

REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item **3**

Hearing Date: 27th November 2013

Contact Officer: Stewart Broome – 01283 595935

HEARING TO DETERMINE AN APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE UNDER THE LICENSING ACT 2003

Applicants Name	Trident Reach the People Charity
Premises Name	Oakland Village
Address	Hall Farm Road, Swadlincote, Derbyshire, DE11 8ND

1. PURPOSE

To determine a variation application submitted in accordance with section 34 of the Licensing Act 2003 for the premises known as Oakland Village.
(application attached at Appendix 1) pages 6 to 23.

2. BACKGROUND

- 2.1 The applicant is seeking to amend their existing premises licence which was granted on 8th January 2013 to extend the times when the licensable activities are permitted to occur. The full details are indicated below in paragraph 3.

3. APPLICATION DETAILS

- 3.1 The applicant requests the Licensing Authority to permit the following:

Activity	Days	Existing Times	Proposed Times
Plays – Indoors only	Monday to Friday	18:00 to 22:30	18:00 to 24:00
	Saturday and Sunday	12:00 to 22:30	12:00 to 24:00
Films – Indoors only	Monday to Sunday	14:00 to 16:30 18:00 to 22:30	14:00 to 16:30 18:00 to 24:00
Live Music; Recorded Music; Performances of Dance; – Indoors only	Monday to Thursday	12:00 to 22:30	12:00 to 24:00
	Friday to Sunday	12:00 to 23:00	12:00 to 24:00
Activities similar to live, recorded music, or dance – Indoors only	Monday to Thursday	10:00 to 22:30	10:00 to 24:00
	Friday to Sunday	10:00 to 23:00	10:00 to 24:00

Sale by Retail of Alcohol for consumption on the premises only	Monday to Sunday	12:00 to 23:00	12:00 to 24:00
Hours premises to remain open to members of the public	Monday to Sunday	10:00 to 23:30	08:00 to 24:30
All requested activities, and opening hours.	New Year's Eve and when British summer time commences	An additional hour has been requested	An additional hour has been requested

- 3.2 The applicant has considered their request and has stated that they believe no additional steps need to be taken to promote all four licensing objectives. This statement can be found in the application form (page 21).

4. CONSULTATION RESPONSES

4.1 Responsible Authorities

No Comments

4.2 Other Parties

Written representations have been received from the following persons during the 28 day consultation period. Full details can be found in **Appendix 2**.

A Gwynne, 14 Palissy Close, Swadlincote Derbyshire, DE11 8LY	Appendix 2 pages 24
Mr Barsted, 10 Palissy Close, Swadlincote Derbyshire, DE11 8LY	Appendix 2 page 25
Mr and Mrs Davies, 12 Palissy Close, Swadlincote, Derbyshire, DE11 8LY	Appendix 2 page 26
Mr and Mrs Hyde, 41 Hall Farm Road, Swadlincote, Derbyshire, DE11 8LH	Appendix 2 page 27
Mrs Shelley, 16 Palissy Close, Swadlincote, Derbyshire, DE11 8LY	Appendix 2 pages 28 & 29

Two petitions were received. The first was signed by the following persons:

E & J Parker, 3 Hall Farm Road, Swadlincote	Appendix 2 pages 30 to 31
A Amor, 7 Hall Farm Road, Swadlincote	
L Harrison, 4 Wideshaft, Swadlincote	
M Smith, 26 Wideshaft, Swadlincote	

L Kelsill, 9 Hall Farm Road, Swadlincote	Appendix 2 pages 30 to 31
R & R Wardle, 11 Hall Farm Road, Swadlincote	
S Brutt, 13 Hall Farm Road, Swadlincote	
The Owner, 17 Hill Street, Swadlincote	
The Owner, 15 Hall Road, Swadlincote	
G Weinman, 17 Hall Road, Swadlincote	
L Boam, 23 Hall Farm Road, Swadlincote	
The Owner, 28 Wideshaft, Swadlincote	
M Rodgers, 27 Wideshaft, Swadlincote	
The Owner, 9 Hall Farm Close, Swadlincote	
The Owner, 10 Hall Farm Close, Swadlincote	
P Stoke, 16 Hall Farm Close, Swadlincote	
P Peace, 17 Hall Farm Close, Swadlincote	
M Feed, 1 Hall Farm Close, Swadlincote	
E Spencer, 3 Hall Farm Close, Swadlincote	
K Chapman, 53 Hall Farm Road, Swadlincote	
S Rolfe, 51 Hall Farm Road, Swadlincote	
S & T Hyde, 41 Hall Farm Road, Swadlincote	
A Pickering, 39 Hall Farm Road, Swadlincote	
Z & M Elliott, 33 Hall Farm Road, Swadlincote	
J Chadwick, 31 Hall Farm Close, Swadlincote	

The second petition contained 37 signatures from residents of Oakland Village, and their family members, but no specific addresses (Appendix 3 – pages 32 and 33). Due to this a notice was placed in the communal area to notify the signatories that a hearing had been convened.

5. AGREEMENT BETWEEN PARTIES

- 5.1 No agreement has been reached.

6. OTHER RELEVANT CONSIDERATIONS

- 6.1 The Authority should consider its responsibilities under the Crime and Disorder Act 1998, and the Human Rights Act 1998 when considering the fair balance between the interests of the applicant and the rights of local residents.
- 6.2 Any decision taken by the Sub-Committee must be appropriate and proportionate to the objective being pursued.
- 6.3 Members are reminded that whenever they make a decision under the Licensing Act 2003, they have a duty to act with a view to promoting the licensing objectives.
- 6.4 When considering any representations, only those issues relating to the four licensing objectives should be considered and appropriate weight given to the importance and relevance to the application of each representation.
- 6.5 In making its decision, Members must also have regard to the Statutory Guidance issued under section 182 of the Licensing Act 2003 and the Council's own Licensing Policy. If Members depart from either, they must specify their reasons for doing so.

7. DETERMINATION

- 7.1 The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
1. To modify the conditions of the licence (and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.
 2. Reject the whole or part of the application.
- 7.2 The Sub-Committee may also vary a licence so that it has effect subject to different conditions in respect of different parts of the premises and/or different licensable activities.
- 7.3 Members are asked to note that they may not modify the conditions or reject whole or part of the application merely because they consider it desirable to do so. It must actually be appropriate to do so in order to promote the licensing objectives and any such step must relate to any outstanding representation made.
- 7.4 If Members grant the application, the details of the operating schedule will be

incorporated into the licence as conditions. The licence will also be subject to certain mandatory conditions.

8. RIGHT OF APPEAL

- 8.1 Members should note that the applicant or persons making representations have the right of appeal against any decision made by the Sub-Committee.

9. APPENDICES

1. Application for a premises licence to be granted under the Licensing Act 2003 – pages 6 to 23
2. Other representations – pages 24 to 33

30/10/13

HENDON 1.
13/4

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

We Trident Reach the People Charity

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number
SDDC/021704

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Oakland Village Hall Farm Road			
Post town	Swadlincote	Postcode	DE11 8ND

Telephone number at premises (if any)	01283 221799
Non-domestic rateable value of premises	£0.00

Part 2 – Applicant details

Daytime contact telephone number	01283 221799		
E-mail address (optional)			
Current postal address if different from premises address	2 nd Floor Bradfield House, Popes Lane		
Post town	Oldbury	Postcode	B69 4PA

6.

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐
No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

1. To extend the opening hours
2. To extend the licensable activities throughout the whole of the premises until 24.00 daily

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

n/a

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

- | | |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | ☒ |
| b) films (if ticking yes, fill in box B) | ☒ |
| c) indoor sporting events (if ticking yes, fill in box C) | ☐ |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | ☐ |
| e) live music (if ticking yes, fill in box E) | ☒ |
| f) recorded music (if ticking yes, fill in box F) | ☒ |
| g) performances of dance (if ticking yes, fill in box G) | ☒ |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | ☒ |

Provision of late night refreshment (if ticking yes, fill in box I)

☐

Sale by retail of alcohol (if ticking yes, fill in box J)

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	x
				Outdoors	☐
				Both	☐
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) We would like to offer both the residents and local voluntary arts and entertainment groups the opportunity to start a theatre group and put on their own performances. For example, a Christmas Pantomime. This will not be a frequent event but flexibility is needed so that different days in the week can be used.		
Mon	18.00	24.00			
Tue	18.00	24.00	<u>State any seasonal variations for performing plays</u> (please read guidance note 4) It is not envisaged that there would be more than four plays or theatre events per year.		
Wed	18.00	24.00			
Thur	18.00	24.00	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	18.00	24.00			
Sat	12.00	24.00	An additional hour to the standard and non standard times on the day when British Summer Time commences.		
Sun	12.00	24.00			
			An additional hour to the standard and non standard times on New Year's Eve.		

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	☒
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon	14.00	16.30	<u>Please give further details here</u> (please read guidance note 3) We would like to engage with and provide residents' film nights. This will be led by residents in the choice of film and may be linked with a supper club on a themed night. For example, the film 'A Western' followed by a barbeque style buffet.		
	18.00	24.00			
Tue	14.00	16.30	We would envisage a film night twice a month one in the evening and a matinee, and would like residents to choose the days they are held on.		
	18.00	24.00			
Wed	14.00	16.30	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) We would aim to put on Christmas theme film nights in the weeks leading up to Christmas, for example, a White Christmas, etc.		
	18.00	24.00			
Thur	14.00	16.30			
	18.00	24.00			
Fri	14.00	16.30	<u>Non standard timings.</u> Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
	18.00	24.00			
Sat	14.00	16.30	An additional hour to the standard and non standard times on the day when British Summer Time commences.		
	18.00	24.00			
Sun	14.00	16.30	An additional hour to the standard and non standard times on New Year's Eve.		
	18.00	24.00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) n/a
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	☐
				Outdoors	☐
				Both	☐
Day	Start	Finish			
Mon			<u>Please give further details here (please read guidance note 3)</u> n/a		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</u>		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Sat					
Sun					

12.

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	☒
				Outdoors	☐
				Both	☐
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u> Residents, customers and guests will have the opportunity to book the 'Village Hall' (indoors) for private dinners, functions, parties and weddings and to have live music for these events.		
Mon	12.00	24.00			
Tue	12.00	24.00	<u>State any seasonal variations for the performance of live music (please read guidance note 4)</u> There will be Christmas party nights for Christmas with the opportunity for live music entertainment.		
Wed	12.00	24.00			
Thur	12.00	24.00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)</u> An additional hour to the standard and non standard times on the day when British Summer Time commences.		
Fri	12.00	24.00			
Sat	12.00	24.00	An additional hour to the standard and non standard times on New Year's Eve.		
Sun	12.00	24.00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	☒
				Outdoors	☐
				Both	☐
Day	Start	Finish			
Mon	12.00	24.00	<u>Please give further details here (please read guidance note 3)</u> Residents, customers and guests will have the opportunity to book the 'Village Hall' (indoors) for private dinners, functions, parties and weddings and to have recorded music for these events.		
Tue	12.00	24.00			
Wed	12.00	24.00	<u>State any seasonal variations for the playing of recorded music (please read guidance note 4)</u> There will be Christmas party nights in December for Christmas with the opportunity for recorded music entertainment.		
Thur	12.00	24.00			
Fri	12.00	24.00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Sat	12.00	24.00	An additional hour to the standard and non standard times on the day when British Summer Time commences.		
Sun	12.00	24.00	An additional hour to the standard and non standard times on New Year's Eve.		

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	☒
				Outdoors	☐
				Both	☐
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) As part of our healthy living agenda we will offer dancing lesson and this may include performances by professional dancers. We will hold dancing exercise classes and ballroom dancing linked to events.		
Mon	12.00	24.00			
Tue	12.00	24.00			
Wed	12.00	24.00			
Thur	12.00	24.00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) There will be several Christmas dance events held during December.		
Fri	12.00	24.00			
Sat	12.00	24.00			
Sun	12.00	24.00			
			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5) An additional hour to the standard and non standard times on the day when British Summer Time commences.		
			An additional hour to the standard and non standard times on New Year's Eve.		

15.

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing Occasional parties, dances and community-based activities. The 'Village Hall' will be used for internal and external groups for community events and entertainment. This may include tea dances, craft fairs, local school theatre presentations, residents' led debating society, exercise classes to music and fashion shows.		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	☒
Mon	10.00	24.00		Outdoors	☐
				Both	☐
Tue	10.00	24.00	<u>Please give further details here</u> (please read guidance note 3) Village Hall is the only place where music will be amplified		
Wed	10.00	24.00			
Thur	10.00	24.00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4) The parties and social community events will not be on a constant basis. They will occur as and when a request is made.		
Fri	10.00	24.00			
Sat	10.00	24.00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	10.00	24.00	An additional hour to the standard and non standard times on the day when British Summer Time commences.		
			An additional hour to the standard and non standard times on New Year's Eve.		

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	☐
					Outdoors	☐
Day	Start	Finish			Both	☐
Mon			Please give further details here (please read guidance note 3) n/a			
Tue						
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	☒
				Off the premises	☐
				Both	☐
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Mon	12.00	24.00			
Tue	12.00	24.00			
Wed	12.00	24.00			
Thur	12.00	24.00			
Fri	12.00	24.00	<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5) An additional hour to the standard and non standard times on the day when British Summer Time commences. An additional hour to the standard and non standard times on New Year's Eve.		
Sat	12.00	24.00			
Sun	12.00	24.00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8). n/a
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L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	8.00	24.30	
Tue	8.00	24.30	
Wed	8.00	24.30	
Thur	08.00	24.30	
Fri	08.00	24.30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) An additional hour to the standard and non standard times on the day when British Summer Time commences. An additional hour to the standard and non standard times on New Year's Eve.
Sat	08.00	24.30	
Sun	08.00	24.30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

n/a

Please tick as appropriate

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☒

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

- We have carefully considered the risks and benefits associated with the extra hours applied for and do not believe that any additional measures are necessary to promote the licensing objectives.
- We will continue to train our staff to the standards required by relevant legislation.
- The style and operation will not differ significantly during the extended hours. The additional hours sought will of themselves promote the licensing objectives.

b) The prevention of crime and disorder

See box a) above

c) Public safety

See box a) above

d) The prevention of public nuisance

See box a) above

e) The protection of children from harm

See box a) above

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Mrs Tara Harding
Smith Partnership Solicitors
4th Floor Celtic House
Heritage Gate
Friary Street

Post town	Derby	Post code	DE1 1LS
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

14 Fallosy Close
DE11 8LY
134

We would like to raise our objections to the application for the variation to the Premise License raised by Trident in respect of Oakland Village, Hall Farm Road, Swadlincote.

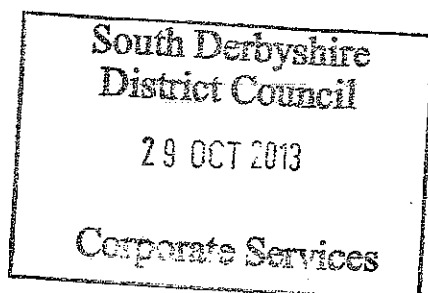
We are raising our objection in accordance with The Licensing Act 2003 which contains legislation to protect local residents from disturbance and anti-social behaviour that can be created by some people visiting places of entertainment.

We live on the neighbouring perimeter to the Oakland Village, with our back garden fence running alongside Hall Farm Road. We live on a quiet cul de sac of bungalows all occupied by pensionable age people. We consider ourselves to be integrated as part of the village, enjoying social evenings such as bingo, and a carvery meal in the restaurant. We visit the Oakland Village on the basis that we feel safe and in the company of others who are respectful to our age group. Whilst there are children and working age people also visiting the Oakland Village for these same activities, they are doing so by choice knowing that there are many elderly persons there and they respect that. We believe that it is right to have a mix of activities available but we also believe that these should be kept appropriate to a retirement village and appropriate to the neighbourhood.

If people attend functions from outside of our community, who do not know our neighbourhood and the retirement village, it seems unlikely that they will hold the same level of respect for our locality. People holding disco's, parties and wedding receptions will have loud music and often excessive alcohol consumption. This is not a sweeping unfounded statement, but a reasonable statement made on the balance of probabilities. We believe that under the prevention of crime and disorder and the under the prevention of nuisance that the variation to the licence should not be granted.

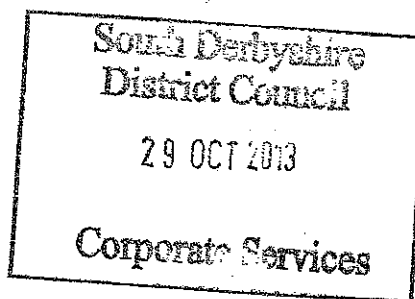
There is also the issue of the transport. A party of 100 or so people will generate the need for parking for 20 or more cars, or taxi's dropping and collecting. This will lead to a hazard in the car park, cars being parked all over the place (because there is already insufficient parking at the Oakland Village) as well as noise from car doors being banged in the early hours of the morning - guests from a party where the bar closes at 12 will only disperse some 30-60 minutes later, making this car and talking/shouting a nuisance until around 1:00am. We believe that in the interests of public safety that the parking of more cars in this area should not be encouraged. We also believe that under the prevention of nuisance and under the prevention of crime and disorder that the noise and disruption from people leaving Oakland Village at such times of the night should not be encouraged.

We feel that for these reasons the variation of the license should not be allowed and encourage the Council to not allow this application.



Jane Southfully

(AGSTING)



10 Palissy Close
Swadlincote
Derbyshire
DE11 8LY

25 October 2013

Dear Sir,

Oakland Village - variation of Premises Licence

Trident Reach the People Charity has applied to extend the hours of the premises known as Oakland Village so that they may open to the public seven days a week and from 08.00 to 24.30 and to extend the licensable activities until 24.00 seven days a week.

As this is predominantly a residential area and has 2 pubs nearby with the recently flagship Oakland retirement village at its centre this is an application which should be refused for the following reasons.

1. Parking.

There is already a problem at certain times with parking and the Oakland retirement village is not yet fully occupied. I understand that there are 92 parking spaces for the 88 flats and dementia unit including staff for the unit and village. At times vehicles are currently having to park on the frontages of the houses and bungalows surrounding Oakland.

I understand that weddings have been suggested with up to 120 guests.

2. Noise.

This area is predominantly residential with the retirement village plus a significant number of bungalows and houses, mainly occupied by the elderly. A large number of people leaving a function in the early hours will inevitably result in noise and disturbance for the local residents.

Events will create additional noise as by nature they usually have music played loudly.

3. Planning application.

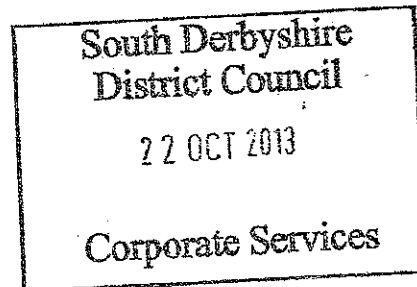
The original planning application and associated publicity material has only ever referred to Oakland as a retirement village.

Surely this is a step too far and will only create more problems.

Yours faithfully,
Mr. R. Barsted

A handwritten signature in black ink that reads "R. Barsted".

Mr Gerald Davies & Mrs Susan Davies
12 Palissey Close
Swadlincote DE11 8LY



We would like to raise our objections to the application for the variation to the Premise License raised by Trident in respect of Oakland Village, Hall Farm Road, Swadlincote.

We are raising our objection in accordance with The Licensing Act 2003 which contains legislation to protect local residents from disturbance and anti-social behaviour that can be created by some people visiting places of entertainment.

We live on the neighbouring perimeter to the Oakland Village, with our back garden fence running alongside Hall Farm Road. We live on a quiet cul de sac of bungalows all occupied by pensionable age people. We consider ourselves to be integrated as part of the village, enjoying social evenings such as bingo, and a carvery meal in the restaurant. We visit the Oakland Village on the basis that we feel safe and in the company of others who are respectful to our age group. Whilst there are children and working age people also visiting the Oakland Village for these same activities, they are doing so by choice knowing that there are many elderly persons there and they respect that. We believe that it is right to have a mix of activities available but we also believe that these should be kept appropriate to a retirement village and appropriate to the neighbourhood.

If people attend functions from outside of our community, who do not know our neighbourhood and the retirement village, it seems unlikely that they will hold the same level of respect for our locality. People holding disco's, parties and wedding receptions will have loud music and often excessive alcohol consumption. This is not a sweeping unfounded statement, but a reasonable statement made on the balance of probabilities. We believe that under the prevention of crime and disorder and the under the prevention of nuisance that the variation to the licence should not be granted.

There is also the issue of the transport. A party of 100 or so people will generate the need for parking for 20 or more cars, or taxi's dropping and collecting. This will lead to a hazard in the car park, cars being parked all over the place (because there is already insufficient parking at the Oakland Village) as well as noise from car doors being banged in the early hours of the morning - guests from a party where the bar closes at 12 will only disperse some 30-60 minutes later, making this car and talking/shouting a nuisance until around 1:00am. We believe that in the interests of public safety that the parking of more cars in this area should not be encouraged. We also believe that under the prevention of nuisance and under the prevention of crime and disorder that the noise and disruption from people leaving Oakland Village at such times of the night should not be encouraged.

We feel that for these reasons the variation of the license should not be allowed and encourage the Council to not allow this application.

SG Davies
SM Davies

41 Hall Farm Road
Swadlincote
Derbyshire
DE11 8LH

South Derbyshire District council
Licensing Section
Civic Offices
Civic Way
Swadlincote
Derbyshire
DE11 0AH

21st October, 2013

Dear Sirs

Re: Trident Reach People Charity, Oakland Village, Hall Farm Road, Swadlincote
Variation of the Premises Licence.

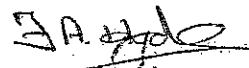
We write to object to the above for the following reasons.

There is insufficient parking spaces now for residents and staff without additional cars attending for parties etc., and as a car owner living in one of the bungalows we have both already been verbally abused and assaulted trying to keep the spaces clear which are designated for the bungalows.

We would then have concerns over the extra noise of people leaving the premises at this time albeit the noise of vehicles are maybe people that have had too much alcohol.

We understood that Oakland Village was going to be a retirement home and don't really think it will be used as one if they get the extra licencing hours for use as disco's, parties etc.,

Yours faithfully


F A Hyde (Mr)


S Hyde (Mrs)

South Derbyshire
District Council

22 OCT 2013

Corporate Services

We would like to raise our objections to the application for the variation to the Premise License raised by Trident in respect of Oakland Village, Hall Farm Road, Swadlincote.

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If people attend functions from outside of our community, who do not know our neighbourhood and the retirement village, it seems unlikely that they will hold the same level of respect for our locality. People holding disco's, parties and wedding receptions will have loud music and often excessive alcohol consumption. This is not a sweeping unfounded statement, but a reasonable statement made on the balance of probabilities. We believe that under the prevention of crime and disorder and the under the prevention of nuisance that the variation to the licence should not be granted.

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We feel that for these reasons the variation of the license should not be allowed and encourage the Council to not allow this application.

Christine Shelley

Mrs. CHRISTINE SHELLEY
16 PALUSSY CLOSE

288. SWADLINCOTE DERBYSHIRE. DE11 8LY

16, Palissy Close
Swadlincote
Derbyshire
DE11 8LY

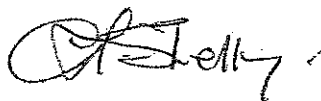
27 October 2013

Footnote 82 year old widow living alone

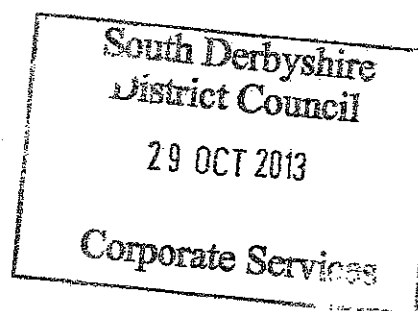
Two years ago in separate incidents I had three windows smashed residents cars were badly damaged and I and others had garden ornaments stolen or destroyed. Eventually through police search the yobs were found and parents repaid me for the repair of my windows Street lights were installed on the cycle path outside my property good neighbours fixed a camera for my security Peace was restored once more. It "Beggars Belief" that an idea for a glorified nightclub is being considered for this environment. For fear and insecurity to return and flourish.

You are about to defend our present situation or destroy it, the decision is yours ???

From a happy resident,



Christine M Shelley.



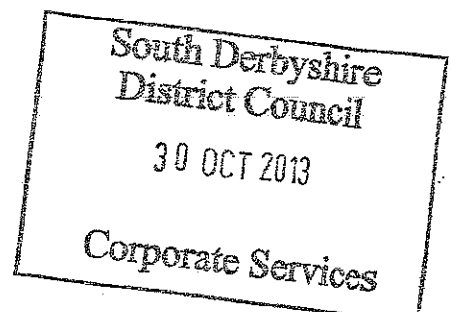
134

Objection to the application to extend the hours for the premises at Oakland RETIREMENT Village, to the public to 24.30, and the hours of licensable activities to 24.00 both for seven days a week.

We the undersigned, all close neighbours of Oakland Retirement Village, object to the above application on the following grounds.

1. Parking is insufficient and is already causing problems
2. Noise It will open the door to any private Reception, followed by a disco, until midnight 7 days a week.
3. Nuisance This is an area almost entirely housing the elderly. The housing opposite the main parking areas is mainly sheltered accommodation. An extra hour of alcohol intake is more likely to lead to rowdy behaviour both in and on leaving the building and possibly drunkenness.

J. Parker 3 Hall Farm Rd, SWADLINCOTE.
 E. Parker 3. HALL, FARM. RD SWADLINCOTE.
 A. Amos 7 Wideshaft
 L. Harrison 4 Wideshaft. Swadlincote
 M. Smith 26 Wideshaft. Swadlincote
 J. Kelso 9 Hall Farm Rd.
 R. Wardle 11 Hall Farm Rd.
 R. Wardle " " " "
 S. Bratt 13 Hall Farm Rd.
 S. Bratt 17 Hill Street.
 J. Stoddard 15 HALL. RD
 G. Wenman 17 Hall Rd
 L. Bean 23. Hall farm Rd.
 J. L. 28 WIDESHAFET.
 J. A. Bell " "
 M. R. Rodgers 27 WIDESHAFET.



Objection to the application to extend the hours for the premises at Oakland RETIREMENT Village, to the public to 24.30, and the hours of licensable activities to 24.00 both for seven days a week.

We the undersigned, all close neighbours of Oakland Retirement Village, object to the above application on the following grounds.

1. Parking is insufficient and is already causing problems
2. Noise It will open the door to any private Reception, followed by a disco, until midnight 7 days a week.
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- Bobby	9 Hall Farm Close
- Tony	10 H. "
- P Stone	16 HALL FARM CLOSE
- P Peace	17, H. "
- Maureen Lead	1 HALL FARM CLOSE
- E. Spence	3, WALL FARM CLOSE
- K. Chapman	53 — " — A
- S Rolfe	51. HALL FARM ROAD.
- S and T Hyde	41 HALL FARM ROAD.
- Audrey J. Lickering	39 HALL FARM ROAD.
- ZOE ELLIOTT	33 HALL FARM ROAD
- MARTIN ELLIOTT	33 " " "
- Jean Chadwell	31 " " "

134

Objection to the application to extend the hours the premises at Oakland RETIREMENT Village are open to the public to 24.30 and the hours of licensable activities to 24.00 - both for seven days a week.

We the undersigned, all Residents of Oakland Retirement Village, or a family member, object to the above application on the following grounds.

1. **Noise** It will open the door to any private Reception, followed by a disco, until midnight 7 days a week. This will attract larger numbers of visitors and disco music is far louder than most other entertainment. Some occupants of nearby flats have breathing problems so need to keep their windows open.
2. **Parking** is inadequate at present and the village is not yet fully occupied. There are only 92 parking spaces to accommodate, 88 flats, 2 Visitors rooms, 1 recycling bin and Staff - i.e. Receptionists, Care workers in both the private area and the Dementia Unit, Cleaners, Handyman, Bar workers, Kitchen Staff, Waitresses, Support workers & Administrative staff. Residents were told that a parking space would not be delegated but would always be available. However they will be afraid to go out in the evenings in case they cannot get back in. The nearest parking is off Civic Way - a considerable distance for vulnerable old people to walk alone.
3. **Nuisance** This is a Retirement village and the housing opposite the main parking areas is mainly sheltered accommodation. An extra hour of alcohol intake is more likely to lead to rowdy behaviour both in and on leaving the building and possibly drunkenness. It will be bad enough having to put up with it until 11.30.

J. Kay
 M. J. Ray
 M. J. Bagshaw
 V. Alington
 B. Powell
 S. Elton
 B. Adams
 M. Wright
 R. J. Slater
 K. H. H. H.
 C. G. H. H.
 J. Carson

M. Roberts
 M. Bennett
 A. Reynolds
 M. Payne
 H. M. M. M.
 W. H. H.
 J. Fisher
 W. H. H.
 G. P. H.
 H. H. H.
 R. P. H.
 D. A. H.

Sue Johnson

South Derbyshire
 District Council
 30 OCT 2013
 Corporate Services

C. James

W. James

Ed. Burden

Jean Burden

Mrs. Joan Shrim.

A. L. Catell

J. Cantrell

J. M. Hinch

J. W. Hinch

