

# **Licensing Sub-Committee**

## **Agenda**

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**Date:** Tuesday, 7th July, 2009  
**Time:** 9.30 am  
**Venue:** The Capesthorne Room - Town Hall, Macclesfield SK10 1DX

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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. **PART 1 - MATTERS TO BE CONSIDERED WITH PUBLIC AND PRESS PRESENT**  
(Pages 1 - 4)

2. **Appointment of Chairman**

To appoint a Chairman for the meeting.

3. **Apologies for Absence**

To receive any apologies for absence.

4. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for Members to declare if they have pre-determined any item on the agenda.

5. **Application for a Premises Licence - Toft Cricket Club, Booths Park, Chelford Road, Knutsford, Cheshire** (Pages 5 - 24)

To consider an application for a Premises Licence for Toft Cricket Club, Booths Park, Chelford Road, Knutsford, Cheshire.

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For any apologies or requests for further information,

**Contact:** Julie Zientek

**Tel:** 01270 529641

**E-Mail:** [julie.zientek@cheshireeast.gov.uk](mailto:julie.zientek@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	<b>Chairman</b>	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	<b>Licensing Officer</b>	Will introduce and summarise the application, highlighting areas of contention or dispute.
3	<b>Committee Members</b>	May ask questions of the Licensing Officer
4	<b>Applicant</b>	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	<b>Responsible Authorities (who have made representations)</b>	Each in turn may ask <u>questions</u> of the applicant, by way of clarification.

6	<b>Local residents</b> (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	<b>Committee Members</b>	Each in turn may ask <u>questions</u> of the applicant.
8	<b>Applicant</b>	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	<b>Responsible Authorities</b>	Will make their representations.
10	<b>Applicant</b>	Or his representative or witnesses to ask <u>questions</u> of Responsible Authorities represented at the meeting, by way of clarification.
11	<b>Local residents</b> (ie. defined as “interested parties”)	May ask <u>questions</u> of the Responsible Authorities represented at the meeting, by way of clarification.  <b>(Note: This is not the point at which local residents should be stating their objections.)</b>
12	<b>Committee Members</b>	May ask <u>questions</u> of the Responsible Authorities represented at the meeting
13	<b>Local residents</b> (ie. defined as “interested parties”)	The local residents who are objecting to the application will be invited <b><u>to make observations on the application</u></b> and present the bases of their objections.
15	<b>Applicant</b>	Or his representative or witnesses may ask <u>questions</u> of the Local Residents, by way of clarification.
16	<b>Committee Members</b>	May ask <u>questions</u> of the Local Residents.
17	<b>Chairman</b>	To invite both <b>Responsible Authorities</b> and <b>Local Residents</b> to make their closing addresses.
18	<b>Applicant</b>	Or his representative will <u>briefly summarise the application</u> and comment on the observations and any suggested conditions.
19	<b>Committee</b>	<u>Will retire</u> to consider the application. The Committee may request the Legal Advisor to advise on legal issues.
20	<b>Committee</b>	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.

## CHESHIRE EAST COUNCIL

### REPORT TO: LICENSING SUB-COMMITTEE

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**Date of Meeting:** Tuesday 7<sup>th</sup> July 2009  
**Report of:** Mrs N Cadman, Licensing Officer  
**Subject/Title:** Application for a Premises Licence -  
Toft Cricket Club, Booths Park, Chelford Road, Knutsford,  
Cheshire.

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#### **1.0 Report Summary**

- 1.1 The report provides details of an application for a premises licence together with information as to representations received in relation to the application.

#### **2.0 Recommendations**

- 2.1 The Licensing Sub-Committee is requested to determine the application for a Premises Licence by Toft Cricket Club in respect of Toft Cricket Club, Booths Park, Chelford Road, Knutsford.

#### **3.0 Reasons for Recommendations**

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

#### **4.0 Wards Affected**

- 4.1 Bucklow Ward

#### **5.0 Local Ward Members**

Cllr Andrew Knowles  
Cllr W Jamie Macrae  
Cllr George M Walton

#### **6.0 Policy Implications**

- 6.1 The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003 and Guidance issued under section 182 of the Act.

#### **7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)**

- 7.1 Not applicable.

#### **8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)**

8.1 Not applicable.

## **9.0 Legal Implications (Authorised by the Borough Solicitor)**

9.1 In accordance with the provisions of section 18 of the Licensing Act 2003 the Licensing Authority must, having regard to the representations, take such steps (if any) as it considers necessary for the promotion of the licensing objectives. Section 18(4) provides that the authority may (a) grant the licence subject to conditions; (b) exclude from the scope of the licence any of the licensable activities to which the application relates; (c) to refuse to specify a person in the licence as the premises supervisor; or (d) to reject the application.

## **10.0 Risk Management**

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

## **11.0 Background and Options**

11.1 The application is for Premises Licence under section 17 of the Licensing Act 2003

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

Live Music

Recorded Music

Performance of Dance

Performance of Plays

Film Exhibitions

Sale and supply of alcohol

Anything of a similar description to live music, recorded music and dance

Provision of facilities for making music

Provision of facilities for dancing

Provision of facilities for entertainment similar to music and dance

Late Night Refreshment

11.3 The hours applied for are as follows:

**Live Music** (to take place indoors and outdoors)

Monday to Sunday 10.00 to 01.00

**Recorded Music** (to take place indoors and outdoors)

Monday to Sunday 10.00 to 01.00

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

Monday to Sunday 10.00 to 01.00

**Performance of Plays** (to take place indoors)

Monday to Sunday 10.00 to 01.00

**Film Exhibitions** (to take place indoors)

Monday to Sunday 10.00 to 01.00

**Sale and supply of alcohol** (for consumption on the premises only)

Monday to Sunday 10.00 to 01.00

**Anything of similar description to live music, recorded music and dance** (to take place indoors)

Monday to Sunday 10.00 to 01.00

**Provision of facilities for making music** (to take place indoors)

Monday to Sunday 10.00 to 01.00

**Provision of facilities for dancing** (to take place indoors)

Monday to Sunday 10.00 to 01.00

**Provision of facilities for entertainment similar to music and dance** (to take place indoors)

Monday to Sunday 10.00 to 01.00

**Late Night Refreshment**

(to take place indoors)

Monday to Sunday 23.00 to 01.00

Other times the premises are proposed to be open:

Monday to Sunday 10.00 to 01.30

11.4 Designated Premises Supervisor: Mr Christopher John Furley Spanton

11.5 The operating schedule includes the following steps to promote the licensing objectives:

(a) Prevention of crime and disorder

Any party that hires the club shall be furnished with a list of terms and conditions and rules along with the booking form to ensure compliance.

(a) Public safety

All fire equipment shall be serviced regularly and fire exits shall be kept clear.

(b) Prevention of public nuisance

Notices shall be prominently placed to request orderly movement and keeping noise levels to an acceptable level.

(c) Protection of children from harm

Toft CC, as part of Cheshire Premier League shall be guided by the ECB rule of Child Protection and Welfare.

(d) General – all four licensing objectives

The Watch 21/Challenge 21 scheme shall be in operation at the premises.

## 11.6 Relevant Representations

### Responsible Authorities

- 11.6.1 The Police state in their response: Application received 24th May 2009, for a Premises Licence at Toft Cricket Club. The Club currently operates under a Club Premises Certificate, and are converting to allow them more flexibility. The only change is that the terminal hour has been extended from 23:30 hours to 01:00 hours. The proposed Designated Premises Supervisor will be Christopher John Furley Spanton. They have also asked for outside music / marquee for Special Events, however, on clarification this would seem to be only for a limited number: One being a Summer Ball over two or three days and a further occasion for a one off event if possible, that being the case the Police would have no objections to the application provided they give 14 days notice to the Regulatory Authorities and any outside music / displays terminated at a reasonable hour and in accordance with Environmental Health Conditions. There are no other Police objections.
- 11.6.2 The Environmental Health Officer states in his response: Although I have no concerns regarding the use of the actual club premises indoor for regulated entertainment, I do have concerns that this application seeks an outdoor regulated entertainment use within erected marquees on unspecified occasions with planned live and recorded music between the hours of 10.00 to 01.00 hours. I am mindful that the cricket club have held a Summer Ball event within a marquee spread over 3 days for a number of years and generally held in the last weekend in June. Unfortunately, this event on occasions has resulted in complaints to this Service from local residents whose properties are in close proximity to the cricket club. I have discussed the application with the applicant Mr. Spanton who advises that they would like the annual summer ball (3 day event) to be included in the premises licence with the provision for an additional 1 day event (possible wedding function) to assist fund raising at a later date. On balance, I have no objection to the application subject to the following conditions which have been agreed with Mr. Spanton: There shall be no more than two outdoor events covering no more than three consecutive days for one event and no more than one day for the other event in any calendar year. The planned outdoor events shall be subject to 14 days notification to the Head of the Environmental Health Service prior to the events commencing. No live amplified music shall be played at an outdoor event outside the hours of 12.00 noon to 23.00 hours. No amplified recorded music shall be played outside the hours of 10.00 to 24.00.
- 11.6.3 Cheshire Fire Service state in their response: No observations to make to you regarding this application. I am sending a letter to the applicant reminding them of their duties under the Regulatory Reform (Fire Safety) Order.
- 11.6.4 Local Planning Authority – No response received.
- 11.6.5 Area Child Protection Committee – No response received.
- 11.6.5 Health and Safety Officer – No response received

11.6.6 Trading Standards – No response received.

### Interested Parties

The Licensing Authority has received 6 representations from neighbour objectors and details of these are appended to this report.

In response to the representations made by the Environmental Health Officer and the Police, the applicants have written to the Licensing Authority to request negotiation of the conditions recommended. Details of this are appended to this report.

## **12.0 Overview of Year One and Term One Issues**

12.1 Not applicable

## **13.0 Access to Information**

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

Name: Mrs N Cadman  
Designation: Licensing Officer  
Tel No: 01625 504206  
Email: [nikki.cadman@cheshireeast.gov.uk](mailto:nikki.cadman@cheshireeast.gov.uk)

## **APPENDICES**

Appendix 1 to 6 – neighbour objections and associated correspondence.

Appendix 7 – Applicant's response to Environmental Health Officer and Police representation.

Appendix 8 – Plan of area

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## APPENDIX - 1

**From:** [REDACTED]  
**To:** <licensing@cheshireeast.gov.uk>  
**Sent:** 11 June 2009 18:27  
**Subject:** Application for a premises license @ Toff Cricket Club, Booths Hall, Chelford Road, Knutsford, Cheshire WA16 8QX.

My name is [REDACTED] and I live at [REDACTED] Knutsford, Cheshire WA16 8NF. I wish to object to the above application on the following grounds:-

- as my property backs immediately onto the clubhouse, noise levels from music, dancing, singing, loud voices, vehicle movements etc. can already be very disturbing from night events that already take place. Consequently I would not want the number of events to significantly increase with the club obtaining an "open" license, particularly until 1am, as this level of disturbance would become unacceptable.

- I believe there would also be an increased risk of damage to my rear fencing and items such as beer bottles thrown into my garden from acts of alcohol fuelled vandalism that could occur as a result of the extended licensing.

- any increased disturbance or level of noise would have a detrimental effect on my current enjoyment of the property in which I live and would no doubt effect its value on the open market.

With these points in mind I would want the current licensing restrictions to remain in force and not grant "carte blanche" to the club by issuing the all embracing license applied for.

[REDACTED]

PS. Hard copy of this E Mail is being sent by post.

11/06/2009

## APPENDIX - 1

**Cadman, Nikki**

**From:** [REDACTED]  
**Sent:** 17 June 2009 13:30  
**To:** Cadman, Nikki  
**Subject:** Re: PREMISES LICENCE APPLICATION - TOFT CRICKET CLUB

Dear Nikki,

Thank you for your E'Mail of the 15th.

I am pleased that the restrictions stated to do with outdoor events will be applied to the 'open' licence applied for by Toft Cricket Club.

However I would still want this 'open' licence to restrict the serving of alcohol at any event to no later than 12 midnight and the playing

of any amplified music to no later than 12.30 am within the clubhouse, so as to restrict the noise levels that carry over to my house

and to minimise the risk of any alcohol fuelled vandalism.

Yours sincerely [REDACTED]

**From:** Cadman, Nikki  
**To:** [REDACTED]  
**Sent:** Monday, June 15, 2009 3:14 PM  
**Subject:** PREMISES LICENCE APPLICATION - TOFT CRICKET CLUB

Dear [REDACTED]

Thank you for your email of 11th June 2009 and I note that you wish to object to the above application.

Since the application was made, we have received representation from the Police and the Environmental Health Officer who have asked that conditions be placed on the licence when it is issued, as follows:

The Police state in their response:

*'They have asked for outside music / marquee for Special Events, however, on clarification this would seem to be only for a limited number: One being a Summer Ball over two or three days and a further occasion for a one off event if possible, that being the case the Police would have no objections to the application provided they give 14 days notice to the Regulatory Authorities and any outside music / displays terminated at a reasonable hour and in accordance with Environmental Health Conditions'.*

The Environmental Health Officer states in his response, conditions to be added as follows:

*(1) There shall be no more than two outdoor events covering no more than three consecutive days for one event and no more than one day for the other event in any calendar year.*

*(2) The planned outdoor events shall be subject to 14 days notification to the Head of the Environmental Health Service prior to the events commencing.*

*(3) No live amplified music shall be played at an outdoor event outside the hours of 12.00 noon to 23.00 hours.*

*(4) No amplified recorded music shall be played outside the hours of 10.00 to 24.00.*

These conditions have been agreed in principle with the applicants and we now await written confirmation before the licence is issued.

I wonder if these agreements make any difference to your original objection and I look forward to hearing from you at your earliest convenience.

Yours sincerely

17/06/2009



## APPENDIX - 2

**Cadman, Nikki**

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**From:** licensing CE  
**Sent:** 24 June 2009 16:44  
**To:** Cadman, Nikki  
**Subject:** FW: TOFT CRICKET CLUB - Change of licence

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**From:** [REDACTED]  
**Sent:** 02 June 2009 20:42  
**To:** licensing CE  
**Subject:** TOFT CRICKET CLUB - Change of licence

To: The Licensing Section, Cheshire East Council  
Town Hall, Macclesfield.

Re: **Application for Premises Licence,  
Toft Cricket Club**

We live at [REDACTED] part of the Carrwood Estate which backs onto Toft Cricket Ground, where we have lived for thirty five years. We consider it a privilege to have such a lovely backdrop to our garden, and for many years have supported Toft Cricket Club. We do not wish to be 'kill-joys' but feel that a 'blanket' licence such as being applied for, is not appropriate. We have no objection to a late night licence being given for selective functions, such as is the case currently, but would not wish to see Toft Cricket Club turn into a potential Night Club, with all the associated hazards which would be detrimental to a residential area.

[REDACTED]

## APPENDIX - 3

Cadman, Nikki

From: [REDACTED]  
Sent: 24 June 2009 17:44  
To: Cadman, Nikki  
Cc: Alan Plant  
Subject: Toft Cricket Club

Dear Ms. Cadman,  
I understand from [REDACTED] that the objections to the Cricket Club Application have all gone missing. Below please find my original e-mail sent on June 1st. 2009:-

Dear Sir,

We have lived opposite Toft Cricket Club for over 25 years and although not cricketers have admired the way in which they have conducted their affairs. On occasions the members obviously enjoy themselves but on the exceptionally rare occasions where there has been any cause for complaint - no more than twice or thrice in all that time - they have instantly responded.

I understand from talking to helpful officials at the Council that they currently operate under a Club Premises Certificate. Should this be somehow limiting or defective in allowing the *members and their friends* to enjoy various social activities relevant to the operation of a cricket club and its social programme, I would in no way wish to stand in the way of an extension to the terms of the current Club Premises Certificate.

On the other hand the application for a Premises License appears to change the nature of the Club's operations.

My understanding from my conversation with the Council is that, if granted, the license would allow "within the rules" the operation of all the nominated activities from 10.00 to 01.00 seven days per week - *not just* for the benefit of the Club Members *but for the "General Public"*. The events in Westminster of the last few weeks have shown just how far "being within the rules" can be stretched. One has to assume that the new licence will mean that the facilities - "within the rules" - can be hired out to any and all members of the general public for the club's gain without any members of the club being present. This obviously has the potential to increase noise pollution for the neighbourhood with the consequent issues of "public nuisance". In addition there is already plenty of evidence of vehicles "coming off" that stretch of Chelford Road in the early hours of the morning. The possibility that cars could be regularly exiting the site at 01.00 every morning can only compound the risks to public safety.

I would therefore ask the Council to consider favourably *an extension of the club's existing Club Premises Certificate* to cover any reasonable activities of members and their guests which are not currently adequately covered.

I would also ask them to consider whether the grant of a Premises Licence does not change the use of the site from a Cricket Club to that of a potential Night Club operator, whether this is in the best interests of a residential area on grounds of both potential public nuisance and risk to public safety, and whether this change of use should additionally be subject to a "Change of Use" Planning Application.

[REDACTED]  
Chelford Rd.,  
Knutsford,  
Cheshire  
[REDACTED]  
[REDACTED]  
[REDACTED]

In view of the obvious failure of modern communication methods, please acknowledge safe receipt of this message by return e-mail.

[REDACTED]  
25/06/2009

## APPENDIX - 4

**Cadman, Nikki**

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**From:** [REDACTED]  
**Sent:** 17 June 2009 19:02  
**To:** licensing CE  
**Subject:** Application by Toft Cricket Club for a Premises License

Dear Sir

With reference to the **application of Toft Cricket Club (Knutsford) on 19<sup>th</sup> May 2009 for a Premises Licence.**

I am a resident of [REDACTED] and have been for the last 15 years and I wish to voice my objection to the proposed application for a premises licence for Toft Cricket Club.

We moved to [REDACTED] because it was quiet being situated on the edge of town. At the time the cricket club was that, a cricket club, it did not have the licence it does now, whereby it can hold 12 noisy events a year. We certainly did not want a night club on our doorstep. The noise and disruption to us, from this club, at the moment is bad enough and we certainly wouldn't like more regular events. We certainly know when an event is being held as we can hear the music booming out till the early hours which gives our three young children sleepless nights. I also hasten to add that we were originally told when the cricket club increased its licence a few years ago we would be notified in writing of any event which would cause noise and disruption to the residents, but these have long ceased.

The Cricket Club pavilion is a wooden structure that is not sound proofed and therefore is totally unsuitable for loud music into the small hours of the morning. Also it should be taken into account that when the actual event is over the noise doesn't stop there. We then have inebriated people singing at the top of their voices as they eventually make their way home in the early hours of the morning.

I do object to the change of its licensing to a **Premises Licence** on the grounds of increased nuisance in what is a residential area by potentially opening up the premises to none members above and beyond the current limitations of the TEN system necessary with their current licence.

Under the present system they are a cricket club who has the potential to have up to 12 events beyond their core business (a site on which to play cricket). This in itself was only granted a short while ago. Once they have a full premises licence there is nothing stopping them becoming a bar/entertainments centre that has the provision to play cricket. This is definitely not suitable for a residential area?

I would request that the Licensing Department reject the application by TCC for a full premises licence and allow them to continue operation under the limitations of their Club Premises Certificate.

Yours sincerely

[REDACTED]  
[REDACTED]  
Knutsford  
Cheshire  
[REDACTED]

**Cadman, Nikki**

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**From:** [REDACTED]  
**Sent:** 17 June 2009 19:06  
**To:** licensing CE  
**Subject:** Application by Toft Cricket Club for a Premises License

Dear Sir

With reference to the **application of Toft Cricket Club (Knutsford) on 19<sup>th</sup> May 2009 for a Premises Licence.**

I am a resident of [REDACTED] and have been since 1965, which backs onto Toft Cricket club, and I wish to voice my objection to the proposed application for a premises licence for Toft Cricket Club.

We moved to [REDACTED] because it was quiet being situated on the edge of town. At the time the cricket club was that, a cricket club, it did not have the licence it does now, whereby it can hold 12 noisy events a year. We certainly did not want a night club on our doorstep. The noise and disruption to us, from this club, at the moment is bad enough and we certainly wouldn't like more regular events. We certainly know when an event is being held as we can hear the music booming out till the early hours which gives our three young children sleepless nights. I also hasten to add that we were originally told when the cricket club increased it's licence a few years ago we would be notified in writing of any event which would cause noise and disruption to the residents, but these have long ceased.

The Cricket Club pavilion is a wooden structure that is not sound proofed and therefore is totally unsuitable for loud music into the small hours of the morning. Also it should be taken into account that when the actual event is over the noise doesn't stop there. We then have inebriated people singing at the top of their voices as they eventually make their way home in the early hours of the morning.

I do object to the change of its licensing to a **Premises Licence** on the grounds of increased nuisance in what is a residential area by potentially opening up the premises to none members above and beyond the current limitations of the TEN system necessary with their current licence.

Under the present system they are a cricket club who has the potential to have up to 12 events beyond their core business (a site on which to play cricket). This in itself was only granted a short while ago. Once they have a full premises licence there is nothing stopping them becoming a bar/entertainments centre that has the provision to play cricket. This is definitely not suitable for a residential area?

I would request that the Licensing Department reject the application by TCC for a full premises licence and allow them to continue operation under the limitations of their Club Premises Certificate.

Yours sincerely

[REDACTED]  
[REDACTED]  
Knutsford  
Cheshire  
[REDACTED]

**From:** [REDACTED]  
**Sent:** 15 June 2009 14:36  
**To:** 'licensing@cheshireeast.gov.uk'  
**Subject:** Application by Toft Cricket Club for a Premises Licence

Dear Sir

With reference to the **application of Toft Cricket Club (Knutsford) on 19<sup>th</sup> May 2009 for a Premises Licence.**

After consulting with your department I understand that the above premises have to date been operating under a Club Premises Certificate in respect of their licensing, however they now wish to change this and have applied for a Premise Licence.

Toft Cricket Club as they operate at present is a wonderful neighbour to have. Summer evenings with the sound of 'leather on willow' are quite special and are all part of the rural idyll.

TCC also hold none cricket related events at their premises open to none club members, I believe covered under Temporary Event Notices (TEN) system. These include events with live music, 18<sup>th</sup> birthday parties etc.

One such event would be in summer (next one on weekend of 26/27<sup>th</sup> June) when there's a Marquee and a live band. This 'weekender' is divided between Knutsford Schools Ball on 26<sup>th</sup> and TCC's own annual Summer Ball on 27<sup>th</sup>. During such previous events my house can only be described as 'rocking', literally!

As one of the three closest residential buildings to the TCC (see plan) I have lived as a good neighbour for the three years of my occupancy of this address and have come to live with the events as held under the current licence system after all TCC were here before me and I understand their need to generate income with which to run an effective cricket club.

However my understanding is that under the full Premises Licence that the number of events may no longer limited to the current maximum 12 per year the TEN system permits. Therefore this change of licence has the potential to increase the nuisance to myself and family members.

These sources of nuisance are:

#### Noise

The TCC Pavilion premises are approximately 45 meters from my house (nearest two rooms occupied by 5 and 11 year old children).

During the summer we have to make a choice during noisy evening events featuring music. Not sleep because it's too hot with the windows closed, or open the windows, be cool and not sleep until late because of noise from music and party revellers.

The licence application applied for includes music (both live and recorded). The pavilion is a wooden structure, it's not soundproof, marquees when used less so. Even when music is not involved with the advent of having to smoke outdoors people go for a wander whilst having a cigarette and being a social pastime most smokers talk, again loudly.

As the new licence will allow easier access to members of the public there is then potential to increase total footfall. These people have to go home, either by car and hence slamming doors and revving engines or by foot. The main route back to town is past the end of my garden. Again we have all of the shouting and kaffuffle that goes with Partygoers on the way home who are not always the most considerate of people.

**Litter**

TCC is on the very edge of town so a major number of attendees walk back past my garden towards Knutsford. Over the years I've amassed an impressive collection of discarded Alcohol containers. Due to the geographic location of my house I struggle to think where these come from. I can't really say they'd all be from those coming out of town because after TCC there's precious little residential property. I don't think there are many places that a reasonable percentage of this material can have come from other than departing open event guests. Any increase in event numbers will potentially increase this nuisance

**Damage**

In three years I've had to play 'chase the fence panel' where some wit departing a party thinks its cool to take out a fence panel and move it down the road. Wears a bit thin after a while. More events, potentially more people who think they are funny.

Finally I must say that today I received a letter from TCC hand delivered by their Chairman (John Reed) forewarning us of the next big weekend event which I must say was greatly appreciated and he apologised in advance for any potential disruption.

In discussion about the event John said that the live music in the marquee had been limited by the council to a finish time of 11:30 pm after which events would continue in the pavilion. I can only assume this is something limited within the TEN application. As the new premises licence covers live music until 1:00 am how will any future events be limited to minimise noise intrusion under cover of a Premises Licence if granted?

**In summary**

I have no objection to TCC as it operates under its current Club Premises Certificate and do consider them a neighbour to be extremely proud of, but do object to the change of its licensing to a **Premises Licence** on the grounds of increased nuisance in what is a residential area by potentially opening up the premises to none members above and beyond the current limitations of the TEN system necessary with their current licence.

Under the present system they are a cricket club who has the potential to have up to 12 events beyond their core business (a site on which to play cricket). Once they have a full premises licence there is nothing stopping them becoming a bar/entertainments centre that has the provision to play cricket. Is that something suitable for a residential area?

In case you think my fears of 'event growth' are unfounded if you would like to check TCC's own website [www.toftcc.co.uk](http://www.toftcc.co.uk) they actively invite 'club for hire'. Follow the hyperlink and see what is on offer. Is this advert itself not an indication that the club would like to utilise their facility more for none cricket related events? Sounds more and more like the last sentence of the above paragraph could be true.

I would request that the Licensing Department reject the application by TCC for a full premises licence and allow them to continue operation under the limitations of their Club Premises Certificate.

Yours sincerely

[Redacted Signature]

Knutsford  
Cheshire

[Redacted Address]



APPENDIX -6

Attached OS plan of TCC relative to [REDACTED] Fir Tree Ave



# SITE LOCATION PLAN

(SCALE 1:1250)

APPENDIX - 7

**Cadman, Nikki**

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**From:** Koch, Uwe [REDACTED]  
**Sent:** 16 June 2009 18:40  
**To:** licensing CE; Cadman, Nikki  
**Cc:** [REDACTED]  
**Subject:** Toft cricket club - Application for a Premises License - Response to Letter Ref: 013127

Dear Mr Hopper, Dear Mrs Cadman,

With reference to your letter (ref 013127) dated 05/06/09 Toft cricket club wish to respond as follows:

Toft cricket club has one main fund raising event every year - the Summer Ball. At this key event members from the club, its sponsors and various people from the community are invited to share in a great evening with the purpose of thanking them for their support and generosity to make the club such a success as well as contributing to the ongoing viability of the club.

We have also run this event in conjunction with the local school who use the marquee on the Friday night to raise much needed funds for the 4 local Primary Schools. This will be the 10th consecutive year we have jointly run the event and to our knowledge we have only ever had 2-3 complaints from local residents.

Over the past years both Toft cricket club and the schools have always employed a band that played until midnight according to the specification of the Temporary Event Notice. In following this custom a band has again been committed and we wish to run the event in a similar style to past years.

By agreeing to the conditions as set out in your letter (i.e. no live music after 23h00 and only recorded music up to 24h00) our patrons on the night would no doubt feel "short changed" and disappointed and this would probably cause a reduced uptake for tickets in following years, obviously leading to a reduced future income of such a fund raising exercise.

Considering the potential implications as set out above, the Toft committee have consequently decided that:

- o Toft representatives will seek an opportunity to discuss the recommendations as set out by the Environments Health Officer, Mr Beeby in an attempt to find a suitable compromise that will satisfy all parties concerned.
- o Toft have applied for and been granted a Temporary Event License for our Summer Ball on Sat 27 June 2009 and operate to the details set out within that note (i.e. to play live music until midnight).
- o Toft representatives, as in previous years, have already initiated individual visits and notices to the surrounding community in an effort to proactively inform these home owners of the Summer Ball, thereby addressing any potential concerns or apprehensions about staging the event.

Please may we request you not to see this note as an outright rejection to your recommendations, but rather a proposal to find a mutually acceptable solution to the outlined predicament. We wish to work with you and the community to protect the interest of all concerned.

We would welcome and appreciate your help in setting up such a joint meeting with the respective parties.  
Kind regards

APPENDIX -7

**Uwe Koch**

Toft Secretary

[REDACTED]  
[REDACTED]  
[REDACTED]





**TOFT CRICKET CLUB, BOOTHS PARK, CHELFORD ROAD, KNUTSFORD, CHESHIRE**

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Scale 1:2500



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