

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Tuesday, 3rd March, 2020 at Committee Suite 2/3 - Westfields,
Middlewich Road, Sandbach, CW11 1HZ

PRESENT

Councillors D Edwardes, H Faddes and I Macfarlane

OFFICERS IN ATTENDANCE

Julie Zientek- Democratic Services Officer
Helen Davies- Democratic Services Officer
Jennifer Knight- Senior Licensing Officer
Nashwan Fazlani- Solicitor
Alison Burquest- Litigation Lawyer
Stephanie Bierwas- Environmental Health Officer

22 APPOINTMENT OF CHAIRMAN

RESOLVED- That Councillor David Edwardes be appointed Chairman.

23 DECLARATIONS OF INTEREST

There were no declarations of interest.

24 APPLICATION FOR A NEW PREMISES LICENCE - POYNTON SPORTS CLUB, LONDON ROAD, POYNTON, STOCKPORT SK12 1AG

The Sub-Committee considered a report regarding an application by Daniel Humphreys for a premises licence in respect of Poynton Sports Club, London Road, Poynton, Stockport, SK12 1AG.

The following attending the hearing and made representations with respect to the application:

- the applicant; and
- a resident in the vicinity of Poynton Sports Club.

After a full hearing of the application and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that after taking account of:

- The Secretary of State's Guidance under section 182 of the Licensing Act 2003;
- Cheshire East Borough Council's Statement of Licensing Policy;
- The report of Environmental Health; and
- All the evidence, including the oral representations made at the meeting and the written representations of interested parties;

The following course of action had been agreed:

RESOLVED-

That the application for a Premises Licence be granted with conditions attached as prescribed by Environmental Health as follows:

- 1) The event is held on Saturday 11 July between 10:00-23:00
- 2) Noise emanating from the premises as a result of regulated entertainment shall not cause a public nuisance.
- 3) Noise Criteria Limits:
Music noise levels at any residential properties located in the area around Poynton Sports Club
 - Shall not exceed 65 dB(A) LAeq over any 15-minute period, unless otherwise agreed in writing with Environmental Protection officers at least 28 days before the event.
 - The unweighted Leq level shall not exceed 70dB in either of the 63Hz or 125Hz octave bands.
 - If the octave band level exceeds 70dB on more than 3 occasions during the evening period (7pm-11pm) the bass noise levels shall be actively reduced by 5dB.

If noise levels are recorded over the set noise criteria, the event organiser must comply with all directions provided by the noise control consultants and/or the Licensing Authority to reduce/adjust noise levels to within the set criteria.

4) The licensee shall appoint a suitably qualified and experienced noise control consultant to the approval of the Licensing Authority. The noise control consultant shall liaise between all parties including the Licensee, Promoter, sound system supplier, sound engineer, licensing authority and Environmental Protection Officers etc. on all matters relating to noise control prior to and during the event.

5) The event organiser shall ensure that the noise consultant is contactable by Cheshire East Environmental Protection Officers at all times during the event and sound checks.

6) The noise consultant shall inform the sound engineer accordingly to enable remedial action to be taken should any problems arise in order to ensure that the noise criteria limits are not exceeded.

7) Pre Event Noise Management Plan

A Noise Management Plan (NMP) shall be agreed in writing with the licensing authority at least 28 days prior to any event taking place.

The NMP shall detail the measures to prevent disturbance to local residents and businesses by way of noise and to ensure that the licensing objective of the prevention of public nuisance is upheld.

The NMP shall detail as a minimum the following (to be agreed with the Licensing Authority):

- A site layout plan detailing:
 1. the location of the event
 2. stage locations
 3. speaker orientations
 4. nearest noise sensitive properties
 5. include any neighbouring land-use details
- A stage program detailing the time and type of music act that is performing.
- The maximum Leq 15min noise level at each front of house (FOH) mixing desk (for multiple stages) that the event will operate at, based on the Noise Criteria limits as set out in this document.
- Details of any acoustic modelling that may have been undertaken prior to the event.
- A sound assessment with details for monitoring and controlling sound emissions.
- Hours Control on set-up/take-down.
- A procedure to be agreed for dealing with acts/entertainers that run beyond terminal hour.
- Off-site real-time noise monitoring, linked back to the sound desk to be agreed.
- Methodology and documentation of the complaints handling and response procedure for responding to complaints in real-time (i.e. from CEBC or direct) and an agreement where justified to reduce music noise levels.

8) Communications Plan

A Communications Plan, shall be agreed with the Licensing Authority 6 weeks in advance of the event. Good Public relations at the event planning stage between the event organisers and those living nearby can reduce community annoyance. Correspondence shall be disturbed 2 weeks prior to the event to local residents and businesses (distance from the site to be agreed with Environmental Protection) to advise details of the forthcoming event and shall include as a minimum the following information:

1. Dates, name and type of event
2. Dates and times of sound checks
3. Dates and times of amplified music/performances
4. Contact number and name, who shall be available at all times to immediately respond to any concerns or complaints and to be able to facilitate an improvement if it is found to be justified concern/complaint.
5. Dates and times and duration of any fireworks displays.

A copy of the letter shall be included in the NMP.

9) The sound checks shall take place only at the times agreed by the Licensing Authority. Cheshire East Environmental Protection shall be consulted at least 72 hours beforehand.

10) The Event Organiser shall carry out a noise propagation test in order to determine a sound level at the sound mixer position.

The sound system shall be configured and operated in a similar manner as intended for the event. The sound source used for the test shall be similar in character to the music likely to be produced during the event.

11) For the purpose of monitoring music noise levels during events and sound checks the noise consultant shall contact Cheshire East Environmental Protection and agree noise sensitive locations which are to be used to monitor compliance with the licence conditions not less than 28 days prior to the event.

12) Regular noise assessments shall be completed by a competent person and steps shall be taken to reduce the level of noise where it is likely to cause a public nuisance.

The noise assessments shall be undertaken during the opening hours of the premises when regulated entertainment is occurring. A written/electronic record shall be made of these assessments and shall include: date, time, location of the assessment (a map with agreed and numbered monitoring locations shall be agreed with Public Protection prior to the event taking place) person making assessment, results and any remedial action in order to reduce the level of noise where it is likely to cause a disturbance to local residents.

13) All noise monitoring required by virtue of this license, shall be carried out by a suitably qualified and experienced noise consultant appointed by the Event Organiser. A named person shall be delegated noise control responsibility, during the event and during sound tests. This person shall control the sound levels at the mixer desk throughout the period of the event and ensure that the agreed levels are not exceeded.

14) The event organiser shall ensure that the sound system supplier and all individual sound engineers are informed in writing of the music noise criteria levels contained within the Premises Licence and NMP. Ensuring that any instructions from the noise consultant regarding the control of noise are fully complied with.

15) During the event, music noise levels shall be continuously monitored at the mixer position and be available in the final noise report submitted to the Licensing Authority.

16) The licensee shall ensure that the promoter, sound system supplier and all individual sound engineers are informed of the sound control limits and that any instructions from the noise control consultant regarding noise levels shall be implemented.

17) During the event the Event Organiser shall ensure that noise levels are regularly monitored at residential properties agreed in writing with Cheshire East Environmental Protection.

18) Any plant or equipment likely to cause noise audible beyond the premises boundary, between the hours of 23:00 and 07:00, shall be sited or controlled so as not to cause a public nuisance.

19) The dates, times and durations of any firework displays shall be advised and agreed by the Licensing Authority prior to the event taking place.

20) The sale of alcohol to cease 30 minutes before the end of regulated entertainment.

21) The noise consultant final report shall be forwarded to the Licensing Authority within 7 days of the event occurring.

22) Should noise complaints arise, a post event debriefing meeting shall take place within 21 days of the event taking place. This meeting shall address any noise complaints received during the event, breaches of noise criteria limits and identification of any improvements for future events and additional requirements of these noise management plans.

The event organiser, licensee and noise control consultant shall be available to attend with Cheshire East Officers.

The meeting commenced at 14.00 pm and concluded at 15.08 pm

Councillor D Edwardes (Chairman)