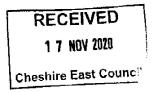
Appendix 24



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



14th November, 2020

Dear Sir/ Madam,

Re: Licensing Act 2003: Application for a Premise Licence: The Tytherington Club

We have been made aware of an application by The Club (UK) Ltd for a licence for certain licensable activities at the Tytherington Club, Dorchester Way, Macclesfield. Primarily these activities relate to the provision of:

Live Music (indoors & outdoors) Monday to Sunday 12:00 noon – 01:00 hours; Recorded Music (indoors & outdoors) Monday to Sunday 24 hours per day; Performance of Dance & anything similar to Live Music, Recorded Music and Dance (indoors) Monday to Sunday 12:00 noon – 01:00 hours; Late Night Refreshment (indoors) Monday to Sunday 23:00 – 02:00 hours; Sale of Alcohol (for consumption on the premises) Monday to Sunday 11:00 – 02:00 hours.

The applicants can be in no doubt that the Club premises are situated on the edge of in what by any standards, is an established residential area bordering open countryside. Indeed, that has been the case since 1990. Since my wife and I moved to our house, there have been occasional events at the Club which have caused some noise pollution, but nothing that could have been of widespread impact. Indeed, at no time have we expressed our concern or objected to these occasions. We assume that the existing licence arrangements have been suitable for these events. However, the granting a licence for the activities specified in this application will undoubtedly increase the potential for noise pollution and disturbance to residential amenity.

It would appear that under the provisions of the Environmental Protection Act 1990, noise contributes a statutory nuisance if it unreasonably and substantially interferes with the use and enjoyment of a home or other premises. Furthermore, the legislation confirms that at night, there are restrictions to noise coming from premises between 11pm and 7am. I am not aware of any amendments to the legislation which change that position. No doubt such legislation will be taken into account in consideration of this application, but it must be the case that residential amenity would be substantially affected should the proposed activities take place. Residential amenity is a

material consideration in determining an application. As you will know, residential amenity may have several interpretations but essentially it is the benefit enjoyed from the space which is part of the residential home. Noise would undoubtedly impinge on that enjoyment.

My wife and I suspect that these proposed activities are linked to organised events such as Golf tournaments, Weddings and other Celebrations, and with the construction of the hotel at the site, there may be more demand for such events. Whatever the case, there can be no reasonable justification for Live or Recorded Music to be played outdoors after 23:00, and absolutely none for 24 hours per day. If the applicant wishes to apply for a temporary licence to cover a single event which has been planned for some time, then so be it, but local residents should not be subject to a blanket licence for such activities. Live and Recorded Music during the day is bound to have the potential to affect the enjoyment of our house and garden, More seriously, the disturbance of sleep is known to be a direct cause of stress and health problems and excess noise at unsociable hours would contribute to such outcomes.

As the crow flies, our house is metres from the Club premises. Indeed, we have a clear view of the buildings from upstairs. We are concerned that as there are no significant trees in between, natural noise attenuation will not be sufficient at reducing sound levels to what may be considered acceptable.

One final point relates to car parking. Every year (save for this year) an event has been held at the Club to celebrate Bonfire Night. Notwithstanding the capacity of the car park, is choc a bloc with parked cars, and drivers frequently ignore what is private land. We accept a 'once in a year' event, but it would be most unreasonable if that was to become more frequent as a result of additional events at the Club.

My wife and I therefore wish to register an objection to this application on the grounds of:

The substantial potential effects of noise pollution and nuisance that would result from music played outdoors at unsociable times of the day and night.

I trust this representation will be taken into account.

Yours faithfully,

