

Give form for your own personal use.



SOUTH DERBYSHIRE DISTRICT COUNCIL
Licensing Act 2003

Representation by an Interested Party

Note: Please be aware that this form may be viewed by the Applicant or by a representative of the Applicant. It may also be read out in public at the sub-committee hearing.

An interested party can make representations against a relevant licence application. Representations may be made on behalf of the above by a representative e.g. MP, solicitor, or a friend.

Please indicate in which capacity you are making this representation by ticking a box below:

- An individual person *DISTRICT COUNCILLOR*
- A body representing a person e.g. Solicitor
- A person involved in a business
- A body representing a business

☒
☐
☐
☐

Representations are only relevant to an application if they relate to at least one of the four **Licensing Objectives** listed below:

1. The Prevention of Crime and Disorder
2. Public Safety
3. Prevention of Public Nuisance
4. The Protection of Children from Harm

Representations may be made at any time during a period of 28 consecutive days starting on the day after the application was given to the Licensing Authority.

In the case of a closure order issued by the Police, representations may be made during the seven days that follow relevant notice being given to the Local Authority by the Magistrates Court, starting on the day after the day the notice was received.

**South Derbyshire
District Council**

25 JUL 2013

Corporate Services

BLANK PAGE.

Please enter your contact details below: -

Name:	COUNCILLOR JIM HEWLETT
Address:	16 THE LILYPOL, MELBOURNE, DERBY
Postcode:	DE73 86L
Tel:	01332 222500
E-mail:	j.hewlett@ South-derbyshire.gov.uk

Please confirm name and address of person, represented person or business affected, if different from the address given above: i.e. this could be a shop premise in the vicinity but you do not live at the shop premises.

Name:	VARIOUS LOCAL INHABITANTS
Address:	63, 65, 67 and 69 DERBY ROAD 54, 52, 48, 46, 44, 42 and 40 DERBY ROAD
Postcode:	

Address of premises in application causing concern, which you wish to make a representation about

Name of Applicant:	ELIZABETH AND ADAM DEVEY-SMITH
Address of Premises	50, DERBY ROAD (OLD LIBERAL CLUB/PUBLIC HOUSE) MELBOURNE, DERBY
Application Details:	PREMISES LICENCE

Please give details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant box/es:

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Details of representation.....

ATTACHED

BLANK PAGE.

Uf.

If referred to a sub committee hearing:

Please tick this box if you do not intend to be present

☐

Please tick this box if you do not intend to be represented

☐

If you wish to withdraw your representation you may do so by confirming this in writing before the end of the last day of the 28 day consultation period.

Signed:

PRINT NAME:

JAMES NEIL HEWLETT

Date:

23-7-2013

Please return this form to the following address:

South Derbyshire District Council
PO Box 6927
Civic Offices
SWADLINCOTE
DE11 0AH

BLANK PAGE.

REPRESENTATION ATTACHED - PRINTED
BOTH SIDES

If possible please suggest alterations to the application that would resolve the problem mentioned above, again paying attention to the licensing objectives

Licensing Section,
Civic Offices, Civic Way, Swadlincote Derbyshire DE11 0AH
01283 221000

BLANK PAGE

Once the Licensing Section has received this form you will receive a written acknowledgement and you may be contacted to discuss the issue prior to any referral to a sub-committee hearing.

Licensing Section,
Civic Offices, Civic Way, Swadlincote Derbyshire DE11 0AH
01283 221000

69.

BLANK PAGE.

**Representation in respect of the application for a premises licence
for The Old Liberal Club and Public Hall, 50 Derby Road,
Melbourne.**

I have seen a copy of representations made by Mr Roger Harrison which are a result of his legitimate concerns and feel strongly that they should be seriously addressed.

I share all his concerns, especially those which follow here.

- 1) The application covers the whole footprint of the site, not just the building, so if approved would permit the consumption of alcoholic drink in three outside areas until 11pm Mon – Thurs and until midnight on Friday and Saturday nights
 - at the front of the building, the corners of which are a matter of 5 or 6 metres from the adjacent houses and its neighbours. No doubt this is an attempt at continental café culture, and it could be an attractive feature in the daytime, but the sort of noise and behaviour associated with evening drinking in Britain is totally unacceptable so close to housing.

If you do decide to allow this I suggest that drinking should cease at 6pm so any nearby children can get to sleep.

- down the access alley at the side of the building – this is right up against the neighbours.
- in the rear garden, which abuts several neighbouring private back gardens. Drinking (and music) with its often associated shouting and screaming would be a gross intrusion into peoples' enjoyment of their gardens, also their ability to sleep, and should not be permitted at all in this residential area.

I believe that this area was never used for drinking in the past.

I draw your attention to informal advice given to the Melbourne Sporting partnership by this Council in respect of the potential use of a flat roof at the proposed new pavilion on the Melbourne Recreation Ground.

Parish Councillor Jackson, when enquiring about the possibility of making the roof suitable for barbecues and parties was told that the resultant noise would be unacceptable to the neighbours – and they must be several hundred metres away!

It is possible that the line showing the boundary of the application was wrongly drawn and should be round the building, not the whole site, in which case it should be amended.

PTO

71.

However, the last point above would still apply to the terrace at the rear of the building, which is close to the backs of the neighbours' houses. Drinking in this area should be limited to early evening only to avoid disturbing their legitimate right to peace and to enjoy their gardens.

- 2) The application does not mention secondary glazing. This is essential when music is permitted in a building so close to housing on both sides of the road as it significantly reduces the volume of sound leaving the building, and should be required as a condition of any licence that you might grant, the specification to be agreed with officers.
- 3) In association with this, air conditioning is also essential, as it would be impossible to have a large crowd of people in the hall on a hot summer's day or evening with the windows shut – they would force the windows open if the management didn't, thereby letting noise out and massively reducing the effect of the noise limiter.
- 4) The noise limiter should be calibrated so as to produce sound that is inaudible above background noise at the nearest noise sensitive point with the windows open, with reference to decibel emission so that it can be measured by instruments and used successfully in any court proceedings should it be necessary to do so.
- 5) The phrases "agreed level" and "reasonable" have been shown to be unenforceable.
- 6) I believe that the applicants are civil and responsible people, who would not wish to discomfort others, but the application is linked to the premises not the people, and could be passed on to new owners if they decide to move on or do something else, so we have to look at this in a "worse case scenario".
- 7) Alternatively, a manager working for them might be tempted to allow things which cause distress or discomfort to neighbours, so any licence should be tight, clear, unambiguous and enforceable.

District Councillor Jim Hewlett
Melbourne Ward

72.