

Licensing Sub-Committee

Agenda

Date: Tuesday, 23rd June, 2009
Time: 9.30 am
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Appointment of Chairman**

To appoint a Chairman for the meeting.

2. **Apologies for Absence**

To receive any apologies for absence.

3. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda.

4. **Review of Premises Certificate, Alsager Cricket Club, Fairview Avenue, Alsager, ST7 2NW. (Pages 1 - 48)**

To consider an application for the review of a Club Premise Certificate under section 87 of the Licensing Act 2003.

For any apologies or requests for further information, or to give notice of a question to be asked by a member of the public

Contact: Julie Zientek

Tel: 01270 529641

E-Mail: julie.zientek@cheshireeast.gov.uk

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CHESHIRE EAST COUNCIL

LICENSING COMMITTEE

Date of meeting: 23rd June 2009
Report of: Vilma Robson Licensing Officer
Title: Review of Club Premise Certificate
Alsager Cricket Club Fairview Avenue Alsager ST7 2NW.

1.0 Purpose of Report

- 1.1 The purpose of the report is to provide details of an application for the review of a Club Premise Certificate under section 87 of the Licensing Act 2003 (**appendix b**). It outlines the current licence authorisations together with the evidence presented by the parties in relation to the review.

2.0 Decision Required

- 2.1 The Licensing Committee is requested to:
- 2.1.1 consider the review application and any relevant representations received; and
- 2.1.2 determine what steps, if any it considers are necessary for the promotion of the licensing objectives.

3.0 Financial Implications for Transition Costs

- 3.1 None

4.0 Financial Implications 2009/10 and beyond

- 4.1 None

5.0 Legal Implications

- 5.1 Where application for a review under section 87 is made, the Licensing Authority must hold a hearing within 20 working days to consider the application and any relevant representations received.
- 5.2 Section 88 of the Licensing Act 2003 provides that at the hearing the licensing authority must: (i) take such steps, as set out below, (if any) as it considers necessary for the promotion of the licensing objectives and (ii) secure that, from the coming into effect of the determination of the review, any interim steps effect pending that determination, cease to have effect (except so far as they are comprised in steps taken under (i)). The steps the local authority may take

if it considers it necessary to do so to promote the licensing objectives include the following:

- a) to exclude a qualifying club activity from the scope of the certificate;
- b) to suspend the certificate for a period not exceeding three months;
- c) to withdraw the certificate;

6.0 Risk Assessment

- 6.1 The Environmental Health made an application for review under section 87 of the Licensing Act 2003 on the grounds of the prevention of crime and disorder and the prevention of public nuisance. The Committee is requested to consider what steps (if any) are required to prevent future harm to the licensing objectives.

7.0 Background and Options

Background

- 7.1 The Licensing Act 2003 recognises that premises, where access by the public is restricted and where alcohol is supplied other than for profit, should be treated differently to those commercial enterprises selling direct to the public and for profit.
- 7.2 The Alsager Cricket Club applied in 2005 to convert their existing club certificate to a club premises certificate under the Licensing Act 2003.
- 7.3 The certificate authorises the following club activities:

- Supply of Alcohol
- Exhibition of a film
- Performance of a play
- Indoor sporting events
- Performance of live music
- Performance of recorded music
- Dancing
- Similar Regulated Entertainment
- Making music
- Provision of facilities for dancing
- Provision of similar entertainment facilities

The times the certificate authorises the carrying out of those activities are:

Monday to Saturday	11:00 – 23:00
Sunday, Christmas day and Good Friday	12:00 – 22:30

A copy of the license is attached to the report (**appendix c**)

7.2 During April 2007 Mr Smethurst the police-licensing officer wrote to all club premise certificate holders to clarify the rules in relation to events at which members of the public can be allowed to attend (**appendix d**).

7.3 The club was first brought to the attention of the Environmental Health team on 8th January 2007. An informal approach was taken and it was felt at this time that a suitable conclusion had been reached through a joint visit to the premise. During June 2007 Environmental Health and Licensing met with the club representative Diane White. The Club Premise Certificate was discussed and advice given in relation to:

- Making application for Temporary Event Notices for those events requiring licensable activities outside those authorised by the club certificate
- Making application for a Premise License for the club to replace the certificate.
- Complaints received in relation to noise nuisance
- Smoking ban and the provision of a shelter

Diane White contacted the licensing department during August of 2007 to say that the committee had decided that, because of the complaints received it was inappropriate to make application for a premise licence at this stage. Measures to address the noise disturbance would be initiated and members would be made aware of licence conditions.

7.4 As part of the Environmental Health procedure in dealing with noise nuisance, diary sheets recording evidence of an alleged nuisance led to noise monitoring equipment being installed at a residential property near to the club.(**appendix e**).

As a result of the monitoring, an Abatement Notice in respect of noise nuisance was served on the club on 27th February 2009 (**appendix f**)

Environmental Health and Licensing officers made a further joint visit to the club on 11th March 2009 to formerly discuss concerns around the abatement notice and breaches of current licence conditions.

A complaint was received through the out of hour's service at 01:03 on Sunday 19th April 2009. An on call officer responded to the complaint and made a written statement in relation to his visit (**appendix g**)

Information received in relation to this visit instigated the review application.

Within the prescribed consultation period in relation to the review, the council received 12 letters of support from people living within the vicinity of the cricket club (**appendix h**)

7.4 In reviewing the Premises licence and making its decision, the Licensing Committee must have regard to the evidence of the Police in relation to the disorder, representations made by the Premises Licence holder and any representations received from responsible authorities or interested parties. The

Committee is required to take such steps (if any) as it considers necessary for the promotion of the licensing objectives, including a decision as to whether any such steps incorporate the interim measure imposed on the Premises Licence..

8.0 Overview of Day One, Year One and Term One Issues

8.1 Not Applicable

9.0 Reasons for Recommendation

9.1 The Committee is required, by virtue of section 88 of the Licensing Act 2003, to determine the review application made under section 87.

For further information:

Officer: Mrs V Robson, Licensing Officer
Tel No: (01270) 529750
Email: vilma.robson@cheshireeast.gov.uk

Background Documents:

None

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	Local residents (ie. defined as “interested parties”)	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	Local residents (ie. defined as “interested parties”)	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 local residents should be stating their objections.)
12	Committee Members	May ask <u>questions</u> of the Responsible Authorities represented at the meeting
13	Local residents (ie. defined as “interested parties”)	The local residents who are objecting to the application will be invited <u>to make observations on the application</u> and present the bases of their objections.
15	Applicant	Or his representative or witnesses may ask <u>questions</u> of the Local Residents, by way of clarification.
16	Committee Members	May ask <u>questions</u> of the Local Residents.
17	Chairman	To invite both Responsible Authorities and Local Residents to make their closing addresses.
18	Applicant	Or his representative will <u>briefly summarise the application</u> and comment on the observations and any suggested conditions.
19	Committee	<u>Will retire</u> to consider the application. The Committee may request the Legal Advisor to advise on legal issues.
20	Committee	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.
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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 **Local residents** (defined as interested parties) 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.

**Application for the review of a premises licence or club
premises certificate under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Michael Goodfellow

(Insert name of applicant)

apply for the review of a premises licence under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Alsager Cricket Club 1 Fairview Avenue Alsager	
Post town Stoke on Trent	Post code (if known) ST7 2NW

Name of premises licence holder or club holding club premises certificate (if known)

Number of premises licence or club premises certificate (if known) LAPREC/0810/05

Part 2 - Applicant details

I am

Please tick yes

1) an interested party (please complete (A) or (B) below)

- | | |
|---|--------------------------|
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

2) a responsible authority (please complete (C) below) ☒

- 3) a member of the club to which this application relates (please complete (A) ☐ below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev) ☐

Surname

First names

I am 18 years old or over

Please tick yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C). DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Mr Michael Goodfellow Environmental Health Officer on behalf of Cheshire East Borough Council Westfields Middlewich Road Sandbach Cheshire
Telephone number (if any) 01270 529676
E-mail address (optional) michael.goodfellow@cheshireeast.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

These premises are not adhering to existing certificate conditions and as such are adversely affecting residential neighbours and their immediate environs. Thus the premises are currently undermining the licensing objectives.

They have, on a regular basis, breached a number of their certificate conditions, including flouting their hours, and as a consequence further undermined the licensing objectives. In particular they are persistently flouting, despite official warnings, their entertainment condition in that they allow amplified music beyond their 23:00 hrs permission, on occasions beyond 01:00 hrs and that this entertainment activity, namely disco style amplified music is at such a level as to be heard within nearby residential homes.

Please provide as much information as possible to support the application
(please read guidance note 2)

Michael Goodfellow - Cheshire East Council Environmental Health Officer - Outline details of the incidents of noise nuisance and operating beyond permitted hours.

Recent events leading upto this request for a review began on the 16th January 2009, although the premises has been the subject of previous complaints from residents relating to noisy parties and music in 2008.

The service request was received from a member of the public relating to noisy parties and amplified music emanating from the premises being audible at their property. The standard complaint procedure was followed where letters were sent to the complainant and also to the Alsager Cricket Club. This matter was brought to the Cricket Club's attention via letter dated the 16th January 2009 and a subsequent e-mail from Mr Phil Kynaston would confirm that the Club had re-iterated the issues at a Management Meeting on the 28th January 2009, of which brought this matter to the attention of the staff. Additionally my e-mail reply was circulated around the club via Mr Kynaston on the 30th January 2009, as this information was given to me by Mr Kynaston on the 18th February 2009 via e-mail.

As a result of receiving a diary sheet of events of noise after 23:00, monitoring equipment was installed into the complainant's property between the period of Wednesday 21st January and Tuesday 24th February 2009. The events recorded between the dates of the 14th and 15th February 2009 started at 22:02 with loud bass music and ends at 01:07 with music clearly audible emanating from the premises- some 2 hours and 7 minutes after regulated entertainment should have ceased.

This evidence was then transcribed and this resulted in the service of an Environmental Protection Act 1990 Section 80 Abatement Notice in respect of Noise Nuisance on The Club Secretary dated 27th February 2009.

A meeting was conducted on the premises on the 11th March 2009 with Mr Pickford (Chairman) and Mr Stanniccliffe (Club Secretary) present in which Vilma Robson and myself explained the nature of the problems at the premises and why the notice was served including advice on how to control the noise by keeping windows and doors shut.

On the 19th April 2009 at 00:50 a call was received by our CCTV operative in relation to noise emanating from the Alsager Cricket Club causing a noise disturbance to the residential area. At 01:03 the CCTV operative contacted the Out of Hours Duty Officer, a Mr Tim Kingston, who arrived at Wilbrahams Way to witness events outside of the premises. Subsequently noise was emanating from the premises and it was evident the bar was still open and serving drinks after 01:00 thus breaching the certificate conditions and the aforementioned Abatement Notice of which the council is considering a criminal prosecution

Please tick yes

Have you made an application for review relating to this premises before ☐

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

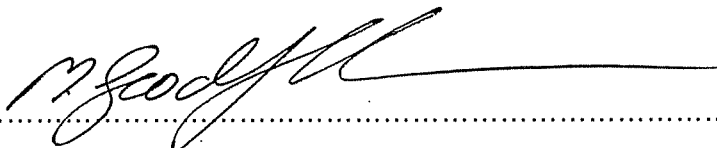
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, 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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date 6th May 2009

Capacity Environmental Health Officer Cheshire East Council

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

**Schedule 13
Part A****Regulation 35,36****Club Premises Certificate
Congleton Borough Council****Club Premises Certificate Number**

LAPREC/0810/05

Club Details**Name of club in whose name this certificate is granted and relevant postal address of club.**

Alsager Cricket Club
1 Fairview Avenue
Alsager
Cheshire
ST7 2NW

Telephone number

01270 875067

If different from above the postal address of club premises to which this certificate relates, if any, or if none, ordnance survey map reference or description.**Telephone number****Where the club premises certificate is time limited the dates**

24.11.2005 -

Qualifying club activities authorised by the certificate

Supply of Alcohol
Exhibition of a Film
Performance of a Play
Indoor Sporting Events
Performance of Live Music
Performance of Recorded Music
Dancing
Similar Regulated Entertainment
Making Music
Provision of Facilities for Dancing
Provision of Similar Ents Facilities

The times the certificate authorises the carrying out of qualifying club activities

Supply of Alcohol

All Regulated Entertainment

Monday To Saturday

11:00 - 23:00

Sunday, Christmas Day and Good Friday

12:00 – 22:30

From the beginning of New Years Eve until the end of New Years Day

The opening hours of the club

Where the certificate authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption on the Premises.

Annex 1 – Mandatory conditions

- 1 Where children are admitted to the exhibition of films, their admission must be restricted in accordance with recommendations of the licensing authority or a film classification body specified on the licence. If only adults are admitted to the film exhibition, no classification is required.

Annex 2 – Conditions consistent with the Club Operating Schedule

- 1 All customers will be asked to leave quietly at the end of the night.
- 2 All embedded Restrictions inherent with the Licensing Act 1964 must be adhered to.
- 3 The club premise certificate must be run in accordance with the Club Rules.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans

The Plan 0810/05 can be viewed at the Licensing Authority.

Part B

Club Premises Certificate Summary *Congleton Borough Council*

Club Premises Licence Number

LAPREC/0810/05

Club Details

Name of club in whose name the certificate is granted and relevant registered postal address of club.

Alsager Cricket Club
1 Fairview Avenue
Alsager
Cheshire
ST7 2NW

Telephone number

01270 875067

If different from above the postal address of club premises to which the certificate relates, or if none, ordnance survey map reference or description.

Telephone number

Where the club premises certificate is time limited the dates

24.11.2005 -

Qualifying club activities authorised by the certificate

Supply of Alcohol
Exhibition of a Film
Performance of a Play
Indoor Sporting Events
Performance of Live Music
Performance of Recorded Music
Dancing
Similar Regulated Entertainment
Making Music
Provision of Facilities for Dancing
Provision of Similar Ents Facilities

Times the certificate authorises the carrying out of qualifying club activities

Supply of Alcohol	Monday To Saturday	11:00 - 23:00
All Regulated Entertainment	Sunday, Christmas Day and Good Friday	12:00 – 22:30

From the beginning of New Years Eve until the end of New Years Day

The opening hours of the club

Where the certificate authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption on the Premises.

State whether access to the premises by children is restricted or prohibited

No

Our ref: 07/C3/7541

Your ref:

Date: 30th April 2007



Alsager Cricket Club
1 Fairview Avenue
Alsager
ST7 2NW

In reply address correspondence to:
The Licensing Officer
Telephone: 01244 613580

Re: Club Premises Certificates

Dear Sir,

I am writing to hopefully clarify a point which at least one local club appears to have become confused about and that is the ability of clubs to undertake events at which members of the public can be allowed to attend. The 1964 Licensing Act previously allowed registered clubs to hold a small number of events throughout the year, normally limited to 12, such as wedding receptions etc. at which anyone could attend. These provided valuable income and were allowed under what was known as the 'Little Ship Rule'.

However when the Licensing Act 2003 came into force on 24th November 2005 the facility for clubs to undertake such events simply by including such an arrangement in their rules ceased. This doesn't however mean that you cannot hold such events at all, what it means is that they must be undertaken using a device called a Temporary Event Notice (TEN). These are applied for by a named individual, aged at least 18, to the licensing authority, i.e. cannot be in the name of the club, giving 10 clear working days notice before the event and they cost £21. There are certain limits you need to be mindful of, i.e. a maximum of 499 people attending, only 12 TENs per year at any one premises and, unless a personal licence holder, an individual can only apply for 5 TENs each year. It is advisable for most TENs to finish by midnight as another limit to be aware of is that the limit of 12 TENs each year allowed at a premises can only cover a maximum of 15 days. Any TEN which goes on beyond midnight is classed as using up 2 days from your allowance, as it is held for a part of 2 days. Therefore if you use 7 TENs where each go beyond midnight you have in fact used up 14 days of your allowance and would then only have one TEN left. An application form, with explanatory notes, can be downloaded from the web site of the DCMS at the following: www.culture.gov.uk/what_we_do/Alcohol_entertainment/licensing_appforms/default.htm. I hope that this information is useful to you and please do not hesitate to contact me if you require further clarification.

Yours faithfully,

David Smethurst,
Licensing Officer

*The Licensing Officer, Sandbach Police Office, Middlewich Road, Sandbach, Cheshire. CW11 1HU.
Tel: (01244) 613580, Fax: (01244) 613571 email: crewe.congleton.licensing@cheshire.pnn.police.uk*

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FLARE REF: 141300

Transcript of Alsager Cricket Club, Wilbrahams Way, Alsager ST7 2NR

DATE	TIME START	TIME STOP	DESCRIPTION	S/N
Wednesday 21 st January 2009	18:46:00	18:46:12	Calibration tone signal and M. Goodfellow EHO chats with the complainants about how to operate the DAT.	
Saturday 14 th February 2009	22:02:42	22:08:00	Bass audible. Vehicle appears to drive past property. Music and bass still audible, vehicle has passed property. Distant traffic movements, i.e. Pulling from junction. Bass audible, although lyrics audible words/song not distinguishable. Some background talking audible. Bass still audible	
Saturday 14 th February 2009	22:08:01	22:09:05	Bass still audible, some voices in distance although words not distinguishable. Background movement. Tape stopped	
Saturday 14 th February 2009	22:11:44	22:13:23	Thumping bass audible, brief "shouting" audible. Voices audible in background. Tape stopped	
Saturday 14 th February 2009	22:19:42	22:21:41	Male voices audible. Thumping bass music audible, lots of voices either walking past property or in connection with club, unable to tell. Talking audible between complainants. Tape stopped	
Saturday 14 th February 2009	22:33:19	22:34:21	Possible sound of bottles being emptied as smashing glass in distance. Lyrics nearly distinguishable in music, bass clear. Tape stopped	
Saturday 14 th February 2009	22:35:41	22:39:20	Music appears louder, lyrics audible, bass very clear. Unable to originate song. Some internal movement. Noise becomes louder, I assume that the window has been opened, then the song is beginning to fade. Distant background noise of traffic. Talking audible between complainants. Tape stopped	
Saturday 14 th February 2009	22:43:42	22:46:01	Bass thumping, unable to distinguish lyrics. Song identified as "Infinity 2008" by Guru Josh Project. Bass beat very clear in property. Tape stopped	

Saturday 14 th February 2009	22:48:42	22:50:18	Music clearly audible along with voices, "wolf whistling" music "Set you free" by Entrance. Period of quiet, bass music thumping. Complainants talking, Tape stops.	
Saturday 14 th February 2009	22:53:57	22:55:12	"Rhythm of the night" Corona. Some talking audible between complainants. Tape stops.	
Saturday 14 th February 2009	23:10:26	23:11:29	"Love really hurts without you" Billy Ocean, very clearly audible, almost karaoke. "Loveshack" B-52's. Audible then tape stops.	
Saturday 14 th February 2009	23:14:05	23:18:26	"Loveshack" B-52's still playing lyrics discernable and music clearly audible. "Valerie" Mark Ronson featuring Amy Winehouse, lyrics too clearly audible. Talking between complainants then tape stops.	
Saturday 14 th February 2009	23:52:55	23:53:56	Music "Stronger" by Kanye West audible briefly then internal noise and movement. Tape stops.	
Saturday 14 th February 2009	23:57:20	23:59:22	Music very clearly audible again, mixtures of dance / hip/hop loud thumping bass with indistinguishable lyrics. Voices audible in background as music subsides. Talking between complainants then tape stops.	
Sunday 15 th February 2009	00:01:13	00:04:45	Music very clearly audible again, mixtures of dance / hip/hop loud thumping bass with indistinguishable lyrics. Female voices audible. (Possible congregation of people outside of club). 00:03 Music changes to "Hold and cold" Katie Perry lyrics become muted but still audible, internal movement then tape stops.	
Sunday 15 th February 2009	00:09:20	00:12:33	Music still audible "Senorita" by Justin Timberlake. Loud voices audible, unable to distinguish conversation. Music quiet for a brief period (sounds like window is shut) then resumes as bass beat in approximately 15 seconds. Quiet period returns.	

FLARE REF: 141300

Transcript of Alsager Cricket Club, Wilbrahams Way, Alsager ST7 2NR

Sunday 15 th February 2009	00:15:56	00:17:37	Music bass beat still continuing in background. Window possibly still closed. Female voices audible outside. Talking between complainants then tape stops	
Sunday 15 th February 2009	00:21:49	00:24:30	Loud music audible, the returns to background bass beat. Loud TV internally audible. Tape stops	
Sunday 15 th February 2009	00:28:59	00:36:56	Vehicle passing property or in near vicinity. Loud bass still audible. Internal movement in house, door closes, window possibly still open, voices audible outside. Car starts and drives off at speed wheels spinning. TV audible internally tape stops.	
Sunday 15 th February 2009	00:37:55	00:39:28	Music audible "Dancing in the moonlight" by Toploader, female voices audible. TV audible internally tape stops	
Sunday 15 th February 2009	00:40:02	00:40:41	Brief recording of the above song ending then quiet, partially internal movement then tape stops.	
Sunday 15 th February 2009	00:42:46	00:45:10	Music very audible "Use Somebody" by Kings of Leon, along with voices singing along inside/outside? Music changes to bass orientated slow music, tape stops.	
Sunday 15 th February 2009	00:55:06	00:57:49	Voices audible along with music in background. Unable to identify song. Sounds like occupants of club leaving premises, although some voices more distinguishable than others. Tape stops	
Sunday 15 th February 2009	01:00:23	01:07:08	Very clear music, "Chasing Cars" by Snow Patrol car movement, noise. Voices still audible, sounds as though more occupants are leaving premises, car sounds its horn and vehicle movement. Lyrics distinct. 01:03 music changes to "I don't wanna miss a thing" by Aerosmith. People outside shouting screaming, vehicles arriving (possibly taxis) cars. Song very audible and distinguishable, almost karaoke level. Car doors slamming clearly audible, groups of people talking. 01:06:10 sounds like a window being closed as noise level is greatly reduced, although background music still faintly audible. Tape stops	

Sunday 15 th February 2009	01:17:16	01:19:58	Female voices clearly audible shouting, general talking audible, it would appear that the music has stopped. Bangs audible (possible car doors shutting). General background noise appears to be occupants leaving premises. Some talking between complainants audible.	
Sunday 15 th February 2009	01:32:39	01:33:13	Complainants voices audible, someone shouts in distance, more talking near microphone then tape ends.	
Sunday 15 th February 2009	01:34:13	01:36:21	Voices in distance, vehicle passes, some distant shouting audible, female and male voices shouting. Complainants talking near microphone, tape ends.	
Sunday 15 th February 2009	01:38:45	01:42:38	Voices audible, sounds quite close to property, and also sounds as though quite a few people in the group as lots of different voices talking/shouting. 01:41:10 Male heard shouting "Wanker, wanker" very clearly out in the street, then a group start singing. Complainants talking audible, car passes. Tape stops	
Tuesday 24 th February	16:46:57	16:47:33	M Goodfellow talking stating "Collection of DAT at ten to five on the 24 th February 2009". Some internal talking as tape dismantled and removed from property. END OF RECORDING	

ENVIRONMENTAL PROTECTION ACT 1990
section 80



Abatement Notice in respect of Noise Nuisance

To The Club Secretary
of Alsager Cricket Club, Wilbrahams Way, Alsager, Stoke-on-Trent
Cheshire, ST7 2NR

Ref:

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the*
Congleton Borough Council

("the Council")

being satisfied of the [existence] [likely [occurrence] [recurrence]] of noise amounting to a statutory nuisance
under section [79(1)(g)] [79(1)(ga)] of that Act at Alsager Cricket Club, Wilbrahams Way, Alsager, ST7 2NR

[within the district of the Council] arising from† Noise from amplified music

[HEREBY REQUIRE YOU], as [[one of] the person(s) responsible for the said nuisance] [the [owner] [occupier] of
the premises] from which the noise is or would be emitted] [the person in whose name the vehicle is for the time
being registered] [the driver of the vehicle] [the operator of machinery or equipment], within Immediate effect
from the service of this notice to abate the same] [and also] **[HEREBY [PROHIBIT] [RESTRICT]** the
[occurrence] [recurrence] of the same] [and for that purpose require you to:‡

Ensure all doors and windows are closed throughout the duration of the licensable activities and reduce the
volume and bass of the music so that it does not cause a Statutory Nuisance at neighbouring properties

THIS is a notice to which paragraph (2) of regulation 3 of the Statutory Nuisance (Appeals) Regulations 1995
applies and, in consequence, in the event of an appeal this notice shall NOT be suspended until the appeal
has been abandoned or decided by the Court, as, in the opinion of the Council, [the nuisance to which this
notice relates is [injurious to health] [likely to be of a limited duration such that suspension would render the
notice of no practical effect]] [the expenditure which would be incurred by any person in carrying out works in
compliance with this notice before any appeal has been decided would not be disproportionate to the public
benefit to be expected in that period from such compliance].

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be
guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will
be liable to a fine not exceeding level 5 on the Standard Scale** together with a further fine of an amount equal
to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an
offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding
£20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of
the nuisance. Further, if you fail to execute all or any of the works in accordance with this notice, the Council may
execute the works and recover from you the necessary expenditure incurred.

¶[The period specified above for compliance with this notice shall be extended by
in accordance with section 80A(4) of the Environmental Protection Act 1990.]

Dated 27 February 2009

Signed

Principal Environmental Health Officer

¶[Time copy served

Please address any communications to:

Congleton Borough Council, Environmental Health, Westfields, Middlewich Road, Sandbach, Cheshire,
CW11 1HZ

the officer appointed for this purpose

N.B. The person served with this notice may appeal against the notice to a magistrates' court within 21 days beginning with the date
of service of the notice. See notes on the reverse of this form.

Delete any words in square brackets which do not apply

* Insert name of local authority.

† Describe the cause of the nuisance.

** Currently £5000, subject to alteration by Order.

‡ State specific works to be done or action to be taken.

§ Insert title of proper officer.

¶ This paragraph applies only where this is a

copy of a notice which has been affixed to a vehicle, machinery or equipment by virtue of a determination by the local authority under section
80A(2)(b) of the Act and this copy has been served within ONE HOUR of such notice having been so affixed.

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RESTRICTED (When complete)

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, s.s.5A (3)(a) and 5B; MC Rules 1981, r.70)

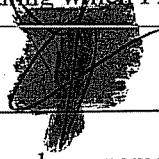
IRIS REF NO

CEC

Statement of: 

Over 18 (if over 18 insert "over 18") Occupation: Senior Community Warden

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature: 

Date: 20 / 4 / 09

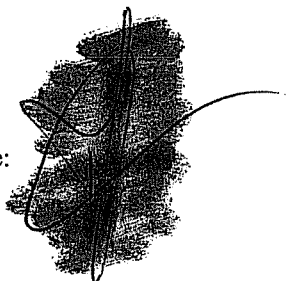
I am the above named officer, on Sunday 19th April 2009 at 01:03 I was called to deal with a noise nuisance problem at Alsager Cricket Club, on arrival I sat outside the premises on Fairview Avenue for approximately twenty minutes listening for noise, I could plainly hear loud music resonating from inside the premises, when the door was opened the music got louder, I left my car and went around the building and looked through the windows at the side, I could clearly see a D.J. playing amplified music and people dancing.

The bar was open and people were purchasing drink, I went back to my car and parked it in the car park, as I was entering the car park a male came out of the door and started to walk towards the entrance of the car park, where he then began to urinate by the fence, I got out of the car and went to the front door, I knocked on the door and someone opened it, I entered the premises and made myself known to the person asking to see the owner of the premises or the organiser of the party, he disappeared into the main room.

Other males came out of the room asking what I wanted, I told them who I was, one male told me to "~~XXXX~~ OFF" or he would throw me out, another of the males lunged at me saying "~~XXXX~~ OFF OUT OF HERE" to which I replied "my argument is not with you please leave" at this point a male grabbed hold of him and dragged him through a door out of my sight, I entered the main room, no music was playing however I heard the shutters to the bar being closed.

I approached a male and asked to see the organiser he said it was him, I then told him there had been a complaint about the noise, because he had been issued with a notice in the previous three weeks I had to attend I reiterated the notice and said "you know what you can and cannot do" he said that he had new members starting and decided to throw a party for them, I said that as the club was in a residential area there were rules and regulations, and they must be adhered to, he apologised, I told him what I had witnessed outside with male urinating and the abuse I received when I came in, he again apologised, I said that I would be reporting the breach of notice to the manager of Environmental Health on Monday 20th April 2009 and the outcome was up to them to decide, he asked what the penalty could be I said the loss of his licence, he said that if that happened the ground would be sold to a supermarket for development, I said I cannot comment about that it would be a planning issue.

02:10 I left the premises and returned home.

Signature: 

Signature witnessed by:

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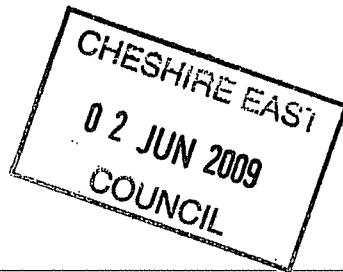
~~66 Eaton Road~~

Asager

Stoke on Trent

ST7 2BQ

22nd May 2009



Dear Sir / Madam,

I write in response to the recent notice regarding Asager cricket club, in particular regarding noise issues.

My garden backs onto the cricket grounds, near the training nets. There is frequent noise from the training and match participants which I find quite pleasurable. Noise later in the evenings goes with the territory and I must say that music is much less audible when windows and doors are closed.

I attended a meeting at the cricket club this week ^{which} was a welcome opportunity to discuss the issues with other local residents and committee members. There appears to be

an absolute commitment on behalf of the cricket club to ensure that local residents, the vast majority of whom would not wish to see any restrictions placed upon the club, are not disturbed or disrupted.

The cricket club is an excellent local facility and I would be grateful if you would consider these comments when considering your decision. The licensing issue appear to have been a genuine oversight but other than that obviously I cannot comment.

Please note that I have no connection whatsoever to the cricket club other than being a local resident.

yours faithfully

~~John Constable~~

Address not given!

Michael Goodfellow
Licensing Officer
Environmental Health Department
Westfields
Sandbach
Cheshire
CW11 1HZ

Dear Mr Goodfellow,

Alsager Cricket Club - Request to review licence

I am writing to give my views on the review of the licence at the above premises.

Alsager Cricket Club do an outstanding job in promoting sport in the village with particular emphasis on youth. There are many youth cricket sides catering for children of all ages both sexes and a range of abilities. This is in addition to fielding open age teams at high standards in local leagues. On some evenings in summer the whole playing area is filled with children enjoying sport.

Clubs like Alsager depend on volunteers to maintain the ground and premises and to organise the teams and coaching. Even so, a club as successful at promoting youth cricket has large running costs which cannot be met from subscriptions alone. The club depends entirely on income from the bar and events for its existence and its continuing success. The club receives little external funding and to try to set membership subscriptions at a level which would make the club self financing without income from the bar would exclude most people and all children from participating in cricket due to cost.

The club is run by volunteers for the good of the community and long may this continue. It is understandable that on some occasions over its 50 plus years existence on its current site that neighbours would experience some noise and disturbance on some occasions. (albeit that these only seem to have been a problem recently). I believe the club understands the concerns and will continue to try to alleviate the problems.

The remedy to the problem is for increased understanding and communication between the neighbour who has complained along with moves to review the license so that the occasional functions remain within the terms of the licence. If this means extending the current license occasionally, for longer than the current licence, then this should be done. Properties located near the club must expect some noise on some occasions, but they cannot reasonably expect that a cricket club pavilion will remain silent every night.

The last thing anyone would want is for an excellent community club like Alsager to go out of existence because of a few localised issues. Willing volunteers will soon be deterred if efforts to raise money to support the club are thwarted by the threat of legal action.

I hope you will take these views into account in any review and allow the licensing hours for the club to be varied to allow occasional functions and late opening to remain within the terms of a new licence. It is vital for the survival of the club

Yours faithfully

Chris Hindle

Alsager Cricket Club

Dear Sir/Madam

My name is Neil Clarke, my wife and I live at [REDACTED] Alsager [REDACTED] and have done so since 1996. Our home backs onto the boundary of the Alsager Cricket Club.

We recently received a letter from the cricket club to notify us as a local residents and neighbours that the club was under investigation. Complaints had been received by the Local Authority's Environmental Health Dept regarding noise levels around the clubhouse during and after functions. The club went on to explain the importance of functions in generating income to ensure the viability of the club, and invited anyone wishing to discuss the letter or any matter pertaining to the club to make contact and arrange to meet with them.

I responded to their letter and asked for a meeting with the Club Chairman. He was both welcoming and engaging and I requested that he approach the Management Committee, as I wished to invite my/their neighbours to a general meeting, in order to raise/discuss any concerns. The Committee agreed and I wrote a letter to nearby residents inviting them to accompany me to an open forum for residents to discuss issues with the Club.

The meeting took place on Wednesday 20 May 09 and was attended by approx 40 people, the majority being local residents. I was invited to Chair the meeting as a local resident and initiator of the meeting. The Club/Committee received criticism from 3 attendees in particular for their handling of noise control during evenings when special events were being held. The Club re-iterated the financial importance of such events and also the infrequency, but conceded that as issues were being raised the matter needed to be addressed. My neighbour commented that she had had an issue recently about the volume of music on a particular Saturday night, but on contacting the club, the music was turned down. This was viewed as evidence that the club are receptive and responsive to concerns raised by their neighbours.

It must be stated that the vast majority of residents did not have any serious concerns and accepted that when they purchased their homes next to or nearby a licensed premises, it was likely that occasionally at the weekend, there would be a function on-going that would generate some noise. It was noted that the "donkey path" (a public access to Alsager centre) runs adjacent to the club. This path is used as a thoroughfare at night to the centre of Alsager for drinkers in the towns public houses and young people who congregate in the towns nearby main car park area. One attendee stated that she receives far more noise nuisance from people "racing" cars around the car park than from the Cricket Club. Noise generated by people returning home via this route could be mistaken as customers of the Cricket Club. Many of the residents in attendance

spoke at length on the importance of the role that the club has had on providing their children with a safe and healthy environment in which they have developed sporting and social skills, making new friends etc. The efforts of the Clubs management and cricketing staff were also acknowledged as supervised learning and practice sessions for children and players of all ages occur during evenings in the spring and summer. It was also noted that in the past few years the ground and facilities have been improved and maintained at the highest level for many years.

Three other attendees were concerned about parking issues at the junction of Wilbrahams Way and Fairview Avenue. It was accepted that this issue was largely outside the clubs control with a member of the Committee commenting that they do request that people park sensibly but do not have enforcement powers. It was noted that the issue of parking is not weekly but tends to occur more when the team is successful in advancing in cup competitions that attract larger crowds. Without being unkind, this does not happen to often in the case of Alsager. It was agreed that consideration will be given to measures that can be implemented to assist with the issue of parking.

The Management of the club explained issues that have been raised by the licensing authority regarding non adherence to the licence held by the club. This while being an important matter for the "Authorities", was not considered of great concern to the residents providing that the concerns about noise were managed. A number of comments were made regarding the club "having got themselves into this situation" and the need to apply for a fit for purpose license that reflects modern drinking patterns and the requirements of their members/customers.

There were a number of proposals put forward in order to resolve issues that were raised including that the Management Committee putting together a form of business plan that would include:

1. A fit for purpose licence application, and measures to ensure adherence.
2. Notification of special functions and events to residents in advance, to warn of the potential for noise, and measures to control levels of noise at events.
3. Investigation into what can be done to assist with parking issues.
4. Election 2/3 local residents who act as Liaison Officers on behalf of the residents and who will meet periodically with representatives of the Management Committee, in order to discuss/review areas of concern.

Can you please confirm whether or not the complainant/s raised their concerns with the Cricket Club in the first instance? If so, is their evidence to support any claim that the club were afforded the opportunity to remedy the issues raised, but failed. I am of the understanding that this would normally be considered a reasonable first stage approach to dispute resolution. There is a genuine concern that a very small and unrepresentative group within the community are

formally lodging complaints about the Cricket Club without engaging the other residents/neighbours, and may be given a disproportionate amount of consideration by Council representatives. It is believed that certain neighbours chose not to attend the meeting on 20 May and raise/discuss issues in what was a candid and open exchange, despite receiving the same letter of invite that went out to all of the neighbours, which in itself is a cause for concern.

In conclusion, the meeting was extremely well attended. Most of the residents had lived in their current homes for in excess of 10 years and in some case in excess of 30 years. The Cricket Club is considered an asset to the community with many of those present (my wife and I included) having had children grow up here and benefit from the club. While there are issues to be addressed there was overwhelming support for the Club and its efforts to provide facilities to the community. I agreed to liaise with the club as one of the resident representatives referred to above.

Finally as local residents, we seek a reasonable, balanced and fair outcome from the Local Authority. Any outcome must reflect the best interests of **all** neighbours, residents and club members, and will need to stand the test of scrutiny by those affected. It must add value to the community, and not put at risk the viability of what has for decades been an important and integral part of the local community.

Yours sincerely

Neil Clarke.

[REDACTED]
Alsager
Stoke-on-Trent
[REDACTED]

To Vilma Robson
Licensing Officer
Cheshire East Council.

Dear Ms Robson

Re. Licensing Act 2003- Alsager Cricket Club., Wilbrahams Way, Alsager, ST7
2NR.

I am writing as a local resident who has lived close to Alsager Cricket Club since 1978. By close I mean within 100 yards of the premises. I can honestly say that during the last 31 years the only noise I have been aware of has been the shouts when a wicket falls during a game or when they have a firework display. The noise pollution I suffer from comes from Fairview Car Park where people race their cars until the early hours of the morning and play their car radios at full volume with the car windows open. The wind must take any noise from the Cricket Club in the opposite direction to my home.

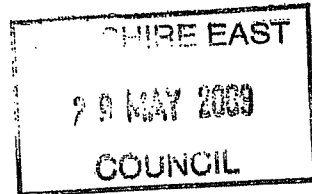
Alsager Cricket Club has occupied its current site for many years and is a valuable community facility. Many young people from all walks of life have learnt to play cricket at this club and their junior section is highly regarded by the young people of Alsager and their families. The Club is improving its cricket prowess each season and uses proceeds from the bar to develop its sporting activities and resources. As a local resident, who lives close to the Cricket Club and ground I was pleased to attend a meeting of local residents called jointly by the Club and its neighbours. The meeting was very well attended and I felt that the Cricket Club management, who all serve the club in a voluntary capacity was anxious to listen to us as neighbours. The meeting had a successful outcome as two representatives were appointed by the residents to liaise with the Cricket Club management about functions.

This is an exciting family facility and the club's willingness to engage on an official basis with the local residents should help to prevent any more incidents that upset local residents. Local residents who were present at the meeting said that if there was any noise they only had to ring the Clubhouse and it was dealt with immediately. There must have been a break down of communications on the occasions cited in the Environmental Services Officer's report. The Club must manage its Entertainments License so that there will be no more problems and the residents asked the Cricket Club Committee to produce guarantees to this end.

I hope this review will take into account the importance of this facility to the local sporting community and the affordable social venue it provides.

Yours truly

[REDACTED]



ALSAGER
Cheshire.

The Licencing Officer,
Cheshire East Borough Council,
Westlands
Middlewich Road,
SANDBACH. CW11 1HZ.

21.05.09

Licence Revue - Alsager Cricket Club.

Dear Sir,

I have been in receipt of a memo from the Cricket Club, and since have read your bulletin affixed to their gates. A neighbour Mr Neil Clarke from Eaton Road also wrote to me and arranged a meeting with residents and the Cricket Club Management Committee, this was held last evening at the Club with an excellent attendance.

My house is about 40 yards from the club front doors so I am probably the most immediate neighbour who attended last evening, and I have to declare that I was away for the weekend of the 18th April so know nothing of those problems.

However, I have lived here for 10 years and in 2007 there were several evenings over the summer when the "heavy metal" was a bit too heavy, but in 2008 I was only aware of late noisy functions on 2 evenings. After all, it is a cricket and social club and I expected some activities.

If the evening air is still and quiet then even people talking can be intrusive, but from the mood of those attending they were mainly not affected/worried, and appreciated what the club was doing for the town and the young people of the area - it is lovely to see 50 to 100 youngsters in the evenings being given basic instruction by the Senior Members of the Club.

If there is any way we can stop the M6 at midnight and restart at 6am that would be very beneficial, for when the wind is in the wrong quarter, it is almost unbearable, and it goes on until about 3am, restarting at 5am., and I assure you that is more intrusive on a daily basis than the Club's few late evenings in their efforts to raise income, for it is very expensive to run a club with limited members and also offer the facilities to the local juniors which gives them good guidance in life and discipline.

I have been on the House Committee(as Hon Treasurer) of a Yacht Club, running catering/bar/and clubhouse with monthly functions, and we were in a terrace block with neighbours both sides, so have met with the problems the Alsager Club are now encountering - they are not professional managers, but are willing amateurs/volunteers doing their best to keep the club afloat - I cannot understand where the Licencing logic is where Local pubs have one closing time, also other clubs, but the Cricket Club is restricted to 11pm

Ivan Buckland

email: IBUCKLAND@SKY.COM

an hour earlier. With such an arrangement the Licencing Committee are favouring other outlets and people will go there and drink, these days 11pm is not late.

In my younger days we went out at 7.30, met up and had a drink somewhere and then to the party or function for 8pm., nowadays people seem to go out much later and meet up at 9pm, then on to the party (or what have you), leaving little time at the function if it closes at 11pm..

From what I gathered at the meeting, the Committee have slipped up and not noticed that the hours were not as required, but I would ask for tolerance as they make plans with radical changes to meet the legal requirements (and I would mention that one evening that was mentioned that the function had finished earlier but it was the cleaning up squad who were on the premises.).

For your information I am not a member of the club, not related to anyone in the club, and not a friend of anyone's, all I write to you is that there are always more than one viewpoint of any situation, noise as such is not a problem, but breaking the law is, all I hope is that you can all resolve it that the club is able to continue with similar conditions as the other hostelries in the area.

If you want noise late at night be in Wilbrahams Way on a Friday and/or Saturday night. Between midnight and 4 am (yes that late sometimes) there is a group of revellers making their way home from a pub somewhere (possibly the Plough or similar) and they scream and shout all along the road, they wake me up every weekend - one weekend they broke the support arm off my front gates and my next door neighbour had the stone cappings torn off the gate pillars three weeks running, on the first two occasions the capping did not break and he paid to have them refixed, the third time it broke and he had to pay for a replacement - they are the bane of our lives in Wilbrahams Way, I've even had eggs thrown at the house. The Cricket Club are in the main well behaved and I think with controls they have instigated that there should not be further occurrences as visitors and members leave, although once in the street they are no longer the club's problem.

Another thought that I had was there were some developers interested in the site, perhaps there is some hidden agenda to get the Club closed so the land can be developed, who knows in this age of no or low morals.

Yours sincerely,



Ivan Buckland

[REDACTED]
Alsager,
S-O-T.
[REDACTED]

Dear Sir/Madam,

As a local resident and member of the cricket club I would like to give you my honest and heartfelt thoughts about the recent events surrounding the cricket club.

The cricket club has been part of my life since I moved here 23 years ago. My family have grown up at the club and you could not have a more friendly and purposeful environment to socialise in.

Yes the cricket club has flouted laws on occasion and one or two of the recent complaints are justified and must be acted upon by our management committee. The club has operated I believe for fifty years on its current site and as a licensed establishment has had minimal complaints. There are no problems with drugs, fighting, abuse, vandalism and other anti social behaviours.

However ever since one resident has moved into the area have we seen an increase in complaints and dare I say it victimisation of the cricket club. All events are now taking place under a cloud and we all are treading on egg shells waiting for the next allegation. This is not fair and after the recent public meeting this one individual didn't even have the decency to explain his complaints in person.

We will put our house in order but we cannot operate on tenterhooks as this is affecting trade and our relationships with our local neighbours. The club must survive and as such must be able to hold events that produce revenue. This is a fact and without a licence the club will not operate in its present form.

As a council, the health of our communities is very important and depriving an area like Alsager of a sporting venue would be like committing political suicide. I am sure your officials are very aware of this and will consider our appeals appropriately. As a head teacher I deal with malicious complaints on a regular basis and hopefully you will have the wisdom to see where our cricket club is deficient and also the understanding that we are dealing with a person who is both malicious, power crazed and lacking in moral and social awareness.

The complainant has got a number of valid reasons to complain, but blaming every noise and disturbance around his property on the cricket club is unfair and wrong. Complaints about a recent real ale festival which attracted old men, dogs, beards and walking sticks illustrate to me his short sightedness and willingness to tell tales which must be seen through by the authorities.

I thank you for reading my correspondence and look forward to hearing your response after the licensing committee has met.

Yours faithfully,
Alan Stancliffe

Dear Sir/ Madam.

I am writing regarding the licence to Alsager cricket club and how the community would suffer if the club were no longer offering great support to the youth of Alsager. The club depends entirely on the income from the bar for its existence. It receives almost no financial help, only donations and money raised from special events.

I have been a resident in Alsager for the past 17 years, in that time both my boys have been involved with the cricket club.

We came from a big city (Birmingham) where opportunities for young lads to go off the straight and narrow were common. I am glad to say both my boys are now grown up with a great future ahead of them, I can honestly say Alsager cricket club had a great hand in developing their characters.

The club offered them the understanding of being part of the community, using the club to play, showing them how to be a team member, learning how to accept defeat, meeting new friends, learning from other members, but most of all how they can make a difference to how their future can be better. All this I owe to Alsager cricket club.

I am sure the problem with some noise and slight disturbance can be resolved with understanding and common sense. A great deal of measures has been implemented to make sure these issues are addressed

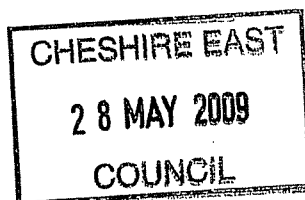
Page 2 of 2

The last thing anyone would want is for community like Alsager to lose its cricket club because of a few local issues.

I hope you will consider my views and allow the bar to operate and now and again to be varied to allow occasional functions, it is vital for the club to survive.

Yours sincerely

T.J.Newbould



[REDACTED]
ALSAGER
[REDACTED]

26 May 2009

Cheshire East Council
Licensing Officer
Westfields
Middlewich Road
SANDBACH
Cheshire CW11 3HZ

Dear Licensing Officer

As you will note from our address, we live within very close proximity to Alsager Cricket Club and have done so for over thirty years. During this time, we have never had reason to complain about the Club. We were, therefore, quite astonished to read the notice posted by the Cheshire East Environmental Department regarding a review of the Cricket Club's licence. We have always enjoyed a positive relationship with the Club and regard it as a significant asset to the local community.

In recent years, we have applauded the efforts the Club has made to improve their facilities. A lot of time and effort has gone into promoting junior cricket and it is a pleasure to see so many youngsters enjoying and participating in the sport.

We hope that when you review the Cricket Club's licence you will do so sympathetically.

Yours sincerely

[REDACTED]
[REDACTED]

Alan & Kathleen Hughes

(9)

Cornes, Jane

From: Debra Coleman [REDACTED]
Sent: 10 May 2009 19:47
To: Licensing Mail Box
Subject: Alsager Cricket Club

Mr & Mrs TL Coleman
[REDACTED]
Alsager
[REDACTED]
[REDACTED]
[REDACTED]

10th May 2009

Dear Sir / Madam

As neighbours of Alsager Cricket Club, we write with regard to the local authority notice we have seen on the boundary fence.

It is with great passion, as a family, we feel impelled to write this letter of support for our local Cricket Club. For over 52 years, this club has represented and supported the local community by providing, not only a successful number of adult teams but a fantastic training and development facility for the young children in our area. As we are too well aware, there is very little for our younger generation nowadays and it is all too easy for them to slip into a life of hanging around on street corners, where boredom often ensues, which can lead to anti-social behaviour. Sport therefore, plays such a key component in the education of these children, giving them an understanding of rules and general etiquette, which then become key building blocks for later life.

Such facilities provided at Alsager CC have to be funded in

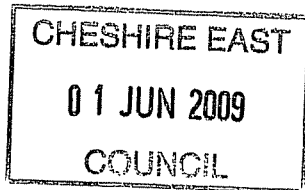
a variety of ways but the biggest revenue the club have is through their bar sales. Without this revenue, the club would be forced to move to some remote, out of town area, inaccessible to many of the young people in the community who gain so much from the club in terms of, not only sporting development, but general life skills.

We have lived in Alsager for the past 10 years and have been neighbours of Alsager CC since 2004. We purchased our house in the full knowledge that the clubhouse was a popular social location and we knew to expect a degree of occasional noise being in such close proximity. To us, this seemed a small price to pay for such a wide open space being on our doorstep. We have always found the club to be most approachable and eager to accommodate the surrounding area, keeping us updated with newsletters and such, as and when required. Any occasional late night noise we do hear is usually due to people walking back from the centre of the town, down the path which runs between the Cricket and School field or Students returning from their Union Bar to their accommodation further down Wilbrahams Way. To say that all noise around this area is purely down to the Cricket Club is wrong.

We feel exceptionally privileged to live in such close proximity to such a valuable part of our community and would hate to see any forced changes to the site. Any issues with noise would be highly accelerated should a value supermarket replace the club, with early morning and late evening deliveries; this would soon prove a far bigger noise issue than one or two social functions in the year.

We would therefore offer our full support to the Club, in retaining their current site and diminishing any current and subsequent complaints of noise violation.

We would welcome any further discussions you may feel appropriate.




ALSAGER
CHESHIRE
ST7 2BQ

ALSAGER CRICKET CLUB - LICENCE REVIEW APPLICATION

Dear Licensing Officer,

We have lived for twenty years separated from the cricket field by a mere metre high fence and in full view of the club. On a handful of occasions in the past we have noticed music without being caused any distress but in recent months nothing has been heard within this house. In no way are we adversely affected.

I am not connected in any way with Alsager Cricket Club but as a neighbour and Alsager Town Councillor I am impressed with the work undertaken with young people and youth teams. The club is an invaluable resource to the community. Loss of licence would bring financial collapse.

Yours sincerely


WARREN STEVENSON

THE LICENSING OFFICER
CHESHIRE EAST COUNCIL

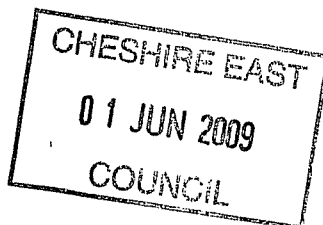
~~alsager~~
alsager,

Stake-on-Irene.

ST7 2NP

29th May 2009.

The Licensing Officer,
Cheshire East B.C.,
Westfields
Middlewich Road,
Sandbach.



cheshire CW11 1HZ.

Dear Sir,

alsager Cricket Club.

I refer to the so called noise from the cricket club that I understand a local resident has made a complaint.

The family has lived at the above address since 1971 and while at one time there seemed to be a lot of noise this has been less and less as the years have passed by.

While I'm not a cricket fan I hope the cricket club is there for many years to come as it is an asset to alsager.

I understand the complaint came from a resident that moved here about 2 years ago. If you move to be adjacent to a sports and social club you can expect some noise. My message to this neighbour would be to move again so the longstanding residents can continue the enjoyment and functions that this club provides.

yours faithfully

~~[Signature]~~

~~26 Grosvenor Avenue~~
Alsager
Stoke on Trent
Staffordshire
ST7 2BZ

Vilma Robson
Licensing Officer
Cheshire East Council
Environmental Health Department
Westfields
Middlewich Road
Sandbach
Cheshire
CW11 1HZ



2 June 2009

Dear Vilma

Club Premises Certificate LAPREC/0810/05
Alsager Cricket Club, Fairview Avenue, Alsager

I am aware that current License under which Alsager Cricket Club operate is under review.

Hopefully, you will be aware that a removal of this License from the Club will effectively mean it can no longer sustain Cricket activities within the village and will undoubtedly have to close. This, in my view, cannot be allowed to happen given the importance of this facility to a good number of the community.

I therefore write to express my concern that any issues that have given rise to the current review are properly tackled so that the Cricket Club can continue to be an important element of village life.

I am aware that a significant issue has arisen between the Club and a neighbour as a result of noise emanating from the Pavilion building on some occasions. I am also aware of meetings that have gone on between the Cricket Club and the Council in order to address these issues. As I understand it, albeit there have been some further difficulties, the Club is now well on top of controlling noise levels from within the facility which have been at the root of the problem. It remains important that the Cricket Club maintain good levels of communication with its neighbours and that the occasions when there are events being held, the neighbours are kept informed.

Cricket at all levels, but particularly junior and youth cricket is vitally important to this village. The Cricket Club has at least six junior teams and a huge coaching operation, which, it goes without saying, contributes enormously to the wellbeing of youngsters in the village. I am sure that the vast majority of people would agree that the maintenance of the Club to cater for these needs is a must in any community. However, the costs of running the Club whether it be in maintenance of the building, or the work required to the playing facility and provision of extensive equipment, costs a significant amount of money.

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Vilma Robson, Licensing Officer
Cheshire East Council
2 June 2009

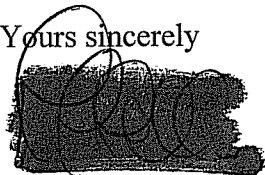
The Club has enjoyed some assistance from the Local Authority in helping fund some of these activities, but the vast majority of funds are generated from within the Club itself. Some of this comes from subscriptions but most relies on the income enjoyed from the bar facility and associated spin offs. The removal of the bar facility would effectively cripple the club and I have no doubt it would have to close.

Issues have arisen of late with the neighbours, and I genuinely feel that with an increased level of communication from both sides that the facility can continue to function very effectively and provide Cricket for many generations to come. Surely, a sensible way forward would be to allow the licensing hours to be extended for the odd occasions that there are functions that run beyond the existing licensing hours.

Many thanks for considering these views which I hope will be carefully considered by the Licensing Committee.

Best Regards

Yours sincerely



MARTIN J MELLOR

(13)

Robson, Vilma

From: Liverpoolcommunity@aol.com
Sent: 03 June 2009 18:22
To: Licensing Mail Box
Subject: Alsager Cricket Club

[REDACTED]
Alsager

ST7 2BQ

Dear Sirs,

My wife and I live in a house backing onto the Alsager Cricket Club. Although we are not cricket fans we thoroughly enjoy watching them playing and practicing and in particular all the youngsters where it allows them to run off some of their energies and keeps them out of possible trouble. We have lived here for Forty years and only had to write twice to the club about concerns which were rectified very quickly.

One of our neighbours recently called a meeting of residents living close to the cricket club and we were dismayed that their licence was to be reviewed due to some complaints. We know that the money from the bar plus the infrequent entertainment helps to subsidise the Cricket Club and keep it going and without it the future of the club would be at risk and consequently a loss of a sporting facility for the local youngsters.

Anyone who purchases a property close to a licensed premises has to take the rough with the smooth and there will always be the occasional transgression.

We would urge you in this review to lean towards leniency and give them the benefit of any doubt considering the end for which the profits are used namely the care and running of Alsager Cricket Club.

Yours truly,

GR & E Gillespie.

Hi Vilma

I set out below the Town Council's response in respect of the License Review of Alsager Cricket Club.

Although the Town Council cannot condone breaches of the Licence condition we now understand that the Cricket Club is in the process of preparing a business plan to prevent such breaches in the future.

The Town Council itself has not received any complaints directly from residents about noise nuisance from the club.

The Town Council would not like to see any action taken by the Licensing Committee which could result in the loss of the valuable community facility especially as the club organises 6 youth teams at various age levels and abilities for youngsters of the Town and which provided them with exercise and active lifestyles.

Suzanne Colclough
Secretary to Town Clerk

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