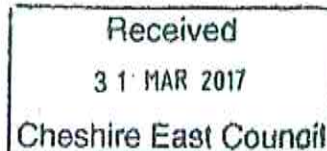


LC PREM CO

COPY LETTER
FOR INFO

24th March 2017
27

The Licensing Section
Cheshire East Council
Municipal Buildings
Earle Street
Crewe CW1 2BJ *east*
licensing@cheshire.gov.uk



Dear Sir

Licensing Act 2003 : Application to vary a Premises Licence : Premises known as
Arley Hall and Gardens : Application date 2nd March 2017
Consultation period ends 30th March 2017.

The village of Antrobus abuts the Arley Estate. The Parish Council considered the public notice of an application to vary a Premises Licence at the Arley Estate at its meeting on Monday 20th March 2017.

I'd like to draw your attention to the following sections in this letter:

- A. Concerns about Public Safety and Public Nuisance
- B. Planning and intensification of use
- C. Reasons for objection on Public Safety and Public Nuisance grounds
- D. Observations on the application documents
- E. Conditions if minded to grant a licence

A. Concerns about Public Safety and Public Nuisance

The Parish Council (PC) has a number of concerns about the application and its impact, if granted, on Antrobus. The PC's concerns are based on the relevant grounds of Public Safety and Public Nuisance. They can be summarised as follows;

1. Traffic – highway congestion surrounding the Premises. This is already experienced with events under the current Licence. (see photographs attached Pet fest 2016).
2. Promoting off Premises events notionally taking place at the Premises eg road races, Cheshire 10K (see promotional material from the promoters website attached).
3. Insufficient local infrastructure to support the scale of use applied for the site (14,999 persons).
4. Noise, litter, damage to roads by heavy vehicles setting up festivals and taking them down, delivery vehicles, guaranteed access for emergency services to the premises and surrounding area.

5. Interruption of local neighbourhood agricultural activity for example – access to fields for planting and harvesting – movement of livestock from farms to fields for milking and other agricultural reasons.
6. The hours of use by the public applied for do not reflect the kind of use of festivals. Festivals often occur over a number of days and so either the public have to all leave at 18:00 (6pm) or a different licence period is needed to allow some of the public, if not all, to remain on the premises overnight.
7. The submitted plan with the application shows camping on 4 sites, 2 substantial car parks, woodland activities, an event field, concessions, stalls and event rings. The total site area is not stated, but it looks from the plan to be at least 4 times as large as the House and Gardens.
8. Allowing camping and the other activities changes the character of the Estate and its landscape setting within the designated Greenbelt and of itself can be described as a Public Nuisance being "an act not warranted by law, or an omission to discharge a legal duty, which act or omission obstructs or causes inconvenience or damage to the public in the exercise of rights common to all Her Majesty's subjects". Sir JF Stephen Digest of Criminal Law p120.

B. Planning and intensification of use

The PC, which is a statutory consultee in planning matters, has concerns about this intensification of use without any evidence of planning consent for change of use. The PC considered the following points;

1. The increase in visitor numbers from 5,999 to 14,999 cannot be accommodated in the Hall and gardens. It must be the case the wider estate, described as parklands, will be used for festivals. Such use may necessitate accommodation on site for overnight stays and supporting infrastructure.
2. The on line search of the Cheshire East planning portal shows no application under the name of Arley Hall or the postcode CW9 6NA from 2009 to the date of this letter which is the time period for that on line facility. (print out of search attached). The current planning consent, which it is assumed was granted before 2009, will require a physical search by the local planning authority at a cost of £150. This search, we are advised by the planning department cannot be guaranteed to be done by Cheshire East before the end of the Licence consultation period of the 30th March 2017.
3. The Parish Council has written to the Planning Authority to raise the question of lawful use. (A copy of that letter is attached.)

C. Reasons for objection on Public Safety and Public Nuisance grounds

Public Safety is compromised and Public Nuisance may occur because of the following:

1. A licence if granted when no lawful use, in planning law, of the Premises exists would be in itself unlawful.
2. Even if a lawful use, in planning law, exists the intensification of use by capacity (5,999 persons to 14,999 persons) should be considered by a

quantifiable analysis of the nature and frequency of that use before a Licence is granted.

3. The application is predicated on the basis the Premises (not defined on the accompanying plan) has the capacity and necessary infrastructure to safely accommodate 14,999 persons and the public infrastructure surrounding the Premises can also accommodate the capacity proposed. No evidence of that presumption is submitted or lodged on the public file.
4. The application describes how each event will be approached with reference to various guides and other regulations. This is an inadequate basis for granting a Licence as it relies on other agencies, at a later date, to sanction the proposed use the Licence itself grants.
5. As a consequence of matters referred to in 4 it becomes very difficult, if not impossible, for the Licencing Authority to monitor and enforce the varied Licence once granted because it will be imprecise in it's wording.

D. Observations on the application documents

Subsequent to the PC meeting a physical inspection of the application documents took place on Thursday 23rd March 2017 at Delamere House, Cheshire East customer service centre, Crewe. A request for a copy of the application including the plan attached was refused and neither would an email copy of the information on the screen be given.

No evidence of the following was found to accompany the application;

1. A change of use planning consent or lawful use certificate
2. An analysis of the nature and frequency of that use
3. A plan of the defined Premises of Licence in the Premises Licence the application seeks to vary. Current Premises Licence reference PR/0540
4. The plan attached is unclear as to whether there is any change to the boundary defining the physical location of the existing Premises and by virtue of the application to vary it now location. It is therefore unclear what will be the 'Premises' under the Licence if the variation is granted.

-E. Conditions if minded to grant a licence

If the Licencing Authority is minded to grant a licence then the following conditions are requested be attached to the Licence;

1. The public will not be allowed to remain on site beyond 18.00 hours (6pm)
2. The public will not be allowed on site before 09.00 hours (9am)
3. No deliveries or set up of festivals will take place outside the hours of 09.00 (9am) and 18.00 (6pm).
4. Adequate refuse collection will be provided to remove from the Premise all refuse on a daily basis.
5. No refuse may be burnt on the Premises.
6. No refuse may be buried on the Premises.

7. No activity, event or festival may take place that involves using the surrounding public road network other than for access and egress to the event at the Premises.
8. In granting the Licence the Premises owners accept they will not, and will prevent any application for road closures in the surrounding network by any promoter using the Premises.
9. No lighting other than permanent lighting around the Hall and Gardens will be left on beyond 18.00 hours (6pm)
10. No audio equipment or sound system will be played in the Parklands included in the Premises beyond 18.00 hours (6pm)
11. Adequate water supply and sewage system will be provided and no sewage system or waste water may be discharged into any water course or the ground by soakaway or natural percolation.
12. The Licence holder will provide a publicly available emergency evacuation plan for any event where more than 5,999 persons could attend. This plan to be published on the Premises website 7 days before the event. The Plan will include named persons and contact telephone numbers landline and mobile of persons in authority of the Licence holder and named persons and contact numbers of responsible persons for the promoter.
13. The named persons for the Licence holder will be present at the Premises at all times the Premises are open to the public.
14. For the avoidance of doubt Premises in these conditions is applied the whole of Arley Estate.

The PC may wish to be represented at the meeting of the Licencing Committee. Notice of the intended date of the meeting to consider this Licence application is requested as soon it is scheduled. Communication by email is preferred.

Yours faithfully

Clerk to the Council

Attachments on following 2 pages

1. Photographs of traffic queue on Hollins Lane Antrobus June 2016
2. Promotional material
3. Print out of planning search result

Attachment sent as a separate file

4. Copy of letter to the planning authority Cheshire East 27 Mar 2017.

1. Pet Fest 18th June 2016 (11.00 hours) Hollins Lane approximately 1 mile for Arley Estates entrance queues and blockage of road



2. Off the Licenced Premises event promotional material



3. Print out of planning search result

[Skip to Main Content](#)

(<http://www.cheshireeast.gov.uk/default.aspx>)

No Search Results

You are searching for:

Premises: ***Arley Hall and Gardens***

Postcode: ***CW9 6NA***

Licensing Type: ******

There are 0 matching records. Try using fewer or different search criteria to increase your search results.

[Return to Search Public Register \(search, register and page to refine your search\)](#)

- [Help and accessibility \(http://www.cheshireeast.gov.uk/default.aspx?page=12036\)](http://www.cheshireeast.gov.uk/default.aspx?page=12036)
- [Website information, privacy and cookies \(http://www.cheshireeast.gov.uk/default.aspx?page=14711\)](http://www.cheshireeast.gov.uk/default.aspx?page=14711)

End (see attached file for last attachment)

Cheshire East Development Management

PO Box 66606

Municipal Buildings

Crewe CW1 9HP

planning@cheshireeast.gov.uk

24th March 2017

27

← also sent by email

and

Cheshire East Development Management, North Area

Town Hall

Market Place

Macclesfield SK10 1EA

This →
copy

Dear Sir,

ARLEY HALL AND GARDENS PARKLANDS AND ESTATE
ARLEY CHESHIRE CW9 6NA

The Arley Trustees who we believe are the owners of the above property have made an application under the Licencing Act 2003 to vary a Premises Licence at the property. The application is out for public consultation with a closing date of the 30th March 2017. The Parish Council considered this matter at its meeting on the 20th March 2017 and wish to advise you of their concerns.

The application seeks;

1. To increase the capacity of the estate (including Parklands) for specific events/festivals from 5,999 to 14,999 (persons)
2. To amend the opening hours of Arley Hall and Gardens to the general public to 09.00 to 18.00 hours every day including Bank Holidays
3. To extend the period open of Arley Park and Gardens as a visitor attraction to all year round (except Christmas Day, New Year's Day and the period between -25th December to 2nd January.

Antrobus Parish Council is the adjoining Parish Council to the Arley Estate and is located in Cheshire West and Chester planning authority area. Arley Estate is in Cheshire East in the Parish of Aston by Budworth.

The intention to introduce camping and festival events that could extend over periods of days is felt to be an intensification of use which changes the character of the Estate and is of such a scale that the impact on the Greenbelt would be a material change of use requiring specific planning consent.

We have looked on Cheshire East's planning portal and cannot find any application for the period from 2009 to the date of this letter seeking a planning consent.

The PC has made representations to Cheshire East in its capacity as the Licencing Authority and I enclose a copy of that letter.

The PC would be obliged if you could consider the question of whether the proposed use is lawful and advise the PC of your decision.

If planning consent has been applied for and if consent has been granted please advise when that occurred.

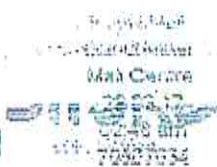
If Cheshire East, as the Planning Authority, has been notified of the Licence application and asked to comment, may we please also request a copy of that representation.

Communication by email is preferred.

Yours faithfully,

Copy of letter to Cheshire East Licencing Authority dated 27 March 2017 attached as a separate file

F.a.o. CIVICANCE
Muni. Buildings
Crewe.



Licensing

Cheshire East Development Mgmt, North Area,

Town Hall

Market Place

MACCLESFIELD

SKID LEA

3 Apr 2017

Jennifer Knight
Senior Licensing Officer
Regulatory Services and Health
People's Directorate
Municipal Buildings
Crewe
CW1 2BJ
licensing@cheshireeast.gov.uk

Dear Jennifer Knight,

**Licencing Act 2003 : Application to vary a Premises Licence : Premises known as
Arley Hall and Gardens : Application date 2nd March 2017
Consultation period ends 30th March 2017.**

1. Thank you for your email (30th March 2017 14.53) with attached representations from the Premises Licence Applicant and inviting us to respond to it.
2. In answer to your question "*Please let me know if this alleviates your concerns*" the answer is no they do not.
3. The representations fail to address the overarching objection which is the increase in capacity to 14,999 for the premises (not defined in the application with a clear plan) is of a scale to have significant Public Safety and Public Nuisance implications for the locality of the premises.
4. The tone of the application is that the applicant will obtain the licence and then unspecified event sponsors will promote events. The event sponsor is not the holder of the Licence and so the question is, who is responsible for these events? This is further reflected in the question of holding events at the premises that in fact involve extensive use of public roads away from the premises. The Licence holder seems not to understand the impact of allowing the Licence Premise to be used in this way encourages further uses that are disruptive to the locality. The Licenced Premises under its current licence has the land area and private roads to hold such events on the Premises.
5. The Licencing Authority is being asked to grant a Licence for Premises to accommodate 14,999 persons. That is, by any measure, a substantial increase. The hours of opening and number of times applied for are not limited to two or three events per year. The Premises can, under the Licence applied for, be open and used every day for 51 weeks of the year. The only limiting factor will be how many events can be sold. The fact the applicant is declaring only 2 advance bookings for 2017 is irrelevant.

6. The applicant 'believes' the Premises and surrounding public infrastructure can support the 14,999 capacity applied for. The applicant submits no independent evidence of that belief. For example no highway studies as to capacity on the surrounding highway network and no Environmental Impact Study.
7. The site is in the Greenbelt which is a statutory designation giving a presumption against development. Development includes change of use. Please refer to **Section 55 of the Town and Country Planning Act 1990** "development," means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. (underlining is my emphasis) In the case of *Parks v Secretary of State for the Environment [1978]* 'use' was defined as 'comprises activities which are done in, alongside or on the land, but do not interfere with the actual characteristics of the land'. We believe this is still a valid authority on the point. The applicant however does not seem to have consulted with the Planning Authority but states "there is no change of use such that planning consent should be required". The applicant offers no evidence this is a correct statement.
8. The applicant admits that of the one the two events in 2016, Dog Fest, significant highway congestion occurred. The reasons given are remarkable. The first is the village of Antrobus held its annual village fete on the same day. The second is the promoter of Dog Fest failed to organise adequate traffic management and thirdly there was a road closure in Appleton Thorn. All this response does is to illustrate how inadequate the road network within 2 miles of the Premises is to accommodate large events at the Premises when other activities in the area are taking place. This tension cannot be resolved unless local events are prevented which is entirely unjustified to advance the commercial interests of the applicant.
9. The only thing the Licence holder seems to accept responsibility for during the Dog Fest event is inadequate car parking on the Premises. Even with a capacity of 4,999 under the existing Licence inadequate arrangements were made. Or it occurred because the applicant allowed more than 4,999 persons to be on the Premise thus overwhelming the car park provision and in so doing breached the terms of that licence. Breaches of a Licence are relevant matters to consider in a new Licence application.
10. To address the lack of car parking the applicant states two 'extra' fields have been 'acquired' for use as car parks. This seems a change of use from agriculture to a non-agricultural use. These fields may or may not be in the current Premises area, the application does not identify.
11. If the Licencing Authority is minded to grant the Licence then nothing in the applicants comments on the conditions we suggested in our response warrants their withdrawal.

12. Several villagers have expressed dismay to our councillors over the proposals.
None in support.

Please advise me of the intended hearing date.

Yours sincerely

Clerk to Antobus Parish Council

Licensing at Cheshire East Council
Licensing Team
C/O Municipal Buildings
Earle Street
Crewe
CW1 2BJ

27 March 2017

Dear Sir,

Arley Hall, application to vary a premises licence

I am writing on behalf of Aston by Budworth Parish Council and several residents of the Parish to comment on the application by Arley Hall to vary their Premises Licence to increase the capacity of the estate from 5,999 to 14,999.

Road access to service events at Arley is not adequate to deal with the influx of large numbers of people and cars. Last year Arley held an event called Dogfest, which resulted in such excessive traffic congestion it was reported in the Manchester Evening News (see attached extract and link below). Residents have reported to us that it was such a nuisance and inconvenience that they were trapped in their own homes and had people, who were queuing in the traffic, knocking on their door asking to use toilet facilities. Many of the roads leading to the estate are also used by recreational walkers, cyclists and horse riders whose safety is a concern with a large increase in traffic.

We ask you to consider if the increase is necessary and rather than granting a blanket licence we ask that you consider granting licences for specific events instead. Arley can produce the planned traffic management plan, referred to in section d) of their application, for each event. The actual impact and disturbance of events can then be reviewed and if necessary remedial action be put in place.

Yours faithfully,

Link to MEN article

<http://www.manchestereveningnews.co.uk/news/greater-manchester-news/dog-lovers-hit-out-dogfest-11492505>

0;

28th

Licensing Section
Cheshire East Council
Municipal Buildings
Earle Street
Crewe
CW1 2BJ

Dear Sirs,

Application of 2nd March by Arley Hall & Gardens to Vary Premises Licence

I refer to the following correspondence:

- letter dated 20th March making representation "that permission for any capacity increase events be matched by specific Licence Conditions to ensure end results of an easy flow to and from the site for customers and residents and acceptably quick access for emergency vehicles".
- Licensing Section response of 21st March where you reject this representation as "the points raised are not considered valid objections to the application." You state that a valid representation must set out how you consider how the premises licence will undermine the licensing objectives: Prevention of crime and disorder; Public Safety; Public nuisance; and Protection of children from harm.
- Email from Kim Evans on 24 March clarifying Representation needs

You mention also here that "matters relevant to highway and traffic flow are not in the control of the premises licence holder and not taken into consideration". It seems strange that the consequences of the actions of the Licence Holder on traffic is considered irrelevant.

However I think it is possible that you have misunderstood the context in which this licence would be operated and the potential consequences of the visitor flow to and from and through the estate.

Arley Estate Configuration:

- The Estate is not just a large house with a couple of fields attached where events would take place.
 - It is extensive and incorporates some 40 or so dwellings, several large farms, Stockley Farm Park visited by some 1,000 car-borne parents each weekend day, plus a number of smaller businesses.
 - On the edge of the Estate is a large riding stable complex with grazing areas within the Estate; immediately outside the Estate are a significant number of additional dwellings.
-

- The two access roads into the Estate are private, mostly single track, and not "public highways" in the sense that you have likely considered them to be. Residents and businesses have rights of way over these roads and need ready access.
- A third road (Sack Lane) is narrow and has a weight limited bridge suitable only for cars. This could not be used for fire engines or possibly even a heavy ambulance.

As stated in my letter of 20th Arley's infrastructure and management copes quite well with the activities of the normal flow of visitors to the grounds, weddings and smaller events. There is some nuisance to residents and businesses but bearable.

However larger events, although much smaller than those now being considered, and traffic managed:

- have caused a significant public nuisance because residents and businesses have found it difficult gain access to and egress from the Estate. The two single lane roads in the morning were completely blocked with vehicles accessing the site; in the evening they were blocked with vehicles leaving.
- have put children in harm's way because there are no footpaths on these single track roads and cars and children cannot be readily separated.
- would make it extremely difficult for emergency vehicles to reach the Estate quickly. Public Safety would be prejudiced.

The larger events, even if carefully managed, can only exacerbate these issues.

It is noticeable that the Licence Variation Application focuses on the event site itself, does not consider implications for the wider Estate, is silent on the concerns raised above, lacks identification of the issues and the specifics needed to address them effectively. There is merely a somewhat inadequate mention of a traffic management contractor to effect "smooth arrival of attendees and minimise disruption in the local area".

So in summary:

- I argue that the above concerns have not been effectively addressed, that there is a valid representation being made and it is being made on a justifiable, factual basis.
- I applaud Arley's clear wish to increase income and thus support this special place. However this must not be done without careful consideration of the potential impact on residents and others.
- I contend that specific and detailed Licence Conditions would be needed to ensure this. These conditions might be a requirement to consult effectively with affected parties on Traffic Management schemes to mitigate unacceptable consequences for residents, neighbours and other stakeholders.

If these concerns are not matters that can be addressed via the Licence I would be grateful if you would pass this on to the appropriate parties.

Yours faithfully.

Extract from Manchester Evening News 18th June 2016

Dog lovers hit out at Dogfest organisers after traffic chaos leaves them stranded in cars for hours

BY ANDREW STUART

19:32, 18 JUN 2016 UPDATED 22:31, 18 JUN 2016

Dog lovers have hit out at traffic problems that caused them to sit in hot cars with their pets for hours on the way to a festival. Thousands of families from across the North West were heading to DogFest at Arley Hall, near Northwich, which was hosted by Channel 4's Supervet Noel Fitzpatrick.

The festival for four-legged friends is being held over Saturday and Sunday this weekend. A second festival is planned for Windsor, near London, next weekend. The event features dog-grooming demonstrations, a dog chill-out zone, and a big stage for the Supervet Live show. But those attending the first day of the show slammed what they say as poor traffic management and long queues.

One person who went to the event, Alison from Horwich, told the M.E.N: "I was a mile away at 10am and following signs for Arley Hall as instructed on the only DogFest sign I saw, when a steward sent us all down a lane rather than continuing towards the hall. "An hour and a half later, with no signs for DogFest or Arley Hall, and having been sat in stationary traffic for much of that I turned around and came home. as did many others." The general consensus was we had been sent the wrong way. All the lanes in the area are very narrow and were completely gridlocked." Everyone had dogs in the car who were getting hot and stressed. It was totally unacceptable."

The website for DogFest says visitors are to "Follow the brown tourist signs" and that "Arley is signposted from Junction 9/10 on the M56 and Junction 19/20 on the M6."

Writing on the Facebook page for Dogfest, furious would-be attendees have told of being sent the wrong way, long queues, being stuck in car parks and missing events they wanted to see. Chelsea Pearson said: "We had a full car and this was our first time coming to your event! Never again! We had 4 dogs in the car stuck in traffic for over 3 hours just because someone sent us and a thousand others the wrong way! Seriously this is so bad! We missed the walk and Noels talks and half a day!" Wayne Ratcliffe said: "It took us 3 1/3 hrs to get there... we were 1.2 miles away when one steward sent us on a pointless detour up country roads along with hundreds of other cars... all this time in a car with two young kids and a dog.... totally not acceptable... no signs, no traffic management, no thought of the animals." He added: "Then to top it off we got stuck on the way out and had to wait for two land rovers to pull us out..." Linda Bryce commented: "Have to add my voice to the many complaints, over 2 hours to get in from Warrington! It's just not good enough especially for the amount charged for entrance. We set out mid morning (ie not late) and didn't arrive until lunchtime."

DogFest said in a statement on their Facebook page: "We would like to issue a sincere apology to those who have been caught in traffic while trying to get to DogFest at Arley Hall this afternoon. Rest assured

we have been working hard on the ground to rectify this arranging extra car parking, traffic control and additional signage." For those planning on coming to DogFest tomorrow we hope the additional measures we have put in place will ensure the same problems do not reoccur.

KNIGHT, Jennifer

From:
Sent: 28-Mar-2017 15:48
To: LICENSING (Cheshire East)
Subject: Re Arley Hall Application to vary premises licence.

I shared a OneDrive file with you. To view it, click the link below.

 Photos folder

Kind Attn Licensing
Re Arley Hall Application to vary premises licence.

Dear Sirs

Please would you consider the following representation in respect of Arley Hall's application to vary a licence

Public Safety - Access Roads to site.

Arley Estates plan to engage 'a traffic management contractor to ensure the smooth arrival of festival attendees'....etc

The departure of attendees is just as critical but is not mentioned in the application - it should be noted the lanes for several miles around Arley Hall are unlit.

In my experience having lived in this area for over 25 years the only traffic management plan which would successfully work would be to ensure the volume of traffic, which is allowed onto the lanes around Arley, is at the level to which the lanes were designed. This level needs to take into account walkers, agricultural traffic and the large volume of cyclists which are present most days. Also the narrowness, the pinch points where cars are unable to pass each other and open ditches, which in some instances are inches from the edge of the lane and as much as 18 feet deep, should be considered - please see attached photo.

If the number of attendees is raised from current levels to those requested, the issue clearly becomes one of infrastructure than just a traffic problem which can be resolved by a traffic management consultant. Arley Hall is several miles from major A roads and many problems were clearly demonstrated when hosting a recent Dogfest - please see link the Manchester Evening News article. Please note this festival took place under the current (lower) attendee

limits. <http://www.manchestereveningnews.co.uk/news/greater-manchester-news/dog-lovers-hit-out-dogfest-11492505>



Dog lovers hit out at Dogfest organisers after traffic ...

www.manchestereveningnews.co.uk

Dog lovers have hit out traffic problems that caused them to sit in hot cars with their pets for hours on the way to a festival. Thousands of families from across the ...

The protection of Children from Harm.

- The safeguards to be put in place for children whilst on site appear well conceived. In Section 16 e however the application determines that unaccompanied children/youth will be turned away (at the entrances). The area around Arley is quite some distance from other local inhabited places and extremely dark at night. Whilst parental responsibility is foremost should some form of responsibility lie with the applicant or do their responsibilities end at the gate even though unaccompanied children might still be on the estate grounds but outside the festival site?

As a local resident I am not aware of any local people who do not wish Arley Hall estates to succeed. If, however, you wish to hold festivals with up to 14,999 people common sense dictates it is held at a suitable venue / location which, in my view, is not to be found at the end of miles of small, narrow country lanes.

Your consideration of this representation is much appreciated.

Yours sincerely

KNIGHT, Jennifer

From:
Sent: 28-Mar-2017 15:39
To: LICENSING (Cheshire East)
Subject: Application to vary a premises licence - Licensing Act 2003

ARLEY HALL AND GARDENS

You have before you an application to vary the present licence for Arley Hall and Gardens to which I refer, and to my letter of 24th March and your reply dated 27th March. As representations need to be with you by 30th March 2017, I do so now with this e mail.

In your reply you advise that the points we raised in our letter were not valid, as they did not refer in particular to aspects regarding

Public Safety
Public Nuisance
Protection of children from harm

and how these may be undermined within the licensing objectives.

You go on to say that matters we raised were relevant to the highway and traffic flow, and therefore not relevant to the application.

We disagree with this contention. The use of such private and restricted roads would by definition detrimentally affect public safety, nuisance and possibly cause any families and children walking the footpaths to be under greater harm than at present. It would therefore possibly undermine present use by definition. They are private roads and not for public use.

We are not referring to highways in the accepted legal definition of them, but to private roads with their associated consents for access for the residents of the estate. They do not by definition provide for unlimited rights of way to the general public which would be the case for a highway.

My understanding of a highway is 'A main road or thoroughfare available to the public for the use of travel and transportation'.

In particular, Sack Lane where we live is a private single track road protected by a gate, providing access to Arley Green, and The Ashes private houses, and not as a general thoroughfare. It is a public footpath, and for part of its length a bridleway.

You refer to the submitted application where objectives would be translated into conditions on the licence if granted. It also refers to Geronimo Fest management and an associated traffic management plan to ensure the smooth arrival of attendees and minimise disruption to the local area.

This is to be commended but it does not refer to-

1.. Any other events which may take place where the licence increase of attendees to 14999 is appropriate.

2.. does not refer to traffic departure (only arrival) .

It also refers to the SAG group. We do not know who this group is or what their responsibility may be . Please clarify.

So we contend that there is a valid objection made in this representation and we need to be satisfied that there is a sufficient and robust approach to any consent for the increase in numbers applied for, with defined penalties for any breach.

We again confirm that we do not wish to stand in the way of a consent being granted, but to protect the interests of the estate residents in general, and Sack Lane in particular should you decide to do so. We need your assurance that these concerns will be addressed in your deliberations. .

regards

Sent from [Outlook](#)

KNIGHT, Jennifer

From: LICENSING (Cheshire East)
Sent: 31-Mar-2017 08:12
To: KNIGHT, Jennifer
Subject: FW: Application to vary premises licence at Arley Hall and Gardens CW9 6LZ

Follow Up Flag: Follow up
Flag Status: Flagged

From:
Sent: 30-Mar-2017 18:13
To: LICENSING (Cheshire East): LICENSING (Cheshire East)
Cc:
Subject: Application to vary premises licence at Arley Hall and Gardens CW9 6LZ

The Licensing Section,
Cheshire East Council,
Municipal Buildings,
Earle Street,
Crewe CW1 2BJ

Dear Sirs,

I am a resident of the Arley Estate and live at [redacted] I am writing
to object to the application to vary the premises licence at Arley Hall and Gardens, CW9 6LZ.

My principal objection is to the application to increase the capacity of the estate (including Parklands) for specific events/festivals from 5,000 to 14,999.

This is a huge jump in numbers. The application is not time or date limited and could mean an unlimited number of events/festivals at this high capacity. It is not clear from the application that this is only for "specific" events, nor the number of such "specific" events proposed in a 12 month period.

In fact, according to the estate notice received by residents, which informs us about some of the "larger events we are looking forward to hosting" (wording from the Arley Estate notice) we are already facing 4 larger events within a six week period from 27 May to 2 July 2017, over 4 weekends.

Prevention of Crime and Disorder:

The Arley Estate markets itself and its events as family friendly. There is potential for crime and disorder given the numbers of people attending some of these events and the availability of alcohol at the venue. I cannot comment on drug misuse, but this may also be an increased risk given the huge increase in capacity proposed, and given that there is no restriction on the type of event or festival which can be held.

Prevention of public nuisance:

Arley is a small estate with small country access roads, which is part of the overall "look and feel" of the estate. Any larger event gives rise to severe traffic issues both for access to the estate and access to our homes. There is also substantial noise and nuisance during the day and evening from outdoor public address systems and music which are a feature of these events.

We have two recent experiences of unacceptable traffic issues, noise and nuisance caused by (a) the 2016 "Dogfest" held in the summer of 2016 and (b) the national Caravan Club rally held in 2014.

- (a) The Dogfest event last summer caused traffic chaos on and off the estate. Cars were abandoned all over the access roads to the estate, as visitors simply gave up trying to find a parking space. This added to the already appalling traffic congestion of those trying to enter (or leave) the event with roads blocked solid for hours. Residents, including my immediate neighbours, were unable to get home for several hours. The whole experience for residents was so dreadful we received letters of apology from the organisers of the festival (but not from the estate). The matter was reported in the Manchester Evening News – please see weblink below for details and photographs.

<http://www.manchestereveningnews.co.uk/news/greater-manchester-news/dog-lovers-hit-out-dogfest-11492505>

Dogfest 2017 is also being held at Arley on 17 and 18 June this year.

- (b) The Caravan Club rally was described by the Caravan Club as "its largest and most extravagant event of the year, The National at Arley Hall in 2014" (source: Caravan Times). "The event will cater for approximately 2,000 outfits and 6,000 participants" (source: Caravan and Motorhome Club website).

The volume of caravan and motor home traffic, on narrow country roads leading to the estate, and on the estate itself, led to single way traffic on what are (normally) two way roads and long traffic queues, with associated pollution from standing engines. This is a particular problem for those living on the access road to the estate from the direction of Appleton Thorn, where properties are very close to the road, and for walkers who are using the popular network of footpaths and minor roads on and around the estate.

Clearly the organisers of the event were expecting a capacity above 5,000. I am not aware whether Arley Hall applied for and obtained an increase in its capacity numbers for this event, or not.

Again the public address systems were a nuisance throughout the day and evening of each day of this event and were audible inside and outside my house.

Events proposed for 2017:

The number of events and particularly those of Dogfest 2017 and the Geronimo Children's Festival will cause major disruption and public nuisance for estate residents, particularly those who live close to the access road coming onto the estate from the direction of Appleton Thorn and Stretton.

The 4 larger events scheduled within a six week period from 27 May to 2 July 2017, over 4 weekends, will impact the residents of Arley. We will have 8 days of high visitor attendance, and several additional days of noise and disruption before and after the events, during this six week period of the summer. This is particularly the case for the events of Dogfest on 17 and 18 June and the Geronimo Children's Festival on 27 to 29 May, where there will be heavy contractor and goods traffic onto the estate in order to set up and construct, and then de rig and remove, all the construction, stage, stalls, tents and facilities required for the events, including in the case of the Geronimo Festival, setting up camping and glamping areas and associated facilities.

The opening hours of the estate also mean that noise and disruption from the events can start early (if the hours are changed from 11 am to 9 am in accordance with the changes to the premises licence sought by the Arley Estate) and continue into the night, affecting residents. These events are not held in a purpose built event space with noise containment but are largely open air or tented events, with little or no noise containment.

We also have the issue of noise and disruption from dispersal after the event finishes each night, from those attending the event as they disperse and from traffic leaving the event.

These events have the potential (and have in the past) caused huge disruption to the normal life of residents in a quiet area. Events such as the Arley Garden Festival and Food Festivals which are held each year cause some disruption but these are smaller events and would not (I believe) require an

Increase in capacity. Arley has been running these events for a number of years and these events do not cause the public nuisance of Dogfest, the Caravan Club rally and the Geronimo Festival.

Health and Safety

The numbers of visitors to the estate, and the access and parking issues, also give rise to H&S concerns, for those attending and living on the estate, and anyone walking or cycling in the area. The noise and disturbance caused by the larger events also affects the health and safety of Arley residents and the right to peaceful occupation of our homes.

Yours faithfully

LCPREMCO



Re - Atley Hall & Gardens

29.3.17.



Dear Sir/Madam,

Although we live within the boundary of Atley Hall & Gardens we have only just seen the notice about proposed licencing changes. Surprised we were not notified directly. I know some residents that live abroad, part of the year, and are probably not getting a chance to express concerns.

Opening longer hours and all year around, will make the area busier. I don't object to this as appreciate Atley Hall running as a business. Some large events already have had a major impact. Those that have blocked the roads in and out and effected peoples livelihoods,

as it is taking over an hour and a half to drive out.

When the Caravan Club had their National Rally, caravans queued for hours, as did people trying to return home. This organisation usually plans exceptionally well. Pitches, field locations and routes were sent to members. Unfortunately they didn't all follow route. Also unfortunate that entry in and out of the fields was very slow due to excessive rain on clay soil. This group has it's own vehicles for pulling out stuck cars and vans. Most large events do not. -

Who takes responsibility for traffic congestion at Events? Dog Fest '16, I believe wanted to control traffic and parking, not Arley Hall. Annoyed motorists reported their experiences on the news. Families left drivers in their car, so adults, children and dogs started to walk on the country road too.

Hedged roads into Arley go through ³ .
two of the three gates, normally. These only
allow one car, in one direction at a time.

This, the conditions on the fields for parking,
single lane traffic, seem to cause tailbacks
at some events. Hopefully the Emergency Services
will never need to get through. Shouldn't
solutions be found and tested before this part of
the licence is expanded? Personally, living under
these circumstances, intolerably.

Yours sincerely,

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AE 3233 5415 0GB SD 1pm

19369 Apr 2013

Licensing Section,
Cheshire East Council,
Municipal Buildings,
Eame Street,
Crewe.
CW1 2BJ.



LCPREMO

The Licensing Section
Cheshire East Council
Municipal Buildings
Earle Street
Crewe, CW1 2BJ.

29th March 2017

Dear Sir or Madam,

ARLEY HALL & GARDENS – APPLICATION TO VARY A PREMISES LICENCE.

The one aspect of this application which concerns the writer is road traffic safety. It is good to learn that the applicants have engaged consultants to formulate a traffic management plan.

To be specific, since Dogfest reportedly caused congestion problems on roads north of Arley last year, perhaps consideration is being given to routing more vehicles via the southern access to Arley Hall, via Moss End on Budworth Lane. With much smaller events (e.g. Antique fairs, gardening shows,) such access has not raised difficulties in the past.

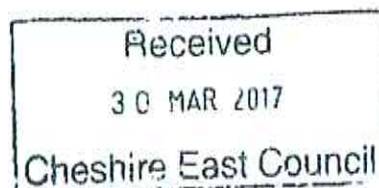
However, the large increase in numbers now envisaged could raise major safety issues not far away from Moss End – in both directions. Westwards, Budworth Lane leads to the A599 at Great Budworth and, eastwards, to B5391 and the M6 (at Junction 19).

Great Budworth village has a very blind, single-width corner at its centre and another 80 m away at the north end of Church Street, and its High Street is reduced to single file traffic most of the time by parked cars belonging to residents or weekend visitors. Newcomers to the village are unaware of just how hazardous the two street corners mentioned are.

To the east of Moss End, for drivers approaching Arley from the M6 (J19), there is a stone bridge on Budworth Lane, the approach to which is totally blind. This bridge has been rebuilt by East Cheshire probably in 6 of the past 8 years after vehicle damage. Perhaps stronger warning signs are needed.

I ask that these road safety issues be borne in mind when considering conditions attached to a revised licence.

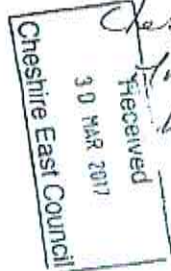
Yours faithfully,



Stroke



Vehicle Licensing Section
Cheshire East Council,
Municipal Buildings,
Karl Stret,
CREWE CW1 2BJ.



Application of 2nd March by Arley Hall & Gardens to Vary Premises Licence

I write as secretary to the management company that collectively represents the residents of properties that comprise

The abuts the Arley Estate and can be directly affected by the numbers attending public events, traffic management issues at such events and noise pollution created by certain events. Within the parameters of the current premises licence significant problems have arisen and these are likely to be exacerbated unless specific measures are taken and conditions stipulated within any revised licence:

1. The current capacity of the roads into and out of the estate are unable to adequately and safely deal with the current licensed visitor numbers let alone the proposed increase. Significant congestion and blockages have been experienced at recent events, such as the national caravan club rally and DogFest. The information in section 16 of the application does not provide sufficient detail to conclude how these problems will be avoided in the future.
2. The possible usage of other routes on the estate to provide entry and exit from the site has not been addressed. Possible alternative routes (eg Back Lane) hold very limited potential given their width (ie single lane with passing points) and structural composition. An assurance is required that these inappropriate alternatives are not used.
3. Noise pollution from existing events is already noticeable. This is likely to be exacerbated with any increase in frequency in the number of events held and in the capacity of the audience able to attend these events.

While we understand that the estate needs to increase its income to meet maintenance and improvement goals, changes to licence parameters should be conditional on undertakings to ensure that the demands from additional visitors can be adequately met without detriment to the environment and its inhabitants.



LICENSING SECTION
CHESHIRE EAST COUNCIL
MUNICIPAL BUILDINGS
EAGLE STREET
CREWE CW1 2BT



Received
30 MAR 2017
Cheshire East Council

LCPREMCO

To Cheshire East Council

28 March 2017

Arley Hall Planning Application

I am a local resident of Reed Lane Antrobus.

I use New Road that runs from Appleton Thorn towards the Arley Estate on a regular basis.

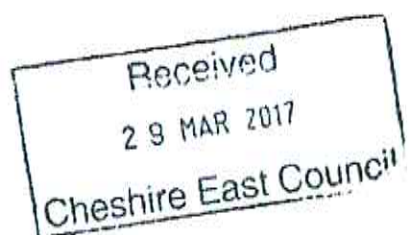
I am very concerned about the traffic increase that the proposed extended year round opening hours except for Christmas to Jan 2nd, will cause. My other concern is the application to increase the capacity of the estate from 5999 to 14999 for specific events and festivals.

We already have the Appleton Thorn Primary school opposite the prison towards the top of the road, plus residential properties. Parents park on the road opposite the school to drop off children in the morning and pick them up in the afternoon. There is a slight bend in the road at this point. Not so bad in summer but in winter it is a hazard.

The road is just not wide enough for coaches, lorries and local tractors to pass cars without cars being forced to stop on the verge or in the odd gateway. Many cyclists use the road, as it is flat usually riding 2 abreast. Local pedestrians, often with their dogs, and horses with their riders use the road on a regular basis and they will be at increased risk because of the increase in traffic.

Last Friday March 24th going up the road I had to find somewhere to draw in to let 2 coaches and a lorry to pass me. 2 hours later on my return it was a coach and a lorry.

I do hope that these concerns will be considered when looking at this application. It will cause an accident waiting to happen.





The Licensing Section

Cheshire East Council

Municipal Buildings,

Earle Street.

Crawe

CW1 2BJ