

Representation 1

From:

Sent: 24 August 2022 12:27

To: LICENSING (Cheshire East)

Subject: The Vault, 19 Crewe Road, Alsager, ST7 2EP

Dear Licensing

Alsager Town Council considered the application from The Vault, ST7 2EP at its meeting held on 23 August 2022.

They made the following resolution on the application to be considered by Cheshire East Council:

PEC22/54, 23 August 2022

Alsager Town Council object strongly to the proposed licensable activities which do not comply the approvals in the Decision Notice for the application (Application 21/3656C, 18 January 2022). The Town Council has concerns that the proposed changes will affect the residential amenity and potential noise and disturbance for neighbours. The Decision notice should be fully enforced as approved by Cheshire East Council.

Kind Regards

XXXXXX

Town Clerk

Alsager Town Council

Representation 2

From:

Sent: 26 August 2022 15:38

To: LICENSING (Cheshire East)

Subject: Objection to The Value License

I am objecting to the application for The Vault. The basis for my objection is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime and disorder, public disorder and public safety.

The location is extremely close to quiet residential housing. A business which wants a music license for their business -

- Live Music (indoors) Thursday – Saturday 21:00 hours – midnight and Sunday 12:00 noon – 23:00 hours
- Recorded Music (indoors and outdoors) Thursday – Sunday 12:00 noon – midnight

is not compatible with this location and will increase noise levels that will increase public nuisance, and a fear of crime taking place. It will disturb the way of life for nearby residents, they will not be able to enjoy their own outside space. Where alcohol is involved,

- Supply of Alcohol (for consumption on the premises) Thursday – Saturday 12:00 noon - 23:30 hours and Sunday 12:00 noon – 22:00 hours

there is a risk for increased noise levels from patrons sitting outside the establishment and leaving the establishment. There will be an increased activity involving increased numbers of people, music and alcohol at night is not appropriate for a residential area, especially the properties that back onto The Vault and it increases a public nuisance and significantly raises the risk of criminal and disorderly behaviour. There is no lightening at the back of the premises, and the only way the patrons can use that exit onto Sandbach Road North by foot will be in complete darkness and residents will be disturbed by patrons shouting at each other to help with directions, this will be deemed as a public nuisance/public safety.

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Representation 3

From:

Sent: 25 August 2022 22:02

To: LICENSING (Cheshire East)

Subject: License objection : The Vault 19 Crewe Road Alsager, ST7 2EP

Please find attached a license objection for The Vault.

From XXXXXX, owner XXXXXXXX

6XXXXXXXXXX

August 22nd 2022

Ref: The Vault 19 Crewe Road Alsager ST72EP Application for a Premises Licence

Dear Sirs,

Please accept my objection to the 19 Crewe Road Alsager licence application, to be known as "The Vault".

The two youtube links might be helpful. One is a recording using a calibrated Tedato digital sound level meter and a decibel app on a mobile phone to measure the sound against the exact environment shown. Both devices were used as some believe an iPhone app is not accurate. The Tedato calibrated sound level meter was used to confirm the recordings made.

Google search: Alsager Activity Alsager Old Barclays Bank, The Real Soundscape at 19-21 Crewe Road Alsager. Or click the links below. With these visuals, you can see the clear and present issues should this application be accepted.

<https://www.youtube.com/watch?v=hS23-vTHVvA>

<https://www.youtube.com/watch?v=SiEvYkVQcJw>

Can I first refer you to the decision planning decision made against reference

21/3656C

<https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08361184.pdf>

Below is the decision made by Cheshire East made in the interest of reducing noise and disturbance.

Please note that in point 5, an “ external decking seating area” is described. It transpires that the developer has built a steel and glass extension and not a raised decking area, and so far, no one can find any evidence of planning permission.

4. No amplified music or television broadcast shown at the premises shall be audible outside the premises.

Reason: In the interests of residential amenity and potential noise and disturbance.

5. The external seating area/decking area/veranda shall only be open for customers for the consumption of food and drink between 10:00 and 22:00 on any day and the bi-fold doors between the external seating area/decking area/veranda and the internal customer area shall remain closed between 22:00 and 10:00 the following day.

Reason: In the interests of residential amenity and potential noise and disturbance.

6. The premises shall only be open for customers between the following hours

10:00 – 23:00 Monday to Friday;
10:00 – 00:30 the following day on Saturdays; and
Sunday & Bank Holidays - 10:00 - 20:00

Reason: In the interests of residential amenity and potential noise and

7. No food or drink sold or supplied to customers shall be consumed other than in the areas identified as the proposed sales floor and the veranda/decking area on drawing no. PA-001_A received by the Local Planning Authority on 17th January 2022.

Reason: In the interests of residential amenity and potential noise and disturbance.

8. Deliveries shall be taken at the site only between 0800 and 1800 on Monday to Saturday, between 0900 and 1300 on Sundays or on Bank or Public Holidays.

Reason: In the interests of residential amenity and potential noise and disturbance.

9. No bottles, glass or other waste shall be taken to or, disposed of in, any area open to the air before 0900 and after 2100 on any day.

Reason: In the interests of residential amenity and potential noise and disturbance.

10. Prior to its installation details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that lighting does not intrude upon the amenity of neighbours.

Point 6 explicitly addresses the proximity of nearby neighbours, and to change this to add live music with extended hours will cause many, many issues which the council considered at the time, even though the original sound scape report put forward to support the development is under question by the creators national association.

Crime and Disorder

The old Barclays Bank on Crewe Road has access via an unadopted road, Lynton Place. This is an unadopted road which the council have declined to adopt and can be easily seen on the youtube links sent with this letter.

There is no lighting for the whole of Lynton Place and no maintenance for the unadopted road. In previous years there have been reports of crime and disorderly behaviour as many see Lynton Place as a "blind spot" behind what is the high street. As recently as August 22nd, camera footage has picked up at least four police searching for a suspect who is thought to have "disappeared" into Lynton Place.

With no lighting and no eyes of the public to see what is happening, in the past, we have had drunken behaviour, suspected drug taking, underage drinking, fights, and damage to cars. Add to this a late license, and anyone wishing to partake in illegal activities from

urination in public to drinking, brawling and drug taking, will take place in the darkness of Lynton Place, proving a nuisance for all residents.

As an unadopted road, there will be an increase in late-night taxis parked or idling just metres from homes, and if anyone cares to park their car on the unadopted road, it is not deemed a highway, so they can simply park, blocking access and walk away. This will lead to an increase in disorder when the arguments and disagreements inevitably start.

An unadopted road is the nearest the centre of Alsager has to a near lawless zone with the police being unable to sanction people for traffic offences as the area is not a highway. This I believe, is part of the reason why the original licensing hours should stand.

Public Safety

Partially addressed in the previous point. However, we have a problem with the unadopted unlit unadopted non-highway being used as a “rat run” to cut the corner off the busiest junction in Alsager. After much negotiations, Barclays Bank repaired some of the unadopted roads over 20 years ago. As a result, Lynton Place turned into a race track, and as a result, Barclays donated speed bumps after requests by local residents.

Increased traffic at night due to a later licence, with no street lighting, and half the unadopted lane being “race track” smooth and the other full of potholes, with no pavement, is a recipe for disaster.

Twenty years ago, we suffered a spate of “where there is blame, there is a claim” attempted spurious legal claims against the residents for people falling over in the potholed lane. With a later license, we will get more cars and more drunk people driving and walking down an unadopted road in the dark.

If the late license is granted, we will get more people taking advantage of a dark lane, unlit and relatively secluded. This is not a good combination.

Public Nuisance

This has been mentioned but to summarise:

- Increased drinking hours coupled with live and recorded music will create a public nuisance
- There will be an increase in anti-social behaviour ranging from mild to outright illegal, as people choose to take advantage of the unadopted road, which will be pitch black in the winter, as the council will not install lighting, a pavement or repair the track.
- Noise nuisance will increase. The original planning decision laid down strict rules on closing windows and opening hours. They took a long look at the area, the videos provided, and the applicants sound scape report, which unusually did not mention live music or late opening hours.

Sound levels

A typical conversation is 60dB. Given the proximity to the rear of the building and the houses in Lynton Place, it is likely that even a two-person conversation outside when patrons are smoking will be heard in the residents' homes.

Live music is not subject to the new regulations, which is one reason why this application should not be granted.

2020 Legislation

1C) A person responsible for carrying on a business of a public house, café, restaurant or bar (including a bar in a hotel or members' club) must, during the emergency period, ensure that no music is played on the premises which exceeds 85db(A) when measured at the source of the music.

(1D) Paragraph (1C) does not apply to any performance of live music.

(1E) In paragraph (1C), “dB(A)” means A-weighted decibels.”.

Alsager Town Council were very clear in their views in January 2022

<https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08361185.pdf>

Alsager Town Council: Comments as follows;

- The noise assessment report does not take into account for people leaving the building at night
- The noise assessment report does not take into account smokers congregating whilst have a cigarette/cigar or a vape, then returning to the building
- The noise assessment has not taken into account of any music being played in the bar/restaurant
- To request that Cheshire East Council Environmental Health do their own noise assessment report, or consider employing a consultant to do one for them.

In addition to these comments, the developers own sound report stated that “ **significant adverse effect for residents if the soundscape rises by +10dB**”.

This means that the developers are already aware from their own professional report that the application of a late licence and a request to allow live music, which is exempt from 2020 legislation, will present a significant “ noise issue for residents” .

If the developer has already conceded this point via their sound report, they must indeed accept their report and concede it is going to provide a huge nuisance to residents if allowed to go ahead.

Below is a section from the the original planning objections, quoting the developers sound scape report.

does not exist. The indicated location only exists in the imagination of drawing. There is no window or door where the recording equipment was allegedly placed. The developer report does claim significant adverse effects for residents if the soundscape rises by +10dB, and unfortunately for their report, it confirms that the soundscape will rise by +10dB, highlighting a significant noise issue for local residents.

The developers report is discussed in full in the attachment along with a second report using sound readings from locations that do exist.

I do not agree that the developer report should now be amended to deal with errors, its should be dismissed as flawed from its foundations.

This photo is taken from a 23 page report available on the council planning website

<https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08360000.pdf>

The developer report claimed it was a complete soundscape report, and yet no attempt was made to measure sound at the houses in Lynton Place. Furthermore, when a soundscape report was undertaken using a calibrated sound recorder and an iPhone app, Cheshire East planning chose to focus on the “app” not being accurate whilst forgetting two recording devices were used.



Taken from Professional Consult Sound Report commissioned by the developers

Page 10

<https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08346954.pdf>

The report clearly indicates that just +10dB will have a “significant adverse impact”. A late license, with loud music (no dB limit) will affect residents significantly. On this and many other points the extension of the license and accommodation for live music should be rejected

2.2.8 Assessment of the rating level relative to the background noise level can yield the following commentary:

- ② Typically, the greater this difference (between the rating level and the background sound level), the greater the magnitude of impact;
- ② A difference of around +10dB or more is likely to be an indication of a significant adverse impact, depending on the context;
- ② A difference of around +5dB is likely to be an indication of an adverse impact, depending on the context; and
- ② The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact.

Please reject this application on the grounds of public nuisance, public safety, and the prevention of crime and disorder, given the supporting evidence and commentary previously outlined. In addition, at the front of the property is now a steel and glass building for which no one so far can find planning permission, and no one has undertaken a soundscape check, meaning that at this point it is not possible to accurately assess the impact on local residents.

Yours faithfully

XXXXXXXXXX

Representation 4

From: Sent: 25 August 2022 21:55
To: LICENSING (Cheshire East)
Subject: License Objection : The Vault 19 Crewe Road Alsager ST7 2EP

Please find attached a license objection from Sheila Morgan, resident of 6 Lynton Place Alsager ST7 2AH

XXXXXXX

August 24 2022

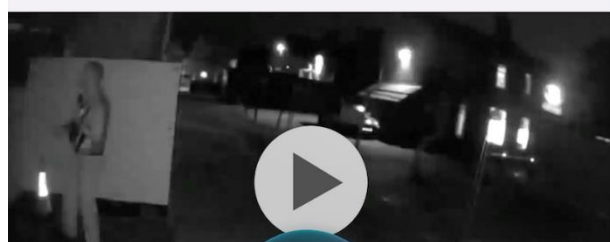
The Vault Alsager License Objection

Dear Sirs

I object to this application

XXXXXXXXXX is a row of 5 residential homes plus flats above shops at the back of Crewe Road. XXXXXXXX is an unadopted road with no road maintenance, no street lighting, and often a dark “unseen” area which, whilst in the centre of Alsager, is a quiet spot for all sorts of illegal activities.

Below are video clips from the latest intervention by the police in the early hours of Monday, August 22 2022, which is by no means an isolated incident.



Crime in Alsager gravitates to dark, secluded areas with no lighting, outside of the prying eyes and cameras of the main high street. Over the years, there has been damage, violence and drug use.

You are now being asked to grant a license to premises for a much later license and the addition of live music, which I believe since 2020 has no restriction on noise levels. The previous ruling laid down strict guidelines, which the owner now wishes to overturn. The other change is that the original planning permission was granted for a raised decking area at the front. However, a steel and glass structure appears to have been built, which Cheshire East Planning Department currently cannot provide any planning details for.

The developers had a noise assessment report, which is deeply flawed and, some would say biased however, in that report which I would urge anyone to read in its entirety, one comment stands out

- ② A difference of around +10dB or more is likely to be an indication of a significant adverse impact, depending on the context;

Those applying for this license already know, and the council already knows that just an increase of +10dB will have a “ significant adverse impact” on the local environment. No one has to be a noise expert to realise that a car starting at 1 am adds 10dB, or two people talking outside the building having a smoke raises background noise by 10dB. Live music will add far more than 10dB

Why would this be proposed by the same people who had the sound report commissioned which stated plus 10dB would be detrimental to residents. If we take this approach forward, it could read as “ we know that our application increases noise by +10dB, and this will impact local residents, but we want to make money, so am ignoring our report and certainly ignoring all the flaws in that report”.

This may not be in the thought process of the applicant. Still, they know as well as any of us do that the sound report highlights concerns, and this is why the original license and operating hours were restrictive to accommodate people trying to get some sleep.

XXXXXXX is unlit, with no pavement, and is not designated as a highway. Any 15-year-old can drive up and down Lynton Place and the police can do very little to stop them. That is probably not going to happen, but it does highlight that the police will have few powers to control situations in Lynton Place as it is not a highway, and no one wants to adopt it.

Live music will attract young people who will hang around outside the building, with the added benefit of the rear being in darkness in the winter months, no council cameras on the unadopted road, and this space being outside of the gaze of passers-by. There is going to be a rise in anti-social behaviour and crime.

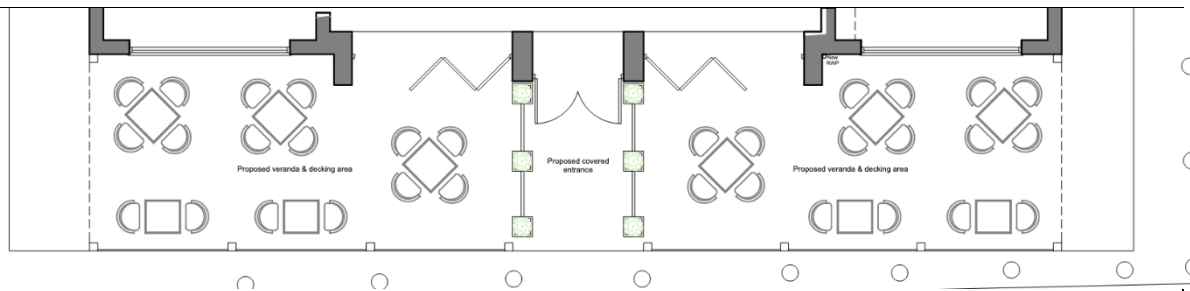
The original planning application has details of the sound report and comments showing how flawed that report is.

<https://planning.cheshireeast.gov.uk/applicationdetails.aspx?pr=21/3656C&query=3b272276-1ff8-4cce-8928-3adce5fd6621>

Please refer to application 21/3656C

The noise assessment was submitted on November 16 2021

Below, the front of the building shows a raised decking area and a covered entrance. As of today, on August 24 2022, there is a glass and steel structure built over this area, which currently no one in Cheshire East Planning can find an agreed planning approval.



No impact assessment has been made for live music or a later license for this area. This is because everyone assumed that this outside area would not be used in the late evening. What has come as a surprise is that this open area has been built on to extend the building. No one knows how much noise will be picked up from this steel and glass structure and why it has been built as it is not on the original plans.

This new structure means more people drinking and eating later into the evening if a license is approved. Add to this live music, and all residents will have a severe nuisance problem.

Below is what has been built. It does not reflect the plans, and no one has worked out how this will affect residents. The property opens for business this coming Saturday.



I strongly object to this application. Below are some of the original planning decision outcomes.

3. No development involving the use of any facing or roofing materials shall take place until details of all such materials have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless any variation is agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building/structure is acceptable.

4. No amplified music or television broadcast shown at the premises shall be audible outside the premises.

Reason: In the interests of residential amenity and potential noise and disturbance.

5. The external seating area/decking area/veranda shall only be open for customers for the consumption of food and drink between 10:00 and 22:00 on any day and the bi-fold doors between the external seating area/decking area/veranda and the internal customer area shall remain closed between 22:00 and 10:00 the following day.

Reason: In the interests of residential amenity and potential noise and disturbance.

6. The premises shall only be open for customers between the following hours:

10:00 – 23:00 Monday to Friday;
10:00 – 00:30 the following day on Saturdays; and
Sunday & Bank Holidays - 10:00 - 20:00

Reason: In the interests of residential amenity and potential noise and

Regards

XXXXXXXXXX

Representation 5

From: Sent: 28 August 2022 16:56

To: LICENSING (Cheshire East)

Subject: The Vault (Cheshire) Ltd – 19 Crewe Road, Alsager, ST7 2EP

Dear Sir / Madam

We wish to make a representation with respect to the Premises Licence applied for on 2nd August 2022 for the above address.

We object to Recorded Music on any day outdoors from 23:00 to midnight and Late Night Refreshment on any day 23:00 to midnight.

Whilst we are pleased to see the premises at this address used for a business, we live close to the town centre and are aware of the cumulative effect of several businesses selling alcohol to late hours – and of outdoors music – which would not be a positive impact on the town centre ambience.

Yours faithfully

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Representation 6

From: Sent: 28 August 2022 17:32
To: LICENSING (Cheshire East) <
Subject: The Vault – 19 Crewe Road, Alsager, ST7 2EP

Dear Sir / Madam

Following on from our previous email, we wish to make further representations regarding the Premises Licence application 2nd August 2022 for the above address.

We note from the planning documents submitted – Officer's report 18.1.2022 and the Decision notice 18.1.2022

Officers Report 18.1.22

Approve subject to the following conditions; 1. Standard Time 2. Approved Plans 3. Materials to be submitted 4. No amplified music or television broadcast shown at the premises shall be audible outside the premises. 5. Limitation on hours of use of the decking/veranda area Monday – Sunday 10:00 – 22:00 6. The premises shall only be open for customers between the following hours: 10:00 – 23:00 Monday to Friday; 10:00 – 00:30 the following day on Saturdays; and Sunday & Bank Holidays - 10:00 - 20:00

Decision Notice 18.1.22

4. No amplified music or television broadcast shown at the premises shall be audible outside the premises. Reason: In the interests of residential amenity and potential noise and disturbance.

5. The external seating area/decking area/veranda shall only be open for customers for the consumption of food and drink between 10:00 and 22:00 on any day and the bi-fold doors between the external seating area/decking area/veranda and the internal customer area shall remain closed between 22:00 and 10:00 the following day. Reason: In the interests of residential amenity and potential noise and disturbance.

6. The premises shall only be open for customers between the following hours: 10:00 – 23:00 Monday to Friday; 10:00 – 00:30 the following day on Saturdays; and Sunday & Bank Holidays - 10:00 - 20:00 Reason: In the interests of residential amenity and potential noise and disturbance.

7. No food or drink sold or supplied to customers shall be consumed other than in the areas identified as the proposed sales floor and the veranda/decking area on drawing no. PA-001_A received by the Local Planning Authority on 17th January 2022. Reason: In the interests of residential amenity and potential noise and disturbance.

We request that the specifications in this report and decision notice are not changed in the interests of residential amenity and potential noise and disturbance. We would be disturbed by noise and disturbance at our address.

Yours faithfully

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Representation 7

From: Sent: 30 August 2022 19:53
To: LICENSING (Cheshire East) <
Subject: The Vault – premises licensing application objections

Dear Sir/Madam

We are writing to lodge our strong objections to the application for premise licensing made on August 2nd by the owners of The Vault restaurant and bar 19- 21 Crewe Road, Alsager.

This application directly contravenes the conditions placed upon the planning application for this venue placed by the environmental health officer on 18th January 2022. It asks for permission to play music inside and outside four days a week until midnight, despite the conditions of the planning application which clearly state that

'the outdoor area must only be in use until 10.00 and not to allow any music to be played externally'

The planning permission for this restaurant was only permitted on the above conditions and so this application directly contravenes the existing planning permission.

There was no mention of live music being played in the original planning application and this license application changes the status of the building from a restaurant to a live music venue. Allowing a music venue to operate directly in front of residential buildings is clearly unacceptable. Having live and recorded music played until midnight four days a week will cause direct and sustained disturbance to residents and significantly reduce the value of our home and the ability to sell it. There is no way that music played directly in front of our home will not be a significant disturbance. Our young daughter's bedroom is at the back of the house and this will affect her sleep and well-being and cannot be allowed to progress.

Yours Faithfully

XXXXXXXXXXXXXXXXXXXXX