering and Andrew Pace are experienced technicians who assisted with the site testing under the direction of Andrew Raymond.

3.0 ASSESSMENT STANDARDS

3.1 Basic Noise Standards

Music

Criteria for music noise has been a contentious issue for many years but the opinion is finally settling down to criteria based on the level of the music, how late it is expected to continue, and how often events take place.

In this case the music is likely to continue past 23:00 and permission is being sought for every night. On this basis, it is reasonable for residents to expect the music to be more or less inaudible inside properties. Clearly "inaudibility" is a subjective criterion and can never be guaranteed and so the phrases "more or less inaudible" or "generally inaudible" are used. We note that the Environmental Health Officer in her consultation response used the phrase "clearly audible" but they are all similar. It is generally accepted that just audible music outside a property will be generally inaudible inside.

Traffic

Detailed traffic noise modelling is beyond the scope of this assessment and not necessary anyway, other than by way of a short discussion in 5.4 below. But the most appropriate standard would be BS8233. Very briefly, this is summarised as follows:-

Table 4 of BS8233 gives the desirable criteria for indoor ambient noise levels for dwellings as follows:-

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living room	35 dB $L_{Aeq,16hour}$	-
Dining	Dining room/area	40 dB $L_{Aeq,16hour}$	-
Sleeping (daytime resting)	Bedroom	35 dB $L_{Aeq,16hour}$	30 dB $L_{Aeq,16hour}$

Note that the standard accepts the widely used rule of thumb that, for a partly open window, the levels just outside will be 15dB higher than those just inside. This brings us to an external equivalent of the above table, as follows:-

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living room	50 dB $L_{Aeq,16hour}$	-
Dining	Dining room/area	55 dB $L_{Aeq,16hour}$	-
Sleeping (daytime resting)	Bedroom	50 dB $L_{Aeq,16hour}$	45 dB $L_{Aeq,16hour}$

It goes on to state that, where necessary, the criteria can be relaxed by up to 5 dB and still achieve reasonable conditions.

Note that the new version of BS8233 more explicitly specifies the assessment periods as 16 hours and 8 hours for daytime and night time respectively.

3.2 Representations

A large number of Representations have been received from local residents. Issues relevant to this assessment can be broadly summarised as follows:-

- Concern that music noise will be disturbing, that it will continue until the early hours, that it will travel large distances, and that marquees provide little sound insulation.

These concerns are reasonable and are addressed within this report.

- Concern that the area is a quiet semi-rural location and that traffic and music will particularly affect the area.

While the area is certainly "semi-rural", we cannot agree that it is particularly quiet. The M6 is clearly audible at all times and the A556 is busy much of the time. Some Representations referred to the busy roads and aircraft and one in fact referred to "an extensive history of noise related issues in Plumley". Our assessment is based on the conditions we found on site.

- Concern that traffic noise will cause disturbance.

Detailed traffic noise modelling is beyond the scope of this assessment and not necessary anyway, as it is clear enough from a brief discussion on 5.4 below.. Note of course that we only discuss noise issues with traffic. Most of the Representations concerned narrow roads and safety.

- Concern that there will be rowdy behaviour in the surrounding roads and village which will cause disturbance.

Clearly, rowdy behaviour in residential areas will be potentially noisy. This has been addressed in detail within the Rebuttal prepared by Leith Planning Limited submitted in support of this licence application. t.

3.3 Possible Conditions

A very helpful consultation response was provided by Environmental Health Officer, Stephanie Bierwas, dated 14th July 2014.

The vast majority of her recommendations are to be incorporated in some form or other by way of additional Conditions offered. These are in progress and will presumably be influenced by the findings of this report.

4.0 SURVEY DETAILS

4.1 Site Times and Personnel

The site and community testing were carried out by Andrew Raymond, Mark Pickering and Andrew Pace of ADC Acoustics. The site work began at approximately 22:30 on 24th August 2015 through to 02:00 the following morning, although no recorded measurements were made until around 00:30.

We were assisted in the music noise phases of the tests by Mr Leigh Hayes of Holford Hall. He played no part in the actual assessment and was there to assist us with identifying residential locations and to provide opinions, when asked, regarding operational acceptability of the music levels inside the function room and marquee area.

4.2 Instrumentation

Instrumentation used was a Rion NL52, a Rion N28 and a Larson Davis 824. These are precision grade sound level meters which hold current calibration certificates and which were field-calibrated as necessary. The meters were set up to measure 5 minute samples in terms of dB L_{eq}, dB L_{max} and dB L₉₀ in overall A-weighted terms, and in octave bands across the frequency range. See Definition of Acoustic Terms in Appendix 1.

4.3 Measurement Positions

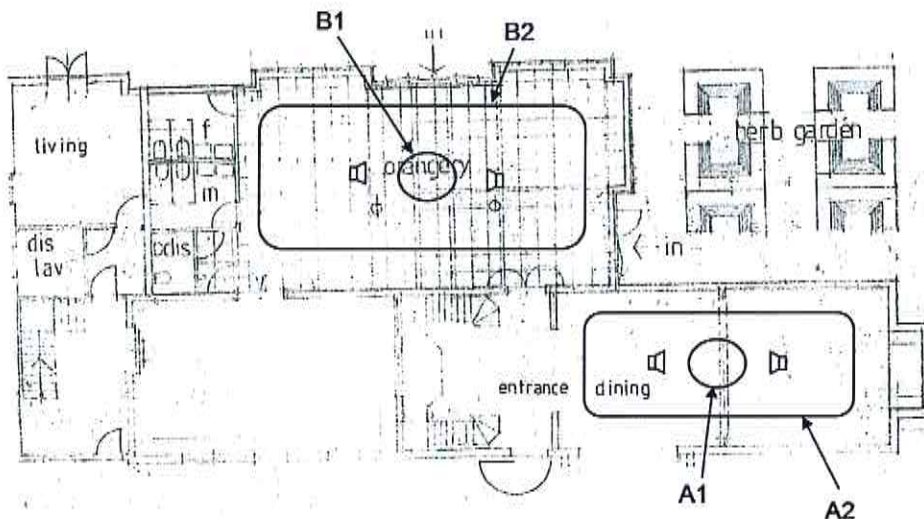
The main measurement positions were as shown on the following plans.

First are the measurements within the function room and outside where one of the marquees will go.

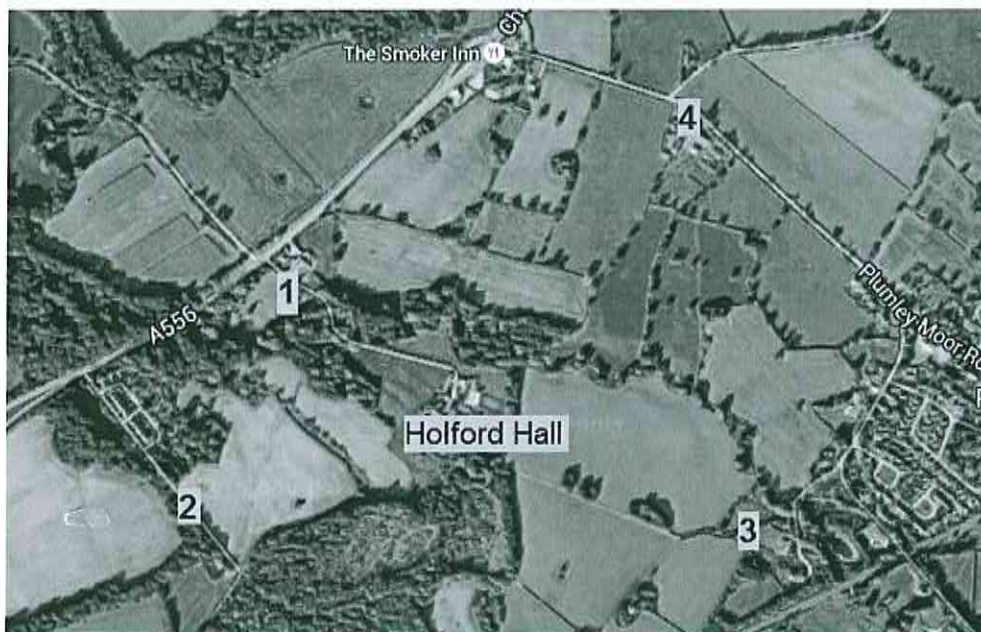
Position A1 is a roughly circular sweep between the speakers across a notional dance floor.

Position A2 represents a sweep of the room edges which will be useful for sound system designers.

Positions B1 and B2 are respectively similar to A1 and A2 but outside where the marquee is proposed.



Secondly we have the positions in the community as shown.



Position 1 is next to Holford Farm and is the closest by far at around 330m, and a direct line of sight (ignoring trees) to the function Room and marquee, although it is not clear whether Holford Farm is actually residential and no objections have been lodged from this property.

Position 2 is at the end of Ascol Drive where the tops of the Holford Hall Buildings are just visible. This is the closest location we know to be residential, at around 530m, and with houses on the Eastern side of the road having a direct line of sight (ignoring trees) to the function rooms and Marquee.

Position 3 is next to Brockhouse Farm and is around 640m away but still the closest point in the Plumley residential area. Note that the Plumley residential area would be heavily screened from the proposed marquee by the function rooms and other buildings.

Finally, position 4 is on Plumley Moor Road at around 570m. It will have a line of sight (ignoring trees) to the functions room and possibly to the marquee.

In all cases, the microphone was 1.5 m above ground and well away from other reflecting surfaces.

4.4 Survey Conditions

We have no reason to believe that the conditions we found on the survey were anything other than representative of normal conditions. Steady background noise was dominated by the M6 and local vehicles were fairly frequent.

Weather conditions were as follows :-

Rain	:	none, dry roads
Cloud	:	0%
Temperature	:	15 to 16 Celsius
Wind	:	negligible

5.0 RESULTS AND DISCUSSIONS

This section summarises our findings and opinions. Full results are produced in Appendix 2.

5.1 General Method of Assessment

As the function room was essentially complete in terms of its shell, the process was simple and reliable. Similarly the marquee will provide very limited sound insulation and so we have treated it as effectively an open air venue, and so can be tested directly in the same way.

In addition to the instrumentation detailed in section 4.2 above, two Mackie SRM 450 powered loudspeakers were set up in a simulated dance floor configuration inside the function room and later in the proposed marquee area. See 4.3 above. A continuous loop of music was played from a laptop. The loop comprised two songs chosen for their known popularity at functions such as weddings and for their relatively strong bass beat. Short sections were repeated continuously so as to ensure consistent conditions for measurement. The loops comprised the following:-

- The first four bars of the chorus of "Price Tag" by Jessie J looped for approximately 1 minute

followed immediately by:-

- The first four bars of the chorus of "Bad Romance" by Lady Ga Ga looped for approximately 1 minute.

and immediately back to the Price Tag loop, all continuously repeating.

The testing process went as follows:-

1. The equipment was set up in the function room roughly as shown in 4.3 above and the music started at a level which Mr Hayes said would be acceptable operationally.
2. The four assessment positions were toured but no music was audible at any time.
3. The doors were opened and again the four assessment positions were toured and again no music was audible.
4. At this point the music level was increased until it was just audible – a faint bass beat only. Only at position 1 was it audible at all. It was inaudible at all other positions which was not surprising as they were all further away and, in the case of the Plumley location (Positon 3), screened by buildings. Mr Hayes advised the internal level was as loud as he it would ever need to be. Remember the doors were open. By this time it was 00:30 and the music noise was measured at Positions A1 and A2.
5. The doors were closed and the levels were increased significantly until they were well above what Mr Hayes anticipated being required – describing it as unpleasantly loud and making conversation difficult. Note that the music was inaudible at the residential locations, including position 1.
6. The speakers were moved out onto the area where the main marquee is proposed and the process described was repeated. Not surprisingly, the music noise was audible at position 1. The level was reduced until it was inaudible at position 1. The other positions were check and the music was also found to be inaudible as well. The music noise was measured at this level at positions B1 and B2. Mr Hayes was quite happy with the levels. We would describe them as not dance floor levels, but well above what one would call background music. Note that the music was only audible at position 1.
7. Finally, with no music playing, the background noise was assessed at positions 2 and 4, chosen simply as positions in opposite directions and away from the relatively busy A556, and away from the running stream which influenced position 1.

5.2 Basic Results

Full results are shown in Appendix 2. This section includes a summary.

Measurements within the function areas:-

<i>Conditions</i>	<i>Pos'n</i>	<i>Index</i>	<i>dB(A)</i>	<i>63Hz</i>	<i>125Hz</i>
Bass beat just audible at Position 1 Doors Open	A1	Leq	94	107	98
		Lmax	102	112	105
Bass beat just audible at Position 1 Doors Open	A2	Leq	92	100	94
		Lmax	98	107	101
Inaudible at Position 1 Doors Closed	A1	Leq	101	111	105
		Lmax	108	116	110
Inaudible at Position 1 Doors Closed	A2	Leq	100	107	102
		Lmax	106	114	108
Bass beat just audible at Position 1	B1	Leq	80	92	84
		Lmax	88	97	91
Bass beat just audible at Position 1	B2	Leq	69	80	72
		Lmax	79	87	81

Measurements within the community (no music playing):-

<i>Time</i>	<i>Pos'n</i>	<i>Index</i>	<i>dB(A)</i>
01:22 to 01:52	2	Leq	43
		Lmax	55
		L90	36
01:15 to 01:45	4	Leq	48
		Lmax	69
		L90	39

5.3 Assessment

The assessment of music noise is essentially answered by showing that levels acceptable to the operators can be played with doors open without causing a disturbance to neighbouring properties. With doors closed there is no practical need to impose controls on the music levels. It is unlikely that problems will occur with doors open, but it is obviously less easily defined. The Environmental Health Officer's suggestion of keeping doors closed apart from access and egress is probably unnecessary, even without level control, but with level controls it can certainly be avoided. We understand for instance that it would be desirable to leave doors to the main marquee open.

Although Mr Hayes advised that he was quite happy with the levels played in the marquee position (ie. loud enough in the marquee from an operational point of view), it is likely that officers will require level control for any external or marquee sound systems, to endure that it is not exceeded.

Obviously conditions will vary (wind direction for instance) as will the nature of the songs being played (more or less bass beat for instance). But this assessment is simply to show that acceptable conditions (more

or less inaudible outside residential properties) can be achieved with operationally acceptable levels in the function areas.

5.4 Traffic Noise

Traffic noise has been mentioned and, although a detailed assessment is beyond the scope of this report, we have provided an overview below.

We are advised that the number of guests is unlikely to exceed 150 with the function room and main marquee in use. Even if on average there are two people per car, they all depart within a 2 hour period of each other, and all turn the same way and take the same route away from the site, this is only 37 to 38 cars per hour. This would not be considered a particularly busy road even if it were to persist at these levels all night long. It would be highly unlikely to have any significant impact on a general night time traffic noise assessment under BS8233 criteria.

In any event, all vehicles will exit the site after an event via the A556 and as such, vehicular noise will be directed away from Plumley and residential properties at times when residents have indicated in objections would be most concerning.

5.5 Mitigation

The function room building comprises very substantial walls and it appears to have been restored to a high standard. There is no need to consider increasing the sound insulation.

It should not be necessary to keep doors closed but officers may wish to see some music level controls if it is operationally desirable to leave them open.

A properly designed sound system which can maximise levels on the dance floor, while reducing spread to room edges to the levels specified is recommended. It should be based upon distributing as many speakers as possible over the dance floor and locating them as close to customers heads as possible. Investing in large bass/sub-bass bins is unlikely to be worthwhile as they are not usually associated with weddings and similar functions and they are difficult to predict and therefore control. Vibration isolation of speakers will be essential.

A properly designed sound system can incorporate music level limiters if necessary. These range from the very unsophisticated types which simply cut the mains power supply when a set level is exceeded, to proper limiters which actually prevent the level from exceeding a certain amount. The most sophisticated types can even limit different frequency bands by different amounts. A proper sound system designer will be able to advise which best suits the operational needs.

The marquees will benefit from properly designed systems if higher levels than we set up are desired. The principles described above will help to increase perceived levels. If even higher music levels are desired then impressive results have been obtained from highly distributed speaker arrays. Two examples are as follows:-

- The DAS Zone Array
www.directacousticsolutions.com/products-services/zone-array/
- The JBN Sound Ceiling
www.soundceilingsuk.com/sound-ceiling/

6.0 CONCLUSIONS/RECOMMENDATIONS

A function room and marquee are proposed for the site at Holford Hall for high-end functions such as weddings. The proposals will inevitably involve amplified music and customers arriving and leaving.

A large number of Representations have been made by local residents, including an outline acoustic assessment, as well as a consultation response from the local authority. All are addressed in this report.

It is highly unlikely that functions of any kind held within the Function Room with doors and windows closed will be audible at any residential location. With doors open, then music could be audible but only with function room levels likely to be well in excess of anything proposed. A well designed sound system should easily allow acceptable levels from an operational point of view and still be generally inaudible at all residential locations, even with doors open.

Music played in Marquee will have to be controlled to much lower levels, particularly in terms of bass. It will be less suitable as a "dance floor" without expensive and very specifically designed sound systems but entirely suitable for quieter music and as overspill from the main function room.

Traffic noise is unlikely to have a significant impact, even with rather extreme assumptions of numbers, routes and times.

Recommendations have been proposed by the Environmental Health Officer. The vast majority are to be incorporated in some form or other by way of additional Conditions offered. These are in progress and will be influenced by the findings of this report.

A properly designed sound system is strongly recommended, not for licensing purposes (this report shows that acceptable levels can be achieved with a relatively unsophisticated system), but to improve the flexibility of operations, especially in the marquees.

Appendix 1

Definition of Acoustic Terms

The Decibel

The decibel is the basic unit of noise measurement and is denoted dB. Technically, it is a means of expressing the difference in noise level between the measured noise and a standard level of noise. Most often the threshold of human hearing is used as the standard reference but it really should be stated. The threshold of human hearing is a sound pressure of $20\mu\text{Pa}$ or a sound power of 1pW .

A sound pressure level or SPL should be expressed in $\text{dB}(\text{re. } 20\mu\text{Pa})$. A sound power level or SWL should be expressed in $\text{dB}(\text{re. } 1\text{pW})$. If the reference levels are omitted, it will often (but not always) be safe to assume that they are referenced to the threshold of human hearing.

A-Weighting and dB(A)

The human hearing system responds differently to different frequencies. The A-weighting system takes account of this by emphasising mid and high frequencies more than low frequencies to give an overall level. An A-Weighted noise level, therefore, reflects the way normal, healthy hearing would perceive the overall level of the noise. The basic unit is dB(A) , although other systems of expressing an A-weighted level are discussed below.

Other weighting systems, such as C-Weighting, denoted dB(C) , reflect the human hearing system's response at higher noise levels.

Equivalent Continuous Sound Level, L_{eq}

This is a kind of mean noise level.

The unit is $\text{dB } L_{\text{eq}}$. For A-weighted levels the unit is $\text{dB(A) } L_{\text{eq}}$ or, in more modern units, $\text{dB } L_{\text{Aeq}}$. The Noise at Work Regulations use $L_{\text{eq(s)}}$ which refers to a sample level.

Maximum Level, L_{max}

This is the maximum level reached (usually for a fraction of a second) in the measurement period.

The unit is $\text{dB } L_{\text{max}}$. For A-weighted levels the unit is $\text{dB(A) } L_{\text{max}}$ or, in more modern units, $\text{dB } L_{\text{Amax}}$.

Statistical (Percentile) Levels, L_n

During a measurement of fluctuating noise, it is often useful to establish the levels exceeded for a percentage of the time. L_n is the index representing the level exceeded for $n\%$ of the measurement period.

The unit is dB L_n . For A-weighted levels, the unit is dB(A) L_n or, in more modern units, dB L_{An} .

Common examples are as follows :-

dB L_{A90} is the A-weighted level exceeded for 90% of the time and is often used to describe the underlying background noise.

dB L_{A50} is the A-weighted level exceeded for 50% of the time. Mathematically, it is the median, another kind of average.

dB L_{A10} is the A-weighted level exceeded for 10% of the time and has traditionally been used to describe the intermittent highs in the noise climate such as passing cars or aircraft.

Frequency Analysis

Here the audible frequency range is divided up into bands and the noise level is expressed in each frequency band from low pitches to high pitches.

Octave Band analysis is where the frequency range is divided into 8 bands from 63 Hz to 8kHz, or sometimes into 10 bands from 31.5 Hz to 16kHz.

1/3 Octave Band analysis provides more detailed subdivision into 24 bands from 50 Hz to 10kHz, or sometimes into 30 bands from 20Hz to 20kHz.

Narrow Band analysis takes this further with the possibility of many thousands of bands, possibly only 1Hz wide, or even less.

In all types of frequency analysis, the level in each band can be expressed in terms of L_{eq} , L_{max} , L_n , etc. as defined above.

Appendix 2

Measurement and Calculation Details

Measurements in the Function Areas

Conditions	Pos'n	Index	<i>dB(A)</i>	63	125	250	500	1k	2k	4k	8k
Bass beat just audible at Position 1 Doors Open	A1	Leq	94	107	98	91	87	90	86	85	75
		Lmax	102	112	105	99	92	99	94	91	84
		L90	88	102	91	86	83	83	81	79	70
Bass beat just audible at Position 1 Doors Open	A2	Leq	92	100	94	88	87	88	84	83	73
		Lmax	98	107	101	93	93	95	90	89	79
		L90	87	94	90	84	84	82	80	78	68
Inaudible at Position 1 Doors Closed	A1	Leq	101	111	105	96	95	96	94	93	82
		Lmax	108	116	110	102	101	103	102	98	86
		L90	97	108	101	92	92	90	90	88	79
Inaudible at Position 1 Doors Closed	A2	Leq	100	107	102	96	95	95	92	91	82
		Lmax	106	114	108	104	103	101	97	97	88
		L90	95	98	98	90	90	90	88	87	78
Bass beat just audible at Position 1	B1	Leq	80	92	84	77	70	75	73	72	64
		Lmax	88	97	91	86	76	84	82	79	71
		L90	73	89	78	70	65	67	67	64	57
Bass beat just audible at Position 1	B2	Leq	69	80	72	68	65	63	60	61	53
		Lmax	79	87	81	80	76	73	69	70	61
		L90	62	72	67	60	59	56	53	53	44

Measurements in the Community

Time	Pos'n	Index	<i>dB(A)</i>	63	125	250	500	1k	2k	4k	8k
01:22	2	Leq	43	52	44	40	41	40	31	25	24
		Lmax	52	54	46	46	51	50	35	27	24
		L90	37	47	41	35	35	33	23	23	23
01:27	2	Leq	42	51	43	36	38	39	31	26	24
		Lmax	54	53	45	39	47	52	46	38	32
		L90	35	46	39	32	33	28	21	23	23
01:32	2	Leq	46	51	43	38	44	43	33	26	24
		Lmax	59	55	44	42	61	54	39	26	25
		L90	34	46	39	32	32	28	21	23	23
01:37	2	Leq	39	49	42	35	36	36	28	24	24
		Lmax	48	53	45	42	44	46	37	25	24
		L90	33	45	39	31	31	26	21	23	23
01:42	2	Leq	41	50	43	35	37	38	30	25	24
		Lmax	52	56	47	37	41	51	42	26	24
		L90	37	49	40	35	35	33	24	23	23
01:47	2	Leq	43	51	45	39	40	40	33	26	25
		Lmax	57	56	47	51	58	52	43	40	31
		L90	36	46	41	35	35	31	24	22	23
Overall	2	Leq	43	51	43	37	40	40	31	25	24
		Lmax	55	55	46	45	56	51	42	35	28
		L90	36	47	40	34	34	30	23	23	23

Time	Pos'n	Index	<i>dB(A)</i>	63	125	250	500	1k	2k	4k	8k
01:15	4	Leq	43	51	42	37	40	41	30	19	15
		Lmax	59	69	68	59	58	52	46	43	36
		L90	39	50	39	35	36	36	25	14	13
01:20	4	Leq	41	49	39	35	38	39	27	14	13
		Lmax	56	55	49	43	51	55	40	27	22
		L90	39	49	38	34	36	36	25	13	13
01:25	4	Leq	41	48	38	35	37	40	29	14	13
		Lmax	54	56	47	40	46	53	45	28	21
		L90	38	48	38	34	35	36	24	13	13
01:30	4	Leq	42	49	40	36	38	40	30	15	13
		Lmax	55	56	46	45	48	53	47	28	18
		L90	39	49	39	35	36	36	24	14	13
01:35	4	Leq	44	50	42	39	40	43	32	16	13
		Lmax	57	59	50	49	49	55	48	38	35
		L90	39	49	40	37	37	37	26	14	13
01:40	4	Leq	55	56	49	48	48	52	49	40	32
		Lmax	76	77	72	73	71	73	70	61	56
		L90	39	48	38	34	36	37	26	14	13
Overall	4	Leq	48	52	43	42	42	45	41	32	24
		Lmax	69	70	66	65	64	65	62	53	48
		L90	39	49	39	35	36	36	25	13	13



PROPOSED LICENCE APPLICATION
HOLFORD HALL, PLUMLEY

Rebuttal to Local Objections
On behalf of Ladybarn Corporation Limited

7th September 2015

Prepared by Leith Planning Limited

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	E. PROTECTION OF CHILDREN FROM HARM
SECTION 5	CONCLUSION

APPENDICES

APPENDIX 1	Cheshire Life – Luncheon – Dun Cow, Knutsford 4th May 2011
APPENDIX 2	Draft schedule of proposed conditions
APPENDIX 3	Location Plan

SECTION 1 INTRODUCTION

1.1 An application was submitted by Ladybarn Corporation Limited for a premises licence under section 17 of the Licensing Act 2003; the property is known as Holford Hall, Chester Road, Plumley, WA16 0UA. Leith Planning Limited was instructed in August 2015 to review the representations submitted by local residents and prepare a statement answering the various queries and addressing the concerns raised. As part of this exercise we have provided some context and background concerning Holford Hall, this is set out in Section 2 of this report.

1.2 This report does not deal with statutory consultation responses in circumstances where the only matters to be addressed are comments received from the Council's Environmental Health Officer and these are dealt with in the Acoustic Report produced by Andrew Raymond of ADC Acoustics (provided under separate cover).

1.3 The Licence Application has been submitted for the provision of:

- Live music
- Recorded music
- Performances of dance

The Licence Application also seeks to secure the provision of late night refreshment and the supply of alcohol. It is proposed that the licenced hours of operation will end at 12.30AM with a complete stop at 1AM. It is worth pointing out that the application originally was for the licenced hours of operation to end at 1.30AM with a complete stop at 2.00AM; this change is in response to concerns raised by neighbours. Furthermore, the number of marquis has been changed from two to one, again in response to concerns raised by neighbours.

1.4 Given that some of the concerns raised technical matters we have instructed Andrew Raymond of ADC Acoustics to prepare a Noise Assessment. Andrew Raymond is well qualified and has considerable experience in dealing with acoustics, namely:

- BSc in Electro-Acoustics and an MBA.
- Member of the Institute of Acoustics and a Chartered Engineer.
- Founder and director of Acoustic Design & Control Ltd.
- Full-time acoustic consultant since 1990, specialising in all aspects of environmental noise and architectural acoustics.
- Worked for a broad range of clients including defendants/applicants/appellants of all sizes, local authorities and third party objectors on issues of housing, industrial, entertainment, transportation, etc.
- ADC holds corporate membership of the Association of Noise Consultants.

1.5 We have also instructed Andy Kirby of Northern Transport Planning who is very familiar with this site and he has considered the various highway matters raised. Andy Kirby is a Director of Northern Transport Planning, a specialist consultancy that advises clients on transport related issues. Andy holds a degree of Bachelor of Science in Civil Engineering, is a Chartered Civil Engineer and a Member of the Institution of Civil Engineers. Andy has worked in traffic engineering and transport planning for 34 years, both in the public and private sectors. Andy's comments are summarised in this report in circumstances where a separate report is not warranted. The highways

comments provided in this report have been prepared by Andy Kirby and he will be available at the hearing to answer any questions or deal with any remaining concerns.

- 1.6 To assist the Licensing Committee both Andrew Raymond (ADC Acoustics) and Andy Kirby (Northern Transport Planning) will be attending the licensing hearing and will be able to answer any questions.
- 1.7 This licence application is supported by a schedule of proposed conditions, which have been discussed with the Environmental Health Officer. A copy of the draft conditions has been included at Appendix 2.
- 1.8 Section 2 of this submission provides an overview of Holford Hall and the various activities which currently take place on the site, these activities will continue alongside the licensed activities and are mutually compatible. At Section 3 we have had regard to Cheshire East Council's Statement of Licensing Policy (Licensing Act 2003) dated January 2014 to January 2019 and consider that the licence application to be wholly compliant with the Statement of Licensing Policy for Cheshire East. Section 4 sets out the objections and concerns received from local residents and addresses them. The report is concluded at section 5.

SECTION 2 OVERVIEW OF HOLFORD HALL

History and restoration of the property

- 2.1 Holford Hall is a Grade II* Listed Building and is a large moated timber house built in 1601 for Mary Cholmondeley, nee Holford, on the death of her husband Hugh. Holford Hall suffered from neglect and fell into disrepair in the nineteenth century. The south wing collapsed and was demolished in 1844. The north wing was demolished during the 1880's. A chapel survived on the island until 1920's / 30's. Owned by ICI for much of the last century, it has now been fully restored by Mrs. Phillips and the Family Trust whilst in their ownership. Upon Mrs. Phillips purchase of Holford Hall the building had been empty for some time, showed serious neglect and the structure was unsound. The gardens were overgrown and the moat hidden from view.
- 2.2 Following the renovation works carried out by the owner in conjunction with English Heritage the site is now listed as a Scheduled Ancient Monument. Mrs. Phillips has restored the property to reflect the traditional form and design of the building in conjunction with the local planning authority and English Heritage in addition to the re-creation of the traditional knott gardens. Holford Hall was listed on English Heritage's at Risk Register during 1999 and was de-listed during 2009.
- 2.3 One of the largest restoration projects carried out by Mrs. Phillips was the restoration of the front elevation which also showed serious signs of neglect. The work carried out has endeavored to retain the original design of the building and whilst visually there has been little change, this is where the most work has been carried out. The stone roof was removed piece by piece to restore the roof trusses and install a new gutter system. A large percentage of the original stone was put back. The right gable was completely re-built as it was falling down. The rest of the elevation was worked through restoring each of the timbers. Once the window's were opened it was discovered that the windows had been closed up since the 1960's and as such the lead and glass was sent to a specialist who enveloped them into a triple glaze which was then reinstated. During the restoration project as many of the mullion windows were retained as possible albeit not all were restorable. All adornments including gargoyles and roman style pillars were carefully restored and ground excavations carried out to protect the fabric of the building.

History of Activities on Site

- 2.4 Mrs. Phillips commenced development of the equestrian facilities on site immediately upon its purchase and horses were brought to Holford Hall in 1998 when Mrs. Phillips moved into the property. Mrs. Phillips has bred horses at Holford Hall both of which are now over 20 years old. The use of the site for equestrian purposes developed following the death of Mr. Phillips and Mrs. Phillips has built the training side up on site.
- 2.5 Holford Hall was opened to other students for training in 2004. Mr. David Hunt, The President of the International Dressage Trainer Club and Chairman of British Dressage training Committee and representative of the Federation Equestre Internationale Dressage Committee has taught Mrs Phillips for over 15 years. Training has been carried out on site over the last 10 years. Many students travel to Holford Hall to attend training sessions provided by David

Hunt.

- 2.6 In recent years, Mrs. Phillips has learnt how to train horses to the top level and to develop as a trainer. Working closely with David Hunt on site has facilitated this learning process. David Hunt operates a pyramid training system to enable the people he trains to train others. Mrs. Phillips is now able to train at Grand Prix level and currently trains several other people at various levels from novice to advanced.
- 2.7 Holford Hall operates as a genuine equestrian enterprise and stud (currently with 6 horses), which have been trained to compete at a national level; they are not simply horses for domestic or recreation use.
- 2.8 Holford Hall provides facilities for national riders and their horses and also have partnerships that are on the Olympic Potential Training Scheme. By way of example:
 - Peter Storr has ridden at Holford Hall and has taken part in the Olympics. Peter is an excellent rider described as one of the UK's "best". Peter rode in the 2000 Olympics in Sydney and participated in the 2012 London Olympics.
 - Polly Stockton has ridden at Holford Hall and has taken part in international events and is always on the Olympic selection (www.pollystockton.com) Polly finished the season in 12th place in the British Eventing Rider Rankings, having won 627 points. The high points of 2009 were winning the British Intermediate Championship on Westwood Mariner and finishing runner up at the Land Rover Burghley Horse Trials on Westwood Poser. Polly is a member of the British World Class Performance squad and has represented her country at Young Rider and Senior level.
 - Melanie Allen trains at Holford Hall and is part of the Olympic Potential Training Scheme with a young stallion having been picked up by talent spotting. Melanie is an Assistant Members Representative for Cumbria for British Dressage.
 - Becky Moody trains at Holford Hall and has already been part of the Olympic Potential Training Scheme with other horses who have not been sufficiently competent to be selected (<http://blog.moody-dressage.co.uk>). Becky represented G.B. at four U21 European Championships – two with Paulette Tuckey's Jordas and two with the Moody Family and Christine Jebson's Kwadraat. In 1998 and 2000 the team won the bronze medals and in 2000 and 2001 Becky was the highest placed Brit- finishing in eighth place both times. In 1998 she also won the Winter Novice Championship on Early Bird and the Under 21 Novice Championship on Kabanza. In 2001 Becky and Kwad were the PSG and Int 1 National Champions and in 2002 made their senior international debut at Soley CDI where they again finished best of the Brits in second place in all three small tour classes. In 2003 she finished ninth in the Grand Prix National Champs with Humble Pie – a horse she has owned and trained since he was 3 years old. In 2004 She was the winner of the Elementary, Medium and Advanced Medium Regional Championships on High Fashion,

and was 5th in the GP Special and 3rd in the GP Freestyle on Humble Pie at Fry"s CDI.

- 2.9 The above riders travel with their stallions to Holford Hall and they are provided with stables during their stay, sometimes overnight during training sessions.
- 2.10 Mr. David Hunt, The President of the International Dressage Trainer Club and Chairman of British Dressage training Committee and representative of the Federation Equestre Internationale Dressage Committee operates out of the ménage facilities at Holford Hall and visits the stables every month for two day clinics and trains ambitious/accomplished people in the sport.
- 2.11 It is important to bear in mind that those individuals utilizing the facilities at Holford Hall are paying considerable fees for their tuition on site as a result of the highly skilled professionals training and quality of facilities on site.

Bloodstock – pedigree of Horses

- 2.12 The horses on site range from two young race horses in training who rest at Holford Hall, retired event horses, dressage horses both young and Grand Prix (which is the ultimate of dressage recognized internationally, all Olympic horses are Grand Prix level). The horses training on site are training to compete nationally, internationally and are potential competitors for the Olympics.
- 2.13 The horses at Holford Hall are competition animals and are not to be compared to riding school horses given the value of the horses both monetary and the years of training, dedication, commitment and keeping them fit, well and healthy which is involved.
- 2.14 This is just as important in their later lives when their knowledge is so valuable in using them as school masters. They are often used in specialist training sessions to aid and educate the less experienced. Two of the horses who visit Holford Hall for training have been used for the Para Olympic team.
- 2.15 The working stallion, "Librie" is a registered Dutch Warm Blood stallion and is currently at Holford Hall as a result of his amazing temperament and when he has retired from competitions he will be able to pass on his talents to younger horses. Librie has been bred and graded by the Dutch Federation.
- 2.16 David Hunt has produced more Grand Prix horses than any other trainer in the country with trainers who want to train to competition levels themselves.

Requirement for Diversification

- 2.17 Holford Hall does not currently generate sufficient income to cover the cost of the upkeep of the property and the additional restoration works which are required for the Hall itself and the surrounding grounds and outbuildings.
- 2.18 When Holford Hall was first purchased, it was financially supported by a separate business. As a result of Mr. Phillip's death, the separate business ceased to exist and as such the source of income for Holford Hall's upkeep and restoration was removed. It has been necessary to identify other sources of income for Holford Hall which have included expanding the working farm,

which is currently 30 acres, with plans to continue to increase the size of the working farm through land acquisitions and expansion of the equestrian activities on site. Any financial contribution which Holford Hall can generate for itself is essential for the future viability of Holford Hall, particularly in the current economic climate.

Cottage Kitchen and Culinary School – Application Reference 11/4254M

- 2.19 Consent was granted on 1st May 2012 for the change of use of the existing barn at Holford Hall to create a cottage kitchen style culinary school with ancillary accommodation; the development includes external alterations to the barn and associated works.
- 2.20 The above grant of consent included use of the barn for gourmet dining, cookery classes, food and wine tasting and events. This licence application seeks to support these uses as part of the 'package' provided by Holford Hall.

Wedding Venue

- 2.21 Leith Planning Limited is instructed to prepare and submit a planning application to Cheshire East Council to vary the use of the barn to enable the use of the barn as a wedding/event location. This has been the subject of pre-application discussions with the local planning authority who have advised that:
- "If the number of guests would not be greater than for the existing barn scheme, then there would be no greater adverse impact on the highway network and in this regard the development would be acceptable."
- 2.22 This business venture has come to light following a private family wedding, which was hosted at Holford Hall August 2015. Holford Estate received approval from Cheshire East Council on 24th August 2015 for the premises to be used as a venue for civil ceremonies under the provisions of Section 46A and 46B of the Marriage Act 1949 and for Civil Partnerships under Section 6A of the Civil Partnerships Act 2004. This license application seeks to enable the Holford Estate to offer a wedding package to prospective clients.
- 2.23 It is necessary to achieve a balance between the additional income stream this venture would provide for the on-going restoration of Holford Hall, against the need to protect and enhance the existing equestrian business.

SECTION 3 STATEMENT OF LICENSING POLICY

- 3.1 In drafting this submission we have had regard to Cheshire East Council's Statement of Licensing Policy (Licensing Act 2003) dated January 2014 to January 2019.
- 3.2 Paragraphs 1.5 through to 1.7 set out the context of the Policy and refers to the Council's statutory duty under the Crime and Disorder Act 1998 to have regard to the need to do all that it reasonably can to prevent crime and disorder, misuse of drugs and alcohol and reoffending in its area.
- 3.3 The Policy takes into account the guidance issued under section 182 of the Act. The Home Office published the latest guidance in June 2013. In accordance with section 4 of the Act, the Licensing Authority shall have regard to the Policy in the exercise of its functions in respect of Licensable Activities and qualifying Licensable Activities in accordance with Section 1 and Schedules 1 and 2 of the Act.
- 3.4 Paragraph 2.4 recognises the Council's duty to protect the amenity of its residents. This extends to the business community, who can expect the Council to ensure that the environment is attractive and sustainable for the conduct of their business. It is considered that the licence application submitted for Holford Hall and the proposed conditions will ensure that the amenity of residents (including the residential amenity of Holford Hall) is protected and the wider Holford Hall business enterprise is supported.
- 3.5 Paragraph 4.2 states that the Planning Regulation and Licensing Regulation functions are separate statutory regimes. The Licensing Authority recognises that there should be a clear separation of the planning, building control and licensing regimes in order to avoid duplication.
- 3.6 Paragraph 5.2 recognises that licensed premises are an important contributor to the local economy. Any licence application will be considered by taking certain factors into account. These include:
 - . Employment opportunities - the proposal at Holford Hall will generate a wide range of employment opportunities; by way of example: bar staff, security, valet parking, wait staff and chefs. Links will also be generated with local businesses such as taxis, hotels, caterers, florists etc.
 - . The enhancement the proposal might have on the attractiveness of the wider area - The licenced activities will enhance the attractiveness of the wider area in that it will provide a high quality wedding/function venue.
 - . The general impact in attracting visitors to the area – Presently the venue attracts the United Kingdom's Grand Prix equestrian riders/trainers. The licenced activities will add to the attraction of the area, in that it will provide a gourmet kitchen, wine/food tasting events and classes. The weddings/functions venue will also attract visitors to the wider area. Furthermore, the licensed activities will boost the local economy through local business links.
- 3.7 Paragraph 5.3 notes that in undertaking its statutory licensing function the Licensing Authority may have regard to:

- Section 17 of the Crime and Disorder Act 1998 and requirement that the Council do all that it reasonably can to prevent crime and disorder in its locality
 - The European Convention on Human Rights (which is given effect by the Human Rights Act 1998), which places a duty on public authorities to protect the rights of individuals in a variety of circumstances
 - Any other relevant legislation drawn to its attention

- 3.8 Section 6 deals with anti-social behaviour and paragraph 6.1 states that the licensing authority recognises that in addition to the requirements for it to promote licensing objectives, the Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder within its area.

- 3.9 Objections in relation to anti-social behaviour are considered at section 3 D of this submission in relation to prevention of public nuisance. It should be noted that no objections have been received from the police in relation to this licence application and a preemptive policy will be applied to ensure anti-social behaviour does not occur.

- 3.10 Section 7 deals with crime and disorder and notes that in order to meet the Council's duty to prevent and reduce crime, the Statement of Licensing Policy will have regard to the likely impact of licensing on related crime and disorder in the area. It is noted that the licensing authority will consider the location of the premises and the impact, operation and management of the licensable activities. In this case, the measures include:
 - A pre-emptive policy to prevent crime and disorder.
 - Security supervision of all functions including staffed exits
 - Use of CCTV
 - An electric buggy transferring guests from Holford Hall to Holford Mill for taxis
 - Valet parking
 - Directing guests away from Plumley by preventing, at all times, egress via Trouthall Lane

- 3.11 Section 8 deals with public safety and paragraphs 8.2 and 8.3 notes that the licensing authority recognise that the Public Safety Objective is concerned with the physical safety of customers using the relevant premises and not with Public Health, which is dealt with by other legislation. In this case, it is noted that no representation has been received from the Local Authority Director of Public Health.

- 3.12 Section 9 deals with prevention of public nuisance. In this case, concern has been raised by local residents in relation to noise disturbance. In response to the comments received, a Noise Assessment has been undertaken by ADC Acoustics and submitted in support of this application. For the avoidance of doubt, it is considered that the proposed licence application, through the use of appropriate conditions agreed with the Environmental Health Officer, will not result in noise disturbance to local residents. Comments in relation to public nuisance have been addressed at Section 3 of this submission.

- 3.13 Section 10 considered protection of children from harm. This licence application will not place children in a position of risk from moral,

psychological or physical harm. Events, entertainment and activities will be conducted strictly by way of pre-agreed guest lists and pre-approved performers.

- 3.14 Holford Hall is set apart from the village of Plumley and as such, will not impact a 'stress area' by way of cumulative impact, as set out at Section 11.
- 3.15 A schedule of conditions has been prepared in discussion with the Council's Environmental Health Officer, which will assist the Council in delivering the Statement of Licensing Policy objectives in this case, a copy of which is included at Appendix 2.
- 3.16 It is considered that the licence application for Holford Hall is wholly compliant with the Statement of Licensing Policy and will protect the amenity of local residents, whilst delivering the commercial objectives of the Holford Hall enterprise.

SECTION 4 REBUTTAL TO OBJECTIONS

4.1 We have reviewed the objections submitted by third parties and have provided a response and/or further information. The comments received have been considered in line with the objectives for consideration under this application, namely:

- a. general
- b. prevention of crime and disorder
- c. public safety
- d. prevention of public nuisance
- e. protection of children from harm

A. GENERAL

4.2 The Application form states:

"All staff will be briefed on the event timetable, site layout, emergency procedures and other relevant site-specific information.

Open containers of alcohol shall not be removed from the premises, except for consumption in any external area within the grounds of Holford Hall."

Objection: Alcohol consumption is associated with disorderly and antisocial behaviour. Door staff will bar or remove disorderly individuals where will these individuals end up?

4.3 Ladybarn Corporation proposes to operate on a pre-emptive policy with security on site. Individuals undertaking manned guarding activity during the licenced activities will require a Security Industry Authority licence. In addition to the services provided by a security firm, other members of staff will be trained to identify any 'disorderly individuals' and will implement an early intervention approach. Given that we are dealing with a wedding/function venue, the expectation is that the majority of situations will be dealt with in house. However, where it is necessary to remove people from the premises they will be escorted to Holford Mill and placed in a taxi, the host will be asked to ensure that disorderly individuals are accompanied either back to their hotel or home via the A556. At no time will guests exit the site through Plumley. Ladbybarn Corporation Limited will operate at all times, a strict no drugs policy.

Objection: Concerns in relation to the provision of 'adult entertainment

4.4 The licence application submitted does not seek the provision of adult entertainment. All activities and business enterprises undertaken at Holford Hall are delivered to a high standard and quality. The wedding venue and event functions proposed would be delivered with the same care and attention which has been given to the restoration of Holford Hall and the gardens.

Objection: The venue is a residential building not designed for large groups of people attending events.

- 4.5 Holford Hall provides a unique attractive setting and with the cottage kitchen barn which has recently been restored; Ladybarn Corporation is able to cater for specialist events. Holford Hall, the associated barn and grounds are well equipped to cater for large numbers of people and this has been established historically. Mrs Phillips has previously discussed the possibility of opening the hall up for charity days (which is still under consideration) and residents have previously wholly welcomed this possibility.

Objection: A one-way system has been mooted. Who would police such a system?

- 4.6 Any event hosted at Holford Hall will be supported by valet parking and security. These arrangements will ensure that visitors and vehicles are directed onto and off the site.

Objection: Events seven days per week will cause intolerable disturbance, effectively creating a nightclub.

- 4.7 The application has been submitted for seven days of the week to ensure that the business can accommodate all needs, with a growing demand for weekday weddings. However, Mrs Phillips does not envisage hosting more than one event per week. It is necessary to bear in mind that Holford Hall is first and foremost a private residence with an associated high value equestrian enterprise. Any event or function, which takes place at Holford Hall, must not undermine the residential amenity of Mrs Phillips or the equestrian enterprise.

Objection: The Smoker, The Golden Pheasant and the Peover Golf Club all have function rooms capable of holding events and I do not believe another venue is necessary.

- 4.8 Whilst it is understood that the licensing authority will not be influenced by the question of need (as set out at paragraph 4.1 of the Statement of Licensing Policy), Holford Hall provides a unique and magnificent setting in which a wedding or function could take place. This is recognised by its Grade II Listed status and its identification as a Scheduled Ancient Monument. Whilst there are a number of local pubs/venues, which cater for weddings, it is considered that there is a demand for a high-end wedding/event location such as Holford Hall. In recent years, Mrs Phillips has received many requests/enquiries about the possibility of hosting an event at Holford Hall.

Objection: Has a personal licence been approved for sale of alcohol? What experience does Mrs Phillips have of this type of enterprise and have any training courses been arranged by Mrs Phillips to satisfy quality aspect

- 4.9 Mrs Phillips successfully ran the Dun Cow, Knutsford for approximately three years during which time the venue hosted events with their top chef, at other times they had outside caterers and weddings. Mrs Phillips worked to considerably enhance the viability of the Dun Cow and only ended her involvement in the Dun Cow due to the restrictions on the lease arrangement and the overly limiting conditions attached. Mrs Phillips success at the Dun Cow was reported in Cheshire Life on 4th May 2011, a copy of which is included at Appendix 1. The award winning team at the Dun Cow included executive chef March Mattocks who trained in some of the country's finest Michelin and AA rosette establishments.

Objection: It is the case that when other developments at Holford hall have been subject to agreements made by the owner of Holford hall has not abided by these agreements e.g. open day for local residents (footpath diversion) viewing platform occluded by new planting - requiring intervention by parish/ Cheshire east councils.

- 4.10 Mrs Phillips has endeavoured to accommodate the needs/desires of local residents whilst protecting her personal amenity and the business enterprise at Holford Hall. Following the grant of the footpath diversion order by Cheshire East Council, Mrs Phillips ensured that the public footpath incorporated the provision of a viewing platform, which is maintained on site at all times. The diverted footpath is a well constructed, more convenient and safe footpath, which many walkers have recognised as a significant improvement. Furthermore, Mrs Phillips has adhered to the landscaping plan agreed with the Council to ensure views to the property are un-obscured from the viewing platform. Mrs Phillips hopes to enable charity open days on site and this process is on going.

B. PREVENTION OF CRIME AND DISORDER

- 4.11 In relation to the prevention of crime and disorder, the application form states:

"All entrances, exits and other strategic points will be staffed while an event is taking place.

A digital hard drive CCTV system will be in operation to cover internal and external areas of the premises; any area where customers have legitimate access must be sufficiently illuminated for the purposes of CCTV. All CCTV recorded images will have sufficient clarity/quality/definition to enable facial recognition. CCTV will be kept in an unedited format for a period of 31 days, any DVDs subsequently produced will be in a format so it can be played back on a standard personal computer or standard DVD player. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and able to produce / download/ burn CCTV images upon request by a person from a Responsible Authority. CCTV will be maintained on a regular basis and kept in good working order. CCTV maintenance records to be kept, details of contractor used and work carried out to be recorded. Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc), a secure storage system to store those recording mediums will be provided.

Any person who tries to gain entry to the premises who is involved in disorderly conduct or anti-social behaviour outside of the premises will not be permitted entry. The Premises Licence holder or Designated Premises Supervisor shall ensure that any person within the premises who is involved in disorderly conduct or anti-social behaviour inside the premises will be removed from the premises.

Staff will be trained in how to recognise and refuse service to customers who have had too much to drink, how to handle potential troublemakers and how to diffuse difficult situations.

The need for door security will be assessed by the Premises Licence holder or Designated Premises Supervisor and door staff will be employed when and where the risk assessment deems this appropriate."

Objection: This peaceful rural area would be at risk from theft and damage to vehicles/property.

- 4.12 All events will involve a security firm on site that will monitor and manage guests arriving and departing the site. It should also be noted that events would be conducted by way of pre-approved guest list, with the intention of attracting a discerning clientele. It should be borne in mind that the horses on site are high value and as such, prevention and pre-emptive action in relation to crime prevention is of the utmost priority for the applicant.

Objection: There is limited pedestrian access and completely dangerous to have intoxicated individuals walking from this venue onto the A556, where there is not always a footpath.

- 4.13 All guests will be provided with an electric buggy to transfer guests from Holford Hall to Holford Mill to taxis for guests' departure from the site. Guests will not be permitted to walk from Holford Hall towards the A556 on their departure to ensure public safety.

C. PUBLIC SAFETY

- 4.14 In relation to public safety, the application form states:

"All fire fighting equipment is inspected and serviced in line with the appropriate British Standard.

Appropriate fire safety and information signs shall be displayed.

All staff will be trained in the safe handling of emergencies and emergency protocols. Emergency exits will be unlocked and kept clear at all times.

Staff will ensure that glasses and bottles are collected on an on-going and frequent basis, make regular inspections for broken glass and clear up glass and any spillages as quickly as possible."

Objection: Guests will park on Trouthall Lane

- 4.15 Parking will be accommodated on the existing hard-standing at Holford Hall and given the length of the walk between Trouthall Lane and Holford Hall it is highly unlikely that guests will be minded to park on Trouthall Lane and walk to an event in best dress. For completeness, the security on site will monitor access at Trouthall Lane and will ensure that no parking takes place on other than on the designated parking areas at Holford Hall.

Objection: Access to the property is across a small bridge that is not designed for volume traffic and along a public footpath used by walkers and cyclists, which may result in injuries or worse.

- 4.16 Access to the property will be via Trouthall Lane and egress will be via the A556, with Ascol Drive being used in case of emergency. The operator will use all reasonable endeavours to encourage guests and taxis to use the preferred access/egress arrangements. This strategy has been adopted to ensure the safe approach of traffic to and from the site. Information regarding access and egress will be circulated to all patrons and their guests in advance of any event.

Objection: The only access for large vehicles is via Ascol Drive, a private residential drive that is not surfaced and leads to a farm track not designed for heavy traffic.

- 4.17 Ascol Drive has been used historically for access to the site by farm vehicles and horseboxes. Deliveries and collections of waste etc would take place before and after the events and would not conflict with the traffic movements to those events.

Objection: Given the lack of public transport in the area, we also feel that the remote location would increase the potential for drink driving late at night, near a busy bypass; causing a dangerous risk to local residents and wider. We appreciate that there is a request for overnight stays but if the venue was for a large party, it is unlikely that accommodation on site could fully cater to eliminate this risk.

- 4.18 The proposed licenced premises will arrange for mini-buses to transport guests to local hotels/accommodation, which will be arranged in advance. Information relating to travel arrangements will be circulated in advance of events and patrons will be reminded of requirements relating to drink driving.

Objection: Compromise human rights by way of risk to highway

- 4.19 The access routes to the site have a satisfactory safety record and have been considered to provide suitable access to Holford Hall by the Highway Authority in relation to previous planning applications involving the change of the barn with associated guests/visitors.

Objection: Visitors, deliveries etc being unable to find the venue in the village.

- 4.20 Suppliers will be advised of the means of access to the site in advance of any event and as such, no difficulties are envisaged.

Objection: Hazardous to public footpath safety

- 4.21 It is a regular occurrence in rural areas for access routes to properties to share the route of a public right of way. The shared use of such routes is not in principle regarded as problematic and we do not envisage any issues arising. Site notices will also be erected in advance of any event advising footpath users of the upcoming event.

Objection: A cursory glance at the expectant number of vehicles travelling either to or from the A556 can cause a serious hazard by traffic 'backing up' into the turning to the entrance of the Hall. The A556 can be 'a race track' during the day let alone at night, second only to Brands Hatch, Oulton Park etc.

- 4.22 The proposal involves access to the site via Trouthall Lane for arrival of guests. The A556 will be used for egress only on a 'left only' basis under the supervision of on-site security and management teams.

Objection: More vehicles increasing risk on the blind bend at Trouthall Lane

- 4.23 There is no safety record at this location and the access to the site is in regular use and operates without difficulty. Guests will be provided with information relating to access/egress arrangements and they will be

encouraged to drive at a low speed and to show courtesy to other users and local residents.

Objection: There are safety implications for the visitors to the Hall especially at night. Plumley village has few street lights and so is quite dark

- 4.24 Guests and visitors will be directed to leave the site via the A556 and as such, visitors will not be using the access on Trouthall Lane at times when vehicles would be relying upon street lighting.

Objection: The village already has past experience of this when members of Take That lived here and there were often large groups of 'fans' milling around in the village. There was also increased vandalism and damage in the village and at the station during that period.

- 4.25 As part of the licence application, notices are to be displayed requesting patrons to respect local residents and leave the premises quietly. The licensee will request that this is extended to the areas adjoining the site and the access routes, as well as the site itself.

D. PREVENTION OF PUBLIC NUISANCE

- 4.26 In relation to the prevention of public nuisance, the application form states:

"The Premises Licence holder will ensure that any complaints from local residents are managed appropriately.

Notices to be displayed requesting patrons to respect local residents and leave the premises quietly.

Car park staff are to use their best endeavours to ensure patrons leave quietly.

Local taxi numbers shall be available for customers to assist in ordering a taxi."

Objection: Increase of noise in such a quiet and peaceful residential area

- 4.27 Noise has been assessed in detail within the Noise Assessment prepared by Andrew Raymond of ADC Acoustics and submitted in support of this licence application. However, it should be borne in mind that any noise generated at Holford Hall will need to be sufficiently quiet to ensure that it does not disturb the pedigree of horses, which are on site at Holford Hall. Given the need to protect the high value horses from noise disturbance, noise levels will not be generated which would impact upon the residential amenities of residents who are some distance from the site.

Objection: The noise from large events held at Holford Hall would travel locally to Ascol Drive and other neighbouring properties.

- 4.28 The Noise Assessment submitted in support of the application sets out mitigation measures and proposed conditions to ensure that noise will not travel locally to Ascol Drive or other neighbouring properties. The need to limit and protect from noise generated by events is of the utmost importance

to Mrs Phillips given the need to ensure that noise does not disturb the high value horses on site.

Objection: Marquees have little or no sound reducing capabilities what so ever.

- 4.29 It is proposed that any marquee would incorporate significant noise mitigation measures as set out within the Noise Assessment. No event will take place at Holford Hall in a marquee without effective noise mitigation measures in place to ensure that noise does not disturb or startle the horses on site.

Objection: There could well be a breach of the Noise Criteria Levels associated with Evening and Night-time levels listed for Rural Areas.

- 4.30 Noise has been addressed by Andrew Raymond, ADC Acoustics in the Noise Assessment. Andrew will be available at the hearing to answer any queries, which may arise.

Objection: Any event is likely to have fireworks.

- 4.31 Mrs Phillips will not permit fireworks to be discharged on site firstly to ensure that the licenced activities do not impact on the amenity of the are. Furthermore, it is necessary to bear in mind that the property is first and foremost, an equestrian centre of excellence for dressage and fireworks would distress the horses on site and may even result in harm to the horses. For completeness, a draft condition has been incorporated into the schedule of proposed conditions on this matter. The British Horse Society public advise on fireworks and horses which clearly states that

"Horses are flight animals and anything unexpected will startle them. The response will vary greatly according to the individual horse, but reactions can be extremely dramatic and potentially dangerous for the horse or anyone close by."

Objection: The Hall had a party last year with 1 Marquee and the music was plainly heard in my house on Ascol drive all night, if this will be seven days a week it will be intolerable.

- 4.32 The wedding, which took place at Holford Hall in August 2014, was a private family function and as such, did not form part of the wider business enterprise for Holford Hall. This application seeks to enable the business enterprise to diversity and offer the availability to host weddings/functions at Holford Hall. Any events will be strictly controlled and noise mitigation measures will be in place to ensure that noise is mitigated.

Objection: Access to Ascol Drive is by an unadopted road which the residents contribute to the upkeep of, by way of funding and manpower. Any increase of traffic to Holford Hall would have a major impact on the drive and the access to and from Ascol Drive is directly onto the busy A556.

- 4.33 The proposal does not involve Ascol Drive as the primary access/egress route and will only be used in an emergency. We do not consider that Ascol Drive will be materially affected by the proposed licence application.

E. PROTECTION OF CHILDREN FROM HARM

4.34 In relation to the protection of children from harm, the application form states:

"Entry by children under the age of 18 to the premises is prohibited unless accompanied by an adult.

The premises must prominently display appropriate signage indicating that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol."

Objection: Young children play in Ascol Drive and their safety would be compromised by the increase in traffic, not only from the guests but also from the delivery lorries of catering contractors and brewery/vintners.

4.35 There is no safety record at this location and the access to the site is in regular use and operates without difficulty. Guests will be provided with information relating to access/egress arrangements and they will be encouraged to drive at a low speed and to show courtesy to other users and local residents.

SECTION 5 CONCLUSIONS

- 5.1 As explained in the introduction an application was submitted by Ladybarn Corporation Limited for a premises licence under section 17 of the Licensing Act 2003; the property is known as Holford Hall, Chester Road, Plumley, WA16 0UA. Leith Planning Limited was instructed in August 2015 to review the representations submitted by local residents and prepare this statement answering the various queries and addressing the concerns raised. As part of this exercise we have provided some context and background concerning Holford Hall, this is set out in Section 2 of this report.
- 5.2 This report does not deal with statutory consultation responses in circumstances where the only matters to be addressed are comments received from the Council's Environmental Health Officer and these are dealt with in the Acoustic Report produced by Andrew Raymond of ADC Acoustics (see paragraph 1.5 below).
- 5.3 The Licence Application has been submitted for the provision of:
- Live music
 - Recorded music
 - Performances of dance
- The Licence Application also seeks to secure the provision of late night refreshment and the supply of alcohol. It is proposed that the licenced hours of operation will end at 12.30AM with a complete stop at 1AM. It is worth pointing out that the application originally was for the licenced hours of operation to end at 1.30AM with a complete stop at 2.00AM; this change is in response to concerns raised by neighbours. Furthermore, the number of marquis has been changed from two to one, again in response to concerns raised by neighbours.
- 5.4 We have reviewed the objections submitted by third parties and have provided a response and/or further information. The comments received have been considered in line with the objectives for consideration under this application, namely:
- a. general
 - b. prevention of crime and disorder
 - c. public safety
 - d. prevention of public nuisance
 - e. protection of children from harm
- 5.5 Leith Planning Limited was instructed in August 2015 to review the representations submitted by local residents and prepare this statement answering the various queries and addressing the concerns raised. The concerns by third parties have been evaluated and further advice obtained from technical experts; namely Andrew Raymond (ADC Acoustics) and Andy Kirby (Northern Transport Planning). Furthermore, the application has been changed to help address concerns raised by local residents.
- 5.6 On balance, having read the objections and paying due regard to the objectives for consideration, namely: general considerations, prevention of crime and disorder, public safety, prevention of public nuisance and protection of children I would ask that this application be approved (as amended). In so doing it will achieve the objectives set out at Paragraph 5.2 of the Statement of Licensing Policy which recognises that licensed premises are an important contributor to

the local economy. Any licence application will be considered by taking certain factors into account, these include:

- . Employment opportunities - the proposal at Holford Hall will generate a wide range of employment opportunities; by way of example: bar staff, security, valet parking, wait staff and chefs. Links will also be generated with local businesses such as taxis, hotels, caterers, florists etc.
- . The enhancement the proposal might have on the attractiveness of the wider area - The licenced activities will enhance the attractiveness of the wider area in that it will provide a high quality wedding/function venue.
- . The general impact in attracting visitors to the area – Presently the venue attracts the United Kingdom's Grand Prix equestrian riders/trainers. The licenced activities will add to the attraction of the area, in that it will provide a gourmet kitchen, wine/food tasting events and classes. The weddings/functions venue will also attract visitors to the wider area. Furthermore, the licenced activities will boost the local economy through local business links.

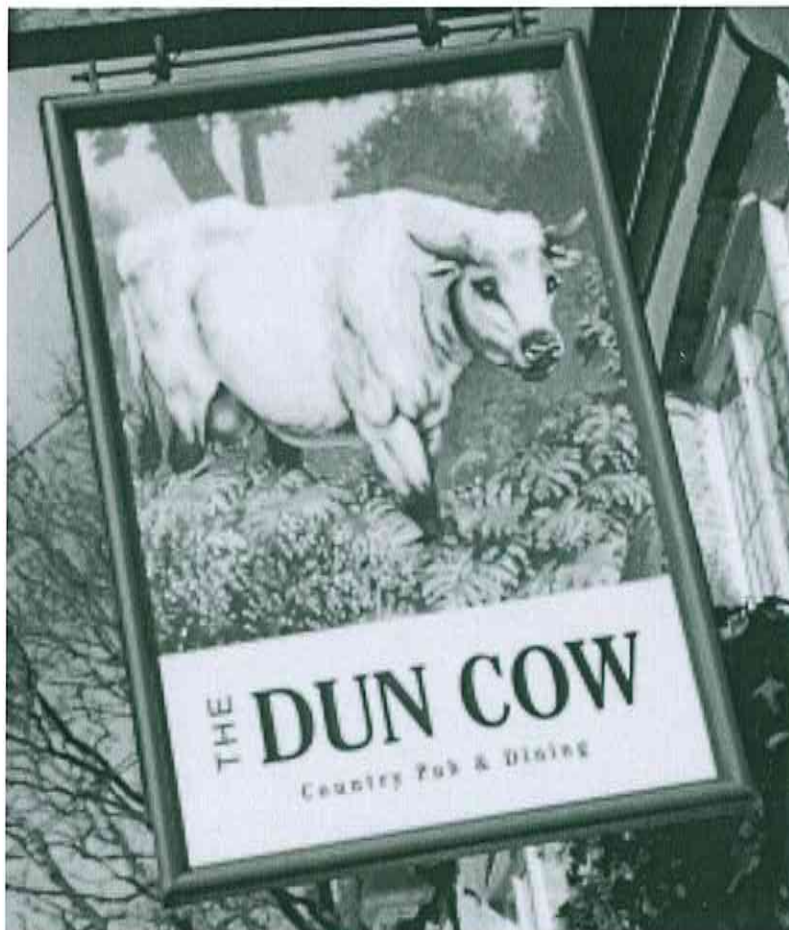
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Cheshire Life Luncheon - Dun Cow, Knutsford

13:37 04 May 2011



Cheshire Life Luncheon - Dun Cow, Knutsford

Guests at this month's Cheshire Life lunch enjoyed food done with flair. Emma Mayoh reports **PHOTOGRAPHY BY JOHN COCKS**

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(/polopoly_fs/1.1614353/image/452535486.jpg_gen/derivatives/landscape_490/452535486.jpg) The Dun Cow

As new business ventures go, it wasn't the best of starts. Dianne Lymm and Frances Phillips had only had the keys to The Dun Cow for two months when disaster struck. A phone call on Boxing Day last year told them their new gastropub had flooded. Frozen pipes had burst, water was pouring everywhere and the ceiling had fallen down.

Some might have crumbled at such a sight. But not this pair. Dianne and Frances, with the help of many buckets and a builder and chef friend who did the repairs, had The Dun Cow back in business the next day.

It is this determined, focussed approach that has earned the friends, who met 29 years ago through a shared love of horses, such remarkable success. As well as boosting the profile of the Ollerton pub, they are also successfully making it more appealing to women through initiatives like a monthly social club.

They run an outside catering company, Graze Out, with the expert guidance of award winning caterer and Cheshire Life Food and Drink Awards judge Rosemary Watts, and hope to start their own boutique hotel with a restaurant in nearby Knutsford.



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(/polopoly_fs/1.1614354/image/1356705127.jpg_gen/derivatives/landscape_490/1356705127.jpg) The Dun Cow management, Dianne Lynn and Frances Phillips.

No doubt their previous careers have helped them achieve such early success from their labour. Dianne worked in event management organising high profile parties and corporate occasions from celebrity bashes to the closing party for the Commonwealth Games in Manchester in 2002. Frances worked as a buyer for fashion labels, including Miss Selfridge.

And they have a strong team in the Dun Cow kitchen. Award-winning executive chef Marc Mattocks cut his teeth in some of the countrys finest Michelin and AA rosette establishments. Originally intending to study to be an architect, a job at the renowned Walkington Manor Hotel in North Yorkshire during the school holidays sparked his passion for food.

Marc's cooking is executed with flair. And the 34-year-old chef and his team at the Robinsons owned pub did not disappoint at this sun-baked Cheshire Life lunch. Lanson champagne, served on its own or with elderflower and apple presse, set the benchmark for this impressive dining experience.

The starter showcased the skills of the kitchen staff perfectly. Expertly cooked roasted woodpigeon, a smooth, light liver parfait and small piece of black pudding served with a smattering of blackberries and delicate jasmine flowers were topped with deliciously intense blackberry foam. A Santa Helene Pinot Noir was the perfect companion.



(/polopoly_fs/1.16143551/image/1566137966.jpg_gen/derivatives/landscape_490/1566137966.jpg) Alison Brebner, Amanda Davies, Milda Zolubaitė and Michelle Baldwin

The main course, served with a fruity ros from Spanish vineyard Senorio de Sarria, received satisfied nods from around the room. A delicate swirl of butter roasted lemon sole and crab, Shetland scallop and turnip cannelloni were paired with purple sprouting broccoli, bean blossom, small crosnes vegetables and a blood orange and light soy emulsion.

This was followed by a tasting of Granthams of Alderley Edge two-year-old Comt cheese and roasted fig, before Marcs dessert showed he has lost none of his architectural prowess.

The final course - a celebration of local rhubarb - was as pleasing to the eye as to the palate. A perfectly wobbly rhubarb jelly was topped with foam and sat alongside a super-sweet tart tatin and a creamy rhubarb and custard ice cream topped with a rhubarb sliver. The McGuigan sparkling Shiraz finished the meal off well.

Dianne and Frances had intended to travel the world when they retired. But diners at the triumphant Dun Cow are hoping that wont be happening for some time yet.



(/polopoly_fs/1.16143561/image/1614378974.jpg_gen/derivatives/landscape_490/1614378974.jpg) Diane Goodhead and Vicki Thompson with Dianne Lynn, Rosemary Watts, Cathie Stone and Frances

Phillips.
Cheshire Life luncheon menu

To start
Local roasted woodpigeon, liver parfait, black pudding, blackberries and jasmine

To continue
Butter roasted lemon sole, crab, Shetland scallop and turnip cannelloni, crosnes, purple sprouting broccoli, blood orange and light soy emulsion and bean blossom Grantham's of Alderley two-year-old Comt cheese with roasted fig

To finish
Rhubarb tart tatin and jelly with Buttertons rhubarb and custard ice cream

Cheshire Life Luncheon - Dun Cow, Knutsford



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Recipe: Rainbow cake by Frances Quinn

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Not your ordinary rainbow cake, this lemon sponge with fresh fruit decoration is perfect for a children's birthday party or just to brighten up a rainy day

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Restaurant review - The Marram Grass Café, Newborough, Anglesey

(http://www.cheshirelife.co.uk:80/food-drink/restaurants/restaurant_review_the_marram_grass_cafe_newborough_anglesey_1_4218836)



In a cabin close to a beautiful Anglesey beach nestles, Marram Grass, an eaterie which is exciting both locals and tourists, writes

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Why art collector Frank Cohen is launching a restaurant in Chorlton

(http://www.cheshirelife.co.uk:80/food-drink/why_art_collector_frank_cohen_is_launching_a_restaurant_in_chorlton_1_4218255)



Frank Cohen usually collects contemporary artworks but now he's backing Mish Mash - a new restaurant in Chorlton, he tells us

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A look ahead to the 2015 Nantwich Food and Drink Festival

(http://www.cheshirelife.co.uk:80/food-drink/a_look_ahead_to_the_2015_nantwich_food_and_drink_festival_1_4216595)



Enjoy a pizza hot from the oven of a fire engine at this month's Nantwich Food and Drink Festival

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Bake Off's Howard Middleton on getting experimental with gluten free-baking

(http://www.cheshirelife.co.uk:80/food-drink/baking/bake_off_s_howard_middleton_on_getting_experimental_with_gluten_free_baking_1_4208252)



Sheffield star of the Great British Bake Off reveals his bad habits in the kitchen, baking tips and life since the BBC cookery show

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(http://www.cheshirelife.co.uk:80/food-drink/baking/frances_quinn_cake_certainly_has_a_lot_to_answer_for_1_4209437)



Former childrenswear designer and Bake Off winner on channelling her creativity to work with food rather than fabric and why she keeps pencils in the kitchen

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The Great British Bake Off – Episode 4 poll

(http://www.cheshirelife.co.uk:80/food-drink/baking/the_great_british_bake_off_episode_4_poll_1_4211352)

SPOILER ALERT

Dessert was the name of the game in episode 4 of the BBC cookery show. With whisks and piping bags at the ready, the

Glan Llyn in Clawddnewydd - the champion of the Pub is the hub scheme

(http://www.cheshirelife.co.uk:80/food-drink/glan_llyn_in_clawddnewydd_the_champion_of_the_pub_is_the_hub_scheme_1_4211352)

Meet the locals whose pub is not just a great place to have a drink. Their



bakers set about to create crêpe brulee, spanische windtorte and a 3 tiered

http://www.cheshirelife.co.uk:80/food-drink/baking/the_great_british_bake_off_episode_4_1_4211732

http://www.cheshirelife.co.uk:80/food-drink/baking/the_great_british_bake_off_episode_4_1_4211732



community spirit kept it going and the hostelry is truly a local enterprise, writes Ray King

http://www.cheshirelife.co.uk:80/food-drink/baking/the_great_british_bake_off_episode_4_1_4211732

http://www.cheshirelife.co.uk:80/food-drink/baking/the_great_british_bake_off_episode_4_1_4211732

Recipe: Satay Sundaes by Howard Middleton from Bake Off series 4

http://www.cheshirelife.co.uk:80/food-drink/baking/recipe_satay_sundaes_by_howard_middleton_from_bake_off_series_4_1_4207882



Great British Bake Off star Howard Middleton shares a delicious gluten-free dessert recipe

[Read more](http://www.cheshirelife.co.uk:80/food-drink/baking/recipe_satay_sundaes_by_howard_middleton_from_bake_off_series_4_1_4207882)

http://www.cheshirelife.co.uk:80/food-drink/baking/recipe_satay_sundaes_by_howard_middleton_from_bake_off_series_4_1_4207882

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The Great British Bake Off – Episode 3

http://www.cheshirelife.co.uk:80/food-drink/baking/the_great_british_bake_off_episode_3_1_4202072

http://www.cheshirelife.co.uk:80/food-drink/baking/the_great_british_bake_off_episode_3_1_4202072



SPOILER ALERT Bread was the focus in episode 3 of the BBC cookery show.

Whipping out their

http://www.cheshirelife.co.uk:80/food-drink/baking/the_great_british_bake_off_episode_3_1_4202072

the bakers set about

to create quick breads, French baguettes and 3D bread sculptures

[Read more](http://www.cheshirelife.co.uk:80/food-drink/baking/the_great_british_bake_off_episode_3_1_4202072)

http://www.cheshirelife.co.uk:80/food-drink/baking/the_great_british_bake_off_episode_3_1_4202072

Bake Off's Edd Kimber: I never expected to win

http://www.cheshirelife.co.uk:80/food-drink/baking/bake_off_s_edd_kimber_i_never_expected_to_win_1_4191825



The first ever winner of the Great British Bake Off, Edd Kimber talks growing up in Yorkshire, Inspiration, Patisserie Made Simple, and what's next.

[Read more](http://www.cheshirelife.co.uk:80/food-drink/baking/bake_off_s_edd_kimber_i_never_expected_to_win_1_4191825)

http://www.cheshirelife.co.uk:80/food-drink/baking/bake_off_s_edd_kimber_i_never_expected_to_win_1_4191825

http://www.cheshirelife.co.uk:80/food-drink/baking/bake_off_s_edd_kimber_i_never_expected_to_win_1_4191825

Restaurant review - Cafe Football, Manchester

http://www.cheshirelife.co.uk:80/food-drink/restaurants/restaurant_review_cafe_football_manchester_1_4198050



A football-themed restaurant in a football-themed hotel? After 90

minutes, were we

http://www.cheshirelife.co.uk:80/food-drink/restaurants/restaurant_review_cafe_football_manchester_1_4198050

sick as a parrot?

[Read more](http://www.cheshirelife.co.uk:80/food-drink/restaurants/restaurant_review_cafe_football_manchester_1_4198050)

http://www.cheshirelife.co.uk:80/food-drink/restaurants/restaurant_review_cafe_football_manchester_1_4198050

Food review - Salt Bar, Macclesfield

http://www.cheshirelife.co.uk:80/food-drink/restaurants/food_review_salt_bar_macclesfield_1_4198052



Digest this mini-review in 60 seconds

[Read more](http://www.cheshirelife.co.uk:80/food-drink/restaurants/food_review_salt_bar_macclesfield_1_4198052)

http://www.cheshirelife.co.uk:80/food-drink/restaurants/food_review_salt_bar_macclesfield_1_4198052

http://www.cheshirelife.co.uk:80/food-drink/restaurants/food_review_salt_bar_macclesfield_1_4198052



Dom Salter, Food Director at award-winning bakery The Sandwich Box, shares his simple recipe for every

http://www.cheshirelife.co.uk:80/food-drink/baking/the_essential_bread_recipe_classic_white_loaf_1_4199137

basic white loaf –

perfect for Bake Off fans cooking along to Bread Week

[Read more](#)

(http://www.cheshirelife.co.uk:80/food-drink/baking/the_essential_bread_recipe_classic_white_loaf_1_4199137)

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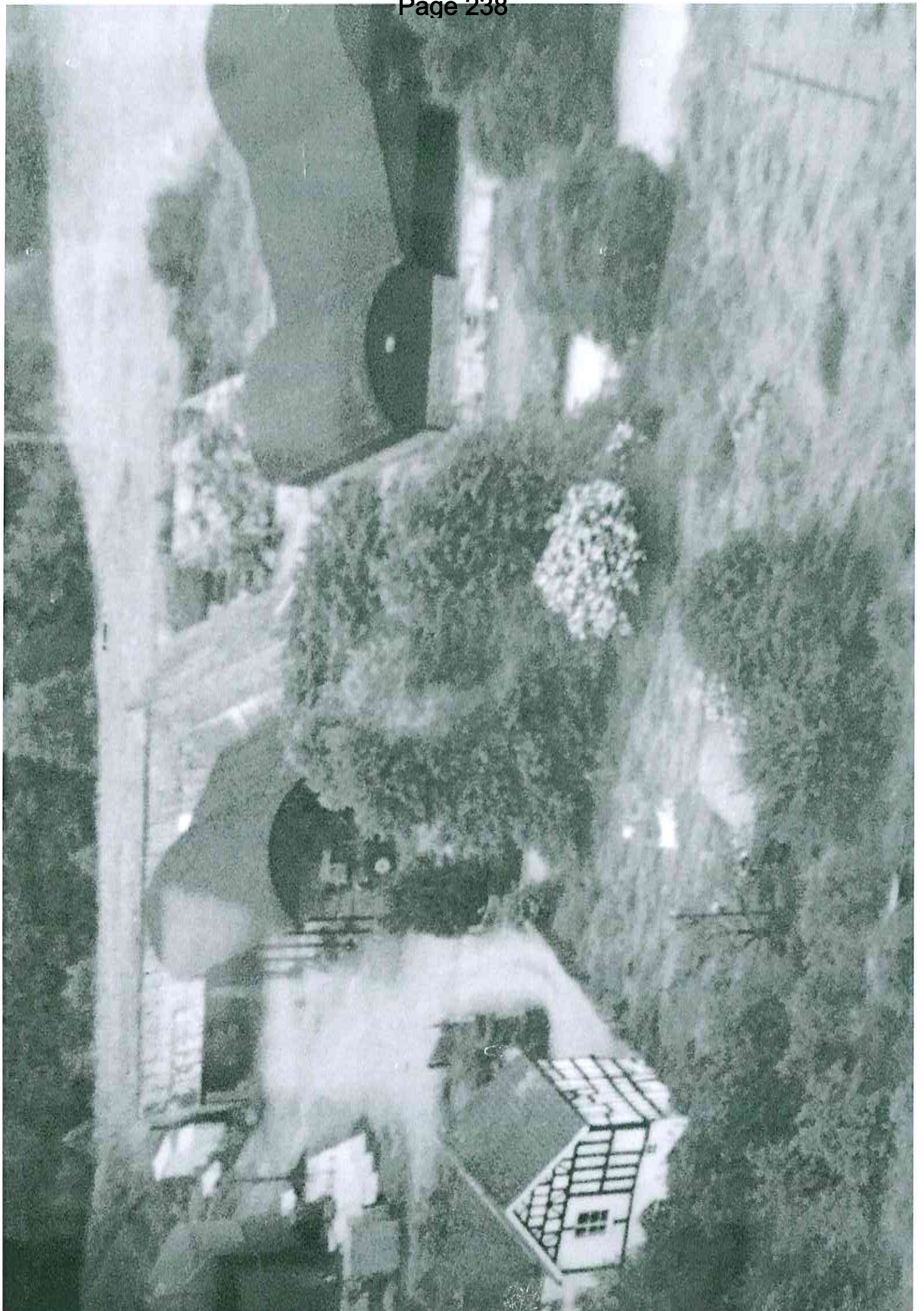
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Proposed Additional Conditions

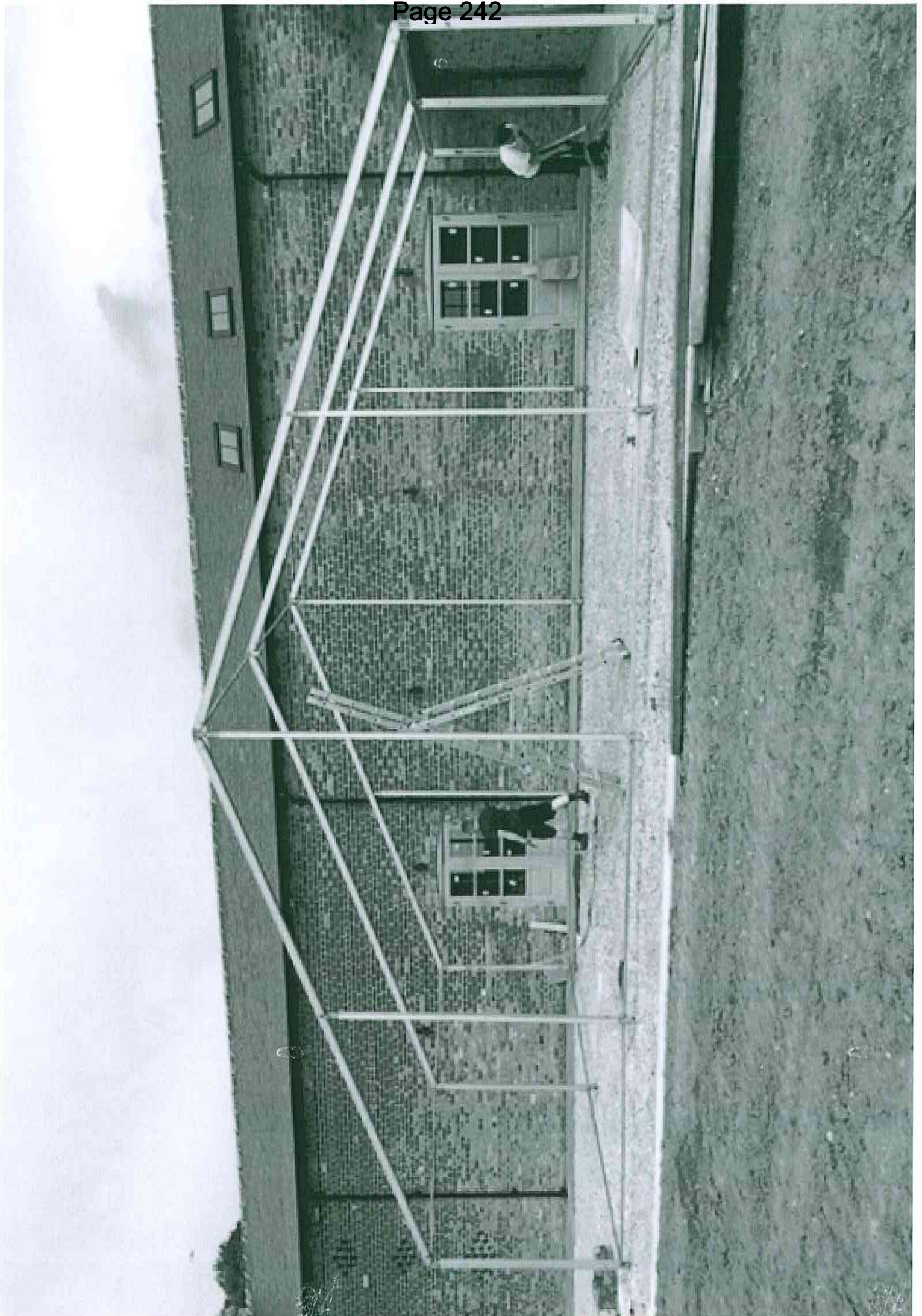
1. A Noise Management Plan for events to take place within the marquees shall be provided, as agreed with Environmental Health. The plan will address the various issues which may arise from holding events within the marquees and a detailed scheme of measures to minimise noise generation from events.
2. Management will take all necessary steps to ensure that any noise from the premises, including marquees, shall not be at a level which could cause a noise nuisance at the boundary of the nearest residential premises.
3. Tamper-proof noise-limiting devices shall be fitted to the sound systems within the premises and the marquees, and all amplified music played at the premises must pass through this sound limiter at a level agreed in advance with the Council's Environmental Health Office. The noise limiters shall not be altered without prior agreement with Environmental Health.
4. While live or recorded music takes place, the Licensee or management shall undertake regular monitoring of noise levels at the nearest noise-sensitive locations or other representative positions to be agreed.
5. A written record shall be maintained of all noise assessments, and shall include: the time and date of the checks, the person making them, location of the assessment and the results including any remedial action taken to reduce the level of noise where required. Records shall be kept for no less than six months and shall be made available upon request by a Police Officer or an Authorised Officer of the Local Authority.
6. Management will give careful consideration to the type of performers hired at the location. All externally-contracted performers will be asked to sign a document ensuring that Management retain effective control over all sound levels.
7. There will be no external speakers (other than those located within the marquees and controlled by a noise-limiter) for the use of amplified music, speech or dance permitted in the open air.
8. Apart from two sets of double doors to the rear of the premises, all external windows and doors shall be closed whilst regulated entertainment is taking place, except for normal access and egress or in case of emergency.
9. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
10. Trouthall Lane will only be used for access purposes, but never for egress.
11. There shall be no firework displays at the premises without prior written consent from the Licensing Authority.





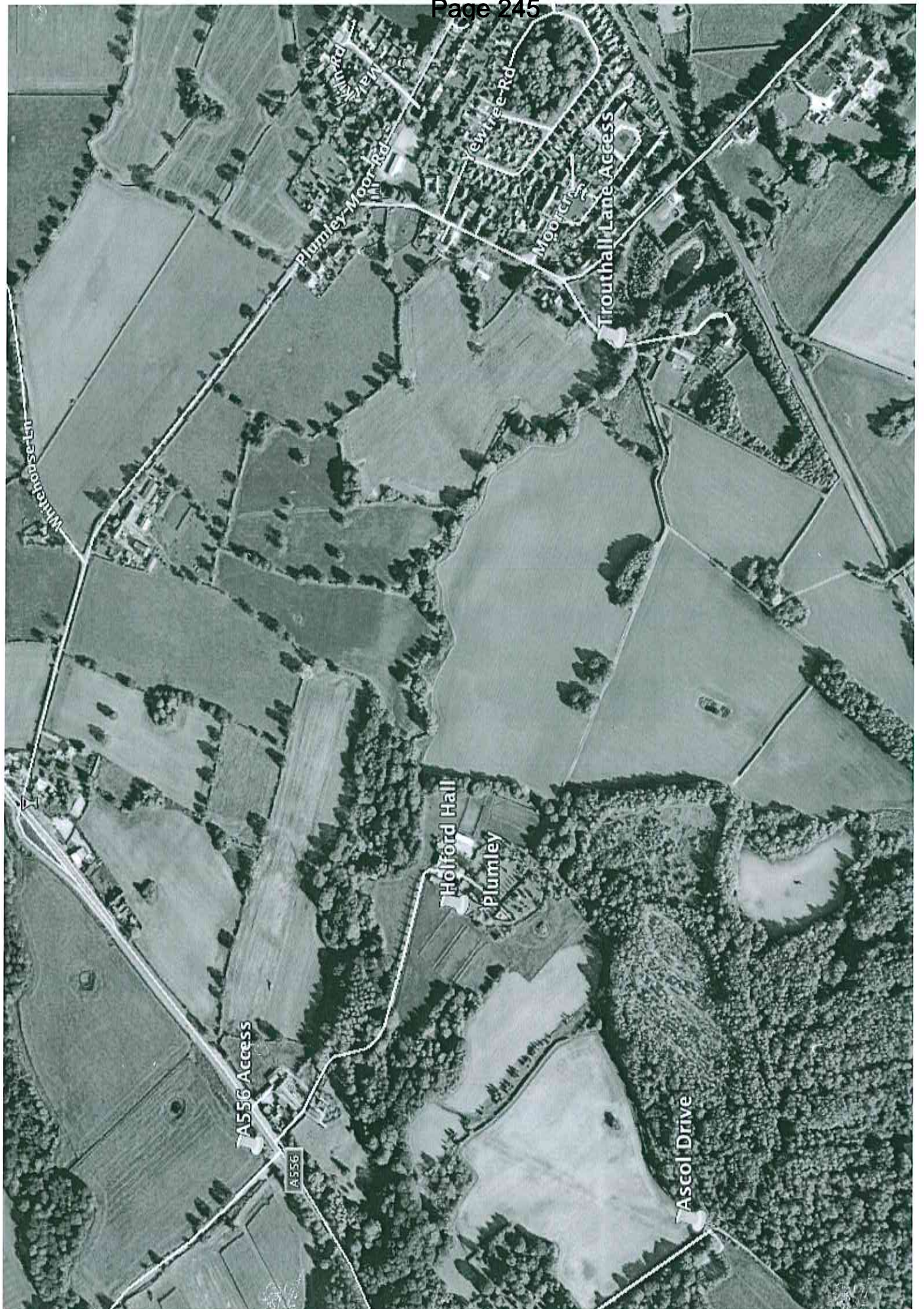










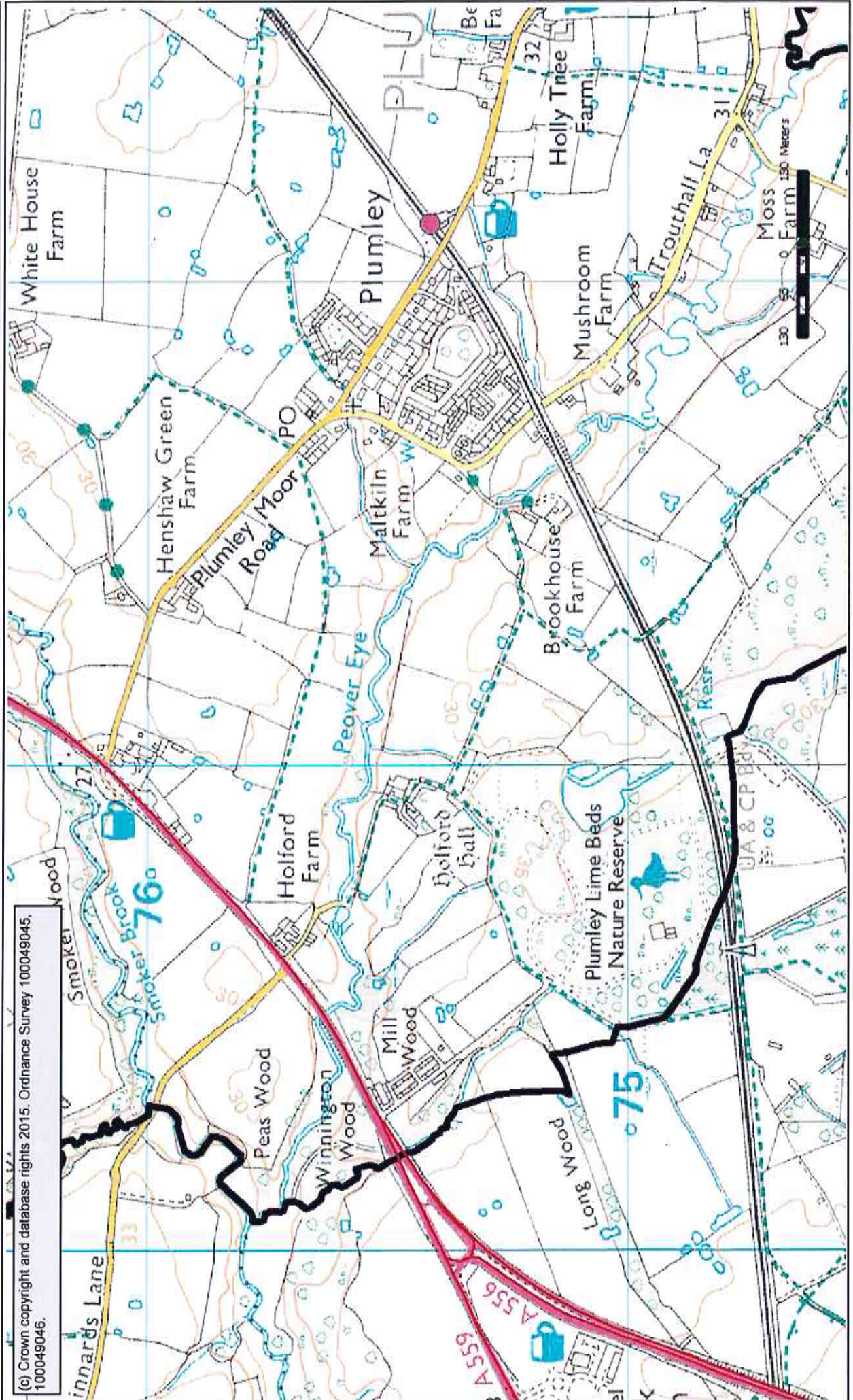


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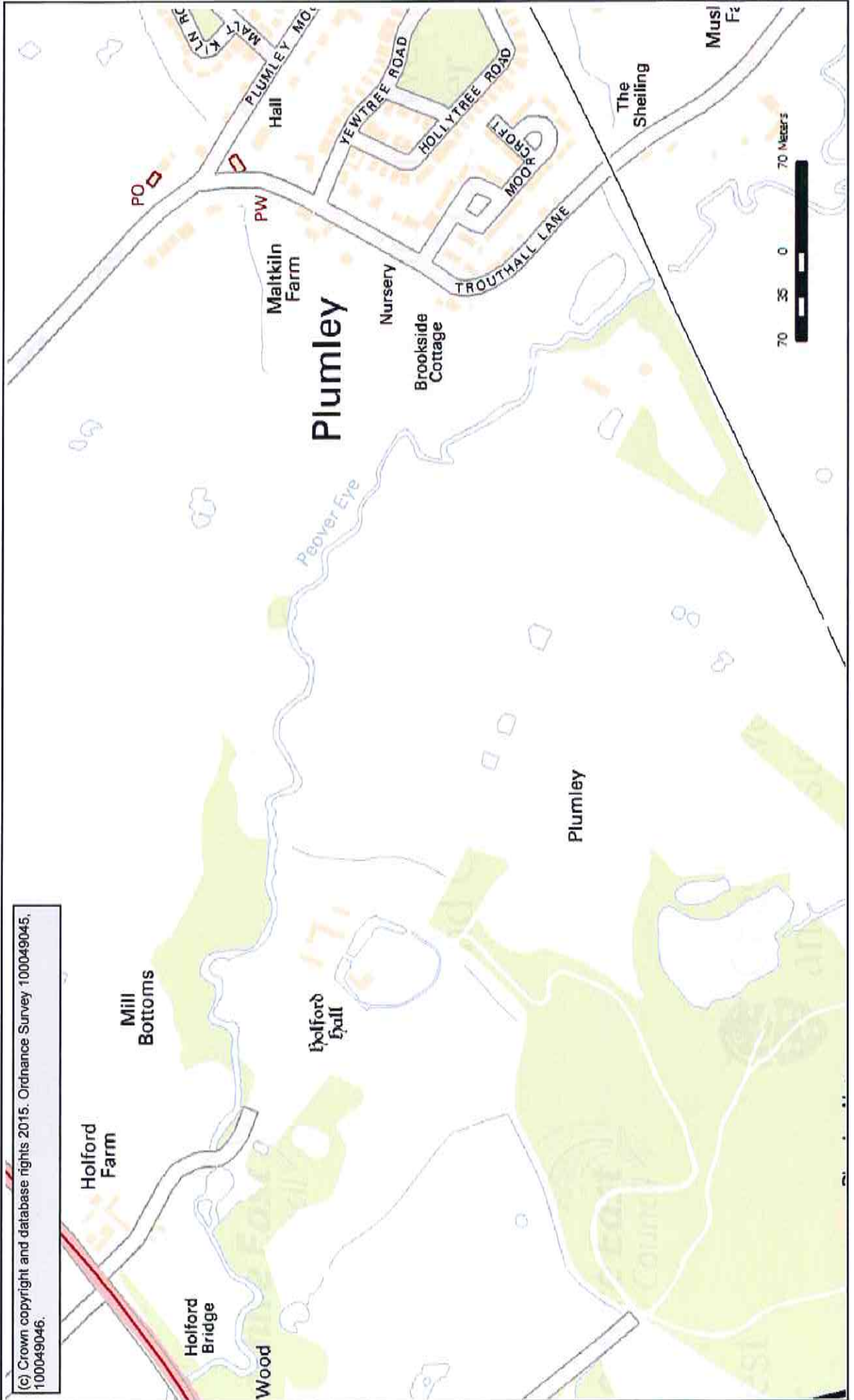
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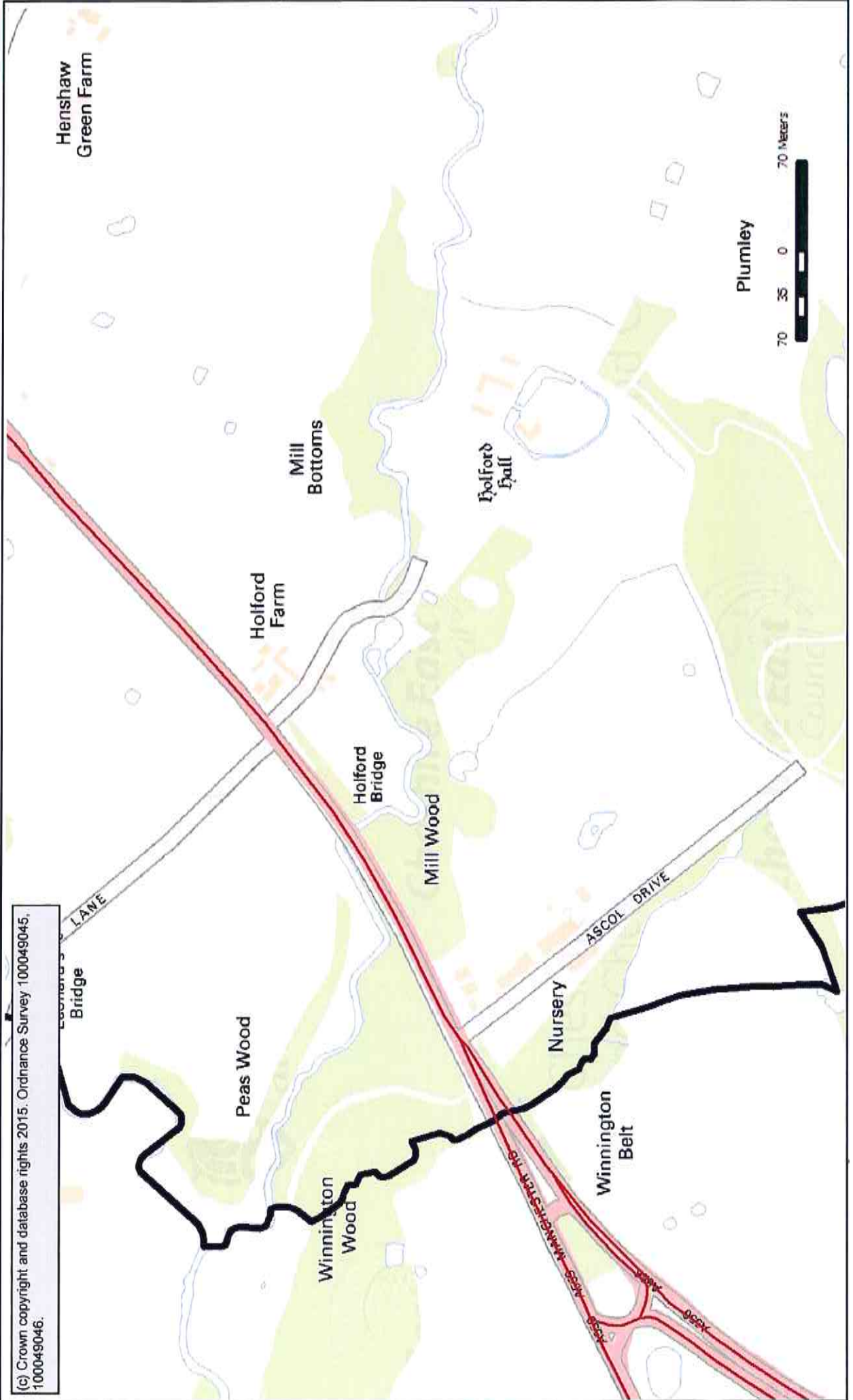
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