

[REDACTED]

From: [REDACTED]
Sent: 14 September 2020 19:45
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Premise application [REDACTED]

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Evening [REDACTED]

Please see below the response to Kuits following their comments to the initial comments submitted. We have no received a response from [REDACTED] to date.

Regards

[REDACTED]

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From: [REDACTED]
Sent: 04-Sep-2020 15:18
To: [REDACTED]
Subject: FW: Premise application [REDACTED]
Importance: High

Afternoon [REDACTED]

I'm forwarding the below email to yourself due to [REDACTED] now being on annual leave.

Regards

[REDACTED]

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From: [REDACTED]
Sent: 04-Sep-2020 15:09
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Premise application [REDACTED]
Importance: High

Afternoon [REDACTED]

[REDACTED] and I have gone through your comments and reviewed them all accordingly. Detailed below are the conditions that we are proposing. As you will see there have been some amendments to the number of events, the terminal hour of licensable activities outside and C2 & C3 of your operating schedule which have been combined. We also propose to remove the thirty minutes before the end condition.

With regards to the second point we do not feel it necessary for sound levels to be recorded, a member of staff will soon be able to establish just listening on the perimeter of the premises if it is too loud. These perimeter checks can then be logged by the member of staff.

Please have a read if you have any further comments then please do not hesitate to contact me.

- Licensable activities shall be permitted to take place externally beyond 7pm on a maximum of 6 occasions per annum, such occasions to be notified to local residents in the vicinity a minimum of 14 days prior to the event. (C1)
- On any occasion when events involving regulated entertainment are taking place externally, a member of staff will undertake regular perimeter checks to ensure that levels from regulated entertainment shall not be at such a level as to cause a noise nuisance to occupants of nearby premises. The levels shall be reduced upon request by the member of the staff and such checks shall be recorded accordingly. (combines C2 & 3)
- Licensable activities shall not take place externally beyond 23:30 on any day.
- All external windows and doors shall be closed whilst regulated entertainment is taking place, except for normal access and egress
- ~~Thirty minutes before the end of the time permitted for the provision of entertainment, music levels shall be gradually reduced to a lower volume and temp~~
- Notices will be positioned at the exits to the ground requesting customers to leave in a quiet manner.

Regards

[REDACTED]

[REDACTED]
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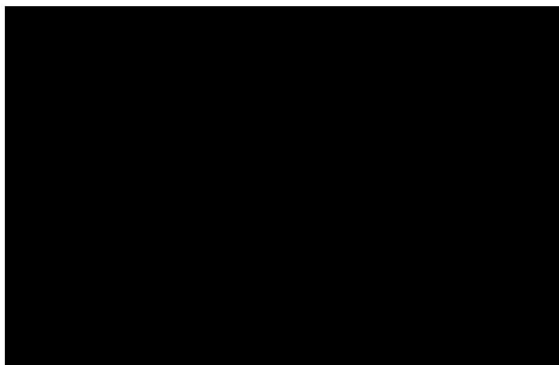
From: [REDACTED]
Sent: 29-Aug-2020 13:26
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: [OFFICIAL] Premise application [REDACTED]

Dear [REDACTED]

Hope you are well. I write further to your email to my client below.

Please see my comments below in red. More than happy to discuss over the phone if easier once you've had a chance to consider – the best number is [REDACTED]

Kind regards,



[REDACTED]
3 St Marys Parsonage

www.kuits.com

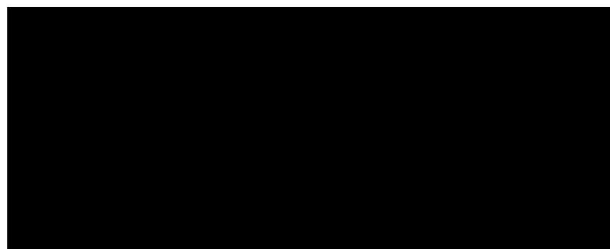
Email: info@kuits.com



Team accolades

Regulatory Team of the Year (Finalist) - Manchester Legal Awards 2019
Ranked in Chambers & Partners
Ranked in Legal 500 - Tier 1
Property Law Firm of the Year (Shortlisted) - Insider North West Property Awards 2018
Law Firm of the Year (Shortlisted) - Insider North West Residential Property Awards 2019
Manchester Legal Awards ♦ Regulatory Team of the Year (Finalist)

Personal accolades



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Given the current circumstances, access to hard copy post is currently limited. Please email all correspondence where possible to ensure it is dealt with in a timely manner. All original deeds and documents that require a witness must still be posted in the usual way and we ask that you inform the lawyer dealing with your matter that you have sent hard copy documents into the office.
Over the coming days and weeks, Kuits will also be publishing practical information and insights on how to minimise the impact of the current environment on your business operations. You can find these in our [Coronavirus Knowledge Centre](#).
Alternatively, to ensure these reach you, [please sign up to receive alerts here](#). Please ensure you tick "News and Insights" on the form. Selecting your business sector will help us tailor relevant information to you.
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Firm recognition and accolades



Kuits is an accredited member of the following professional bodies:



From: [REDACTED]
Sent: 24 August 2020 09:26
To: [REDACTED]
Cc: [REDACTED]
Subject: [OFFICIAL] Premise application [REDACTED]

Hi [REDACTED]

Further to the application submitted for a Premise Licence at Langley Cricket Club, having reviewed the application and taking into consideration that residential dwellings are in close proximity which, unfortunately resulted in complaints being lodged with this Service in 2019. The complaints were substantiated and resulted in the service of a Noise Abatement Notice. Please see below the conditions which, I propose to be placed on the Premise Licence in order to uphold the Licensing Objective, the prevention of public nuisance.

Prevention of Public Nuisance

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

Noise emanating from the premises as a result of regulated entertainment shall not be clearly audible **cause a nuisance** at the boundary of any adjacent residential premises. *My view is that this proposed condition goes beyond that which is necessary to ensure the upholding of the licensing objectives. The objective requires the prevention of nuisance, not the eradication of any noise at all. As you are aware, the proposal is to use the cricket ground for certain events, and that is an open air space. In these circumstances, it is not a realistic/proportionate expectation that nothing will be audible. However, my client would be happy to agree to this condition as per the amendment shown. Whether a nuisance is caused is of course based on various factors including time and regularity. As such, my client has proposed sensible conditions which their proposed operating schedule (attached) to ensure that a nuisance is not caused.*

There shall be no temporary or permanent speakers for the use of amplified music, speech or dance, permitted within the outside area. However, a reasonable exception to this is that the club may hold two events per annum which involve the playing of amplified music. My client would intend to use speakers outside on certain occasions. *This could be for something as minor as a children's birthday party in the afternoon. We would submit that this would not cause a nuisance. My client understands that outdoor entertainment during the evening does have the potential to cause an issue, and that is why they have focussed on the regularity of such events to ensure that this is not the case. You will see that condition C1 of the attached operating schedule limits events which take place beyond 7pm to a maximum of 8 per year. That is significantly less than once a month. We would submit that this is reasonable. However, in order to reach a compromise, my client would be willing to reduce this to 6, so an average of 1 event every 2 months, if you were content to agree your representation on this basis.*

Any acoustic music in an outside marquee or in the open air shall finish no later than 11:00 pm hours. *This would be the case Sunday to Thursday (indeed it would be earlier on a Sunday). However, my client had applied for licensable activities until 00:00 on Fridays and Saturdays. In light of the maximum number of events at 8, now 6, per year, we consider this reasonable. However, if it would assist, my client would be willing to compromise at 11.30. If so, I think the condition would need to be worded as follows: 'Licensable activities shall not take place externally beyond 23:30 on any day.'*

All external windows and doors shall be closed whilst regulated entertainment is taking place, except for normal access and egress. *Condition C7 of our operating schedule has the same effect as this, due to the provisions of the Live Music Act 2012, but we are happy to substitute with this wording if you would prefer (subject to reference to*

regulated entertainment). Entertainment that is not regulated could take place within the club house during the day, again re: children's parties and windows/doors may well be open as appropriate.

Thirty minutes before the end of the time permitted for the provision of entertainment, music levels shall be gradually reduced to a lower volume and temp. *Given the modest hours applied for, we would not consider this necessary. Furthermore, thirty minutes of dispersal time is built into the application, when music would be turned off completely to allow for customers to disperse.*

The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the Premises shall ensure that any noise emanating from the Premises ~~is not audible~~ **does not cause a nuisance** at the boundary of noise sensitive properties. *As above re: audibility. This issue is, in our view, covered by condition C3. However, we would be happy to replace with your wording subject to the amendment shown.*

For that purpose, regular noise assessments shall be undertaken by a competent person (either the Licensee or Manager) and steps shall be taken to reduce the level of noise where it is likely to cause a disturbance to local residents. *This is covered by condition C2. However, again we would be happy to substitute with your wording if you would prefer.*

The noise assessments shall be undertaken ~~during opening hours of the premises and~~ **regulated** entertainment or music is occurring, **or when one of the 6 events referred to above is taking place.** A written record shall be made of those assessments in a log book, kept for that purpose and shall include: the time and date of the checks, the person making them and the results including any remedial action in order to reduce the level of noise where it is likely to cause a disturbance to local residents. *As above, subject to the changes shown. It is unreasonable to expect noise monitoring to take place when the premises is open simply for cricket activities. Further, as currently worded this would require monitoring when there is simply background music being played within the clubhouse, which would not be proportionate.*

The Licence Holder/Designated Premises Supervisor or responsible person nominated by him in charge of the Premises shall ensure that the Premises, including the car park, are vacated quietly within thirty minutes of the terminal hour of the Licence, and that proper supervision of all persons leaving the car park and otherwise leaving the Premises is provided. Conspicuous notices shall be positioned at all exits from the Premises requesting patrons to make minimum noise on leaving. *Again, this is covered by conditions C6 and C8 and the dispersal policy submitted with the application. However, again, we would be happy to substitute with your wording if you would prefer.*

Please could you reply, letting me know whether the club agrees to the above conditions.

I look forward to hearing from you.

Kind Regards



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<image002.png>

<image003.png>

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