

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority (please delete as applicable):

Police / Fire / Environmental Protection / ~~Health and Safety~~ / ~~Child Protection~~ / Trading Standards / Planning Authority / Licensing Authority / Health Authority

Name	JOHN MILLS
Job Title	SENIOR ENVIRONMENTAL HEALTH OFFICER
Postal and email address	CIVIC OFFICES, CIVIC WAY, SWADLINCOTE. DE14 3HH John.mills@south-derbys.gov.uk
Contact telephone number	01283 595903

Name of the premises you are making a representation about	ALMA INN
Address of the premises you are making a representation about	59 Derby Road, Melbourne, Derby

Which of the four licensing objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	NO	
Public safety	NO	
To prevent public nuisance	YES	PREMISES IS IN A RESIDENTIAL SETTING, LAYOUT RELATIVE TO NEIGHBOURS WILL RESULT IN AN INCREASED LIKELIHOOD OF NOISE NUISANCE. THIS IS WHY THE CONDITION WAS THERE IN THE FIRST PLACE. THE APPLICANT HAS NOT DEMONSTRATED HOW THEY WILL PROVIDE THIS FACILITY WHILST UPHOLDING THIS LICENSING OBJECTIVE.
To protect children from harm	NO	

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	I FEEL THAT OWING TO THE LOCATION OF THIS BEER GARDEN THE ONLY PRACTICAL CONTROL MEASURE IS AN EARLIER CLOSING TIME AS PER CURRENTLY IN PLACE.
---	--

Signed:

John Mills

Date: 05/06/15

Please return this form along with any additional sheets to the Licensing Section, South Derbyshire District Council, Council Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH or email to licensing@south-derbyshire.gov.uk

Kinsey Lisa

From: Mills John
Sent: 05 June 2015 16:55
To: 'tshield@john-gaunt.co.uk'
Cc: Licensing Mailbox
Subject: Application to vary premises license - Alma Inn, Melbourne

Categories: Lisa

Dear Sir/Madam,

PREMISES LICENSE - ALMA INN, MELBOURNE

I have been consulted with regards to the above application, and have concerns with regards to the removal of the condition relating to the hours of use of the beer garden.

The condition limiting hours of use to 10.30pm was deemed necessary to prevent noise from the beer garden becoming a public nuisance. No additional information has been submitted in your application to satisfy me that the condition is no longer needed. The application seeks to allow extended use of the beer garden into the early hours of the morning, accessing it from areas of the premises where amplified music is played. This noise in a relatively quiet area of Melbourne is likely to result in public nuisance at a time of night where residents should be able to expect not to be disturbed.

I would therefore appreciate you contacting me at your earliest convenience to establish whether we can agree on a way to address this.

Kind regards,

John Mills
Senior Environmental Health Officer
Environmental Protection Team
Environmental Health Department
South Derbyshire District Council
Tel: 01283 595903
Fax: 01283 595855
www.south-derbys.gov.uk



[South Derbyshire Environmental Health | Facebook](#)



**Better
Business
Regulation**

Partnership • Support • Advice • Growth

FAO Emma McHugh
Licensing Team
South Derbyshire District Council

Bob Ledger
Director of Housing and Environmental Services
South Derbyshire District Council
Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH

www.south-derbys.gov.uk

Please ask for John Mills
Phone (01283) 595903
Fax (01283) 595855
Typetalk (0870) 2409598
DX 23912 Swadlincote

Email: john.mills@south-derbys.gov.uk

Our Ref:
Your Ref:

Date: 15/07/2015

Dear Sir/Madam,

LICENSING ACT 2003 – HEARING.
ALMA INN - 59 Derby Road, Melbourne, Derby

With regards to written representation regarding the above premises, I confirm that my Manager, Matthew Holford, will be in attendance. He will not be calling any witnesses.

My objection relates to the variation of the hours of use restriction on the outdoor area. The garden use for licensable activities is currently restricted to 10.30pm, and the applicant sought to vary this to be in line with the variation of general opening hours (i.e. beer garden opening hours 2.30am weekends and 1.30am weekdays). I am of the opinion that noise from patrons using the garden, and access and egress to rooms of the premises where amplified music is regularly played will be likely to cause a public nuisance to neighbouring residents during these extended, noise sensitive hours.

I have visited the premises and, following discussions with the DPS and the applicant's solicitor, as no other noise control options were readily apparent, the DPS agreed that an 11pm cut off time would meet their business needs.

Provided this is effectively managed then I have no evidence to suggest that this will give rise to an unreasonable impact on neighbours. At the time of writing despite repeated requests I have been unable to get written confirmation of this agreement from the applicant.

Yours sincerely



John Mills
Senior Environmental Health Officer