

[REDACTED]

From: LICENSING (Cheshire East)
Sent: 01-Sep-2020 10:06
To: [REDACTED]
Subject: FW: Langley Cricket Club
Attachments: Child_Protection_Policy.pdf;
Langley_Cricket_Club_-_Development_Plan_-_September_2013.pdf; From LCC 13th
June 2020.docx; 20200816_181100.jpg; LCC Operating Schedule.pdf

From: [REDACTED]
Sent: 01-Sep-2020 10:03
To: LICENSING (Cheshire East)
Subject: Langley Cricket Club

Dear Licencing team at Cheshire East Council,

Re: Public consultation regarding Langley Cricket Club, Cock Hall Lane, Langley. Macclesfield.
SK11 0DE

Application for premises licence 4th August 2020

We herein make a representation in relation to this application based on the grounds of noise nuisance and child safeguarding.

Human rights Act 1998 that came into force in October 2000 incorporate into UK law the rights contained in the European Convention on Human Rights. **Rights detailed by the ECHR are enforced by the common law nuisance in addition to the rights provided by statutory nuisance.** The ECHR plays a shaping role for any new policies that aim to alter how noise is managed and the Human Rights Act 1998 provides a mechanism for individuals to take public authorities to court for failing to protect their human rights.

We have a right to peaceful enjoyment of our property.

We strongly object to this application on the following grounds:

1. Noise nuisance
2. Safeguarding of children

May we draw your attention to the attached letter, regarding this application, received by us, on the 13th June 2020 from [REDACTED] Chairman of Langley Cricket Club.

Langley Cricket Club (LCC) clearly state; *"As you are aware, following correspondence with you in August last year, I made contact with Cheshire East Council to seek guidance on the operation of these events in relation to sound levels."*

This statement relates to our meeting with the Chairman of LCC on the 21st of August 2019 to discuss our dis-satisfaction regarding the noise levels emitted from their premises on the 12th August 2019. At this meeting he assured us he would seek guidance on the operation of these events in relation to sound levels.

The Chairman and his club have since demonstrated on 2 further occasions that they are completely incapable of self-regulation regarding noise control. These events were held on Sunday 22nd September 2019 and Saturday 23rd November 2019.

The event held on Sunday 22nd September 2019 prompted us to complain to environmental health at Cheshire East Council and request noise monitoring equipment in our home following on from

this event. This was honoured and recording were taken throughout the club's winter ball held on the 23rd November 2019 where noise was noticeably louder at 11.30pm and did not stop until 00.45hrs on the Sunday 24th November 2019. Cheshire East Council Environmental health served the club an abatement notice, following this event.

Herein we draw your attention to the Chairman's letter of 13th June 2020, which states; *"As such, to ensure that this remains the case, we are proposing strict conditions as part of the Premises Licence Application we intend to lodge. Importantly, one of these conditions will limit the number of times per year that licensable activities can take place in the grounds after 7pm to a maximum of 8 occasions. This will include events like the Winter Ball and our fireworks display. These sorts of events are important to generate much needed funds for the day to day activities at the Club, but we are aware that these must be limited in such a way as to ensure harmony with all members of the local community."*

LCC have already demonstrated that following consultation with their neighbours, they cannot comply with noise control at their Winter Ball. An abatement notice was issued by environmental health following this event held in November 2019.

The letter of 13th June 2020 from the Chairman of LCC causes us much anguish, as it is frequently and clearly contradictory in reference to their noise control. What they say, is not what they do.

We have also attached LCC Development Plan. This is a well thought out document and great effort has been put into it. As such, it makes for interesting reading. We find the document disquieting. The plans for the club expansion encompass far more than just cricket.

The main purpose of the club should be that of playing cricket, to which we have no objection. It should be noted that from our property we can hear cricket being played. This is a pleasurable noise, that of the soft murmur of voices at intervals and clapping during play. Based on this there is no scope for licensable activities in the grounds, as the proximity of dwelling houses impedes such. Their documented records of their noise recordings at their perimeter would demonstrate this. These records should be made and kept in line with their operating schedule, an excerpt of which follows, we draw your attention to section C, The prevention of public nuisance.

C) The Prevention of Public Nuisance

- 1. Licensable activities shall be permitted to take place externally beyond 7pm on a maximum of 8 occasions per annum, such occasions to be notified to local residents in the vicinity a minimum of 14 days prior to the event.*
- 2. On any occasion when events involving regulated entertainment are taking place externally, a member of staff will undertake regular perimeter checks of sound levels, with the use of a sound level meter. Where necessary by reference to these checks, the volume of music shall be reduced to ensure that a nuisance is not caused. Records of the sound level checks shall be kept, including the time of the check, the level recorded and any remedial action taken.*
- 3. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.*
- 4. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.*
- 5. The cricket club grounds and immediate surrounding area shall be cleared of litter at regular intervals.*
- 6. Notices will be positioned at the exits to the ground requesting customers to leave in a quiet manner.*
- 7. Doors and windows within the clubhouse are to remain closed after 11pm, save for access and egress.*
- 8. A dispersal policy shall be implemented and adhered to (see attached).*

This document has blatantly been disregarded by the club. Surely if LCC had abided by their own operating schedule, they would be able to supply environmental health and licencing at Cheshire East Council their records of these recordings.

Our grounds for objection to this application also relate to the safeguarding of children. As mentioned, the main purpose of the club should be that of playing cricket, to which we have no objection. However, the sale of alcohol is inappropriate in this setting. It is also unnecessary. LCC operating schedule and child safeguarding policy makes no mention of safeguarding children and those age under 18 from the dangers of the consumption of alcohol by adults at the premises. As we have previously highlighted to Cheshire East Council there was a exceedingly serious incident involving a minor and a vehicle at LCC in the summer of 2019, resulting in the minor being air ambulated to hospital with serious injuries, which may affect him throughout his life.

To promote the club to juniors, in line with some of the LCC development plan, the sale of alcohol is contradictory and by past events dangerous.

Langley is well served with 2 well established local public houses and a village hall for the purpose of functions and the consumption of alcohol. Both public houses are held in high regard and well served and supported by the residents of Langley.

The location of the cricket ground is rural and the residents of Langley have all paid a premium to live in the village on the edge of Teggs Nose Country Park and the Peak District National Park, our rights to peaceful enjoyment of our property should be of significant importance, the tranquillity of such contributing to our health and wellbeing and the location of homes, our council tax banding contributing to the Council that serve us.

The infrastructure of the roads in the village is already a concern. An increased traffic flow on Cock Hall Lane, due to the club's licensable activities raises further issues, since the Lane has a small housing development where children are at play. Having lived on Cock Hall Lane up until July 2019, we can confirm that traffic associated with LCC was already becoming an issue for concern.

There are also those of us that are concerned for the wildlife that inhabit the village and its surroundings, of great relevance due to our proximity to the Country and Peak Park and Macclesfield forest.

In so far as funding, LCC have numerous sponsors and this coupled with subscriptions should adequately support the club for the purpose of playing cricket. LCC is also registered with the ICO (registration number ZA508703, from 3rd April 2019) If the club is being run as a small business it may have been eligible and granted a small business grant via East Cheshire Council, in light of COVID-19, it would be prudent for the Council to check this.

Of note, also attached is a photograph of the notice displayed by LCC in regard to this application, for your perusal.

In conclusion, we believe Cheshire East Licensing should refuse this premises license application and any future applications made by LCC.

Yours faithfully,

[Redacted Signature]

Attachments:

LCC letter from the Chairman 13th June 2020

LCC Operating schedule

LCC Development Plan
LCC Child safeguarding policy

Sent from [Mail](#) for Windows 10