

Dept Direct t: 0161 838 7888
Dept Direct f: 0161 838 8110

Your Ref: RLI.RLI.LAN389.1
Our Ref:

18 September 2020

Dear all,

Langley Cricket Club, Cock Hall Lane, Langley, Sutton, Macclesfield, SK11 0DE

I act for Langley Cricket Club in relation to the new licence application submitted for the club and grounds.

Cheshire East Council have forwarded your representation to me, and I have now had the opportunity of considering and discussing with my client.

I would firstly wish to advise that some amendments to the application as originally lodged have been agreed with Environmental Health. These include a reduction in the proposed number of events externally beyond 7pm to 6 per calendar year, and a reduction in hours for external licensable activities to 23:30 at the latest.

I attach a tracked operating schedule showing the amendments requested by the Environmental Health Team and agreed by my client.

We hope that this assists in further addressing some of the concerns raised within your representations. However, as indicated by my client in their pre-application correspondence, they are happy to discuss the application generally with you, as well as any concerns that you have. I would therefore extend again on behalf of my client the invitation to a 'virtual' residents meeting if this would assist.

If this is something you would like to take my client up on, please confirm any days/times next week that would be convenient for you and we'd be happy to get this arranged.

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I look forward to hearing from you.

Yours sincerely

Rebecca Ingram

Rebecca Ingram

For and on behalf of Kuit Steinart Levy LLP

Re. Licence application: Langley Cricket Club SK11 0DE

Dear Ms Ingram,

Thank you for your letter and the opportunity to view the amended Operating Schedule.

The amendments to the Operating Schedule are welcome, however they do not address my main concern which is that Langley Cricket Club has failed to enforce it's previous undertakings to reduce noise nuisance at outdoor events. The minor alteration to Paragraph C2 in the Operating Schedule does not, in my view, make a substantive difference to the undertakings that had previously been made and not delivered.

All the previous problems have arisen as a result of live or recorded music outdoors in a marquee i.e. not in the built premises. The alterations to Paragraph C7 are welcome but will not significantly change the problems caused by outdoor events. The application is for the provision of live and recorded music both indoors and outdoors. Removal of the outdoor element from the application would go much further in allaying my concerns.

You will be aware that Mr Stevens has previously written to me explaining that "These events are vital in generating the revenue we need". I note that the application states that the applicant is a recognised club but it seems that the issuing of this licence would lead to a change in function of the site from an area for outdoor sport (class F2(c)) to one for the performance of live music (class Sui Generis), with the aim of generating revenue while still potentially causing nuisance to the community it claims to serve. While I understand that change of function of the site is not a licencing issue, it seems to me, that it is inherent in the application. I am not aware of any planning permission to change the function of the site. My concerns might be eased if I knew that these issues had been addressed within Planning Regulations.

I am not sure what further discussion has to offer but of course if your client would like you to arrange a virtual meeting with residents I would be happy to participate. Unfortunately I am unavailable on Friday next week but other days are quite flexible for me at present.

Kind regards
John Gilbert

20/9/20

Rebecca Ingram

From: Rebecca Ingram
Sent: 23 September 2020 16:32
To: 'john.gilbert1951'
Subject: RE: Langley Cricket Club, Cock Hall Lane, Sutton, SK11 0DE (LAN389/1)

Dear Mr Gilbert,

Thanks for this. If you're available for a chat that would be great – even if we can't iron out all matters I always think a chat can be useful.

I'll send over details for a Zoom meeting shortly and look forward to speaking tomorrow.

Kind regards,

Becki

From: john.gilbert1951 [mailto:john.gilbert1951@btinternet.com]
Sent: 23 September 2020 08:42
To: Rebecca Ingram
Subject: RE: Langley Cricket Club, Cock Hall Lane, Sutton, SK11 0DE

Dear Ms Ingram,

I note the points that you have highlighted.

You will be aware that of the previous correspondence between myself and your client. I feel that the issues have been adequately explored however if your client has any other queries I can be available at 1pm on Thursday as suggested by you.

Kind regards
John Gilbert

----- Original Message -----

From: "Rebecca Ingram" <RebeccaIngram@kuits.com>
To: "'john.gilbert1951'" <john.gilbert1951@btinternet.com>
Sent: Tuesday, 22 Sep, 2020 At 17:33
Subject: RE: Langley Cricket Club, Cock Hall Lane, Sutton, SK11 0DE

Dear Mr Gilbert,

Thank you for your letter.

I would highlight the following:

- My client would be legally obliged from the granting of this licence to carry out the noise monitoring detailed in condition C2. They of course cannot guarantee that absolutely nothing will ever be heard from outdoor events at the premises, but they have agreed to restrict occasions on which outdoor

events would take place later than 7pm to no more than 6 per year. They will monitor noise carefully on each of those 6 occasions.

- You mention that removal of any outdoor element would allay your concerns, but we would submit that the use of the outdoors beyond 7pm on 6 occasions per year is a very minimal use of that space.
- The issuing of the licence would not change the nature of the premises at all. The primary use would absolutely still be as a sports club, and this use is merely ancillary. As such, there are no planning implications.

My client would be happy to discuss this with you if you have any further queries, would 1pm on Thursday be suitable?

Kind regards,

Becki

Rebecca Ingram

Associate | Licensing

For and on behalf of Kuit Steinart Levy LLP

Tel: +44 (0)161 832 3434 | Dept: +44 (0)161 838 7888 | Fax: +44 (0)161 838 8109

From: john.gilbert1951 [mailto:john.gilbert1951@btinternet.com]

Sent: 20 September 2020 08:36

To: Rebecca Ingram

Subject: Re: Langley Cricket Club, Cock Hall Lane, Sutton, SK11 0DE

This email originated from outside of Kuits. Please use caution before clicking on any link or following instructions within. Also DO NOT

Hello Becki,

Please see attached response to your letter. I will forward a copy to Kim Evans at Licensing.

Kind regards

John Gilbert

----- Original Message -----

From: "Rebecca Ingram" <RebeccaIngram@kuits.com>

To: "'john.gilbert1951@btinternet.com'" <john.gilbert1951@btinternet.com>

Sent: Friday, 18 Sep, 2020 At 16:00

Subject: Langley Cricket Club, Cock Hall Lane, Sutton, SK11 0DE

Good afternoon,

Please see attached correspondence.

I look forward to hearing from you.

Rebecca Ingram

From: Rebecca Ingram
Sent: 22 September 2020 17:31
To: 'Jeffrey Dakin'
Subject: RE: Langley Cricket Club, Cock Hall Lane, Sutton, SK11 0DE (LAN389/1)

Dear Mr Dakin,

Thank you for your email. Your comments regarding Environmental Health and Licensing are noted, as are those re: the hours.

I would highlight the following:

- The noise control provisions for outdoor events are at condition C2. They read as follows: '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 nuisance to occupants of nearby premises. The levels shall be reduced upon request by the member of staff and such checks shall be recorded accordingly.'
- In terms of your concerns regarding 23:30, there are only 6 events per year that would take place later than 7pm externally. This is condition C1.

Should you have any further queries, please do let me know.

Kind regards,

Becki

From: Jeffrey Dakin [mailto:jeffrey.dakin962@btinternet.com]
Sent: 21 September 2020 10:56
To: Rebecca Ingram
Subject: Re: Langley Cricket Club, Cock Hall Lane, Sutton, SK11 0DE

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Dear Rebecca Ingram

Please note all my concerns and objections are documented with Environmental health and Licensing.

In regards to your amendments section C, there is NO provision for noise control mentioned for outdoor events. Marquees for weddings, private parties for example.
Containing noise in the club house is very welcome and appreciated. But your CLOSING TIME of 11.30pm is NOT.

REGARDS
Jeffrey Dakin

Sent from my iPad JEFF DAKIN

On 18 Sep 2020, at 16:02, Rebecca Ingram <RebeccaIngram@kuits.com> wrote:

Rebecca Ingram

From: Richard <r.holland.151@btinternet.com>
Sent: 23 September 2020 10:05
To: Rebecca Ingram
Subject: Re: Langley Cricket Club, Cock Hall Lane, Sutton, SK11 0DE

Follow Up Flag: Follow up
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Dear Ms Ingram

Thank you for your letter and the opportunity to view the amended Operating Schedule.

Our objection to LCC premises licence application stands as per our representation. LCC have not previously adhered to licensing times and do cause distress due to excessive noise nuisance which led to a noise abatement order being served on the club, despite verbal agreements with residents and Environmental Health, nothing has changed since then.

Any extension to their licensing will only exacerbate the noise nuisance which we want to avoid. The fundamental principles of cricket being played have not been an issue for us over the past 30 plus years, it is the recent changes to the cricket club in expanding its social activities which have caused considerable noise nuisance particularly from the outdoor events having loud music from both within marquees and the use of outdoor speakers.

We do not feel further discussion necessary as LCC have already demonstrated that they are not willing to abide by their own written promises or Cheshire East Environmental Health guidelines.

Information of past incidents of noise nuisance have been documented in more detail in correspondence to Cheshire East Licensing and Environmental Health at the time of the incidents.

Yours sincerely

Richard and Marjorie Holland

On 18 Sep 2020, at 16:01, Rebecca Ingram <RebeccaIngram@kuits.com> wrote:

Good afternoon,