

Licensing Act Sub-Committee

Agenda

Date:	Friday, 4th November, 2022
Time:	1.00 pm
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

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 top of each report.

It should be noted that Part 1 items of Cheshire East Council decision making meetings are audio recorded and the recordings will be uploaded to the Council's website

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 Lady Grey Farm, Lady Lane, Mobberley, WA16 7NE (Pages 7 - 126)**

To consider the above application.

Membership: Councillors J Wray, A Harewood and H Faddes

For requests for further information

Contact: Helen Davies

Tel: 01270 685705

E-Mail: helen.davies@cheshireeast.gov.uk

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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	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. 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.

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
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

Not Currently In Use

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

Your reference

GSH/366946-001

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

Owen House Wedding Barn Ltd

* 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

Note: completing the Applicant Business section is optional in this form.

Registration number

04600082

Business name

Owen House Wedding Barn Ltd

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

VAT number

-

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

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

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

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...Your position in the business Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name Street District City or town County or administrative area Postcode Country **Section 2 of 21****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 PremisesBuilding number or name Street District City or town County or administrative area Postcode Country **Further Details**Telephone number Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ 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

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 21**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

OWEN HOUSE WEDDING BARN LIMITED

Details

Registered number (where applicable)

04600082

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

Continued from previous page...

Limited 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

* Date of birth / /

* Nationality

Documents that demonstrate entitlement to work in the UK

Add another applicant**Section 5 of 21****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.

The premises consist of a converted barn located in a rural location which has been converted to create a self-contained wedding and function venue. The applicant also owns and operates a similar location less than 2 miles from the one that is the subject of this application, that venue has been operated for 5 years without problems or complaints.

This application is to conduct licensable activities as a wedding venue, in accordance with the granted planning permission.

Continued from previous page...

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

Section 6 of 21**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

Section 7 of 21**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

☒ 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

End

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.

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.

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 21**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes☒ No**Section 9 of 21****PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes☒ No**Section 10 of 21****PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

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.

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.

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...

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 21**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will you be providing recorded 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.

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

Continued from previous page...

SUNDAY

Start

End

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.

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.

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 21**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

☒ 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

End

Start

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THURSDAY

Start

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FRIDAY

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SATURDAY

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SUNDAY

Start

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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.

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.

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

See guidance on regulated entertainment

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

☒ 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

Give a description of the type of entertainment that will be provided

Continued from previous page...

Will this entertainment 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.

State any seasonal variations for entertainment

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

Non-standard timings. Where the premises will be used for entertainment 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 14 of 21**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

☒ 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

Continued from previous page...

THURSDAY

Start End Start End

FRIDAY

Start End Start End

SATURDAY

Start End Start End

SUNDAY

Start End Start End

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.

State any seasonal variations

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

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 21

Continued from previous page...

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ 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 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.

Continued from previous page...

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.

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

Name

First name	<input type="text"/>
Family name	<input type="text"/>
Date of birth	<input type="text"/> <input type="text"/> <input type="text"/>
	dd mm yyyy

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

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)

Continued from previous page...

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

Section 16 of 21**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.

None

Section 17 of 21**HOURS PREMISES ARE OPEN TO THE PUBLIC****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

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FRIDAY

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SATURDAY

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Continued from previous page...

SUNDAY

Start

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Start

End

State any seasonal variations

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

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.

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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.

See attached document

b) The prevention of crime and disorder

See attached document

c) Public safety

See attached document

d) The prevention of public nuisance

See attached document

Continued from previous page...

e) The protection of children from harm

See attached document

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21**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.

Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

☒ 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.

Continued from previous page...

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

Conditions under Crime & Disorder And Protecting Children from Harm And Public Safety

All below conditions to be in operation during the hours for alcohol sales as permitted by the premises licence.

Prevention of Crime & Disorder

A CCTV system shall be used and shall be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises – An Operational Requirement'. This system shall be in operation at all times when licensable activities are taking place.

Recorded CCTV images will be maintained and stored for a period of twenty-eight days,

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show a Police officer or an authorised officer of the licensing authority data or footage upon request.

Designated supervisors will need to demonstrate that their CCTV system complies with their Operational requirements. They will need to be able to demonstrate the following:-

- Recordings are fit for their intended purpose,
- Good quality images are presented to the officer in a format that can be replayed on a standard computer
- The supervisor has an understanding of the equipment/training,
- Management records are kept,
- Maintenance agreements and records are maintained,
- Data Protection principles and signage are in place.

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- (a) all crimes reported to the venue, or by the venue to the Police
- (b) all ejections of patrons
- (c) any incidents of disorder
- (d) any faults in the CCTV system
- (e) any visit by a relevant authority or emergency service

Protection of Children from Harm

A "Challenge 25" policy shall be operated at the premises at all times.

The only forms of ID that shall be accepted (at the discretion of the Management) as proof of age are a valid passport, a valid photographic driving licence, a PASS approved proof of age card, HM Services Warrant Card or other reliable photo ID (that has been approved for acceptance by the Police or an Officer of the Local Authority)

Publicity materials notifying customers of the operation of the "Challenge 25" scheme shall be displayed at the premises.

The Designated Premises Supervisor or Premises Licence Holder shall operate and maintain an up-to-date Register of Refusals of Sale of Alcohol, indicating the date, time and reason for refusal which shall be made available for inspection by Local Authority Officers and the Police.

The DPS or other responsible person shall check and sign the register once a week.

Alternatively an electronic point of sale refusals log shall be kept.

A documented training programme shall be introduced for all staff in a position to sell, serve or deliver alcohol. A written record for each member of staff shall be kept of the content of such training and shall be made available for inspection at the request of Local Authority Officers and Police.

The DPS or Premises Licence Holder shall conduct six monthly training reviews with all members of staff authorised to sell, serve or deliver alcohol in order to reinforce the training and to promote best practice. A written record for each member of staff shall be kept of the content of such reviews and shall be made available for inspection at the request of Local Authority Officers and Police.

A list of persons authorised to sell alcohol shall be kept on site and made available for inspection at the request of Local Authority Officers and Police.

The use of Lady Grey Farm for Licensable activities shall be restricted to pre-booked functions only. Such bookings shall be recorded in a register kept for this purpose and shall be made available for inspection by Police or other authorised officer. Bookings shall only be accepted with no less than 24 hours notice.

Conditions under Public Nuisance

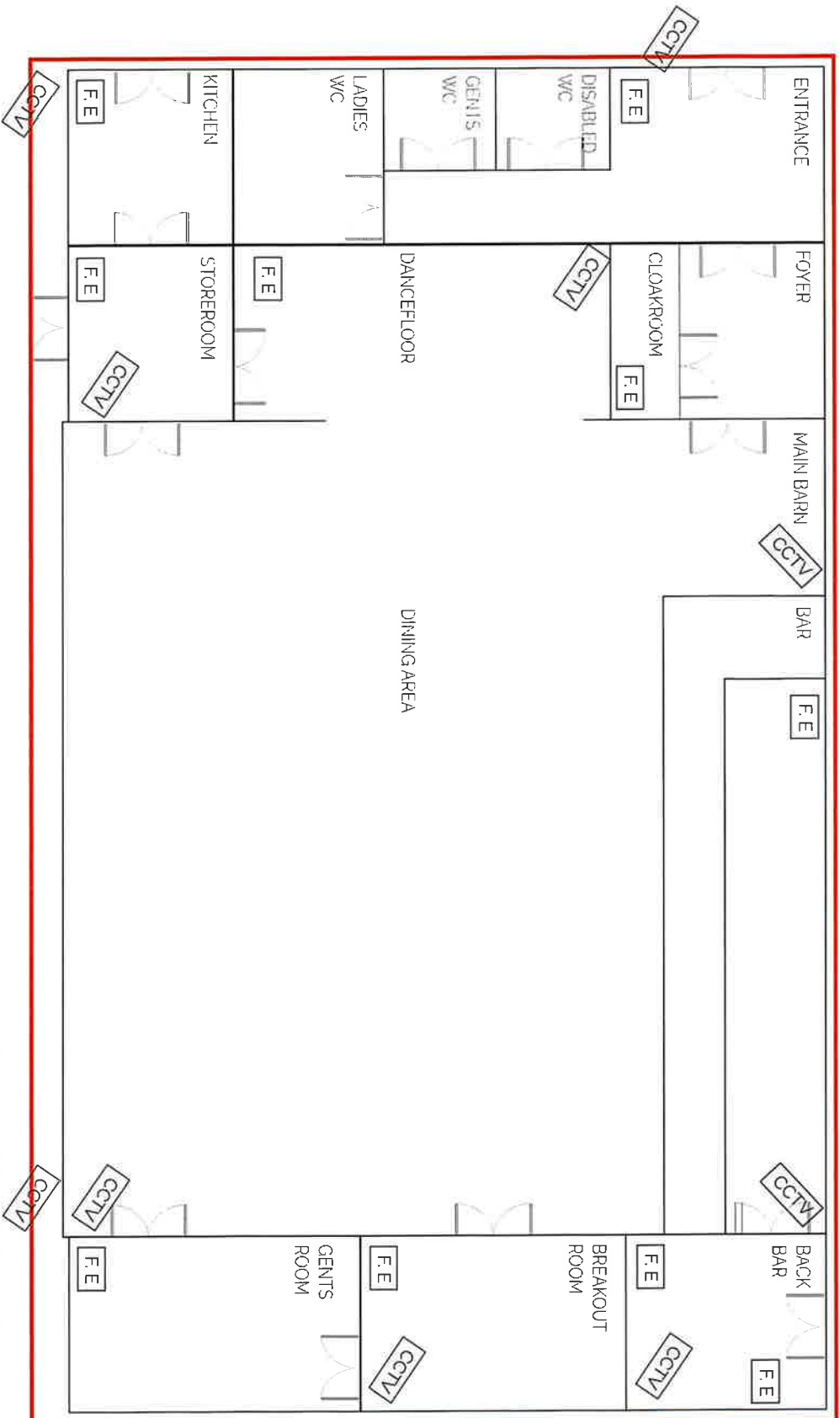
All below conditions will be in operation during the hours regulated entertainment is permitted by the premises licence.

	Any live or recorded music emanating from the premises shall not be clearly audible at the boundary of the nearest residential property.
	During regulated entertainment, the entrance doors shall either: <ul style="list-style-type: none"> ○ be kept closed and/or ○ adequately lobbied – double door system
	During regulated entertainment, the non-openable picture window on the north east facade shall be shuttered.
	If the building requires ventilation openings, these shall be fitted with appropriate acoustic attenuators to ensure that the opening does not compromise the building envelopes sound insulation properties.
	There shall be no temporary or permanent speakers for the use of amplified music, speech or dance, permitted in any outside areas.
	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 opening hours of the premises and when entertainment or music is occurring. A written/electronic 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 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.

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Lady Grey Farm
Mobberey.

— RED LINE DENOTES EXTENT OF LICENSING BOUNDARY
[F.E] DENOTES LOCATION OF FIRE EQUIPMENT
[CCTV] DENOTES LOCATION OF CCTV





12/2/2020

Lady Grey Farm, Lady Lane, Mobberley



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1.4437



Consent of individual to being specified as premises supervisor

I

of Lady Grey Farm, Lady Lane, Mobberley, Cheshire, WA16 7NE

Date of birth:

Place of birth: Manchester

Nationality: British

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for a premises licence

~~vary DPS~~

by

Owen House Wedding Barn Ltd

relating to a premises licence

for Lady Grey Farm, Lady Lane,
Mobberley WA16 7NE

and any premises licence to be granted or varied in respect of this application made by

Owen House Wedding Barn Ltd

[name of applicant]

concerning the supply of alcohol at

Lady Grey Farm, Lady Lane,
Mobberley WA16 7NE

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number PERS 1648

Personal licence issuing authority Cheshire East Council

Signed

Name (please print)

Date 03.08.2022

LICENSING ACT 2003
Environmental Health Consultation
Response



Working for a brighter future together

EP Ref: ELL/076993

Date Received: 6 September 2022

Name of Applicant: Lady Grey Farm Lady Grey Farm

Address to which application relates: Lady Lane, Mobberley, Cheshire East, WA16 7NE

Conversion: ☐ Variation: ☐ New: ☒

<input type="checkbox"/>	Approve
<input checked="" type="checkbox"/>	Approve with Conditions
<input type="checkbox"/>	Object to Section(s)

LICENSING OBJECTIVE: PREVENTION OF PUBLIC NUISANCE

This Division has previously received complaints of noise nuisance from the premises and so through the planning application ensured that the building envelope was designed to ensure noise from the premises is contained through insulation of the roof, double door systems and all windows to be triple glazed.

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

The applicant has offered the following conditions of which we are in agreeance. The first two have been worded slightly differently.

1. Any live or recorded music emanating from the premises shall not be clearly audible beyond the site boundary.
2. During regulated entertainment the entrance doors shall be kept closed and operate a double door system.
3. During regulated entertainment the non-openable picture window on the north east façade shall be shuttered.
4. If the building requires ventilation openings these shall be fitted with appropriate acoustic attenuators to ensure that the opening does not compromise the building envelopes sound insulation properties.
5. There shall be no temporary or permanent speakers for the use of amplified music, speech or dance, permitted in any outside areas.

6. Regular noise assessments shall be undertaken by a competent person and steps shall be taken to reduce the level of the noise where it is likely to cause a disturbance to local residents. The noise assessments shall be undertaken during opening hours of the premises and when entertainment or music is occurring.
- A written / electronic 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 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.

For completeness and continuity we would like to also reiterate conditions that were placed on the planning permission.

7. The premises can only be open and used for wedding functions on Saturdays between the hours of 10.00 and 00.00 (midnight) with all guests having vacated the premises by 00.30 hours on Sunday and all staff and all other personal having vacated the premises by 00.45 hours on Sunday.
8. The on-site bar shall be closed and no entertainment, including a DJ, music, band or other form of entertainment, shall be permitted outside of the hours of 10.00 and 00.00 midnight on Saturdays, and shall only operate in conjunction with a wedding function.
9. There shall be no more than 50 wedding functions in any calendar year.
10. There shall be no more than 80 guests at any wedding function.

INFORMATIVES

PLANNING PERMISSION

- It is your responsibility to obtain other consent/planning permission/approvals which may be required in addition to the necessary Premises Licence.
- 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.

FOOD BUSINESS OPERATIONS

- Anyone starting a new food business must register with the Council **at least 28 days before** you start any food operations. You can register your food business online via GOV.UK. If you have premises in more than one local authority area, you must register with each authority separately.

Signed: xxxxxxxxx | **Business Administrator** | **Environmental Protection**

Dated: 4 October 2022

Direct Dial: 01270 xxxxxxxxxx
Email: xxxxxxxxxxxxxx@cheshireeast.gov.uk

HASKELL, Tony

From: [REDACTED]
Sent: 04 October 2022 15:28
To: LICENSING (Cheshire East)
Cc: EVANS, Kim
Subject: Premises license objection: Lady Gray Farm, Lady Lane Mobberley WA16 7NB

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Cheshire East Licensing Authority,

I object to the recent application made for a premises license by Lady Gray Farm.

I have lived on [REDACTED] with my husband and sons for 8 years and am very concerned that the following will be affected:

Public safety on the lane : there have been 2 accidents in the last 12 months outside my house alone, involving speeding vehicles. One car smashed into our wall and the police had to come inside our house to question the drivers who were suffering shock and injuries. The 2nd incident involved a crash into our neighbours hedge and left a lot of debris behind.

The lanes are poorly constructed with some acute sharp bends, single track in some areas and visibility is severely compromised as there are no street lights and heavily wooded by trees creating dark shade. In autumn and winter particularly, as there are no pavements, the grass verges turn to mud, which gets trampled onto the road. Cars, lorries and tractors turn the road into a hazardous skidding area. The road is very busy with horses and riders, pedestrians, cyclists, rambling clubs, schools carrying out cycling proficiency tests etc. An increase in transport would make the road increasingly dangerous.

A premises license for a party venue would be unsustainable as mobile coverage is unreliable and very poor for calling taxis and there are no local transport facilities in walking distance.

I am concerned about noise levels going on into the early hours of the morning. Although [REDACTED] is a country lane, it receives constant airport noise and disturbance from 6am and only gets respite after 11pm. I have 2 sons studying at home and the disturbances don't help.

Please refuse the license for the above reasons.

Yours faithfully,

[REDACTED]

Sent from my iPhone

HASKELL, Tony

From: [REDACTED]
Sent: 04 October 2022 13:32
To: LICENSING (Cheshire East)
Cc: EVANS, Kim
Subject: Premed is License Objection: Lady Gray Farm, Lady Lane, Mobberley, WA16 7NE

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Cheshire East licensing Authority.

I object to the recent Premises License Application made in respect of the above property.

I live with my wife and two sons on [REDACTED] (within half a mile of the subject site). Both sons are currently studying at home.

My principle concerns relate to noise and disturbance and public safety.

Public Safety. The subject premises is unsustainable as a party venue as it is not accessible by public transport, nor is there reliable mobile coverage. The lanes are narrow, twisty, unlit and with very soft verges.

Party goers have no local transport facilities whatsoever, alternatively relying on cars and taxis. There is little or no mobile coverage in the area further exacerbating the risk of guests being left on unlit lanes with no ability to contact taxis and/or relatives. There is also no off-site parking too for taxis and cars to rest outside operating hours.

Recently, in the early hours of the morning, on a dry day, a young couple crashed their car into our boundary wall, destroying the wall, writing off the vehicle and suffering injuries to themselves. A few weeks ago, late one evening, a similar accident occurred to our neighbours property where a vehicle crashed into their mature laurel hedge and left the scene leaving vehicle debris behind.

Noise and disturbance. As local residents we already endure noise and disruption from Manchester Airport (usually between the hours of 0600 and 2200hrs) which was factored in to our decision to move here circa 10 years ago. The prospect of additional traffic along Davenport Lane and Lady Lane on event days which are both very narrow, twisty lanes with blind bends, soft verges and concealed entrances will extend the levels of noise and disruption already being suffered.

I reiterate that this License Application should be refused.

Yours faithfully,

[REDACTED]

Sent from my iPad

HASKELL, Tony

From: [REDACTED]
Sent: 04 October 2022 21:38
To: LICENSING (Cheshire East)
Subject: Objection to the License Application by [REDACTED] for Lady Grey Farm, Lady Grey Farm, Lady Lane ,MobberleyWa16 7NE.

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To Whom it May Concern.

I write to strongly object to the license application in connection with the above.

My Wife and I who are both 83, have lived at [REDACTED] which is about a quarter of a mile, as the crow flies, from Lady Grey Farm. We have lived at [REDACTED] for some 58 years and had to put up with the huge expansion of Ringway Airport and the opening of the Wedding Barn, also owned by the Morgan Family, a short way to the west of us and you are now expecting us to put up with a further intrusion in our lives.

I have previously written to express my concerns about noise, increase in traffic, unsocial behaviour due to alcohol abuse etc. and I am sure that you are fully aware of our concerns. There are surely enough venues for this type of business in the area without another.

Please accept this as the strongest possible objection to the granting of this license and the use of Lady Grey Farm as a Wedding Venue or similar.

Sincerely,

[REDACTED]

HASKELL, Tony

From: [REDACTED]
Sent: 04 October 2022 17:44
To: LICENSING (Cheshire East)
Subject: Lady Grey Farm

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir or Madam

I wish to express my concerns regarding the recent licencing application for Lady Grey Farm, Lady Lane, Mobberley. In short, I am concerned that there will be a significant level of noise around the premises, particularly after an event and that this will result in sleep disturbance in the surrounding properties. Where this results in loss of sleep in children, then this could be harmful. Also, Lady Lane is narrow and access to the premises is tight and directly opposite the junction with Davenport Lane. I feel that inevitably, vehicles will be parked in that area and that the width of the lane will be restricted increasing the risk of traffic collisions and access for the emergency services to the airport's crash gate in the event of an incident. This may well be exacerbated by taxis which have been ordered to drop off and collect people attending an event.

For these reasons, I feel that the licensing application should be refused.

Yours faithfully

[REDACTED]

Sent from [Mail](#) for Windows

HASKELL, Tony

From: [REDACTED]
Sent: 04 October 2022 16:43
To: LICENSING (Cheshire East)
Subject: OBJECTION TO LADY GREY FARM, Lady Lane, Mobberley WA167NE

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good evening Cheshire East Licensing Dept.,

I would like to object to the latest application raised by Mr D. Morgan of Lady Grey Farm.

1. The noise and disturbance coming from the proposed wedding barn.
2. The noise from guests leaving the venue either by cars, taxis, on foot etc as no public transport available.
A nightmare for several houses in close proximity to this "farm"
3. Lady Lane is a quiet backwater in Mobberley, it is very narrow and with the surge of guest traffic, both during daylight hours and in the darkness will be hazardous. During the day the lanes are used by cyclists, runners and farm vehicles.
4. There is the possibility of alcohol being consumed outside the building past the midnight deadline as alcohol can be sold on and off the premises.

Please do the right thing and reject this application, we already have a wedding barn in Mobberley and don't need another one, especially on Lady Lane

Thank you

[REDACTED]

Sent from my iPhone

HASKELL, Tony

From: [REDACTED]
Sent: 04 October 2022 14:20
To: LICENSING (Cheshire East)
Subject: Lady Grey Farm Mobberley. WA16 7NE Objection.

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I would like to lodge an objection to this application.

The premises are located in a rural and secluded part of Mobberley. It is my belief that if this application is granted then it will increase the level of noise pollution and general nuisance caused when people are intoxicated and attending events at this premises, as well as increasing the risk of accident and injuries.

There has been a number of events held at the premises. I live approximately 1km from the site and I can hear the noise that is emitted from the premises, this has been in the form of disco music but the fact I can hear that noise makes me believe that residents who live closer will be effected by the noise created by individuals.

I expect such noise to be created during the event by people congregating outside and in the later hours as people leave the premises. As the building has no modern air conditioning system (it was built as a dairy farm and the owners have not invested in such a system) noise will also be emitted through open doors and windows at all times.

This will create a significant nuisance to the families who live opposite the premises and the other residents on Davenport Lane. As these families include young children I believe this will have a severe adverse effect on those children, their sleeping patterns, their consequential welfare and development.

I am also concerned that the site includes residential property and I am concerned over the risk posed to the health of any future residents of that property.

The site is located in a secluded part of Mobberley, the roads surrounding the site are very narrow, the roads are unlit and are enshrouded by large mature trees. I know the roads well and I consider them to be hazardous both late at night and also in adverse weather conditions. The site is not served by public transport and I believe that when combined with a site selling alcohol until midnight this will inevitably result in accidents causing injury to visitors and demands on the emergency services.

I understand that the premises has an operating licence that permits it to operate until midnight and yet it has also applied for a licence to sell alcohol until exactly the same time. Surely this is completely impractical? It will take a significant amount of time and effort to persuade intoxicated party-goers to leave. This will lead to the operating licence being breached and further nuisance to the local residents if this application is approved.

The previous application to license this premises for the sale of alcohol was quite correctly refused. I see absolutely no good reason why this latest application should be granted.

[REDACTED]



Sent from [Outlook](#)

HASKELL, Tony

From: [REDACTED]
Sent: 04 October 2022 14:03
To: LICENSING (Cheshire East)

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Cheshire East Licensing Authority,

I would like to register the following objections to the recent Premises License application made by Mr Daniel Morgan for Lady Grey Farm, Lady Lane, Mobberley, Cheshire WA16 7NE:

1) My main objection is regarding "Public Nuisance". A previous Premises License Application submitted in December 2019 and rejected at a Sub Committee Hearing on Thursday 27th February 2020, identified that the "committee could not be satisfied that a public nuisance arising out of noise emanating from the property will not occur"

The valid noise concerns raised by the Committee were acknowledged by the applicant and his representative, who had explained that a door was left open during the event held on 22 February 2020.

Since the previous application was refused the applicant has held a number of Wedding Events under Temporary Event Notices (TENS) and a 40th Birthday Party. During several of these events a "Public Nuisance" from noise associated with music and guests has been experienced by neighbours.

2) There are several close neighbours with young families, so late night noise from the venue and possible disturbance due to guests leaving the venue, either on foot or in vehicles would have an impact on a child's sleep. To ensure the protection of children from harm I feel this application should therefore be refused.

3) The venue is situated on the junction of Lady Lane and Davenport Lane which have no street lights or pavements and is accessed via a single track driveway. As there is no local public transport it is anticipated that guests leaving the venue either in vehicles or on foot on unlit narrow lanes present an increased danger to themselves and others. Previous events have also had traffic congestion issues with vehicles entering and leaving via the restricted driveway. On several occasions vehicles were seen waiting on the junction of Lady Lane and Davenport Lane. This is an accident waiting to happen, but is also an additional noise disturbance.

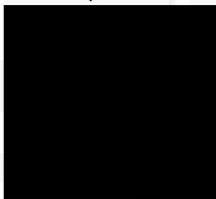
In addition to the above points raised, I also noticed that the license application is both for on and off sales of alcohol. This is extremely worrying as it would permit the applicant to sell alcohol late at night for consumption out-side of the building which would be in contradiction of the recently imposed Planning Conditions.

Please also note there is an anomaly with regards to the licensing times which potentially conflicts with the Planning Conditions imposed following the appeal, whereby the events must finish by 12:00PM. If the license application is until 12:00PM then the times surely conflict?

To summarise, it is already evident from previous events that a "public nuisance" due to noise will be an issue if the license application is granted and I would therefore hope that Cheshire East Licensing Authority would refuse the application in it's entirety, as per the previous application. Note, nothing has really changed in this respect since the previous application and therefore the same condition for refusal is still valid.

If however the Licensing Authority were minded to approve the application then I would respectfully ask that suitable safe guards are put in place to protect neighbours and their children from any potential "Public Nuisance" or "harm to Children". I am particularly concerned for our neighbours on Lady Lane and Davenport Lane who will be the most effected by the disturbance due to the additional traffic and noise from the venue as a result of the prevailling wind direction.

thank you



[Sent from Yahoo Mail for iPhone](#)

HASKELL, Tony

From: [REDACTED]
Sent: 04 October 2022 09:09
To: LICENSING (Cheshire East)
Cc: [REDACTED]
Subject: Premises License Objection: Lady Grey Farm, Lady Lane Mobberley WA16 7NE (Ref: [REDACTED])
Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Cheshire East Licensing Authority,

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1) My main objection is regarding "Public Nuisance". A previous Premises License Application submitted in December 2019 and rejected at a Sub Committee Hearing on Thursday 27th February 2020, identified that the "committee could not be satisfied that a public nuisance arising out of noise emanating from the property will not occur"

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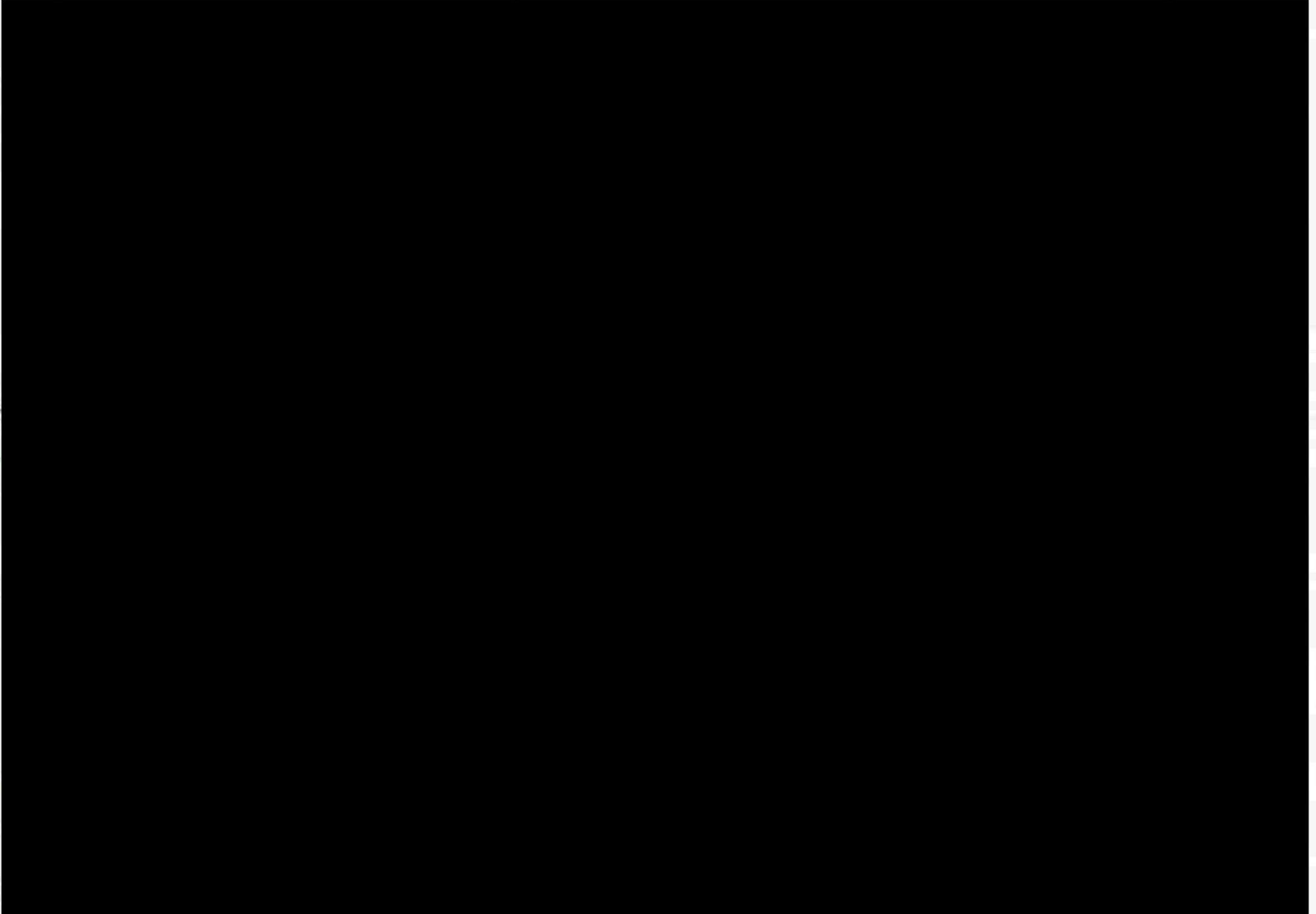
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To summarise, it is already evident from previous events that a "public nuisance" due to noise will be an issue if the license application is granted and I would therefore hope that Cheshire East Licensing Authority would refuse the application in it's entirety, as per the previous application. Note, nothing has really changed in this respect since the previous application and therefore the same condition for refusal is still valid.

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--

Kind regards,



HASKELL, Tony

From: [REDACTED]
Sent: 03 October 2022 21:12
To: LICENSING (Cheshire East)
Cc: [REDACTED]
Subject: License Application 1271695 - Lady Grey Farm, Mobberley WA16 7NE

Follow Up Flag: Follow up
Flag Status: Completed

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To whom it may concern.

Please may I register my OBJECTION to the application above.

I live in the immediate neighbourhood of the venue and have grave concerns about the detrimental affect granting licensing would bring to our countryside. I'm unclear as to how restrictions can be adhered to and will be monitored for those living close by.

The driveway is still a narrow, shared driveway, shared with agricultural vehicles. The lane on which the venue resides is still an unlit, non-gritted lane not wide enough for 2 vehicles without slowing down. The entrance to the venue is not suitable to deal with the number of vehicles that will both enter and leave the venue at key times, as it resides on a t-junction and entrance to the venue can only support "in" or "out" traffic. I'm concerned this will in turn cause traffic queing and noise associated through waiting car engines, possibly horns etc. I do also believe that allowing the license will increase the number of taxis that need to pickup at unsociable times. The lanes are still also filled with families, dog-wakers, horse-riders enjoying the countryside during daylight hours and people visiting from outside the area seeing it is de-restricted and not having the knowledge or respect of the roads or others... is a disaster waiting to happen to me.

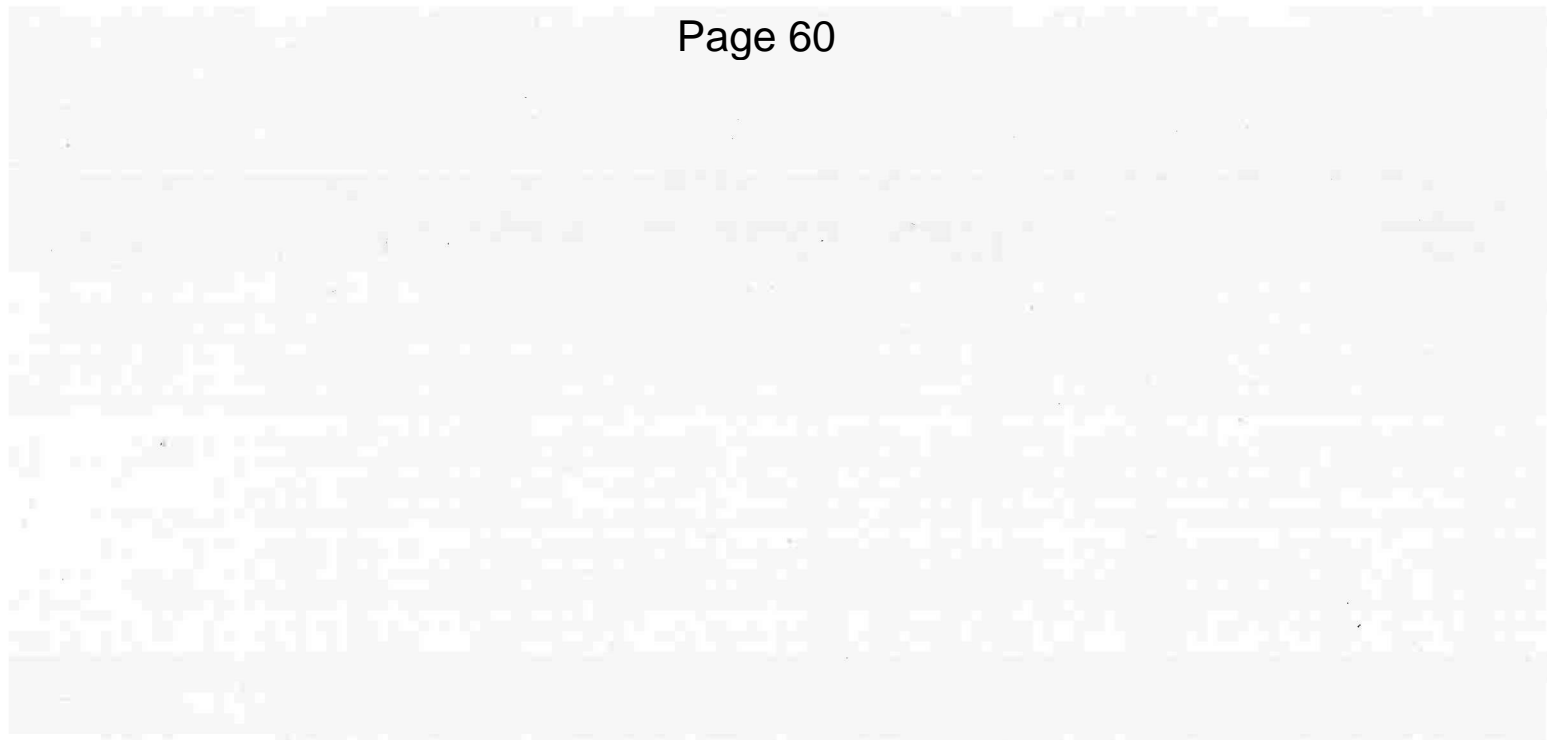
We have limited sleep as it is with flights schedule, where planes generally only stop flying between the hours of 11pm and 6am, concent of the license will lessen this still further and over a period of time this can be detrimental to health. It's basically putting a nightclub in the countryside. I would at least want to understand how the noise and traffic can be official monitored by all parties and results brought to / reviewed by the council at a regular period.

Looking at the application I understand that the license would be to allow the drinking of alcohol both inside and outside. Surely that means that no amount of sound-proofing inside the venue can stop the noise travelling as doors are opened as guests travel inside/outside and that allowing drinking outside will only add to the volume of noise from guests themselves, which we all know can be a little louder while under the influence of alcohol.

We have been promised in previous hearings that no-one will leave the venue on foot but following an event held on New Yers Eve this last year my son was woken from within the house by party leavers in the early hours. I have to say I also found it unpleasant to have to pickup a discarded pint pot from the glass verge outside of my house after the same event. I so hope this is not a preview into what is to come.

Your Sincerely

[REDACTED]



HASKELL, Tony

From: [REDACTED]
Sent: 03 October 2022 19:46
To: LICENSING (Cheshire East)
Cc: [REDACTED]
Subject: Application 1271695- Lady Grey Farm, MOBBERLEY, WA16 7NE

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear sir or madam

Whilst it saddens us that even after many neighbours expressed deep concerns about the above property running a wedding venue from the premises, their application was passed.

It concerns us that in this idyllic semi rural area in MOBBERLEY , there will be large gatherings of people, able to consume alcohol for a large proportion of the day and night. This can create anti social behaviour , this can be a public nuisance and the safety of the neighbours can be affected. I urge you to show as much thought as possible for those neighbours who have lived in relative peace and quiet for many years when you decide on what licence you allow.

Yours sincerely

[REDACTED]

Sent from my iPad

HASKELL, Tony

From: [REDACTED]
Sent: 03 October 2022 16:24
To: EVANS, Kim
Cc: LICENSING (Cheshire East)
Subject: Lady Grey Farm, Mobberley - Representation (MOR527/1)

Follow Up Flag: Follow up
Flag Status: Completed

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Dear Kim,

Owen House Wedding Barn Limited
Lady Grey Farm, Mobberley

I act on behalf of [REDACTED] and other residents in Mobberley in connection with their opposition to the application for a premises licence made by Owen House Wedding Barn Ltd for Lady Grey Farm. Whilst many have, I understand, already written directly to you to object, I have been asked to submit a representation on their behalf as well.

As you will be aware, this is the second attempt by the applicants to licence this venue. You will recall that I attended a hearing in February 2020 when the first attempt was refused by the Licensing Committee.

Whilst it is acknowledged that this second application is narrower in scope and broadly reflects the recently granted Planning Permission, those who live nearby remain very concerned by the proposals.

They are particularly dismayed that no attempt was made by the applicants to engage with them prior to the submission of this application. Some were disappointed that the first they knew of it was when they saw a blue notice appear at the venue. They had expected the courtesy of being notified in advance and their comments sought before this application was lodged, given the long licensing and planning history for this site.

Those who live nearby are concerned that if the licence is granted in the terms applied for, the licensing objectives, particularly that which relates to the prevention of public nuisance, will be undermined.

The Application

Whilst it relates only to Saturdays, my clients believe that a terminal hour for all licensable activities of midnight is too late.

They are concerned that the noise from music until this time, and the noise from people as they disperse afterwards, will cause them disturbance.

Whilst they are pleased that there has been no attempt to licence formally any external space, they are concerned that the request for off sales of alcohol will allow wedding guests to consume alcohol outside, causing noise.

The Conditions

My clients don't believe that the conditions submitted with the application go anywhere near far enough to prevent noise emanating from the premises. In such a noise sensitive location, they were surprised to see no reference as to how noise arising from dispersal from the end of the evening would be managed, not sufficient safeguards to ensure that noise is inaudible to those who live closest to the venue.

TENs

My clients are concerned about the grant of a permanent premises licence because they are regularly disturbed by the weddings which have been held at the venue over the last couple of years under Temporary Event Notices. Noise from music and people is clearly audible at nearby houses which causes a nuisance to them. Their objection therefore is not based on what they fear might happen in the future, but is based on lived experience of issues which are already arising on a regular basis. If issues are arising when the premises is licensed under TENs, then they are firmly of the view that these will persist under a premises licence.

I would be grateful if you could pass this email to the applicants and their representatives. In spite of the lack of engagement from them thus far in the process, my clients remain open to a conversation to discuss the application.



Team accolades

Regulatory Team of the Year (Finalist) - Manchester Legal Awards 2019
 Ranked in Chambers & Partners
 Ranked in Legal 500 - Tier 1
 Regulatory Team of the Year (Shortlisted) - Manchester Legal Awards 2021
 Law Firm of the Year (Shortlisted) - Insider North West Residential Property Awards 2019
 Regulatory Team of the Year (Finalist) - Manchester Legal Awards 2020



Personal accolades

Legal 500 Recommended Lawyer

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Meetings:

When visiting us for a scheduled meeting, please note that these are hosted at our offices on 7th Floor, Blackfriars House, Parsonage, Manchester, M3 2JA.

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Firm recognition and accolades



Kuits is an accredited member of the following professional bodies:



HASKELL, Tony

From: [REDACTED]
Sent: 28 September 2022 12:56
To: LICENSING (Cheshire East)
Subject: LADY GREY FARM , LADY LANE ,MOBBERLEY ,WA16 7NE .Application for premises
licence ,Licensing Act 2003 Representations [REDACTED]

Attachments: [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I enclose my representations about the above application for a premises licence. Pleas acknowledge receipt. [REDACTED]
[REDACTED]

Sent from [Mail](#) for Windows

Lady Grey Farm, Lady Lane, Mobberley, WA16 7NE
Application for premises licence Licensing Act 2003

Preamble

Given that planning permission has now been granted to hold a maximum of 50 wedding functions per year at LGF each on a Saturday between the hours of 10 am and midnight and limited to 80 guests, the premises licence application for LGF is for the sale of alcohol on and off the premises between the hours of 12 noon and midnight on each Saturday when a wedding function takes place.

My comments relate to three issues:-

A. the sale of alcohol until midnight.

B The application for off licence sales.

C. Public Nuisance and specifically the issue of noise.

_____ and I have lived in Mobberley with my wife for over 40 years and at _____ for 23 years attracted to the area due to its rural location.

_____ from the front hedge for LGF and the nearest part of the building (the barn) in which music and dancing is to occur at LGF is some _____ from the nearest elevation of OL.

A. the sale of alcohol until midnight

The Condition granted by the Planning Inspector was that "the premises can only be open and used for wedding functions on Saturdays between the hours of 10.00 and 00.00 with all guests having vacated the premises by 00.30 hours on Sunday and all staff and other personnel having vacated the premises by 00.45 hours on Sunday".

If guests can order drinks until very shortly before midnight and potentially several rounds then the prospects of getting them out of the premises by 00.30 are very slim. As for the idea that all staff and other personnel will have then vacated by 00.45, this is wholly unrealistic.

Prior to hearing of the planning application, the vehicle movements from the premises were noted on several occasions when wedding functions were held and vehicles were still leaving considerably later than 1am.

It is submitted that if the premises are to have been cleared and vacated of potentially up to 80 guests and all personnel then it would be more realistic for the bar to be closed by 11.30pm at the latest.

B. The application for off licence sales

Given the mark up on the price of alcohol sold at LGF, the only obvious reason for the application for off licence sales is to enable guests to purchase alcohol and consume it outside the barn which would not be permissible under the on licence.

If guests are able to purchase and then consume alcohol outside, the noise of voices will inevitably be clearly audible at the boundary of our house in breach of the Environmental Health Department (EHD) condition (see below).

It is therefore submitted that a licence for off licence sales should not be granted.

C. Public Nuisance and noise



I note that the applicant is proposing a condition that "any live or recorded music emanating from the premises shall not be clearly audible at the boundary of the nearest residential property.Noise assessment to take place when music is played."

This condition was required by the EHD as a condition of a premises licence application for LGF in January 2020. The applicant's noise experts prepared theoretical calculations which indicated that the levels of noise created would be far below the noise criteria set by EHD. EHD accepted the findings. and also required that people noise should not be clearly audible.

That the calculations did not correspond with the levels of sound escaping from the barn was obvious as soon as the barn was used. In any event ■ is not even the nearest residential property which is Lady Grey Farmhouse owned by the applicant's company adjacent to the barn and not included in the planning or licensing application

On **13th February 2020** incredibly loud music was heard coming from LGF and causing **severe vibration to walls and furniture inside ■**

On **22nd February 2020** a commercial wedding was held in the building and noise monitoring equipment picked up **not only the sound but also the lyrics from the music.**

At the licensing hearing on 28th February 2020 the applicant conceded that noise had been coming from the barn and blamed it on the fact that the caterers had left a door open.

This was one of the reasons why the Committee refused the application.

Given the repetition of noise coming from the barn whenever an event took place it is clear that the problem was not an open door but the inadequacies of the barn for holding events of the kind proposed

Subsequently with the onset of Covid restrictions no further events were held in the building until **29th May 2021** when the applicant held a birthday party for his wife.

The noise coming from the barn, particularly the bass sound was so loud that it was plainly audible inside ■ with the windows closed and our walls vibrated. When we went outside we could hear the music and the lyrics. Two of our neighbours had also come out and walked up to LGF. The applicant's father in law saw us and when told was dismissive being concerned only as to whether we had reported him (to which our response was that we were neighbours of his son in law). Later he and the applicant and his wife came to our house at 10.45 pm and explained that they were having a party. We indicated that we had no issue with the fact that they were having a party save that it was in the barn the subject of the planning application and there was plainly a noise problem. The applicant undertook to fit noise reduction equipment.

Given the application for the use of the barn for commercial purposes **I recorded a complaint about the noise escaping from the barn to ■ the EH officer on 5th June 2021. Other than an acknowledgement of my email I had no further response from EHD. Further complaints to EHD by our neighbours have similarly met with no constructive response despite the condition imposed by EHD being plainly breached. EHD were well aware at the first refused licensing application that despite the so called acoustic reports of the applicant there was a problem.**

The applicant went on to hold at least **six more commercial weddings** in the barn between **June and October 2021** relying upon TENs notices on days when we were at home. I believe that he has also held other weddings on weekends when we have not been there.

Noise monitoring was carried out by the applicant and by us and other neighbours. The noise was less than on 29th May 2021 but still clearly audible together with the sound of people talking and drinking outside the barn. In no sense was the EHD condition complied with.

On 26th June 2021 bass noise was clearly audible in our garden during late afternoon and evening. **17th July 2021** Windows in barn open (visible from footpath) in mid afternoon so that music and singing clearly audible in our garden and in the evening windows now closed at venue music still audible particularly the bass sound

30th July 2021 mid afternoon music and singing and talking and cheering from significant numbers of guests plainly audible in our garden. In the evening music and bass noise in particular was still audible and we could hear the bass sound inside our house with the windows closed.

On **31st December 2021** despite planning permission having been refused a couple of weeks earlier for the use of the barn as a wedding venue a further wedding event took place.

Despite the fact that having regard to the time of year the event was mainly indoors **the noise was such that the internal walls of our property again vibrated to the sound of bass noise escaping from the barn which presumably had doors and windows closed.**

The applicant has sought by noise expert to show that the bass noise which is the main problem in this case can be ignored because of the proximity of [redacted] and LGF to Runway 2 of Manchester Airport. Whilst increased noise is generated as an aircraft passes the location, this lasts for seconds and a minute or two at the most.

Further, aircraft movements on Runway 2 are very limited after 11 pm having regard to the original planning permission conditions laid down as a condition of approving the runway scheme. Hence residents living in proximity to the second runway flight path are afforded a window of rest from 11pm until 6am.

As is evident from details of the above events ,whenever an event has taken place, we have been subjected to repeated instances of intrusive bass noise from the barn causing vibration within our home .That is a completely different form of noise nuisance from the sound of an aeroplane passing briefly overhead and is completely contrary to the EHD condition laid down in January 2020 and proposed again now

The problem of noise arises because the barn in question is a former agricultural barn of some antiquity.**It has not been designed and constructed to prevent problems arising due to the breakout of noise created by the use of amplified music.Very often the noise from musical entertainment gives rise to disturbance due to low frequency bass notes that can easily pass through structure and merely to turn the sound down will not prevent the escape of noise. This is the problem here.**

It has also been conceded that the barn is not air conditioned and that the air flow is governed by the use of vents which are manually controlled. It is inevitable that guests will enter and leave the barn throughout the evening when music is playing whether to go out for a smoke or to sit outside for fresh air particularly in the event of hot weather such as has occurred this summer. The temptation for guests to prop open doors would be irresistible. The noise emanating from the barn is likely to persist even if the noise attenuation works involving roof insulation are carried out. There are bound to be breaches of the brick wall attenuation in a building of this age and design.

Sound limiting equipment would not be employed below the noise levels used as this would compromise event ambience. As has been made clear, live bands would almost certainly exceed the noise limits used and are very difficult to control in terms of sound level.

It has been very clear throughout the lengthy process involving applications for planning permission and premises licence that even though EHD has set a noise level it has been persistently breached by the applicant .

The difficulty for EHD

The complaints of ourselves and neighbours to EHD have fallen on deaf ears. EHD have conceded that they have not the resources to police any conditions imposed and this has led in another case involving a wedding venue in Knutsford to EHD being severely criticised by the Ombudsman .EHD has declined to commission their own noise tests but has also declined to accept our noise expert's calculations.

During the debate in the planning application in Macclesfield several councillors commented that it was a continuous criticism by their constituents that in the event of complaints about noise nuisance the EHD did not act..

Bearing in mind therefore the fact that there are likely to be continuing issues of noise and that however hard or frequently we as neighbours complain our complaints are likely to fall on deaf ears so far as the applicant and the EHD are concerned then we submit that **it is necessary to consider the Statement of Licensing Policy.**

SLP 9:2 "Consideration will be given as to the potential steps which could be taken to reduce the risk of nuisance occurring.This will particularly apply where there is residential accommodation in the proximity of the premises."

SLP 9:4 Stricter conditions will be considered on premises that have residential accommodation close to them (as applies here where our house is 130 metres away). Measures in the operating schedule

1. The first part of the document is a letter from the President of the United States to the Congress, dated July 4, 1776. It is a declaration of independence from Great Britain.

2. The second part is a declaration of independence from the British Empire, dated July 4, 1776. It is a declaration of independence from the British Empire.

3. The third part is a declaration of independence from the British Empire, dated July 4, 1776. It is a declaration of independence from the British Empire.

4. The fourth part is a declaration of independence from the British Empire, dated July 4, 1776. It is a declaration of independence from the British Empire.

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15. The fifteenth part is a declaration of independence from the British Empire, dated July 4, 1776. It is a declaration of independence from the British Empire.

16. The sixteenth part is a declaration of independence from the British Empire, dated July 4, 1776. It is a declaration of independence from the British Empire.

17. The seventeenth part is a declaration of independence from the British Empire, dated July 4, 1776. It is a declaration of independence from the British Empire.

18. The eighteenth part is a declaration of independence from the British Empire, dated July 4, 1776. It is a declaration of independence from the British Empire.

may include installation of sound proofing,air conditioning,acoustic lobbies,sound limitation devices

SLP 9:5 Applicants will be expected to have included measures in their operating schedule that make adequate provision to:- limit the escape of any noise from the premises; and restrict any noise emissions to below levels that could affect people in the vicinity..when at home both whilst relaxing and whilst sleeping.

It is submitted that where as here the applicant has set up a commercial business in a quiet rural setting in proximity to residential accomodation ,then the Operating Schedule should require that he takes those steps that prevent the sound of music bass noise or people becoming clearly audible at the boundary of the nearest residential property as EHD requires ;
and that tests should be carried out by EHD or by the Licensing Committee to ensure that this target is achieved and achievable and not based upon theoretical calculations so that thereafter there is no need for neighbours to have to complain to their councillors or to the EHD or planning or licensing department. We have suggested that the applicant should submit to such tests so the the issue can be resolved rather than resort to calculations or tests that bear no resemblance to the real noise issue on the ground namely the recurring bass noise.Our noise expert provided clear evidence of this at various events . The EHD test can easily be judged by standing outside and listening as the noise is so obvious and such tests should be carried out independently once the further sound proofing has been proved to have been carried out.

The applicant is likely to be turning over substantial amounts of revenue per night from this venue and is director of another profitable wedding barn .Work to soundproof the barn is all tax deductible. Surely he can incur expenditure to ensure that the business does comply fully with EHD's requirements rather than do it at lesser cost at the inconvenience of the neighbours. ? We submit that air conditioning should also be required so that there is no need for air vents to be open.

There is a further reason why consistent with SLP policy the Operating Schedule needs to be carefully addressed so as to prevent the escape of noise from the barn namely the consideration of protection of children from harm.

The NHS website provides that "Good sleep is important for your child's physical and mental well being. Your child's bedroom should be ideally dark quiet and tidy ,It should be well ventilated and kept at a temperature of about 16 to 20 degrees C.

We often have our children and grandchildren to stay but they cannot sleep with the widow open when a wedding event is in operation .On New Years Eve when the applicant held an event there even with the windows closed in our house our granddaughter aged 6 was still awoken by the bass noise.


28th September 2022

HASKELL, Tony

From: [REDACTED]
Sent: 28 September 2022 12:13
To: LICENSING (Cheshire East)
Subject: Objection - Licence Application, Lady Grey Farm, Lady Lane, Mobberley WA16 7NE

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam

I would like to lodge my objection to the Premises Licence application for Lady Grey Farm, Lady Lane, Mobberley WA16 7NE.

I am bewildered that the applicants did not consult with myself or others living close by, before lodging this premises licence application. I found out by noticing the blue placard on display, which is disappointing. The applicants are aware of the impact this wedding venue has on myself and my family, I would expect them to understand the importance of engaging with us. It is clear that the applicants are not listening, even after the hearing in 2020.

There have already been a number of weddings held at LGF with the use of TENS, causing a disturbance at my home. I can hear the music from outside in the garden, and with the windows open I can hear music inside my home. I can hear guests singing along to the music, socialising outside the venue, and could name the playlist at an event. I do enjoy having the windows open during summer months, but when events are held they have to be shut so my children can get to sleep at night. On one instance the repetitive bass beat was so loud a number of nearby residents walked to LGF to see what was going on. A director was arriving at the time we were gathered outside. He refused to acknowledge our concerns and was dismissive of our complaint. He showed a complete lack of empathy and contempt for his neighbours.

The lane outside my home is usually very quiet. When events are taking place there is a significant, noticeable increase in traffic throughout the day and night. Drivers unfamiliar with the area drive to the limit, unaware there are many families with young children living nearby. An example was during an event, on a winters evening. My teenage son, walking home from a friends house at 9.30pm, had just reached the safety of our driveway, when a car with its engines roaring, speeded around the narrow blind bend, past our home, then entered LGF. I hate to think what would have happened had my son still been walking home on the lane at the same time this car was being driven so erratically. There are no pavements, or street lighting and no gritting during the icy winter months. This is an accident waiting to happen.

I fear the problems I am experiencing will only become worse in the future, should this premises licence be granted.

Yours faithfully

[REDACTED]

HASKELL, Tony

From: [REDACTED]
Sent: 25 September 2022 20:29
To: LICENSING (Cheshire East)
Subject: Objection to application for a premises license - Lady Grey Farm, Lady Lane, Mobberley, WA16 7NE

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Objection to application for a premises license - Lady Grey Farm, Lady Lane, Mobberley, WA16 7NE

We are the residents of [REDACTED] and wish to object to the application for a premises license for Lady Grey Farm which is approximately [REDACTED] from our house, which for the following reasons should be rejected in its entirety:

Prevention of crime and disorder

- the applicant is asking for a license to play music and serve alcohol until midnight. This is far more than any other licensed venue in the locality and is certainly not appropriate for a quiet residential area, as it will encourage loud shouting when guests are inebriated, wandering down the lanes in an unruly manner as taxis haven't arrived due to shortage and delays in availability in a rural location.
- the application is very vague and broad, as the proposed CCTV system and incident log suggest very limited steps towards mitigating loud, drunk and disorderly behaviour in or outside the venue or in the residential vicinity.

Prevention of public nuisance

- there appears to be insufficient detail as to how the applicant will mitigate public nuisance.
- specifically what measures will be in place to ensure external noise will be inaudible, exactly how will external doors and windows be closed and kept that way?
- this is a rural location and sound travels on the still night air, so late night bass noise would create disturbance for local residents.
- the bass beat from music at the adjacent Owen House Wedding Barn, Tatton Park outdoor concerts, Capesthorpe Hall, Jodrell Bank Blue Dot Festival and frequent marquee weddings in the surrounding area, already create frequent and persistent disturbance.
- if the venue plans to be open until midnight, by the time staff clear up and are finished it's more likely to be 1am, plus cleaners attending early the following morning, all increasing traffic noise.
- the proposed venue is at least 0.7 mile from public transport, however public transport does not run through Mobberley after 11pm, so taxis will be the only option. There is a shortage of taxis in this area and this is likely to encourage guests to leave the venue and start walking. Under the influence of alcohol, causing damage to properties, ringing doorbells, shouting, taxis stopping to ask directions and sat with engines idling, all in a dark, unlit area, with no streetlights, no pavements or road markings, this will inevitably lead to noise and disturbance. We already experience taxis stopping and asking directions to Owen House Wedding Barn when out walking our dogs.
- general noise pollution is a huge issue as the existing wedding barn at Owen House, being a further 0.5 miles away, which can still be heard late at night, both loud music and the noise of people departing with no consideration for the quiet neighbourhood. It is inappropriate to allow a second wedding venue in such close proximity.
- the current driveway into Lady Grey Farm is single track and directly on a road junction with limited visibility, which will only increase the congestion of traffic entering/departing the property at this T junction, which recently has seen several minor incidents specifically recently as construction vehicles have been parked up outside Lady Grey Farm causing traffic to filter onto the opposite side of the road and turn onto Davenport Lane blind. We personally have spoken to the owner of a low loader to make him aware of such but he couldn't care less.
- the entrance to Lady Grey Farm, at the junction of Lady Lane/Davenport Lane is also the final junction before Manchester Airport Crash Gate 9 and is already a popular parking place for dog walkers.

Protection of children from harm

- Lady Lane and adjacent lanes, form part of the Cheshire Cycleway and Lauren's Ride bridleway, are used by children on bicycles, horses and during the day walking to and back from school transport. In recent years increased vehicle width has resulted in the grass verges/road edges being churned up creating a trip hazard and vehicles coming round corners on the wrong side of the road. This along with the many potholes in the road surface make this increasingly unsafe for children and adults. Any increase therefore in traffic from people not familiar with the twists and turns of narrow lanes is inevitably going to increase the risk of an accident.
- a large number of children and teenagers live in close proximity to Lady Grey Farm and will be subjected to late night noise, disturbance and interrupted sleep.

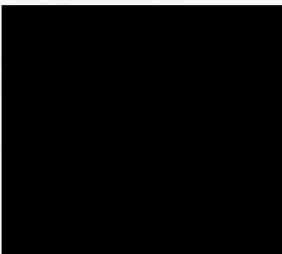
Public safety

- Despite the licence application form clearly requesting that the steps the applicant intends to take to promote the four licencing objectives be described, none have been provided to detail how the applicant intends to promote public safety.
- Lady Lane and feeder lanes are narrow country lanes and do not have the capacity to cope with increased volumes of traffic attending or leaving such a venue.
- There are no road markings, no street lights, no pavements and as previously mentioned, poor road surfaces, regularly result in punctured tyres, cause cyclists to swerve and creates a trip hazard resulting in pedestrians looking down at the road surface and not as aware of traffic approaching from in front and behind.
- Regular loud overhead noise from aircraft on immediate departure and arrival from/to Manchester Airport obstructs the sound of oncoming vehicles.
- Couriers and other deliveries of oil, LPG, etc looking for houses that are named and not numbered already creates a problem on narrow lanes with so many bends. The addition of hundreds of guests arriving on a regular basis for weddings or other events, will only add to hesitant and stationary vehicles in the locality, increasing the risk of accident.
- It is very unnerving for both adults and children when walking on the lanes, when cars stop to ask directions as one can never be sure of any ulterior criminal motive. This application will merely increase the number of occasions that pedestrians will be put in this situation and for many will create anxiety.
- Lady Lane also provides access to Manchester Airport Crash Gate 9, one of only three road entrances onto the end of Runway 2, any traffic congestion or on road parking near Lady Grey Farm would undoubtedly restrict access of emergency vehicles to the crash gate if required.

Other

- There is already an existing wedding barn less than 1 mile away from Lady Grey Farm at Owen House (owned by the same family), another wedding barn just a few miles away on the Tatton Estate at Ashley and numerous other licensed venues capable of holding such functions locally, there is absolutely no need for another wedding barn for all of the above reasons.
- We believe that protection of a rural environment is paramount and other Mobberley residents regularly walk the footpaths across farmland in this area, therefore constant noise and disturbance is inappropriate.
- The location of Lady Grey Farm having a number of adjacent properties, which will be disturbed by the proposal, inappropriate infrastructure for increased numbers of vehicles and pedestrians, lack of public transport, lack of available taxis, make it unsuitable for any type of commercial activity involving large numbers of people.
- We believe the lack of points provided by the applicant to specifically promote the licensing objectives shows a lack of concern for the whole licensing process.

We would ask that this application be rejected in its entirety without any compromise considered as it is wholly inappropriate, as is the granting of TENS licenses which will create all the aforementioned problems.



HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:30
To: HASKELL, Tony
Subject: FW: Lady Grey Farm, Lady Lane, Mobberley, WA16 7NE

From: [REDACTED]
Sent: 26-Sep-2022 12:35
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady Grey Farm, Lady Lane, Mobberley, WA16 7NE

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To Whom It May Concern

We wish to support Owen House Wedding Barn Limited's application for a Premise License for Lady Grey Farm, Lady Lane, Mobberley, WA16 7NE.

[REDACTED] has been a tenant at Owen House Farm for over four years. Over this time we have experienced the company's professionalism and respect for their tenants and neighbours in hosting weddings and events. We have no hesitation in supporting their application.

Yours faithfully

[REDACTED]

This email and message and any attachments are private and confidential and may be legally privileged and are for the exclusive use of the addressee only. If the message is received by anyone other than the addressee you should not use the contents, place any reliance on the contents or disclose the contents to anyone else.

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:31
To: HASKELL, Tony
Subject: FW: Dear Sir/Madam

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

From: [REDACTED]
Sent: 22-Sep-2022 21:08
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Dear Sir/Madam

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I am extremely pleased that
Cheshire east have approved
The wedding venue at Lady Grey
In mobberley- this will help with
Employment and business in
Our parish going forward.
The application was tastefully
Thought through by people who
Live and work here.

[REDACTED]

Sent from my iPhone

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:31
To: HASKELL, Tony
Subject: FW: Lady grey farm

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

From: [REDACTED]
Sent: 21 September 2022 19:36
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady grey farm

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi,
I support the approval for the premises license of lady grey as I am local to the farm and I think that it would benefit the community.
Many thanks
[REDACTED]

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:33
To: HASKELL, Tony
Subject: FW: Lady grey farm

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

From: [REDACTED]
Sent: 21 September 2022 19:36
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady grey farm

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello

[REDACTED] now and I support the approval for the premises license. I also think this will benefit the community.

Thank you

[REDACTED]

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:33
To: HASKELL, Tony
Subject: FW: Lady Grey Farm

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

From: [REDACTED]
Sent: 21 September 2022 19:36
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady Grey Farm

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello,

I support the approval of the premises license for lady grey farm as I believe it would bring the community tourism, money and new business.

Best wishes,

[REDACTED]

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:34
To: HASKELL, Tony
Subject: FW: Lady Grey Farm

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

From: [REDACTED]
Sent: 21 September 2022 19:37
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady Grey Farm

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

[REDACTED] and I would like to support the approval for the premises license

Thanks,

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:34
To: HASKELL, Tony
Subject: FW: Lady grey farm

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

From: [REDACTED]
Sent: 21 September 2022 19:37
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady grey farm

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello,

[REDACTED] and I support the approval for the premises license for lady grey farm.

Many thanks,

[REDACTED]

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:35
To: HASKELL, Tony
Subject: FW: Lady Grey Farm

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

From: [REDACTED]
Sent: 21 September 2022 19:36
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady Grey Farm

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello,

[REDACTED] and I support the approval for the premises license of Lady Grey Farm. I live in the area and believe it would benefit the community

Thanks

[REDACTED]

Sent from my iPhone

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:36
To: HASKELL, Tony
Subject: FW: Lady grey farm

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

From: [REDACTED]
Sent: 21 September 2022 19:37
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady grey farm

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi, [REDACTED] and i support the approval for the premises license for lady grey farm, as i also live in the area and i think it would benefit the community.
many thanks,

[REDACTED]
Sent from my iPhone

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:37
To: HASKELL, Tony
Subject: FW: Lady Grey Farm

From: [REDACTED]
Sent: 21 September 2022 19:40
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady Grey Farm

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello,

[REDACTED] and it has helped me and members of the community in many ways. As [REDACTED] we all support the approval from the premises licence of Lady Grey farm, I live in Mobberley and don't see any problems with this approval.

[REDACTED]

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:09
To: HASKELL, Tony
Subject: FW: Lady grey farm

From: [REDACTED]
Sent: 21 September 2022 19:37
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady grey farm

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello,

I am emailing you to show that I support the approval for the premises license for Lady Grey Farm. I work in the area and think it would positively impact the surrounding area and community.

Kind regards,

[REDACTED]

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:08
To: HASKELL, Tony
Subject: FW: Lady Grey Wedding Barn ,Lady Lane ,Mobberley.

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

From: [REDACTED]
Sent: 22 September 2022 10:41
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady Grey Wedding Barn ,Lady Lane ,Mobberley.

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I can see little problem in the Premise License Application for this venue .

Planning consent has already been obtained and this license will complete the project.

[REDACTED]

Sent from my iPad

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:06
To: HASKELL, Tony
Subject: FW: Licensing at Lady Grey Farm

From: [REDACTED]
Sent: 21-Sep-2022 11:02
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Licensing at Lady Grey Farm

CAUTION: This email originated from outside of the organisation. Do not click links or open **attachments** unless you recognise the sender and know the content is safe.

Hello,

I am writing in support of the below Licensing Application for Lady Grey Farm to play live and recorded music and supply alcohol at their venue.

https://www.cheshireeast.gov.uk/business/licensing/alcohol_and_entertainment/premises_licence_applications.aspx

As a resident of Mobberley, my husband and [REDACTED] to the Owen House Wedding Barn (a sister venue of Lady Grey) and using this as a precedent, we have never experienced any disturbance from their wedding venue whatsoever. Events are always completely contained within the grounds and we have no issue at all with noise.

I believe the Lady Grey Farm will be a fantastic addition to Mobberley and will create business for local shops and cafes whilst enhancing the desirability of Mobberley as a place to live and visit.

[REDACTED]

[REDACTED]

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:04
To: HASKELL, Tony
Subject: FW: Lady Grey Farm

From: [REDACTED]
Sent: 18 September 2022 09:43
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady Grey Farm

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the **content** is safe.

I am writing in support of the Premises License application for Lady Grey Farm, Mobberley.

[REDACTED]

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:04
To: HASKELL, Tony
Subject: FW: Lady Grey license application

From: [REDACTED]
Sent: 16 September 2022 20:38
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady Grey license application

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello,

I am emailing to support the Premise License application for Lady Grey Farm in Mobberley. I have worked with the business at Owen House Barn over the years and they have really impressed me with their approach and business model.

Not only have they raised the bar in wedding hospitality standards and been at the forefront of creativity in the Northwest of England but they have a great welfare ethic and treat their staff and suppliers like family members. Everyone is made to feel welcome and that style of management makes them one of the most respected wedding venues in the country.

Their venue has undoubtedly brought custom to local businesses and the addition of events at Lady Grey Farm will continue this trend and help to make a local family business continue in the same direction.

I hope my support for their application is well received.

[REDACTED]

[REDACTED]

[REDACTED]

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:03
To: HASKELL, Tony
Subject: FW: Lady Grey Farm, Lady Lane, Mobberley, WA16 7NE - Application for a Premises Licence. Licensing act 2003

From: [REDACTED]
Sent: 14-Sep-2022 11:10
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady Grey Farm, Lady Lane, Mobberley, WA16 7NE - Application for a Premises Licence. Licensing act 2003

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning

We wish to support the above application.

The applicants have operated licensed premises at Owen House Wedding Barn in Mobberley for almost 10 years with no issues and we have complete confidence that the current premises will be operated in the same way.

It is extremely important that this application is allowed as this business is so important in supporting other local businesses such as ourselves and creating jobs in our area where local jobs are so scarce, particularly for our young people.

If I can provide any further information, please don't hesitate to contact me.

Yours truly

[REDACTED]

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:02
To: HASKELL, Tony
Subject: FW: Lady Grey Farm, Lady Lane, Mobberley, WA16 7NE - Application for a Premises Licence. Licensing act 2003

From: [REDACTED]
Sent: 14-Sep-2022 11:35
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady Grey Farm, Lady Lane, Mobberley, WA16 7NE - Application for a Premises Licence. Licensing act 2003

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir

I wish to support the above application.

Myself and my family [REDACTED] to the applicants' existing licensed premises at Owen House Wedding Barn in Mobberley where they have operated from for almost 10 years. We have never experienced any problems whatsoever, whether it be with noise or drunken behaviour from guests. We regularly pass there when weddings/celebrations are taking place; walking our dogs or walking home from the train station of an evening and we never hear any noise or see any difficulties whatsoever.

We have complete confidence that the current premises will be operated in the same way.

It is extremely important that this application is allowed as this business is so important in supporting other local businesses such as ours (we operate a B and B from our house) and also creating jobs in our area where local jobs are so scarce, particularly for our young people. Our 4 children have all [REDACTED] and benefited hugely from that opportunity not only in terms of work experience but meeting other young people from our area.

If I can provide any further information, please don't hesitate to contact me.

Yours faithfully

[REDACTED]

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 11:01
To: HASKELL, Tony
Subject: FW: Lady Grey Farm Licensing Application
Attachments: Owenhouseletter Sep 22.docx

From: [REDACTED]
Sent: 14-Sep-2022 12:02
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady Grey Farm Licensing Application

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam
Please find attached letter regarding the above Licensing Application
Kind Regards,

[REDACTED]

[REDACTED]

[REDACTED]

9th September 2022

Dear Sir or Madam,

Re Owen House/Lady Grey Farm Licensing Application

I write to you with reference to the above business.

By way of introduction, I am a retired Cheshire Constabulary Sergeant, having retired in 2013. Since then I have established myself as a security and events advisor.

I am the [REDACTED]

I hold a Personal Licence issued by [REDACTED] and I am registered with the [REDACTED]

In January 2020 I commenced [REDACTED] at their Mobberley premises. From the outset I was most impressed with their professionalism, approachable management and the positive ethos instilled into all staff.

The venue operates on strict, but sensible, guidelines to ensure a pleasant environment for all guests, but is also considerate to neighbour's and residents. The bar and music always ceases at midnight, guests may not 'continue' celebrating after this time, nor supply their own alcohol for consumption on site. [REDACTED] to ensure there is no transgression of these rules, in addition to ensuring the safety of the guests and general security of the site.

In addition to the physical presence of security, the wedding party are liable to loss of a deposit should such rules not be adhered to.

[REDACTED]

[REDACTED]

Towards the conclusion of an event, [REDACTED] are predominantly engaged with ensuring any taxis, and other vehicles, collecting or depositing guests do so with consideration, i.e no running engines or activation of horns. [REDACTED] inform guests that taxis have arrived, ensuring drivers remain within their vehicles, all these considerations help to negate noise, and congestion.

In respect of [REDACTED] at Owen House, this has been an excellent experience for ourselves, so much so that [REDACTED]
[REDACTED] previously made redundant, such is the current demand.

All my staff, bar one, are resident in Cheshire East and the success of Owen House only strengthens our own small business as it strives to grow in these difficult times. Should the proposed Licensing Application, at the second venue at Lady Grey Farm, be agreed this would only benefit myself, current, and hopefully future staff.

In conclusion I would thoroughly endorse Owen House, it is a well run, considerate, employer which has an ethos of setting high standards which are reflected in the staff, and it's continued popularity. It is a pleasure to [REDACTED]

Yours sincerely,

[REDACTED]

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 10:59
To: HASKELL, Tony
Subject: FW: Ref: Lady Grey Farm

From: [REDACTED]
Sent: 14-Sep-2022 14:41
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Ref: Lady Grey Farm

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern,

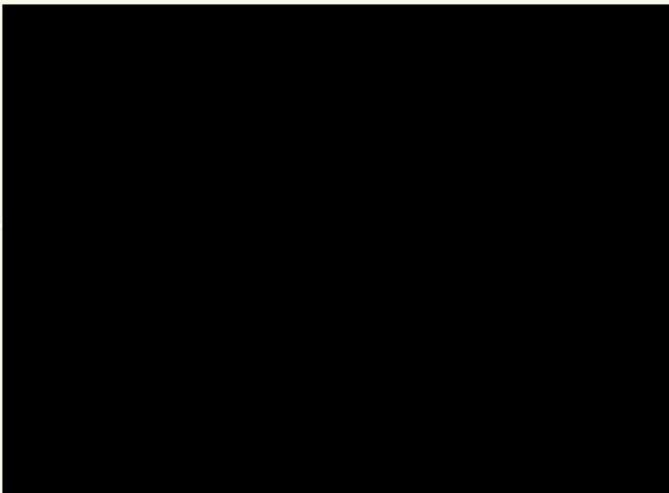
We write in respect of Lady Grey farm, Mobberley, Cheshire.

We wish to advise of our support in their application for a Premise License Application.

We as a small, independent, local business, have benefitted massively from the owner's existing business at Owen House. I believe they have held a license there for around 10 years with no issues. This year alone we have gained in excess of 30 weddings at this venue alone which has helped us hugely coming out of lockdown.

In light of this we fully support this pending application, as the benefits to receiving such license will have a knock on effect, not only on our own business but many more in the area. Businesses need support since covid. This license will inevitably create more jobs, as well as support for many other suppliers.

Thanks in advance for your consideration to this exciting prospect.



HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 10:58
To: HASKELL, Tony
Subject: FW: Licence Application Lady Grey Farm, Lady Lane, Mobberley, WA16 7NE

From: [REDACTED]
Sent: 09-Sep-2022 11:58
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Licence Application Lady Grey Farm, Lady Lane, Mobberley, WA16 7NE

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern,

I am writing in relation to the application for a premises licence for the above property.

As a professional musician, I would like to convey my sincerest hope that this licence is granted, the consequence of which, will mean that myself and the other musicians that I work with, will have another wedding venue for us to ply our trade at. I also come from the perspective of owning a music agency, where I have the responsibility for finding 100 or so other acts/ musicians work, and again, the possibility of another local venue will be great help in assuring that they have opportunities to work and provide for themselves and their families.

After nearly 18 months of disruption through Covid, the industry is just about getting back on its feet, and it is vital we have supportive venue's like Lady Grey Farm, in order for us as an industry to be able to support ourselves during what looks like being a difficult time fiscally for the country.

I appreciate you taking time to read my email, and consider my opinion on this matter.

Regards

[REDACTED]

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 10:58
To: HASKELL, Tony
Subject: FW: Lady Grey Farm- Premises license

From: [REDACTED]
Sent: 08 September 2022 12:23
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady Grey Farm- Premises license

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi,

I am writing this email in full support of the most recent application of premises license for Lady Grey Farm.

Coming out of a turbulent couple of years due to covid, new businesses should be welcomed to the village. Especially considering how much the wedding industry was effected these past couple of years, we need to support emerging venues.

Best wishes,

[REDACTED]

[Sent from Sky Yahoo Mail for iPhone](#)

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 10:57
To: HASKELL, Tony
Subject: FW: Lady Grey Farm

From: [REDACTED]
Sent: 08 September 2022 12:41
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady Grey Farm

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi,

I'd just like to drop a quick message that we support the application submitted by Lady Gray Farm as they will be providing a service for local people and local businesses such as us. They are a good company ran by good people who use local products and employ local people.

Many thanks,

[REDACTED]

HASKELL, Tony

From: HASKELL, Tony
Sent: 05-Oct-2022 10:56
To: HASKELL, Tony
Subject: FW: Lady Grey Farm Premise License application

From: [REDACTED]
Sent: 08-Sep-2022 13:58
To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>
Subject: Lady Grey Farm Premise License application

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

As a local Cheshire business who [REDACTED], we write with reference to Lady Grey Farm's premise license application. As a local Cheshire business, that has greatly benefited from Owen House Wedding Barn, we were delighted to hear that the planning application for weddings at Lady Grey Farm has been approved.

We understand that Lady Grey Farm also require a premise license application to become a fully-fledged wedding venue and therefore offer our business new sales opportunities. We would ask that you please approve this application, especially in light of the current economic situation. New wedding venues will greatly benefit our, and other local Cheshire business.

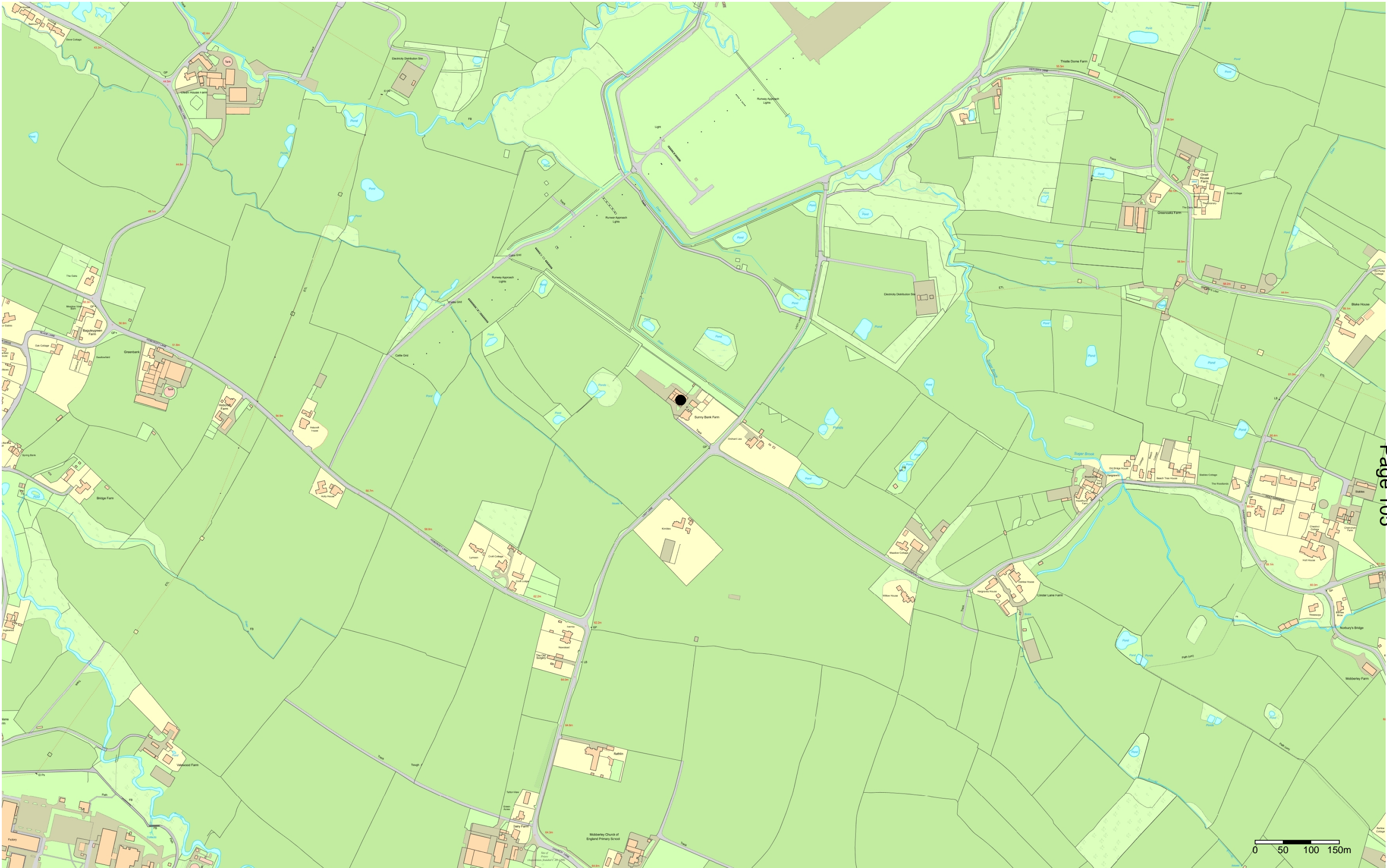
We thank you in advance for your consideration.

Warm regards,

[REDACTED]

[REDACTED]

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24/10/2022



Appendix 5

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DECISION NOTICE

PREMISES: LADY GREY FARM, LADY LANE, MOBBERLEY, KNUTSFORD, CHESHIRE, WA16 7NE

The Application

The Licensing-Act Sub-Committee has been asked to consider an Application dated 6 December 2019 submitted on behalf of Daniel Morgan for the grant of a premises licence in accordance with section 17 of the Licensing Act 2003.

The hours applied for are as follows:

1. Provision of Live Music (Indoors)
23:00 – 01:30, Monday to Sunday
2. Provision of Recorded Music (Indoors)
23:00 – 02:00, Monday to Sunday
3. Sale and Supply of Alcohol (for consumption on the premises only)
10:00 – 01:30, Monday to Sunday
4. All licensable activities on New Year's Eve to start at 10.00 am and end at the terminal hour on New Year's Day

Procedural Matters

The hearing was held in accordance with the Licensing Act Sub-Committee's published procedure and the Licensing Act 2003 (Hearings) Regulations 2005.

Considerations

In reaching its decision, the Sub-Committee has taken into account:

- the Secretary of State's Guidance under section 182 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;
- the oral and written representations (including supporting information) presented by all the parties.

Evidence

In determining the application with a view to promoting the licensing objectives in the overall interests of the local community (both business and residential), the Sub-Committee has taken into account the written representations included in the Committee Report of the Applicant, the Responsible Authorities and the objectors representations. The documents in the Supplementary Agenda and the noise consultant reports submitted at a late stage on behalf of both the Applicant and the objector Mr Tim Mort were also considered.

68 written representations were submitted to the local authority, of which 40 were deemed to be valid. The exclusion of representations had been challenged by both sides. Kim Evans, Licensing Team Leader at

Cheshire East Council explained the process of evaluating each of the representations received against the legislative requirements (i.e. the effect on the 4 licensing objectives in the Licensing Act 2003), the statutory guidance and the Council's own Statement of Licensing Policy.

Responsible Authorities

Cheshire Constabulary proposed that conditions be included in the application; these were agreed by the Applicant.

Representations were made by the Cheshire East Council's Environmental Health Team ('the EHT') requiring that a Noise Impact Assessment ('NIA') be submitted by the Applicant to demonstrate that any live, recorded music or people noise, emanating from the premises is not clearly audible at the boundary of the nearest residential property. The NIA was to be produced by a competent noise consultant and required to indicate how the applicant will comply with the noise design criteria stipulated in the EHT's representation. A Noise Management Plan was also required to be prepared in support of the Application for consideration by the EHT.

Representations on behalf of the Applicant

Mr Geoff Dixon attended the hearing as agent for the Applicant, Mr Daniel Morgan. Mrs Vanessa Morgan and Mr Eric Daniels were also in attendance for the Applicant.

Mr Dixon made representations on behalf of the Applicant, giving an outline of the application for an entertainment and alcohol licence at Lady Grey Farm.

Mr Dixon submitted that all 4 licensing objectives had been answered. Referencing the local authority's Statement of Licensing Policy (specifically sections 8.2 (public safety), 9.1 (public nuisance) and 9.4 (operating schedule; noise and vibration), he set out the following:

- in respect of public safety i.e. physical safety of persons using the premises, a qualified first-aid officer will be in attendance at every event. The fire safety officer has not made any representations on public safety;
- with regard to the prevention of public nuisance (noise from the premises, waste, litter, car parking, light pollution and noxious odours) and the measures included in the operating schedule, to limit the escape of noise from the premises or open site, the site has double exit/entrance lobby door systems for the northwest entrance (the entrance furthest away from the nearest residential property);
- the building has sound proofing measures to the interior with additional sound proofing into the chapel in the roof space (because of aircraft noise);
- the external smoking area is closed in on 3 sides;
- the picture window to the side of the property is non-opening and will be shuttered during licensed events;
- to restrict noise emissions below levels which might affect people going about their business, sound proofing is in place for doors and windows;
- the acoustic report in place was requested by the EHT and provided by the Applicant and accepted as compliant with the request to demonstrate the decibel level is below permitted levels. The noise level inside the building will be at a safe and ambient level for guests and staff working

at the premises. With reference to the plan of the premises, the interior is very open; the design of the room does not allow for excessive noise;

- to minimise and control noise from customers arriving and departing from the premises, a 45-space car park and a pick up and drop off point have been provided at the northwest entrance to the building furthest away from any residential property;
- arrivals and departures to the building will take place during the times at which Manchester Airport is at its busiest; the passage of aircraft is probably once every 4-5 minutes;
- the double-entry lobby system will further reduce noise emissions; a system called 'Taxi Butler' is in place. This is an automatic system which is used and involves summoning a taxi from a local firm which has an arrangement with Owen House and Lady Grey. The arrival and departure of taxis and guests will be controlled by a security firm. No guests will be allowed to leave on foot without being asked why;
- an agricultural cement panel wall has been put around the entire area of the car park and drop-off point to prevent light sweep from cars across open fields and to provide a noise buffer from car engines;
- with regard to light pollution, the only part of the building which faces residential premises in the area is the residential part of Lady Grey Farm and the Applicant does not expect any light pollution from that side of the building;
- the licensing authority should not impose conditions that do not relate to the vicinity of the premises.

An objector, Mr Ansell, wished to clarify that with regard to light pollution, his property does experience light pollution from the venue at his property 200m away.

In response to a questions from the legal representative of the objectors and the committee Members, the Applicant confirmed that 2 Temporary Event Notices (TENS) have been put in place for events this year (weddings in February and July) and that no others had been booked. The February event had already taken place (22 February).

Mr Dixon, in response to a question from Mr Tim Mort, confirmed that the Applicant did not have any photographs available at the hearing showing the configuration of the building/what has taken place at the development but made reference to the floor plan included with the Application.

Mr Dixon and the Applicant, in response to a question from Mr Andrew Mort, explained the internal configuration of the building and its location in relation to the site (the back bar and fire equipment locations); how the 3 roofs of the 3 outbuildings had been removed and replaced with 1 overarching roof to make 1 building. He confirmed that the front section of the Application site is residential (occupied by Mr and Mrs Morgan); the wedding venue and car park being located at the rear.

Representations from Stephanie Bierwas on behalf of the EHT

Ms Bierwas confirmed that the EHT initially objected to the application following concerns over public nuisance as to noise. A NIA was requested by the EHT to ensure that the licensing objective on prevention of public nuisance was upheld.

The Applicant submitted the NIA which was assessed by Ms Bierwas. The Applicant stated that the background noise level would not be exceeded and the EHT was satisfied with that; the Applicant also set

out considerations for the aircraft noise impact that may have assisted with masking any noise from the premises.

The NIA predicted that the worst case of noise calculations from the build envelope is to the objectors' properties; the report predicted that the background level noise would not be exceeded at the premises.

Ms Bierwas conducted a visit to the site on 12 February 2020 during which the NIA was discussed with the Applicant and the agent (Mr Dixon). A number of conditions were discussed, in particular the taxi call point, the area outside of the premises, the agricultural fencing surrounding the premises and the orientation of the premises away from noise sensitive properties. The terminal hour was also discussed and it was agreed that it would be tightened to midnight. The NIA, the visit and the 7 conditions agreed with the Applicant (as proposed by the EHT to control noise and protect residents) would uphold the licensing objectives.

In response to a question from Ms Tulloch (of Kuits Solicitors on behalf of the objectors) on the issue of other types of noise than 'breakout noise' not being included in her report, Ms Bierwas confirmed in her experience that the sort of noise that people object to from licensed premises is usually breakout noise from entertainment such as disco/music noise rather than 'people' noise. This was discussed during the site visit; the location of the break out areas where people would congregate, the orientation of the building and the agricultural fencing in place fully enclosing the site so as to mask noise coming from it – Ms Bierwas was happy with that.

With regard to the 2 noise reports submitted at a very late stage (one commissioned by the Applicant and another commissioned by objector Mr Tim Mort), Ms Bierwas confirmed that she had not had time to consider the reports in full, having only had sight of both NIAs on the morning of the hearing. She would need further time to assess the reports in full and also undertake further assessments but did note that the noise consultant for Mr Mort states that the weather conditions were inappropriate for taking such noise assessments.

The EHT is trying to uphold the licensing objective on the basis of public nuisance; statutory nuisance is something completely different; they are along the same lines but they are slightly different when it comes to assessment.

Ms Bierwas confirmed she would need more time to consider the reports and conduct further assessments. The EHT did not receive any noise complaints following the event on Saturday 22 February 2020; complaints may have been received but were not as yet on the council's system.

Following a short adjournment of the hearing and in response to a further question from the objectors' representative, Ms Tulloch, Ms Bierwas confirmed that if the site is controlled by licensing and managed and operated appropriately and adequately so as to not cause a public nuisance, another wedding barn in this area of Mobberley would not be inappropriate.

Having had the opportunity to consider them during the short adjournment, Ms Bierwas addressed the committee on the 2 noise impact assessment reports submitted on behalf of the Applicant and Mr Mort as follows:

- the noise consultants have undertaken noise measurements on the same night (Saturday, 22 February 2020); the Applicant's representative took noise measurements from visiting the site during the event, whereas the objector's noise consultant installed noise equipment at his property which was subsequently assessed remotely by way of review of the audio recordings taken;
- the objector's noise consultant stated that there was no noise after 11.00 pm, yet the premises had a TEN until midnight. The noise consultant for the Applicant states that the noise continued until

midnight. There is then a discrepancy between the two reports as to what was actually heard after 11.00 pm;

- the noise levels that were recorded were for a live band; Ms Bierwas's concern/query to the Applicant would be what time did the band start and finish and what particularly occurred after 11.00 pm;
- the noise consultants have each addressed their briefs to undertake a noise assessment from their respective clients. Noise consultants look at noise levels; the EHT use the noise generated inside the venue to provide for a noise installation scheme for the build envelope so that noise from live bands and DJs does not break out from the envelope impacting residents living in proximity to the premises;
- returning to the time of 11.00pm, Ms Bierwas stated that there is a need to establish if there were any doors open at the premises as noise should not have been heard. The original noise consultant's report predicted that noise would not be audible at the premises; it would actually be below background;
- noise reports can be fixated on a noise level, however, the EHT tries to move away from noise levels as they are very difficult to achieve as a way to monitor something. EHT has moved towards a subjective assessment of noise, which has been stipulated in the noise conditions for the premises licence. Subjectively speaking can the noise be heard? One report states that it can, whereas the other consultant states it cannot;
- the licence condition then requires the Applicant to undertake his own subjective noise assessments - not noise monitoring – at the perimeter of the property to establish whether noise escapes from the premises to cause a nuisance to noise sensitive premises. If, in the Applicant's opinion, it does, then further controls on their operations to reduce the volume should be in place;
- having considered the reports, it was Ms Bierwas's professional opinion that the licence conditions on noise were sufficient to manage noise at the premises.

Mr Dixon did not have any questions for Ms Bierwas, however, he stated on behalf of the Applicant that a door at the venue had been left ajar on 22 February 2020. He confirmed that ensuring that this does not happen again is the Applicant's number 1 priority. As this was the first event at the venue, Mr Dixon stated that there will be teething issues; it was appreciated that this was a serious issue but that steps will be taken immediately to ensure it cannot happen again and that security on the door will be improved. The event did continue until midnight and taxis picked people up after 11.00 pm; music was still played at the venue after 11.00 pm.

In response to a question from Mr Ansell, Mr Dixon clarified with reference to the Applicant's floor plan that it was the staff 'back bar' door which was left open. That door is closer to the residential property and hence why the noise could be heard at the higher level. This door will not be able to be opened in future. The Applicant confirmed that as the building is not quite finished, a 'closer' had been missed off the back bar door; he went outside at 11.00 pm and closed the door.

In response to questions from Mr Tim Mort, Ms Bierwas confirmed that one of the conditions being imposed on the Applicant was that live or recorded music should not be heard at the boundary of the nearest residential property and that this same condition had been imposed on Owen House to protect local residents.

Mr Tim Mort asked Ms Bierwas if at the time of her first report, whether she required further details as to the construction of the building so as to assess if noise breakout expenditure was required by the Applicant. Mr Mort also asked Ms Bierwas if, before she had visited the premises and before a noise

assessment had been carried out, she believed that there was sufficient distance between the premises and residential properties (including Mr Mort's house which is 100m away from the barn); as at that stage no details had been provided regarding the construction envelope for the 3 converted barns that make up the premises to ensure adequate control of noise breakout from the proposed wedding function centre. Mr Mort asked if it was that when Ms Bierwas visited the premises on 12 February 2020 having received the noise impact assessment report which indicated that the background noise exceeded on the predictions the noise coming from the venue was there no need to spend money on an expensive exercise inside the building.

Ms Bierwas responded by saying that the noise report provides details of the build envelope for the venue and the noise mitigation required for the build envelope (steel sandwich between a tiled roof as detailed in the report) that is required to assess the noise level on the dance floor.

Mr Mort stated that the report to which Ms Bierwas was referring to (the acoustic report of 9 February 2020) has not been seen by the objectors. Mr Dixon on behalf of the Applicant stated in response that the noise report produced before Ms Bierwas's visit on 12 February 2020 was not included in the report as the EHT was satisfied with the report; the conditions asked for had been met and the objections had been withdrawn.

Mr Mort asked if residents who had heard noise coming from the premises were expected to accept that the noise heard on 22 February was attributable to a door being left open or whether or not there are problems with the way in which the building had been insulated; the objectors have not seen the interior of the interior of the building; what has been complied with, what has been done because there is no planning application. There is no plan so residents are in the dark as what has been proposed and what has been done.

Mr Dixon on behalf of the Applicant confirmed that the noise breakout on 22 February 2020 was as a result of the door being left open and will not happen again.

Mrs Philippa Mort made a representation regarding the situation of the noise monitoring equipment in relation to her home; the inclement weather on the night of 22 February 2020 may well have interfered with the readings.

In response to questions from Members, Ms Bierwas confirmed that she had attended the site on 12 February 2020; she had not visited the site since then. She confirmed that the site was still under construction; some building works were outstanding e.g. toilets and internal doors not being in place and the roof structure was still being finalised.

Ms Bierwas confirmed that the issue of fire doors and fire safety assessment was not within the remit of the EHT. She also confirmed that any matters of construction of the building for the EHT related to the noise impact assessment only. The upgrading of the mitigation measures for the build envelope i.e. walls, doors and roof space; those are the only details for the build that Ms Bierwas had seen.

Mr Dixon for the Applicant stated that a visit has been made by a fire officer from Cheshire Fire; he has no issues with the site regarding the installation of fire-fighting equipment. Fire-fighting equipment is marked as 'FE' on the application plan. The Applicant confirmed that there are 4 fire exits.

Ms Tulloch for the objectors sought clarification on the number of people that can be accommodated at the site; this goes to the heart of some of the issues that had been raised. The Applicant did not have figures for Lady Grey Farm but confirmed that Owen House can accommodate up to 600 people but never does, so probably in the region of 200. The Applicant also confirmed that a fire safety assessment was due to be carried out in the week following the licence application hearing.

Kim Evans, Licensing Team Leader, clarified that capacity limits are set by the fire safety risk assessment. As the Applicant did not have a figure to hand, she asked whether or not the assessment had been done. The Applicant clarified that it had not; it was due to be completed during the week following the hearing.

Ms Tulloch pointed out that the venue had also held an event without the fire safety risk assessment having been carried out.

In response to a question from the Chair regarding a reference in her report to the sufficient distance of the venue from residential properties as contrasted with wording regarding noise sensitive premises, Ms Bierwas clarified that in her professional opinion that she has dealt with residents living in closer proximity to a licensed premises but in this case there are still residents close to the venue.

Ms Bierwas also confirmed that she has no further clarification to make on the terminal hour (taxis leaving etc.) save for the Applicant's initial request for 02.00 am raised concerns and that it was agreed that the terminal hour (as was also stated in the noise consultants' report) should be brought back to midnight for a premises at that location.

Mr Dixon, at the Chair's invitation, clarified that if the entertainment/bar stops at midnight, carriages are at 00.30 am. Guests will have already left the event. It is rare to have an amount of people still at the premises.

In response to Ms Tulloch for the objectors, Ms Bierwas clarified the typographical error in the report; it should read 'Monday to Sunday'.

Mr Dixon clarified for the Chair that the terminal hour of midnight is the hour that the premises close; entertainment and alcohol service stops and guests are invited to take carriages.

In response to questions from Kim Evans and the Legal Adviser to the Committee (Bankole Thomas), Mr Dixon confirmed that the Applicant had not amended their application for a terminal hour of 01.30 am to the earlier point of midnight; the Applicant still wanted the hours as set out in the application. The events will comply with the request from EHT for regulated entertainment to end at midnight but the option to go past midnight to 01.30 am/02.00 am is still required. The majority of events finish at midnight. A further impact assessment would be made for events to be held after midnight.

Kim Evans clarified, in response to a question from Members, that conditions cannot be attached to a TEN.

Representations from Objectors

68 written objections were received in respect of the application encompassing concerns around noise nuisance, light pollution, drunken and disorderly behaviour, impact on wellbeing of local residents e.g. sleep disturbance for adults and children caused by noise nuisance, the excessive hours applied for, the Suggested Hours Matrix in the council's licensing policy, lack of fire safety assessment, the impact of increased traffic on road safety in the vicinity of the site, the lack of planning permission in place for the wedding barn, the site of the barn falling within or very near to the public safety zone for Manchester Airport and in close proximity to Crash Gate 9.

Representations by Kuits Solicitors on behalf of the Objectors

Ms Tulloch of Kuits Solicitors made representations on behalf of a number of the objecting residents generally; however, some of those objectors reserved the right to speak on their own behalf. Ms Tulloch set out the following:

- her clients have found it difficult to navigate the licensing process. They are thankful to Cllr Charlotte Leach for her support and assistance but they have had hurdles to overcome from the very beginning. They have been frustrated by the request to pay £10.50 to obtain a copy of the application. They had difficulty obtaining papers at the end of the consultation period. Information received has been at a late stage;
- while 68 representations were submitted, only 40 have been accepted as valid by the licensing authority. Some of those, as seen by Kuits, are considered to be valid by them; there is the option of challenging the decision to reject those representations by way of judicial review. Judicial review remains an option for her clients;
- there is considerable strength of feeling among the objectors to the application; the application should be rejected in its entirety. Any licence at the premises is inappropriate with the grant of a licence causing nuisance by way of noise and anti-social behaviour undermining the public safety licensing objectives. This is notwithstanding the agreements with Cheshire Police, the EHT in place. Even in its amended form, the licensing objectives will still be undermined;
- the original application is wholly inadequate; the operating schedule is insufficient by any standards but especially so in relation to the late hours applied for and the sensitive nature of the location of the premises. The application appears to have been drafted in the widest possible terms with the most basic conditions to see if anything sticks;
- the objectors have serious concerns regarding hours (until 02.00am) and the number of days applied for i.e. 7, Monday - Sunday. If the Applicant is serious about operating 7 days per week, this fills her clients with absolute dread. If not, the application has been drafted without specific thought to the hours for licensable activities that they require;
- as the operator of Owen House nearby, the Applicant should know what makes a good application. The Owen House licence has earlier times than those proposed for Lady Grey Farm and more conditions;
- with reference to the conditions offered on the licensing objective of crime and disorder, the offering of CCTV, an incident log and keeping a written notice of authority conditions etc. are not over and above the requirements of the Licensing Act 2003 to show how they will satisfy the licensing authority;
- it is not for responsible authorities to draft conditions. The onus is on the applicant to demonstrate what steps they have taken or plans to take to promote the licensing objectives;
- with regard to the licensing objective on public safety, a fire alarm and a first-aider on site is a legal requirement. An event has already taken place at the premises without a fire safety assessment having taken place. Holding an event under a TEN does not negate the requirement for an operator to fulfil other legislative safeguards for planning and fire safety;
- the Applicant has not had regard to traffic in the operating schedule; there is no planning permission in place or any building regulation/control;
- as far as the objectors are aware, a wedding venue licence can only be given issued for completed venues; there is doubt as to the order of the various applications made by the Applicant. The approach is 'upside down'.;
- with regard to the licensing objective of prevention of public nuisance which was - engaged by the application and addressed in more detail by the objectors, only 3 conditions were offered in the original application – notices outside the venue regarding leaving the premises quietly, monitoring

litter in the vicinity of the outlet and closing doors and windows where possible after 11.00 pm. These do not go far enough. The objectors would have expected a condition in which the Applicant categorically states that doors and windows will be closed after 11.00 am. Although the objectors acknowledged that matters had moved on and that conditions had been agreed, it is not the job of the EHT to draft conditions. Conditions have only been included after consultation with the responsible authorities but even the conditions as agreed, do not go far enough;

- the Applicant did not engage in any pre-application consultation with the residents, or offer to engage and meet with groups once the consultation period had ended. There was no attempt to reach out to objectors, rather the Applicant sought to have representations struck out. This raises doubts for the objectors as to whether or not the Applicant will communicate with them in future;
- the letter encouraging objections (a copy of which was included in the supplementary bundle for the hearing by the Applicant) is not underhand; this is quite normal in licensing matters. As a result of that letter 68 people submitted objections to the application. The Applicant could have exhibited its own letter to residents inviting them to a meeting to explain to them what was going to happen – that would have been the right thing to have done. Partnership working and communication is at the heart of the Licensing Act 2003;
- although agreements with the police and the EHT have been agreed, notwithstanding the reduction of licensable hours to midnight for entertainment, the application remains unacceptable to the objectors. Noise nuisance will be significant. In wet and windy conditions, noise could be heard during a recent noise monitoring exercise; the noise was so clear that songs/lyrics could be identified. This will worsen in summer months;
- the objectors were disappointed that EHT has not maintained their objection. There are conflicting noise reports. The committee may determine that they cancel one another out. The objectors did not believe that the application or hearing hinged on the production of noise reports; the objectors maintain that a nuisance was caused on 22 February 2020. The Applicant disagrees;
- the issues are wider than just noise. This is the latest licence in the area. The Church Inn public house in Mobberley would not get a 02.00 am licence and Lady Grey Farm should not either. Unlike a pub, where customers gradually disperse during the course of an evening, wedding venues are the exact opposite;
- there is doubt over the exact capacity of the premises; it has already been open to the public for an event. The fire safety certificate is outstanding. There is the potential for a huge number of people exiting the premises at the same time at a very late hour. The residents are disappointed not to have seen a dispersal policy – this remains a live issue;
- the provision of a 45-space car park will not tackle but add to the noise with guests expected to arrive and depart at the venue by car; the 'Taxi Butler' system is no different to summoning a taxi via Uber as it will not be less noisy arriving at 02.00 am to collect passengers;
- the submissions from the Applicant on the hours he wishes to operate are confusing. There is no suggestion by the Applicant that the hours for the sale of alcohol be brought back. The concession is for regulated entertainment only;
- the objections from the residents are similar but are not repetitious and should not be treated as such. Other issues raised by residents which fall outside the licensing objectives (e.g. planning) do not negate concerns of the residents or valid points made elsewhere in their objections;

- made reference to the council's licensing policy – specifically paragraphs 2.4 and 2.8 regarding the protection of amenity and the location and environmental impact of the proposed activity respectively;
- with regard to the Suggested Hours Matrix in the council's Statement of Licensing Policy and what is acceptable for premises in different locations; logically licences for town centres are later than for elsewhere. Late night premises in Mobberley are not permitted. Where there is a reference to a late night bar in the matrix, there is a cross marked against it;
- Lady Grey Farm is not a neatly categorised venue. It is not a restaurant as food and drink are not allowed after 11.00pm; entertainment will stop at midnight. The sale of alcohol from midnight to 01.30 am means that the venue will be a late night bar. This is not suitable for an area such as Mobberley;
- the objectors believe that this is a premature application; the licence is not even needed. A TEN is in place to cover the only other event scheduled this year in July. An operator can have up to 15 TENS per year; if only 2 have been used by July then there are plenty left over to cover other events that might take place in the latter part of the year. The Applicant should prove he can operate under TENS first, obtain the necessary planning permission and then submit a fully formed licensing application;
- the hours applied for even in their amended form are too late. There are insufficient conditions proposed or a satisfactory operating schedule and there has already been a noise breach before a licence has been granted;
- 40 valid objections have been made to the Application and not a single representation in support. Given the weight of the evidence, the application must be refused in its entirety.

Representations from Mr Tim Mort

Mr Mort set out how long he and his family had lived in Mobberley. The position of the runway at Manchester Airport has protected the position of the family in that while the runway operates there is a window from 11.00 pm to 06.00 am during which planes do not go off runway 2. That is the designated sleep pattern for this part of Mobberley as a result of the concessions made by the airport when permission for the runway was granted.

Mr Mort set out a short history of Lady Grey Farm (CPO by the airport and then tenanted, following its purchase during the 1990s). The barns had been used for low-key activities such as storage of equipment/vehicles but nothing that impeded his family's enjoyment of their home. He stated he was delighted that house would be used as residential dwelling by a young family. He was lead to believe that the family were getting away from Owen House by living at Lady Grey Farm but there may be a few wedding event occasions. As it was very low key and no planning application, Mr and Mrs Mort did nothing about it. There was however a huge upsurge in activity at the premises with building work having taken place, followed by an application for a licence.

The first wedding was held on 22 February 2020. Mr Mort felt that that might be an opportunity to find out how bad the noise might be and how he could react. There was a constant noise of a generator or heating, the wind did affect the noise, however, Mr Mort stated that he was not exaggerating that he could hear music; he went outside and could hear the voices of partygoers outside talking and laughing and believes that sets the pattern of what is likely to happen thereafter.

On 13 February 2020, Mr Mort was working in a downstairs room at the front of the house (about 109 metres from the barns) when between 6.15 pm and 6.30 pm, the walls and the desk in the room vibrated

from noise from Lady Grey Farm. He presumes that somebody was just testing the noise. He was gravely concerned as the noise was far in excess of the noise that was heard on 22 February 2020. Mr Mort was concerned that the noise had been kept deliberately low during the wedding on 22 February in the face of the application hearing on 27 February.

The wedding venue is a life-changing proposition for him and his family; he is very concerned about it. He is at pains to say to the Applicant and his family that he has never fallen out with neighbours and does not want to now. He finds this very difficult to cope with.

With reference to paragraph 2.7 of the council's Statement of Licensing Policy, Mr Mort underlined the need to protect the public and local residents from crime, ASB and noise nuisance caused by irresponsible licensed-premises and the duty to protect amenity. The impact on the local environment is considerable. Mr Mort stated that there is a question mark over the suitability of the premises – it was only on 12 February 2020 that the Applicant told the local authority that he is the is in fact a director of Owen House Farm and that the same limited company owns Lady Grey Farm. The Applicant describes himself as an individual but is patently a company director.

Although he is the designated premises supervisor for Owen House Farm, there is no reference to considerations as to how to deal with noise nuisance. In the Owen House conditions, there are no less than 13 conditions dealing with noise nuisance. The fact that only 2 are included in the Lady Grey Farm application is a concern. Is the Applicant trying to pull the wool over people's eyes by trying and distance himself from Owen House?

The licensing application of 6 December 2019 describes the premises as a rural location consisting of 3 converted barns. While planning is not part of the licensing committee's remit, Mr Mort submitted that it is relevant for the licensing committee in so far as suitability is concerned.

For the purposes of planning, the existing building has been described as 'agricultural'; where there is no change of use, there is no need to consult with the responsible authorities such as the airport. It is, however, a converted barn.

Reliance on TENs does not excuse the requirements of planning permission. There is no planning permission; and no building regulations in place. There may be a public liability insurance policy in place, but what self-respecting insurer faced with a substantial claim is going to pay out when the premises is not covered by building regulations?

Mr Mort stated that he has to face the possibility of events at the venue every Friday and Saturday night. It will not just be music in the summer, but people laughing and enjoying themselves outside, smoking having a laugh – all clearly audible. Vehicle deliveries will increase significantly and, if there are going to be 45 car parking spaces, this means that there – will be at least 90 vehicle movements, leaving aside deliveries and taxis.

This seems to be an infinitely expandable venue; with potentially up to 600 people there. The Applicant does not even provide measurements for the room shown on the application plan.

If the venue has a capacity of 600 persons, this will impact on what is currently a quiet country road.

There are too many unknowns in this application. There is another event scheduled for July and Mr Mort hopes that building regulations and planning permission will be in place before then. If not, the event in July will be in breach of other relevant legislation and potentially without suitable public liability insurance.

Mr Mort stated that the order of the applications is wrong; the application should be dismissed.

Representations of Jane Hopkins

Mrs Hopkins stated that from her home (where she lives with her 3 children) she can clearly see Lady Grey Farm. She would not have purchased her home had she known Lady Grey Farm would be used as a wedding venue.

A wedding barn is a romantic name for what will essentially be a nightclub but with longer opening hours.

The neighbours may seem far apart in comparison to a suburban area but noise travels much more easily in the countryside. Mrs Hopkins stated she was in no doubt that the venue will cause noise nuisance at the boundary of her property and also within her home.

Mrs Hopkins has experienced noise nuisance from venues further away than Lady Grey Farm. On a calm summer night, she has heard music (electronic or live) from all bedrooms within her home.

The Applicant could have spoken to his neighbours before buying the premises to find out issues and potential objections to the venue.

The application is very broad and expensive; the stress and uncertainty caused by this potential business with no current planning permission for a change of use has been enormous. The threat of noise nuisance from the wedding barn operating fills her and her family with dread; the boom-boom of music making it impossible to sleep.

Mrs Hopkins expressed further dread of the increased traffic and people unfamiliar with the lanes, driving to the limit making it impossible to use the lanes for recreational use; as well as inebriated party guests getting lost trying to find their way in the rural residential area.

There was a wedding held at Lady Grey Farm on 22 February 2020; Mrs Hopkins could clearly hear a band playing from her home and garden.

One of her children is already worried about the loss of sleep; he needs a peaceful environment to sleep. She is worried about her children's health, happiness and the ability to gain an education if the premises licence is granted.

Mrs Hopkins stated that she did hear noise from the venue on 22 February 2020 but did not lodge a complaint as she knew she would be attending the Licensing Act Sub-Committee hearing on 27 February 2020.

Representations of Phil Roberts

Mr Roberts lives with his family approximately 300 metres away from Lady Grey Farm. It is a rural location and noise travels long distances in the area. The hours applied for are far more than any other venue in the locality and is not appropriate for a quiet residential area.

Mr Roberts stated that music from the adjacent Owen House Wedding barn, Tatton Park outdoor concerts, Capesthorne Hall, the Jodrell Bank Blue Dot Festival and frequent marquee weddings in the surrounding area can already be heard by him and his family; these cause frequent and persistent disturbance.

From a public nuisance perspective, Mr Roberts stated the noise proposed from this venue particularly the repetitive music bass-beat and increased volume of traffic would therefore cause massive disturbance and inconvenience.

Mr Roberts expressed concerns regarding public safety on the local lanes; Lady Lane and Davenport Lane are narrow and winding country lanes and do not have the capacity to cope with regular increased volumes of traffic. There are cycleways and bridleways used by many people including children. There are no road markings, streetlights or pavements. The road surfaces are poor. There is very limited mobile phone signal in the area and limited public transport.

From an overall safety perspective Mr Roberts does not believe that it is a suitable venue for large numbers of people, unfamiliar with the area, spilling out and there is no dispersal policy in place for the venue.

The increase in vehicle volumes, especially taxis – as there is very limited public transport in Mobberley – will automatically create noise and disturbance into the early hours. Despite previous comments regarding aircraft noise, even Manchester Airport is subject to noise restrictions in its planning permission; runway 2, which is nearest to Mobberley, cannot operate between 11.00 pm and 6.00 am. There are limited movements during those hours, not the 4-5 minutes stated earlier (during the Applicant's submissions).

Despite representations on noise closers etc., there has been noise disturbance already from Owen House Farm, half a mile away often after midnight. Loud music can be heard and the songs can be identified; also noise of people departing from the venue with no consideration for the quiet neighbourhood.

There are already 2 licenced wedding barns in the vicinity and other venues capable of holding such functions locally. There is no need for another licensed venue in the locality. Another venue will cause unnecessary noise and disturbance to residents who have chosen to live in a quiet rural location. The protection of a safe, peaceful rural environment is paramount, therefore constant noise and disturbance is inappropriate. The application should be rejected in its entirety.

Representations of Andrew Mort

Mr Andrew Mort spoke on behalf of himself and his sisters. He is the son of Mr Tim Mort and Mrs Philippa Mort. Andrew Mort grew up in Mobberley but left at 18 years of age to go to university.

Mr Mort stated that it is a quiet rural community with narrow country lanes, there are blind corners and a nasty crossroads used by cyclists and walkers alike.

The building is much closer to people's homes than the Owen House Farm wedding barn.

There is some inconclusiveness regarding the noise report; recorded music being audible to the actual word at his parents' property not to mention the drunken revelry inside and out at wedding venues right throughout the day; speeches (jeering and cheering). There will be an irrevocable change in the environment affecting residents' peaceful enjoyment of their homes.

He asked how others would feel if someone decided to dump a nightclub in their back garden to operate 7 days per week.

Mr Mort stated that he and his sisters are concerned about the anxiety this has caused to their parents who live opposite the venue; sleep deprived nights will impact on their health.

Mr Mort is concerned that any visits that he and his sisters make with their children to their parents' home will be subjected to the same sleepless nights. They visit their parents' home, often at the end of very busy weeks, to escape the hustle and bustle of city life, not to subject themselves to more sleepless nights.

Mr Mort is most concerned by the Applicant having been presented with the list of objections and yet they have not attempted to reach out to their neighbours, collaborate or find compromise.

Mr Mort also drew the Committee's attention to the conservationist report published on 26 February in connection to the planning report as indicative of the behaviour of the Applicant so far.

Mr Mort asked the –Committee to consider what precedent would be set by granting a music and alcohol licence in such a quiet area. Any approval would condone individualism. There will be an irreversible change to this part of Mobberley.

Representations of Andrew Ansell

Mr Ansell lives within view of Lady Grey Farm. He stated he could see lighting in the dance area (spotlights) coming from the venue during the event on 22 February 2020.

He has teenage children, 2 of whom are at important stages of their academic careers. He is concerned about the impact of noise nuisance on their sleep and studies.

Mr Ansell explained how his knowledge of the application was by chance; having been informed of it by Mrs Hopkins. He stated he believed the previous family had moved out of Lady Grey Farm because of the noise from Owen House Farm. Mr Dixon for the Applicant objected to this statement as hearsay. It was clarified by the Legal Adviser and the Chair that hearsay is allowed in such hearings.

Mr Ansell explained the background to researching the application and licensing policies and procedures. It was clear to Mr Ansell that the application could not go ahead as per paragraph 4.2 of the council's Statement of Licensing policy; while it is recognised that licensing and planning are separate legislative regimes, and that the licensing authority will not consider any breach of planning, it is the case that planning permission is usually required before the use of premises or licensable activities.

Lots of work has been done at the site without planning permission. The entirety of the site does not have planning permission; the change of the roof is only 1 aspect of the building work done and subject to a planning application. Other aspects have been omitted. Building regulations approval has not been obtained and a fire safety certificate is not in place. The proper process has not been gone through.

Mr Ansell made reference to the paragraph 5 (sic) of the Policy regarding Building Regulations governing 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'*.

Kim Evans, Licensing Team Leader confirmed that the grant of a licence can take place when planning permission does not exist, however, operating under the licence without planning permission is not supposed to happen. Regarding planning, different activities can be delivered without a change of use of the land taking place.

Mr Ansell stated that he felt that the process was complex to go from a domestic residence but the process has been approached 'upside down'.

Mr Ansell's primary concern was noise nuisance although he did not hear noise from the venue on 22 February 2020 due to the wind. He knows others did hear the noise but understands that the noise monitoring was affected by the weather. Mr Ansell believed that the venue should be tested so that environmental impacts can be measured from different neighbouring properties.

Mr Ansell expressed concerns about the roads, parking and navigation of traffic insofar as the Applicant will do his best but cannot stop other drivers. He also went on to say that in summer, it is the natural behaviour of people to open doors and windows and questioned how this could be controlled with 150 – 200 people at the venue. A proper sound survey can address these issues.

Mr Ansell questioned why the application was made by the Applicant as an individual and not by the business.

Mr Ansell believed that the venue was not at all suitable for any compromise and that the application should be rejected in its entirety.

In conclusion, Mr Ansell expressed that he was concerned about his children's safety including that of the Applicant living in residential accommodation so close to the venue.

Replies/Questions from the Applicant to the Objectors

In response to the representations made by the objectors, Mr Dixon for the Applicant made the following points:

- the Application for Lady Grey Farm is a mirror of that made for Owen House; why is this application considered to be vague when Owen House was accepted without objection?
- with regarding to planning, the hearing was not able to consider planning matters under section 4.2 of the policy. Planning and building regulations did not make any representations on the licensing application;
- regarding engagement, Vanessa Daniels (sic) did have a conversation with Mr Tim Mort and gave him his telephone number. No call was made;
- the noise reports have been compiled by professionals and have formed the basis of the agreed conditions. They are a matter for consideration by the EHT and are not required to be public documents. The EHT was satisfied with the report;
- it is not correct to say that the Church Inn nearby would not get a late licence. The pub would be subject to the same application process as Lady Grey Farm;
- the hours of operation do need clarification. The hours applied for are 01.30 am and 02.00 am and with reference to Owen House, which does have slightly different hours. At the weekends, Owen House is licensed until 02.00 am. Very rarely does it use the 02.00 am licence but it is in place. That application went through without any objections;
- with reference to the proximity of properties, noise was not heard at Mr Ansell's property 400 m away from Lady Grey Farm. Proximity is not an issue. Other residents who have made representation are 1.5 kilometres away. If you do not live close to the venue, you cannot be affected by the roads around the property. Mr Mort's, Mrs Hopkins's and Mr Ansell's are the closest properties;

With reference to the objector's noise monitoring report which stated that the event finished at 23.00 pm, Mr Dixon asked Mr Tim Mort if the noise reduced after 23.00 pm to a noise level expected? Mr Mort replied that unless he had been sitting outside in his garden (which he was not), he was unable to say. Mr

Mort was so concerned about what the noise level might be, he commissioned the noise report. The expert put the equipment in the garden at Friday lunchtime until Monday as he did not know which night the event would take place. On the night, it was Mr Mort's impression that the event ended at about 11.00 pm. As to what time it was that was all from the acoustics report; Mr Mort was not outside listening.

Mr Dixon asked Mr Mort whether from the inside of the property, the noise level made him assume that the event had ended. Mr Mort agreed that this was perfectly fair; the noise was not like that experienced on 13 February 2020 when the walls vibrated.

Mr Dixon asked Mr Mort about subsequent noise from taxis and revellers leaving the venue, and whether that happened on the night. Mr Mort said he could hear vehicle movement and in fairness to the Morgans, knowing there was to be a licensing application hearing 4 days after the event, Mr Mort said he would be astute to the music being turned down in the barn. Whether that was representative of an actual night of music, he doubted. He also said that the event was held for friends; friends would be astute to their loyalty to keep quiet because of the pending application.

Mr Dixon stated that the Morgan's were responsible on the evening. Mr Mort stated that he wholeheartedly agreed.

Mr Dixon continued stating that the issue of the ownership of the venue or the name of applicant is irrelevant for the basis of an application.

In response to a question from Mr Dixon, Mr Roberts confirmed that he could hear noise from other venues such as Tatton Hall during the day time through to the evening up 11.30 pm and that this did not depend upon the wind direction. He has been able to sit in his garden and listen to events at Tatton Hall and Capesthorpe Hall as if at those venues. Mr Roberts confirmed that he had not made any objections to such events as they occurred infrequently, not every Friday and Saturday.

In response to Mr Dixon, Mr Andrew Mort confirmed that he grew up in Mobberley. He now lives in London and visits his parents in Mobberley once per month at the weekend; it is a great opportunity to unwind. His sisters are parents to young children; the children stay with their grandparents weekly to give his sisters respite. The music is talked about as being well-contained but his concern is that while he does not live at his parents' house, the noise is sufficient for him to be disturbed. He is concerned about the disturbance to his parents and their long-term health. That is why he and his sisters have submitted an objection.

In response to Mr Dixon, Mr Ansell confirmed that he did not hear noise on 22 February 2020; he confirmed that he could see the lighting from the venue from his downstairs kitchen window which is eye-level to the site. He stated that he installed double-glazing on moving in to his home to mitigate the noise from the air traffic to Manchester Airport. He went to bed early on the night of 22 February 2020; Mr Ansell believes that the noise impact would be different on a clear day.

When asked by Mr Dixon if the noise on 22 February 2020 was the standard level of noise and would he be happy with it, Mr Ansell responded that he believes that there should be testing carried out on a suitable day to determine what can be heard and when. That will avoid reliance on a complaints procedure. It makes sense to Mr Ansell not to grant the licence now, and to test the site and grant a licence later on if appropriate.

Regarding a question from Mr Dixon on the content of the letter distributed to drum up objections (based on supposition and fear, not fact – fireworks and planning), Mr Ansell confirmed that he was not the author of the letter and while he was aware of its existence, he had not had sight of it or distributed it. Mr Ansell explained the nature of the meeting arranged for residents at the cricket club and his presentation to others to explain the licensing process and objectives. It was agreed that the residents had insufficient expertise in licensing and so instructed Kuits to represent them.

Mr Dixon clarified that he was trying to ascertain the basis for the claims in the letter distributed, not to have it discounted.

In response to a further question from Mr Dixon, as to why he thought the Applicant would put their children in the way of harm living next to the wedding barn, Mr Ansell confirmed he was concerned about the effect of noise on all parties, including the children of the Applicant.

Mr Armitage made the point that the protection of children from harm is not solely confined to noise from the venue; the traffic impacts on the lanes put children at risk riding, cycling and in prams. The lanes are not suitable to take the volume of traffic talked about. Children will be at a greater risk of harm than they are at the moment.

In response to Mr Armitage, Mr Dixon stated that such concerns were not for the licensing meeting.

Kim Evans, Licensing Team Leader clarified that the committee can take into consideration any activity that – is linked to the licensable activities being provided at the premises; it is not necessarily just within the premises.

Questions from Committee Members

In response to questions from Councillor Leslie Smetham, the Applicant confirmed:

- that he intends to continue to run both venues and there is sufficient business to do so;
- that bookings are rarely taken for each day of the week; people only really want to book for Friday, Saturday and the odd Sunday wedding (which are infrequent). Part of the reason why they have expanded is because there are only so many Fridays and Saturdays available to facilitate weddings;
- the reason for the application covering every day of the week, was because the application mirrored Owen House; it would be feasible to reduce the number of days;
- that a planning application has been submitted in respect of the roof of the barns at Lady Grey Farm and another application for a slightly larger septic tank. The change of use planning application is in progress; he is trying to get everything lined up for that application and it is quite a complicated procedure. A planning agent is acting for the Applicant to ensure everything is done correctly;
- that guests do not have to wait for a long time for taxis. Owen House has been operated for a long time; stringent procedures are in place with good relationships with taxi firms;
- while the license for Owen House covers the showing of films, boxing etc. they only hold weddings there. Children's parties are held but that is it. 18th and 21st birthday parties would not be held as they are unmanageable. There is a 7-year track record at Owen House that Lady Grey is replicating. There have been no objections in the last 6 years. Owen House is the blue print for Lady Grey.

Kim Evans, Licensing Team Leader clarified that licenses are issued by the licensing authority with conditions attached to licensable activities. There is nothing to say that a different operator would act differently. Future considerations cannot be taken into account.

In response to Councillor Stan Davies, the Applicant confirmed:

- that the site was formerly used as a farm. It had been compulsorily purchased by Manchester Airport as part of the second runway development. A farm was reduced to a farm house and the outbuildings. Mr and Mrs Morgan live in the farm house; they are the closest residential property to the venue.

In response to questions from Councillor Leslie Smetham, Kim Evans, Licensing Team Leader explained:

- what amounts to licensable activities and what are deregulated activities within certain criteria;
- that the lack of planning permission does not cause difficulty for the grant of a premises license application. The council's licensing policy clearly deals with the separation of planning and Licensing control; while the committee shall not be influenced by planning matters, there is a statement in the policy that it can take into consideration non-compliance with other statutory regimes e.g. fire safety risk assessments not being in place etc.;
- that capacity is usually dealt with by the fire safety risk assessments. Licensing does not usually deal with capacity matters unless attention has been specifically drawn to the point under the licensing objective relating to public safety.

The Applicant explained to the committee that there are 200 people per fire door excluding the main fire doors; dispersal is about how fast people can get out of the building.

In response to Cllr Smetham, Kim Evans confirmed that Manchester Airport does not have any special status as a consultee under the Licensing Act 2003; this was echoed by the Legal Adviser and Mr Tim Mort.

Summing Up

The EHT's concluding remarks included:

- the conditions agreed with the Applicant are sufficient to promote the licensing objectives and are appropriate for the venue, its location and the protection of residents living in noise sensitive properties.

The Objectors' concluding remarks included:

- the application should be dismissed in its entirety;
- the Applicant is naïve to think that the licensing objectives will not be undermined; a breach has already occurred before a licence has been granted;
- while engagement has taken place with the responsible authorities, none has taken place with residents;
- a late licence over 7 days a week is too much in such a noise sensitive location. The premises will be a late night bar; the Schedule of Hours Matrix does not allow for that in this location;
- A compromise is not suitable even with reduced hours/no. of days;
- The grant of a license would undermine the licensing objectives.

The Applicant's concluding remarks included:

- the family have a long history of farming in the area. They are not newcomers to the area and do care about local residents;

- they are saddened by the escalation in the objections and at least 2 leaflet drops in a 2-mile radius of Lady Grey to drum up support against the application;
- the applicant wishes to mirror the licence at Owen House (situated about half a mile away from Lady Grey Farm) that has no history of issues. Over 400 weddings have been held at Owen House without problems/complaints;
- fireworks have never and will never be allowed at the venue;
- Lady Grey Farm's name change is named after their pet dog and not an attempt to mislead anyone;
- They strongly refute the objector's suggestion that they do not adhere to their licence at Owen House.

Kim Evans, Licensing Team Leader addressed the committee confirming:

- with reference to the Suggested Hours Matrix; it is supposed to concentrate applicants' minds to address specific issues in their operating schedules so that applications are fulsome in their descriptions as to how they will uphold the licensing objectives. It is not there to fetter the discretion of the committee. It is up to the committee to determine whether the conditions in the operating schedule go far enough;
- commercial need is not a relevant consideration for the licensing committee;
- the public register of licensing applications is viewable for free pursuant to s.8 Licensing Act 2003. For a copy of the register, the local authority is able to charge a reasonable fee under s.8(5) of the 2003 Act – that was set by the committee last April;
- there is no longer a vicinity test in that representations are only acceptable from persons living within close proximity to the application site. It is for the committee to attribute the appropriate weight to those representations;
- that a maximum of 15 TENs can be used per year. A single TEN can cover up to 168 hours; up to 21 calendar days can be used in total.

Determination

THE DECISION OF THE LICENSING ACT SUB-COMMITTEE WAS AS FOLLOWS:

The Licensing Act Sub-Committee has decided to **REFUSE** the application for a new premises licence for Lady Grey Farm, Lady Lane, Mobberley, Knutsford, Cheshire, WA16 7NE

Reasons for the Decision

The Sub-Committee reached its decision, after carefully considering all relevant representations and having regard to the licensing objectives and in particular public safety, the prevention of public nuisance and the protection of children from harm. There were a number of inconsistencies including:

- the lack of a dispersal plan in the operating schedule that would ultimately mitigate public nuisance on account of the noise, safety and well-being of children in the vicinity;
- the fact that building works are yet to be completed in addition to the lack of planning permission and the appropriate liaison with the fire safety officer which have heightened rather than reduced the concerns of the committee for public safety.
- Those arising around the noise impact assessment and the Applicant's admission that a door was left open during the event held on 22 February 2020 when the weather was extreme with high

winds, highlights the fact that it is difficult for the committee to be satisfied that a public nuisance arising out of noise emanating from the property will not occur.

In making its determination, the Sub-Committee has considered the application of the judgment in Thwaites v Wirral Borough Magistrates' Court & others [2008] EWHC 838 and the requirement that decisions are made on the basis of evidence of the potential harm to the licensing objectives rather than purely speculative concerns, which the facts revealed in this case highlight.

Appeal

Section 181 and schedule 5 of the Licensing Act 2003 states that the Parties that made relevant representations can appeal against the decision of the Sub Committee in writing to the Magistrates' Court within 21 days of service of the written notice of the decision.