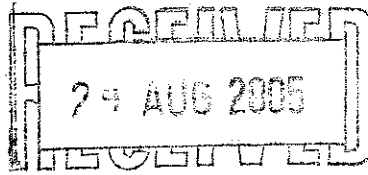


17 Victoria Street
Melbourne
Derbyshire
DE73 8FR

22 August, 2005



01332 863639

Dear Sir or Madam

**Application for Variation of a Club Premises Certificate
Royal British Legion Club, 87 Derby Road, Melbourne**

I am writing to record my objection to the proposed variations to the license for the above premises, as invited by the notice published at its boundaries.

Before going into the detailed objections I should explain that these are predominantly based upon the noise nuisance caused by the establishment, due to its present layout and disposition with respect to my property.

When the site around the club was redeveloped in around 1997 a building between my property and the Club was removed, and the ground on which that building had stood became the Club's car park. The entrance to the club was also re-sited so that now it opens in the direction of the rear of my property. There is now direct line-of-sight (and sound) between the club entrance and car park and two of the main bedrooms of my house. The distance between the boundary and my house walls is around 30 feet. I have included photographs of the "view" from my bedroom windows.

These arrangements were objected to at the planning hearing associated with the development but the objections were ignored.

The Club is styled the Royal British Legion Club and this would tend to give the impression of a moderate number of predominantly elderly or middle-aged clientele going for a quite drink with perhaps an occasional singer on a Saturday night. The general activities of the club are such as this and cause no difficulty, but since the redevelopment described above there has been an increasing tendency to host special occasions such as parties with either an amplified band or a discotheque, attracting large numbers of young people.

On these occasions the noise is more typical of one of the City centre clubs. The noise, especially from the bass and drums, permeates the house. The problem is worsened on summer nights when the club doors are opened for coolness; the "music" is much louder and our problems are augmented by boisterous chatter from partygoers loitering near the doors. We have on several occasions effectively been driven from the house to escape in particular the vibrations from amplified bass and percussion. I have from time to time attempted to have the steward reduce the noise but have been met with denial and sometimes abuse.

When such an activity eventually ceases (and on some recent occasions this has been at around 1a.m), the noise of departing partygoers is substantial, including the departing cars and again boisterous chatter, sometimes arising from people lingering in the vicinity long after the event has finished.

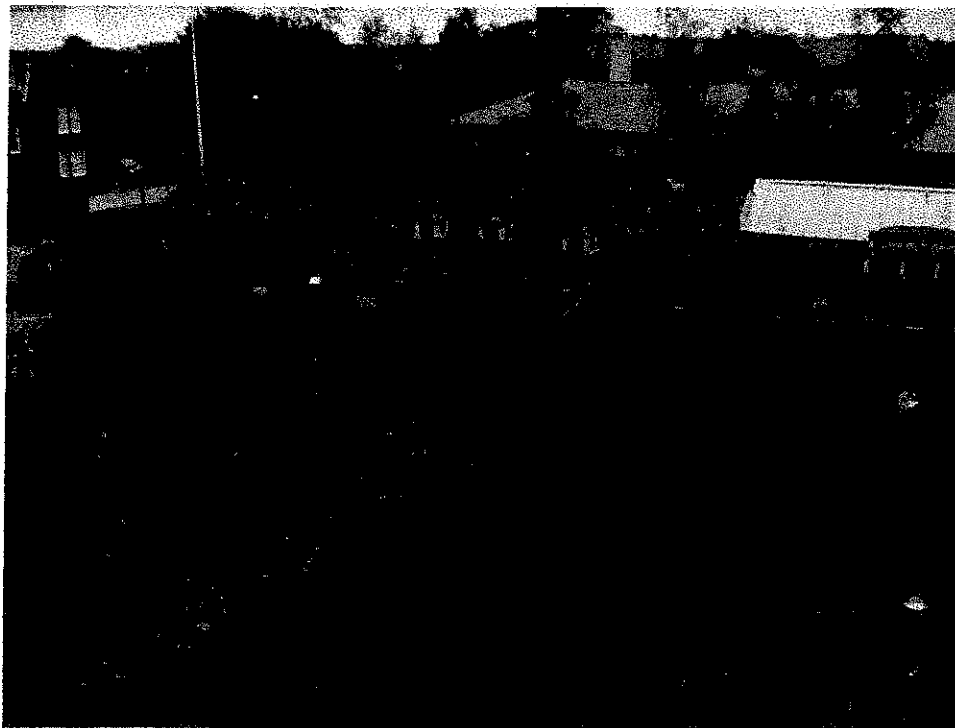
I would not suggest that these events are badly run or that there is any problem in general of bad behaviour. It is simply that the building is now entirely inappropriately located and arranged to host such events.

With these observations in mind, my detailed objections to the application are as follows:

1. Item 2 on the application seeks to permit the use of recorded music until 11.30 or midnight without any reference to the type of music, the type of equipment being used or the purpose. In principle this would permit the establishment to operate as a discotheque venue every night of the week. This would be intolerable and, I think, entirely negates the purpose of licensing, which should be a means to control nuisance.
 - a. There should be no permission to play amplified music at any time without controls to avoid nuisance. I have no objections to normal pub music production such as televisions and jukeboxes, but high-powered discotheque and rock band amplifiers simply produce too much vibration and disturbance.
 - b. There should be a limitation on the number of events which may take place in a year, where "events" would be described as occasions particularly designed to attract extra clientele and likely to cause additional disturbance.
2. I am uncertain of the purpose of Item 3 on the application, but if by "facilities" it means the use of amplifiers as discussed above I repeat my objection above.
3. Whilst I do not wish to seem pedantic, Item 4 as drafted appears to allow permission for any football or rugby league match, irrespective of whether it is a world cup final match; only the rugby union match is defined as a world cup final. This could in principle permit virtual 24-hour drinking as there is always a televised football match on, from somewhere or other. Even within what I hope is the intended and more limited interpretation I do not think it acceptable to allow under this clause, operation earlier than 7 am or later than 2 am, taking account of the proximity of the establishment of my and other rear gardens and bedroom windows.

Yours Sincerely

Clive Avery



View from main bedroom showing doors opened when disco or band in operation



View from rear bedroom window some 10 feet closer.

Victoria House, 94 Derby Road, MELBOURNE. DE73 8FL
Tel: 01332 863411 (home); 01332 695161 (office); 07968 344182 (mobile)

28th August 2005

South Derbyshire District Council
Civic Offices
Civic Way
SWADLINCOTE
DE11 0AH

Re: Extension to the Opening Hours at the Royal British Legion, Melbourne

Dear Sir

I write to voice my objections to the proposed extension of the Opening Hours at the Royal British Legion, Derby Road, MELBOURNE.

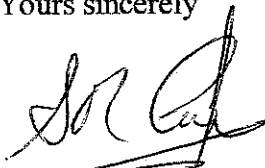
I object to the extension on two grounds.

1. The Royal British Legion itself, whereby on warm summer evenings the club opens it's windows to give everyone the benefit of the musical entertainment it provides for it's members. Whilst it is tolerable during the early hours of the evening for those people who live nearby, to allow it to extend into the late evening when people wish to go to bed will make it intolerable.
2. The second objection is not directed at the Legion itself, but to it's members who seem to leave it to the last minute to say goodnight to their friends, again without any consideration for people who live close to the club premises. Even today some members do not leave the premises until well after midnight.

Also I feel that to extend the club hours outside of standard pub opening hours will increase the pressure on the club as people walking out of the town from the various pubs therein will try to gain access tot he Legion for a "last drink" on the way home.

I am not against pubs and clubs, I enjoy a good drink myself, but the lack of consideration shown by current late drinkers leaving the Royal British Legion will only get worse if opening hours are extended.

Yours sincerely



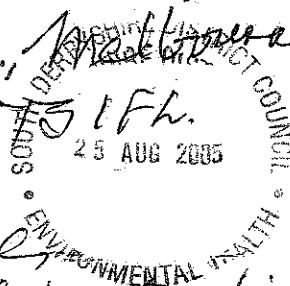
Stuart Cooper

This letter was hand-delivered on Sunday 28th August 2005

NOTICE OF APPLICATION FOR
VARIATION OF CLUB PREMISES
CERTIFICATE.

24 AUG 2005

Monday 22nd Aug '05
Royal British Legion (Melbourne) Branch
Club @ 87, Derby Rd., Melbourne
Derbyshire DE1 5 1Fh.



Dear Sir/Madam,

We would like to object
to the extension of the hours
of drinking at the British Legion
and also of music of any type
live or recorded.

We can understand the
Legion's desire to increase
revenue, but televised matches
can go on until the early
P.T.O.

hours of the morning and are
very undesirable in a residential
area

Unfortunately the music is
always loud and some people
do shift work and children need
to sleep.

Could the Legion enlighten
us as to what "performance of
dance and any thing of a
similar ~~nature~~ description"

would be? Thomas W. Givney
27. Victoria St.
Melbourne. Derby
PS. DF73 8FR.

Yours faithfully
G. Givney.
Last winter music
was played at the Melbourne R B Legion
which went on into late evening and
penetrated to No 27 and beyond.