

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Licensing Act Sub-Committee**  
held on Wednesday, 5th October, 2022 in the Council Chamber - Town Hall,  
Macclesfield, SK10 1EA

### **PRESENT**

Councillors S Akers Smith, D Edwardes and A Harewood

### **OFFICERS IN ATTENDANCE**

Phil Jennings, Legal Officer  
Josie Lloyd, Democratic Services Officer  
Richard Hellon, Licensing Officer  
Margaret Hopley, Environmental Health Officer

### **ALSO PRESENT**

Brian Chaplin and Elizabeth Devlin (on behalf of South Knutsford Residents Group) - Applicants for the review  
Joshua Boyd - Premises Licence Holder  
Ian Schofield - Local Resident with relevant representation  
Ross Monro - Local Resident with relevant representation  
Stephen Devlin - Local Resident with relevant representation

### **29 APPOINTMENT OF CHAIR**

#### **RESOLVED:**

That Councillor David Edwardes be appointed as Chair.

### **30 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **31 APPLICATION TO REVIEW A PREMISES LICENCE - CHESHIRE FEST AT THE LAMBING SHED**

The Sub Committee considered a report regarding the application for a review of the Premises Licence, under the Licensing Act 2003, in respect of Cheshire Fest @ The Lambing Shed, Knutsford, WA16 8RB together with objections and support.

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

The Applicants;

The Premises Licence Holder;

Local Resident Objectors.

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

- The Secretary of State's Guidance under the Licensing Act 2003;
- Cheshire East Borough Council's Statement of Licensing Policy;
- The four licensing objectives (namely the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) and the steps appropriate to promote them; 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, following the review, the Premises Licence be MODIFIED as follows:

The following existing conditions are revoked:

- Noise emanating from the Premises because of entertainment or music shall not be clearly audible at the boundary of the nearest residential premises.
- Regular noise assessments shall be undertaken by the Licensee or Manager and steps taken to reduce the level of noise where it is likely to cause a disturbance to local residents.
- The noise assessment shall be undertaken during the hours the Premises are open to the public and when entertainment or music is occurring.
- A written record shall be made of those assessments in a logbook kept for that purpose and shall include:
  - the time and date of the checks,
  - the person making them and,
  - the results including remedial action, in order to reduce the level of noise where it is likely to cause a disturbance to local residents.

The following new conditions are imposed:

The opening hours of the Premises are modified to once a year for a period of three consecutive days at the following times:

Friday	11:00 – 23.00
Saturday	11.00 – 23.00
Sunday	11.00 – 21.00

The supply of alcohol at the Premises is modified to once a year for a period of three consecutive days at the following times:

Friday	11:00 – 22.45
Saturday	11.00 – 22.45
Sunday	11.00 – 20.45

The provision of regulated entertainment (live unamplified music, live amplified music and recorded music) at the Premises is modified to once a year for a period of three consecutive days at the following times:

Friday	17:00 – 22.30
Saturday	11.00 – 22.30
Sunday	11.00 – 20.30

The Licence Holder shall appoint a suitably qualified and experienced noise control consultant no later than 28 days prior to an event and notify the Licensing Authority of their details. The noise control consultant shall liaise between the Licence Holder and Licensing Authority on all matters relating to noise control prior to and during an event. They shall be delegated the responsibility of noise control during an event and during sound tests.

The Licence Holder shall ensure that the noise consultant is contactable by the Licencing Authority at all times during an event and its sound checks.

The Licence Holder shall ensure that all sound engineers are informed of the sound control limits and that any instructions from the noise control consultant regarding noise levels shall be implemented.

Music noise levels at the intersection between Goughs Lane and the A637 Chelford Road:

- Shall not exceed 65 dB(A) LAeq over any 15-minute period.
- The unweighted Leq level shall not exceed 70dB in either of the 31.5Hz, 63Hz or 125Hz octave bands.

Overall Sound Levels measured at the intersection between Goughs Lane and the A637 Chelford Road are to be recorded in dB(A). Spectral (e.g. octave band) sound levels are to be recorded in dB (unweighted).

If the octave band level exceeds 70dB on more than 3 occasions during the evening period (7pm-11pm and 7pm -9pm on Sunday) of an event then bass noise levels shall be actively reduced by 5dB.

If noise levels are recorded over the set noise criteria above the Licence Holder must comply with all directions provided by the noise control consultant and or the Licensing Authority to reduce or adjust noise levels to within the set criteria.

Any plant or equipment likely to cause noise audible outside between the hours of 23:00 and 10:00 shall be sited or controlled so as not to cause a public nuisance.

The noise consultant shall prepare a report of an event which shall be forwarded to the Licensing Authority within 14 days of the event occurring.

A Noise Management Plan (NMP) shall be published on the Licence Holders website and sent to the Licensing Authority 14 days prior to an event taking place at the Premises. The NMP shall detail the steps that will be taken 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:

- A site layout plan detailing:
  - i. the location of the event,
  - ii. stage locations,
  - iii. speaker orientations,
  - iv. nearest noise sensitive areas,
  - v. any neighbouring land-use details,
- A stage program that includes the time of sound checks and when each music act is performing and the type of music that is being performed.
- Details of the consultation measures that will take place with potentially noise affected premises, both residential and businesses.
- Details of any acoustic modelling that may have been undertaken prior to the event.
- A sound assessment with details and proposals for monitoring and controlling sound emission.
- Methodology and documentation of complaints handling and response procedure for responding to complaints in real-time by local residents and businesses.

Correspondence shall be disturbed 14 days prior to the event to local residents and businesses within at least 0.5 miles of the Premises to advise details of the forthcoming event and shall include as a minimum the following information:

- Dates, name and type of event.
- Dates and times of sound checks.

- Dates and times of amplified music/performances.
- Contact number and name of a person who shall be available at all times during the event to immediately respond to any concerns or complaints from local residents and businesses and to be able to facilitate an improvement to noise, traffic and parking if it is found to be justified concern or complaint. A copy of the letter shall be included in the NMP.

A post event debriefing meeting shall take place within 21 days of an event taking place between the Licence Holder, noise consultant, Licensing Authority and a representative of the South Knutsford Residents Group to address complaints received during the event, breaches of noise criteria limits and identification of any improvements for future events and additional requirements of noise management plans.

The meeting commenced at 14:30 and concluded at 17:30

Councillor D Edwardes