

Elise Brophy

From: Stephanie Williams <[REDACTED]>
Sent: 10 August 2021 16:11
To: ENV LICENSING
Cc: Nicola Lord; Anthony Horne
Subject: Shaw Cricket Club, Mark Lane, Shaw, Oldham OL2 8QG
Attachments: Representation.docx; IMG-20210803-WA0001.jpg; IMG-20210803-WA0002.jpg; IMG-20210803-WA0003.jpg; IMG-20210803-WA0004.jpg; IMG-20210803-WA0005.jpg; IMG-20210803-WA0007.jpg; IMG-20210803-WA0008.jpg; IMG-20210803-WA0009.jpg; IMG-20210803-WA0010.jpg; IMG-20210803-WA0011.jpg; IMG-20210803-WA0012.jpg; IMG-20210803-WA0012.jpg; IMG-20210809-WA0000.jpg; IMG-20210809-WA0001.jpg; IMG-20210809-WA0002.jpg; IMG-20210809-WA0003.jpg; IMG-20210809-WA0004.jpg; IMG-20210809-WA0005.jpg; Plan.docx; RE: Shaw Cricket Club, Mark Lane, Shaw, Oldham OL2 8QG; Licensign Register.pdf; Facebook page.pdf

Importance: High

Dear Sirs

Please find attached a Representation in respect of the application to vary the above Premises Licence.

In respect of a Hearing we would be grateful if the following dates could be avoided as they are religious Holy Days and Mr Horne would be unavailable to attend:-

7th & 8th September 2021
15th & 16th September 2021
20th – 29th September 2021.

We would be grateful if you would kindly acknowledge safe receipt.

Kind regards,

Stephanie

Stephanie Williams
(Practice Manager)

Tel: [REDACTED] ([REDACTED])

LICENSING LEGAL
Licensing Regulatory Solicitors

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[REDACTED]

[REDACTED]

Licensing Team
Oldham Council
Sir Robert Peacock House
Vulcan Street
Oldham
OL1 4LA

10th August 2021

By e-mail and post

Dear Sir / Madam

Shaw Cricket Club, Mark Lane, Shaw, Oldham OL2 8QG – Application to vary the Club Premises Certificate

We are instructed by Mrs Audrey Walker of Holebottom Farm, Mark Lane, Shaw, Oldham OL2 8PY – a local resident who wishes to lodge a Representation in respect of the above application.

Mrs Walker lives in close proximity to the above establishment, and will be directly – and adversely – affected, should the pending application for Variation be granted.

Our Client believes that should the application be granted, then it would contravene three of the four Licensing Objectives:- the prevention of Crime & Disorder, the prevention of Public Nuisance and the protection of Children from Harm.

The reasons for this are as follows:-

Prevention of Crime & Disorder

There are already issues with disorder at the Cricket Club, and our Client has made numerous complaints to the Club's Chairman in this regard. There has been broken glass on the lane which provides access to Mrs Walker's home, and on dates when matches have taken place there has been a great deal of disturbance. The Chairman has responded to Mrs Walker's complaints by confirming that it is difficult dealing with fans from opposing teams. Our client obviously finds this far from

comforting when an application to extend the existing hours has now been lodged, and the Chairman has already admitted struggling to control visitors to the premises.

We believe that if the application were to be granted and the hours for the sale of alcohol – together with other licensable activities - were to be increased, then it will only exacerbate the issues already experienced.

In addition, there is already insufficient parking available at the Club. Later hours and more facilities would surely increase the number of visitors to the Club, and this would increase the general obstruction in terms of parked vehicles. Visitors to the Cricket Club are regularly using the “passing places” provided on the narrow country roads as extra parking and this is making it impossible for the roads to be used safely.

How would members safely return home from this venue if they were to take advantage of the later hours for the sale of alcohol? There is no public transport passing the Club, and little room already for taxis to collect members without causing even more issues.

Prevention of Public Nuisance

This is perhaps the greatest area of concern for our Client.

Under the current Club Premises Certificate, there are already significant issues with noise disturbance and littering. Again, these have already been raised by Mrs Walker on numerous occasions with the Club Chairman.

Mrs Walker has been disturbed by noise emanating from the Club well after their existing licensed hours have terminated. It is understood that external speakers are used at the premises until 21:30; in reality there should be a Condition restricting the use of external speakers to prevent any nuisance to local residents.

There have also been a number of events held at the Club - such as private weddings - which have taken place without any Temporary Event Notices being issued. Oldham Council have confirmed that no Temporary Event Notices have been in place since 2018 – see attached e-mail.

One such instance took place around mid-June 2021, when there was a wedding taking place. Mrs Walker complained about the noise in a text message dated 12th June 2021 – please see attached. Unfortunately, Mrs Walker has not kept a full log of the dates when disturbances have occurred, but she has raised this issue with the Manager of the Club by text and on a number of occasions.

Mark Lane - where both the Club is located and Mrs Walker resides - is regularly littered with broken glass and rubbish. No efforts have been made to prevent this from happening, and the later hours would undoubtedly have the potential to increase this issue. The Cricket Club has an issue with the amount of rubbish generated, and currently have two skips which are adjacent to the entrance to Mrs Walker's property. These are regularly over-filled with rubbish accumulating on the floor around them. This has been addressed with the Club, but no action has currently been taken – please see photos and texts attached. Our Client's concern is that they already take months to clean up after their annual Bonfire Event, and if the Licence is extended and more events do take place at the venue, then the amount of rubbish will only increase. Failure to adequately store and dispose of this rubbish will likely lead to an infestation of vermin in the surrounding area.

Parking is a huge issue in the area whenever Shaw Cricket Club is trading, and particularly on evenings when events are being held. Visitors to the club often park in such a manner that they block access to Holebottom Farm (please see photographs and text messages attached). Mrs Walker's mother is 86 years of age and suffers from heart failure. She resides in a cottage next to Holebottom Farm. Due to the seriousness of her condition she may - literally at any time - require emergency assistance; Mrs Walker is clearly concerned that an ambulance may not be able to reach the property due to the vehicles blocking her access. This situation only adds to both Mrs Walker's and her mother's anxiety.

Taxis collecting visitors from the Cricket Club also use Mrs Walker's property to turn their vehicles unless she closes the gate. She has approached the drivers to ask that they do not do this, but it has made no difference whatsoever.

Protection of Children from Harm

A children's club is held on Friday evenings at the Club, and parents generally spend their time inside the Cricket Club while this is taking place. The noise from the children screaming and running around the pitch already continues until around 23:00. If the Club Premises Certificate were to permit the sale of alcohol and closing times until even later, then it is highly likely that the children would remain at the Club during these later hours.

It should also be noted that the Club provides a number of activities for junior members, and that the increased licensable activities requested would most likely commence during these activities - thereby possibly exposing the youngsters to intoxicated individuals.

The application seeks to amend the current plan to facilitate a larger function room. This suggests that the Club intends to hold more private events and provide facilities for a larger membership. With the Chairman already admitting to Mrs Walker that they are unable to control the current visitors – to increase their numbers is clearly a cause for concern. We have also been able to ascertain – as confirmed in the Chairman’s social-media post – that there have been “2 major extensions to the bar”; enquiries with the Licensing Authority disclose that no formal Licensing consent was either applied for or granted. (Please see attached Licensing Register from Oldham Council).

We would also point out that on several occasions Mrs Walker has noticed that the premises have traded beyond the hours granted on their current Club Premises Certificate. This shows a lack of either understanding of - or respect for - the current legal obligations of the Club Premises Certificate holder.

Their Facebook page advertises the Club’s Function Room as being for hire for events such as weddings, birthday parties, work events (please see attached). If the application is granted then Mrs Walker envisages an increase in the number and duration of events taking place, and therefore an increase to the disturbance she is already subjected to.

On the 3rd July 2021 Mr Steven Whiston, representing the Cricket Club posted on the Clough Neighbourhood Support, a private group on Facebook. A copy of Mr Whiston’s post is attached. It is noted that the Club is only looking to host 4 / 5 events per annum. These could easily be dealt with by way of Temporary Event Notices – a path which would give local residents peace of mind that the use of extended hours would not become the everyday norm.

Mr Whiston goes on to mention that without the extension they would not receive many bookings for the Function Room. Mrs Walker suffers the same level of disturbance from the private events in the Function Room as she does from those for the Club as a whole. Her concern is that without a restriction on the number of events per annum, a private event could take place on several occasions per week.

We understand that the Club has been granted a Temporary Event Notice for the 14th August 2021 in respect of a comedy event. This will allow them to trade until 24:00 on that date. Perhaps it would be easier for Mrs Walker to deal with the longer hours if she knew that there was a set number allowed per annum, and therefore using the Temporary Event Notices available instead of a Premises Licence which would allow them to trade late throughout the year.

We would request that the Licensing Authority refuse the application for Variation.

Kindly acknowledge safe receipt.

Yours sincerely,

Anthony M Horne (Director)



