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Our Ref
Your Ref

Date: 7 June 2021

Dear Councillor,

Licensing and Appeals Sub-Committee

Please find enclosed the agenda and supporting information for the Licensing and Appeals Sub-Committee meeting.

A Meeting of the **Licensing and Appeals Sub-Committee** will be held at **Council Chamber**, on **Tuesday, 08 June 2021** at **10:00**.

If you require any further information, please contact Democratic Services on the number shown above.

Yours faithfully,

A handwritten signature in black ink that reads 'Frank McArdle'.

Chief Executive

To:- **Labour Group**
Councillors Gee (Chair) and
Councillor Taylor.

Conservative Group
Councillor Watson.



AGENDA

Open to Public and Press

- 1** Apologies.
- 2** To note any declarations of interest arising from any items on the Agenda
- 3** HEARING FOR AN APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 - STABLE ALES **3 - 160**

Exclusion of the Public and Press:

- 4** The Chairman may therefore move:-
That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.

REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item: 3 **Hearing Date:** Tuesday 8th June 2021

Contact Officer: Faye Norman

**HEARING FOR AN APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER
THE LICENSING ACT 2003**

Applicant's Name	Roger Lowe
Premises Name	Stable Ales
Address	The Old Stables Unit D Melbourne Hall Church Square Melbourne Derbyshire DE73 8EN

1. PURPOSE

1.1 To determine an application to grant a premises licence received by this Authority on the 14th April 2021 from Roger Lowe. The application is attached at **(Appendix 1)**.

2. BACKGROUND

2.1 The applicant is seeking to be granted a premises licence for live music, recorded music & sale by retail of alcohol for the times stated in paragraph 3.

3. APPLICATION DETAILS

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

Activity	Days	Times
Live music & recorded music – Indoors & Outdoors The above are exempt for the times stated if less than 500 people are in attendance	Monday - Sunday	10:00hrs – 21:00hrs
Sale by retail of alcohol for consumption on and off the premises	Monday – Sunday	10:00hrs – 21:00hrs
Electronic Sales	Monday – Sunday	24hrs
Opening hours of the premises	Monday – Sunday	08:00hrs – 23:00hrs
Non-Standards Timings Applicable to live music, recorded music and the sale by retail of alcohol for consumption on and off the premises to facilitate events such as: <ul style="list-style-type: none">• Outdoor Comedy shows• Food events within the courtyard• Tasting events with craft breweries• Christmas/New Year period between 27th November – 2nd January These non-standard timings shall be limited to no more than 20 days in each calendar year.	Monday – Sunday	10.00hrs – 22.30hrs

3.2 The steps the applicant intends to take to promote all four licensing objectives can be seen at section M of the application form.

4. CONSULTATION RESPONSES

4.1 Representations were received from the Responsible Authorities.

Derbyshire Constabulary Representation received during the 28 day consultation period. Full details can be found at **(Appendix 2)**.

4.2 9 representations were received from other persons.

J Hill Representation received during the 28 day consultation period. Full details can be found at **(Appendix 3)**.

M Harnden Representation received during the 28 day consultation period. Full details can be found at **(Appendix 4)**.

R. A. Farmer Representation received during the 28 day consultation period. Full details can be found at **(Appendix 5)**.

M Gilchrist Representation received during the 28 day consultation period. Full details can be found at **(Appendix 6)**.

P Lavin Representation received during the 28 day consultation period. Full details can be found at **(Appendix 7)**.

J Williams Representation received during the 28 day consultation period. Full details can be found at **(Appendix 8)**.

L Willams Representation received during the 28 day consultation period. Full details can be found at **(Appendix 9)**.

G Grant Representation received during the 28 day consultation period. Full details can be found at **(Appendix 10)**.

D Devey Smith Representation received during the 28 day consultation period. Full details can be found at **(Appendix 11)**.

5. AGREEMENT BETWEEN PARTIES

5.1 Derbyshire Constabulary has now agreed conditions with the applicant and have subsequently withdrawn their representation as shown at **(Appendix 12)**.

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 necessary for the promotion of the licensing objectives:
1. Grant the licence in accordance with the application.
 2. Modify the conditions of the operating schedule by altering or omitting or adding to them.
 3. Exclude or restrict from the scope of the licence any of the licensable activities to which the application relates.
 4. Reject the whole of the application.
- 7.2 The Sub-Committee may also grant the licence subject to different conditions for different parts of the premises.
- 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 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. Copy of premises licence application (**Appendix 1**)
2. Copy of representation received – Derbyshire Constabulary (**Appendix 2**)
3. Copy of representation received – J Hill (**Appendix 3**)
4. Copy of representation received – M Harnden (**Appendix 4**)
5. Copy of representation received – R. A. Farmer (**Appendix 5**)
6. Copy of representation received – M Gilchrist (**Appendix 6**)
7. Copy of representation received – P Lavin (**Appendix 7**)
8. Copy of representation received – J Williams (**Appendix 8**)
9. Copy of representation received – L Williams (**Appendix 9**)
10. Copy of representation received – G Grant (**Appendix 10**)
11. Copy of representation received – D Devey Smith (**Appendix 11**)
12. Copy of Conditions agreed with the applicant and Derby Constabulary withdrawal of representation (**Appendix 12**)



**South Derbyshire
Application for a premises licence
Licensing Act 2003**

For help contact
licensing@south-derbys.gov.uk
Telephone: 01283 221000

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

VAT number

Legal status

If your business is registered, use its registered name.
Put "none" if you are not registered for VAT.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

Right to work share code

Documents that demonstrate entitlement to work in the UK
Right to work share code if not submitting scanned documents

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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.

Supply of Alcohol both on and off the premises. On sales will be through the tap room serving a limited offering of real ale, craft beer & wine. We are also proposing to license the outdoor seating area to enable table service during bust times. Off sales will be through the retail sale of alcohol to the public through the bottle shop & via online sales and telephone purchase orders.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes

No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes

No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes

No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes

No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes

No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

- Indoors Outdoors Both

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.

Live predominantly acoustic music played within the stable block. We are not proposing for live music to be played outdoors so are not predicting this will generate a nuisance or require a NMP or monitoring to take place.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

Start

End

End

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.

TUESDAY

Start

Start

End

End

WEDNESDAY

Start

Start

End

End

THURSDAY

Start

Start

End

End

FRIDAY

Start

Start

End

End

SATURDAY

Start

Start

End

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Indoors Outdoors Both

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.

To play amplified recorded music to the indoor spaces & potentially to outdoor seating areas as defined by supporting plan.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Continued from previous page...

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

On the premises Off the premises Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The retail sale of alcohol to the public for consumption on the premises shall only take place between the following days and hours; Monday to Sunday – 1000hrs to 21:00hrs generally however there may be a requirements to service events, tasting events or Christians or NYE for example for the hours to be extended to stop serving at 22:30hrs

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Continued from previous page...

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 18 of 21

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Full training shall be provided to all staff on commencement of employment relating to the sale of alcohol and any system or procedures they are expected to follow in the course of dealing with these goods.

Refresher training shall be provided at regular intervals – at least every 6 months.

Records detailing the training provided shall be kept on the premises for production upon request by the Police or other Responsible Authority.

All records must be written/recorded and shall be retained on the premises for a minimum of 12 months.

A challenge 25 or similar Proof of age scheme shall be operated at all times.

Anyone attempting to purchase alcohol (or other age restricted product) that appears under the age of 25 years shall be asked to produce a proof of age.

b) The prevention of crime and disorder

The only acceptable forms of identification when challenged shall be:

PASS – Government approved accreditation proof of age card.

Photo Driving Licence.

Current Passport.

HM Forces Identity Card

Clear, prominent and unobstructed signage informing customers of the proof of age scheme in operation shall be displayed at all entry points to the premises and at the point of sale.

A system of recording sales challenged under the proof of age scheme shall be operated at all times. The refusal book / log shall be kept on the premises for production upon request by the Police or other Responsible Authority.

The records relating to the refusal book / log shall be retained on the premises for a minimum of 12 months.

The Premises Licence Holder shall ensure that a written incident log is maintained within the premises and details of all relevant incidents are recorded within the log. This log shall be kept on the premises for a period of not less

Continued from previous page...

than 12 months and shall be produced upon request by the Police or other Responsible Authority.
It will be made clear on the website that in relation to the delivery service a Challenge 25 policy is operated and that alcohol will not be delivered to anyone who appears to be under 25 who does not have an acceptable form of identification.
Anyone making a telephone order will be given the same information.
Any couriers delivering the alcohol will have an appropriate age verification policy in place.
Any alcohol packaged for delivery by a courier will be clearly labelled that it contains alcohol.
An age verification notice will be displayed upon the home page of the website and again upon the ordering page.

c) Public safety

Any movement of stock shall take place prior to 2300hrs to keep disturbance to a minimum.
A full risk assessment will be carried out to ensure any potential hazards are identified and appropriate measures will be in place such as signing to identify any risks or hazards.

d) The prevention of public nuisance

Due to the operating times and through the promotion of the facility being a family friendly environment we will ensure any nuisance is kept to a minimum. Regular consultation with local community groups and parish councils will ensure any issues are resolved quickly.

e) The protection of children from harm

Children shall be supervised at all times by a responsible adult when they are on the licenced premises.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
 - o a performance of **unamplified live music** between 08.00 and 23.00 on any day, on any premises.
 - o a performance of **amplified live music** between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of **amplified live music** between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of **amplified live music** between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of **amplified live music** between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
 - o any playing of **recorded music** between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of **recorded music** between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of **recorded music** between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

100.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Page 23 of 160

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

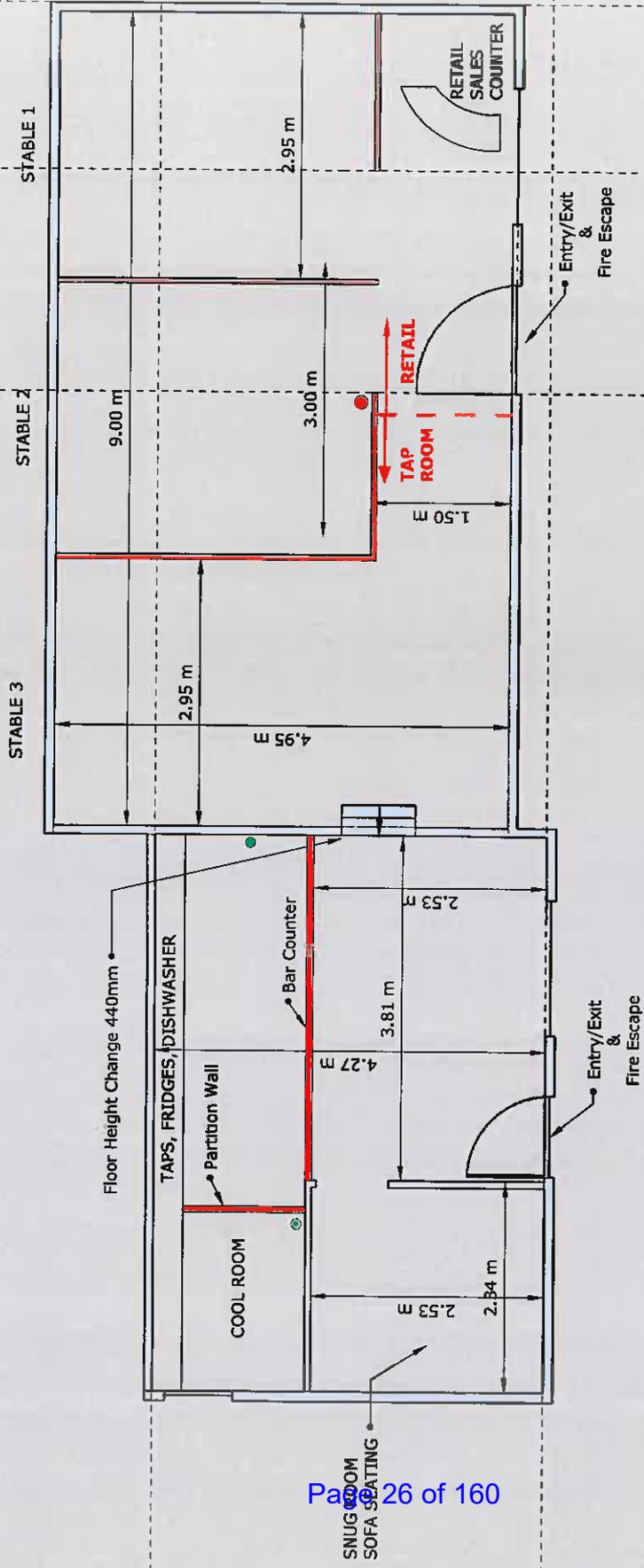
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/south-derbyshire/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

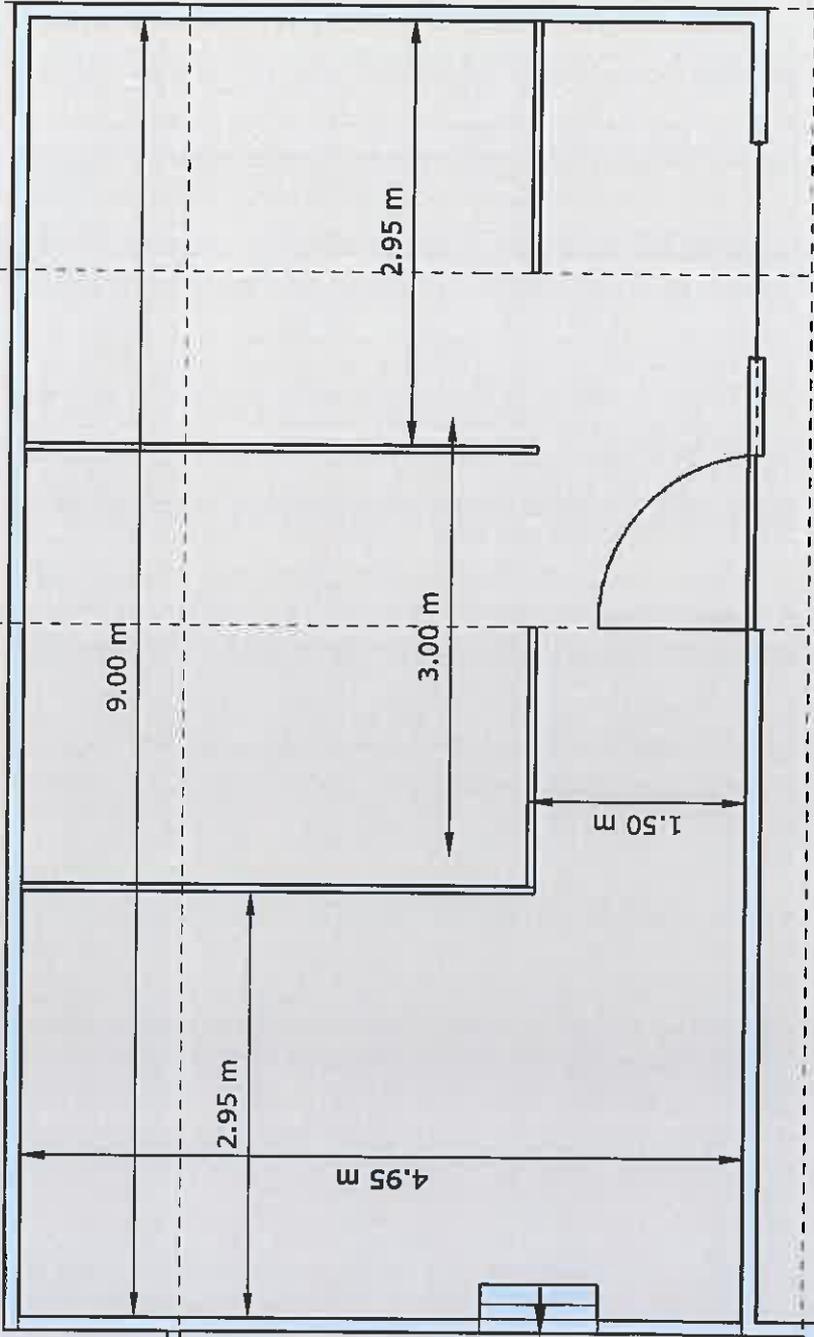


Melbourne Hall - Stable Alas
 Layout
 Scale: 1:50
 Date: April 9th 2021
 EIS everything is somewhere

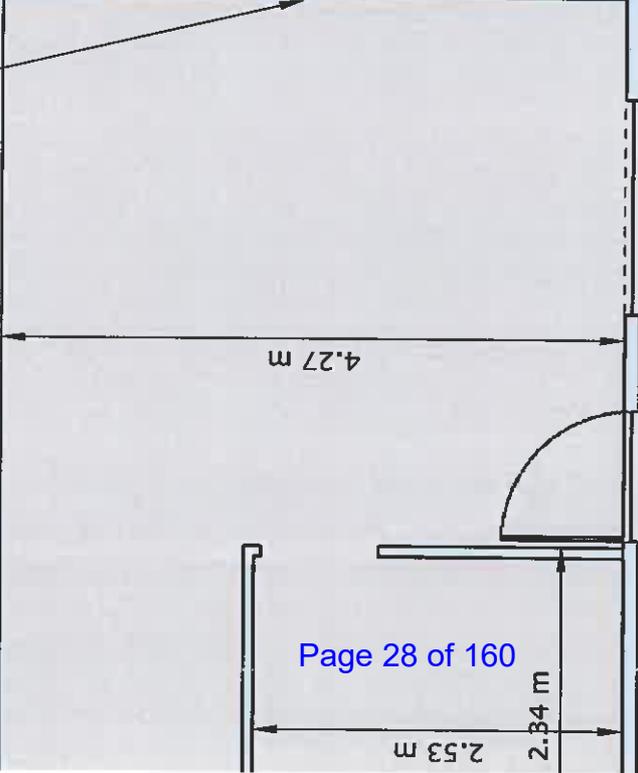
STABLE PARTITION/DIVIDER
 The Retail Space will close to the public from 5pm
 Fire Escape Route will remain Open
 Fire Extinguisher

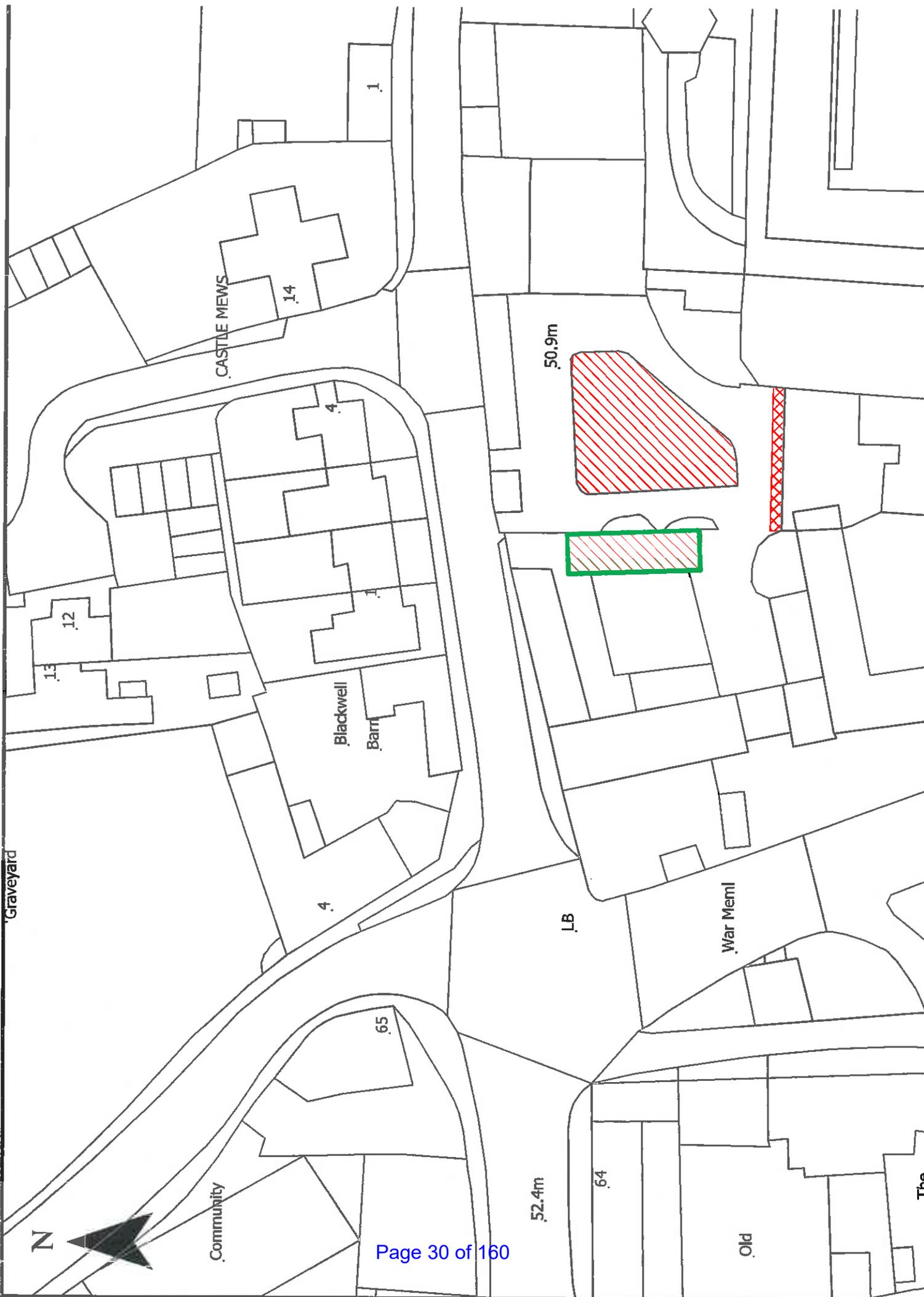
STABLE 1 - RETAIL DISPLAY
STABLE 2 - RETAIL DISPLAY
STABLE 3 - PUBLIC DRINKING AREA

For Identification Purposes Only



Floor Height Change 440mm





Corrinne Bird

From: Corrinne Bird
Sent: 22 April 2021 14:13
To: (south_area_admin@derbys-fire.gov.uk); Ardip Kaur; Environmental Health; Home Office; Planning; Police; trading.standards@derbyshire.gov.uk
Cc: Nigel Marston; Mark Lomas; Faye Norman
Subject: New Premises Licence Application - Stable Ales, Melbourne

Hi all,

Please be aware that an amendment to the application for Stable Ales, Melbourne has been accepted:

Application being amended to include:

Non-Standard Timings:

10:00hrs - 22:30hrs Monday to Sunday and be applicable to all 3 licensable activities being applied for, Alcohol, Live Music & Recorded Music

The purpose and limit of those non standard timings and activities are to facilitate events such as:

Outdoor Comedy shows

Food events within the courtyard

Tasting events with craft breweries

Christmas/New Year period which would fall between 27th November until 2nd January

Although the licence they have currently does not limit such events and timings they would propose not applying those non standard timings for any more than 20 days in each calendar year.

Expiry date remains: 12th May 2021.

Please be aware that from Monday 26th April until Friday 7th May the Licensing Team shall be on Election Duties and therefore may not be contactable. All emails shall be responded to as soon as possible. Thank you for your understanding.

Kind regards,

Corrinne Bird

Licensing Officer
T: 01283 595724
www.southderbyshire.gov.uk



Our Environment | Our People | Our Future
www.southderbyshire.gov.uk



South
Derbyshire
District Council

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

Your Name	Gareth Fowler
Job Title	Police Licensing Enforcement Officer
Postal and email address	South Derbyshire Licensing Unit, South Divisional Headquarters, Prime Park Way, Derby DE1 3AB
Contact telephone number	07712 417717/0300 122 4492

Name of the premises you are making a representation about	Stable Ales, Unit D Melbourne Hall Visitor Centre, Melbourne, Derbyshire, DE73 8EN
Address of the premises you are making a representation about	Stable Ales

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	Yes	<p>This is an updated Premises Licence Application which offers Alcohol to a captive audience of customers for a prolonged amount of time. Within the application the applicant has offered some conditions in support of the application, and the Four Licensing Objectives, however in their current form, they do not go far enough to ensure that the Four Licensing Objectives are upheld.</p> <p>In order to assist and promote the Four Licensing Objectives in line with this application I would replace the offered conditions with the ones attached. The attached conditions will better allow the premises to run its business in a manner which will reduce crime and disorder both within the Premises and the surrounding area. They will ensure that staff are correctly trained in the procedures set out by management at the premises and goes further to ensure the safety of all customers.</p>
Public safety		
To prevent public nuisance		
To protect children from harm		

Suggested conditions that could be added to the licence to	Please see attached form for proposed conditions. Page 34 of 160
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remedy your representation or other suggestions you would like the Licensing and Appeals Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.

Restricting the sales of alcohol to 2230hrs through the week for consumption on the Premises, with a closing time of 2300hrs should curb any crime and disorder as the result of drunken behaviour into the early hours of the morning.

Signed: G. Fowler

Date: 12/05/21

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-derbys.gov.uk. This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01283 595 716/724/890

Proposed Annex 2 conditions Stable Ales, Melbourne Hall

1) Full training shall be provided to all staff on commencement of employment relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods.

- a. Refresher training shall be provided at regular intervals – at least every 6 months.**
- b. Records detailing the training provided shall be kept on the premises for production upon request of a Police Officer or other authorised person.**
- c. All records must be written and shall be retained on the premise for a minimum of 12 months.**

2) A challenge 25 Proof of age scheme shall be operated at all times.

- a. Anyone attempting to purchase alcohol (or other age restricted product) that appears under the age of 25 years shall be asked to produce a proof of age.**
- b. The only acceptable forms of identification shall be:**
 - PASS – accreditation proof of age card.**
 - Photo Driving Licence.**
 - Current Passport.**
 - Her Majesties Forces ID Card**
- c. Clear, prominent and unobstructed signage informing customers of the proof of age scheme in operation, shall be displayed within the premises.**
- d. A system of recording sales refused under the proof of age scheme shall be operated at all times.**
- e. The refusal book/log shall be kept on the premises for production upon request of a Police Officer or other authorised person as detailed within Section 13 of the Licensing Act 2003.**
- f. The records relating to the refusal book/log shall be retained on the premises for a minimum of 12 months.**

3) The DPS shall ensure that a written incident log is maintained within the premises and details of all incidents are recorded within the log. This log shall be kept on the premises for a period of not less than 12 months and shall be produced upon request of a Police Officer or other authorised person.

4) The DPS shall ensure that a written Refusals log is maintained within the premises and details of all challenges and refusals are recorded within the log. This log shall be kept on the premises for a period of not less than 12 months

and shall be produced upon request of a Police Officer or other authorised person.

5) The Premises Licence Holder shall devise and adhere to a drugs policy when the premises are open for licensable activities.

- a. Training in this policy shall be given to all staff working at the Premises and records shall be kept for a period not less than 12 months.**

6) The Premises Licence Holder or nominated person shall ensure that clear, prominent and legible notices are displayed internally at all exits, requesting customers and other users to leave the premises and the area local to the premises, quietly and in an orderly manner respecting the needs of local residents.

7) A CCTV system shall be installed at all times and the recording system must be maintained in good working order and any faults repaired as soon as possible. (It is recommended that all maintenance paperwork be kept to show that the retailer has shown all due diligence in maintaining the system).

- a. The CCTV recording system must be operating at all times when the premises are open for licensable activities.**
- b. All CCTV recordings must be retained for a minimum of 28 days. These images must be available for viewing at any reasonable time upon request of a Police Officer or other authorised person as detailed within Section 13 of the Licensing Act 2003.**
- c. The Premises License Holder, Designated Premises Supervisor or person in charge of the premises must be able to retrieve and copy any recording/images at the time of asking or within 48 hours if so required. (The police will not meet the cost for a recording or materials used for a reproduction of the image in respect of any crime and disorder; all costs are to be met by the owner of the system. If the incident was unrelated to the premises, the retrieval, if a cost incurred, would be met between the agencies requiring the image).**
- d. The CCTV recording unit is to be kept secure, to be opened only by the Premises Licence holder, Designated Premises Supervisor, or authorised, designated member of staff.**
- e. Installed CCTV cameras are to be positioned so as to ensure that all parts of the premises to which the public has access are sufficiently covered (save for any toilet areas).**
- f. All cameras installed will be of a standard that will offer optimum image quality in low light.**

g. All digital recordings to be made in real time (time lapse not to be used).

8) No customer shall be allowed to remove any alcoholic or other drinks from the licensed area of the premises in an open container (e.g. glasses and open bottles) unless to an external area set aside for consumption indicated on a plan.

9) Anyone under the age of 16 must be off the Premises by 2200hrs. Unless at a pre-arranged function.

10) No sale of alcohol shall be made for consumption on the premises or immediate surrounding area (within the grounds of Melbourne Hall) after 2230hrs daily.

South Derbyshire District Council
 Licensing Section
 Civic Way
 Swadlincote
 Derbyshire
 DE11 0AH

21st April 2021

Dear Sirs

Objection to License Application made on behalf of Stable Ales by Mr R Lowe.
 Reference 0384

I write to register my objection to the license application submitted by Mr R Lowe on behalf of Stable Ales, part of the craft unit complex within the grounds of Melbourne Hall. The application is proposed for live music and recorded music indoors and outdoors with the consumption of alcohol.

The licensing committee should be wary of the application in its current form which provides for live and recorded music between the hours of 10:00hrs and 21:00hrs each day. Whilst Mr Lowe should be applauded for his business venture in the provision of craft ales for sale in his shop, Melbourne does not necessarily require another public house particularly in the area of the historic Hall.

Melbourne suffers from considerable congestion with regards to traffic flow and parking. Derbyshire County Council is currently trying to alleviate same with the suggestion of a one-way traffic flow. The consideration of this and the subsequent planning is on-going. To add to the already burdensome traffic load by the creation of another venue will be to the detriment of public safety in the area with the attributed disorder which will inevitably follow.

Recorded music used to attract persons to the venue will also be a nuisance to the local residents who, unlike those who will be enjoying a brief respite and some refreshment, will be living with the disruption for a considerable time and on a proposed daily basis including 'exceptions' for music much later than when persons living locally will be at rest.

Whilst not wishing to stifle a new venture nor constrain ambition, the committee is asked to strengthen the licence terms to preserve public safety, help to prevent localised disorder and prevent a noise nuisance by: -

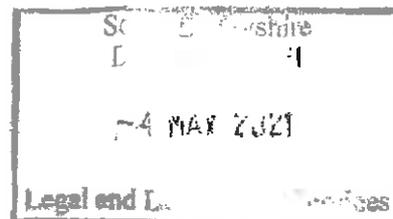
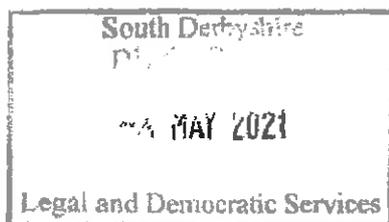
- Restricting the hosting of live music until 12:00noon and providing limits on the numbers of occasions that this can be done.

- **Limit the use of recorded music to internal areas only preserving the tranquil nature of the outside space of the craft units and not allowing this to impact on adjacent units.**
- **Ensure that sufficient additional parking, loading and unloading areas are provided designed such that they do not impact on the existing provision and enjoyment of the facility.**

I should be obliged if the licensing committee will take my concerns into consideration during deliberations and I would hope that any decision made will not be to the detriment of Melbourne or the surrounding areas and that they can remain one of the jewels within the South Derbyshire district.

Yours faithfully

Joanne Hill (Mrs)



SOUTH DERBYSHIRE DISTRICT COUNCIL

Licensing Act 2003

Representation by an 'Other Person' as defined by the Act

Note: Please be aware that this form will 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.

You may request that the Licensing Authority withholds some or all of your details, however, the withholding of details will only be considered in exceptional circumstances where the Licensing Authority believes there to be a genuine and well-founded fear of intimidation. Any person who wishes the Licensing Authority to consider withholding their details is advised to contact the Licensing Department prior to submitting this form.

Your personal details will be redacted in the Licensing and Appeals Sub-Committee report.

An 'other person' 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 ✓
- 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. This period is reduced to 10 working days for minor variations applications.

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 Licensing Authority by the Magistrates Court, starting on the day after the day the notice was received.

Please enter your contact details below: -

Name:	Matthew Harnden
Address:	
Postcode:	
Tel:	
E-mail:	

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

Name:	
Address:	
Postcode:	

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

Name of Applicant:	Roger Lowe
Address of Premises	Stable Ales, Melbourne Hall Visitor Centre, Church Square, Melbourne, Derbyshire, DE73 8EN
Application Details:	Application for a Premises Licence

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

Please give details of your representation and evidence supporting 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**

Details of representation (please use additional sheets where necessary)

My objection to this application are numerous.

Melbourne Hall is located in the market town of Melbourne. The immediate area forms a core part of the Melbourne Conservation Area including the Parish Church, Melbourne Hall and privately owned and rented residential properties.

The license application proposes the playing of both live (amplified) and prerecorded (amplified) music/shows up to 7 days per week until late into the evening (21:00) and later (undefined) at key points in the year such as New Year's Eve. The hours for the sale of alcohol is proposed 7 days per week until late into the evening (22:30). The sound of customers, events and music will extend well beyond the proposed courtyard site towards local residents properties (including my own) on Blackwell Lane, Castle Mews and beyond. Some properties are literally across the road from the proposed location. The only outside space for myself and my family is located close to Melbourne Hall Visitor Centre and I will be directly impacted by this 'noise' and **Public Nuisance**. This will especially be the case if customers are leaving late into the evening (see later comments).

Even if the playing of live music/events are contained inside the building, there is a high probability that the sound will travel as the stable building internal structure is vaulted in design and is not fitted with the appropriate type of sound insulation.

It is totally unclear from the application where the additional visitors and delivery vehicles will be parked. Parking in the area is already at breaking point and I object to this parking situation being compounded further by the expansion of Stable Ales. This is a key concern for **Public Safety** and another key point to my objection. The on street parking situation will be further compounded by the proposed expansion. The mixed movement of visitor and delivery vehicles with pedestrians will prove to be a dangerous mix..

My objection to the application also concerns **The Prevention of Crime and Disorder**. The Stable Ales business 'model' and unique selling point is focussed around high strength local and continental beers and ciders. Having events with groups of people consuming such alcohol until late at night could lead to some of the attendees leaving the event and causing problems in the community. Due to the quiet nature and location of Church Square and the lack of other local businesses staying open late into the evening, I expect the noise and disorder situation from people leaving Stable Ales to be very noticeable and disturbing for local residents such as myself.

I have an objection toward '**The Protection of Children from Harm**' since the proposed area for outdoor seating surrounds the main access pathway for Melbourne Hall Tearooms and access to the gardens at Melbourne Hall. Both destinations are a draw for many families with children. Walking through an area filled with drinkers may impact such young people. The only toilets for visitors is also located in this courtyard area and will be shared between young families and the customers from Stable Ales.

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

Details of representation (please use additional sheets where necessary)

Other points related to the objection:

The application notice also lists 'Comedy Shows' and 'Food Events' inside the courtyard. The first of these food and drink events took place on Wednesday 28th April and is advertised as taking place on a weekly basis. This has taken place without public consultation and before this premises license has been discussed nor granted.

Details the Licensing Section has received this form you will receive a written acknowledgement. Your representation will be forwarded to the applicant and/or their representative who may contact you in order to discuss your representations.

This form must be received by the Licensing Authority within the statutory representation period.

Signed:

PRINT NAME: MATTHEW HARNDEN

Date: 29th APRIL, 2021

Please return this form to the following address:

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

Or by email licensing@south-derbys.gov.uk

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



South Derbyshire
District Council

- 4 MAY 2021

Legal and Democratic Services

SOUTH DERBYSHIRE DISTRICT COUNCIL

Licensing Act 2003

Representation by an 'Other Person' as defined by the Act

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.

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Your personal details will be redacted in the Licensing and Appeals Sub-Committee report.

An 'other person' 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
- 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. This period is reduced to 10 working days for minor variations applications.

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 Licensing Authority by the Magistrates Court, starting on the day after the day the notice was received.

Please enter your contact details below: -

Name:	MRS R.A. FARMER
Address:	
Postcode:	
Tel:	
E-mail:	

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

Name:	
Address:	
Postcode:	

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

Name of Applicant:	ROGER HOWE
Address of Premises	STABLES AREA AT MALBOURNE HALL AND MELBOURNE HALL EVENTS.
Application Details:	TO HOST EVENTS AT ABOVE PREMISES INCLUDING ALCOHOL & LIVE ENTERTAINMENT.

Please give details of your representation and evidence supporting 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**



Details of representation (please use additional sheets where necessary)

PREVENTION OF CRIME & DISORDER.

With the proposed attendance allowance at these events it is inevitable that an increase in crime and disorder will take place. The sale of alcohol until late in the evening will surely intensify this problem.

PUBLIC SAFETY.

Melbourn is a small village with very narrow streets and an already horrendous parking problem. It is already hazardous to cross the roads and allowing people in these vast numbers will create an impossible situation regarding parking in the village.

PREVENTION OF PUBLIC NUISANCE

We already have a noise problem in the village because of low flying aircraft and the noise generated by motorbikes from Donnington Park. We should surely not have to also put up with live music playing in the village until late into the evening. The consumption of alcohol by groups of young people, not from the village, at evenings and weekends is also a problem which is increasing. Allowing vast numbers of people to consume alcohol is only going to make this problem even worse.

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

The PROTECTION OF CHILDREN FROM HARM .

Allowing these types of events in such a small village will inevitably bring into the village all types of people. Some of which could have a tendency to harm or abduct children.

The parking will also have a danger to children either riding their bicycles or just crossing the roads.

Once the Licensing Section has received this form you will receive a written acknowledgement. Your representation will be forwarded to the applicant and/or their representative who may contact you in order to discuss your representations.

This form must be received by the Licensing Authority within the statutory representation period.

Signed:

PRINT NAME: E. A. FARMER

Date: 30 APRIL 2021

Please return this form to the following address:

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

Or by email licensing@south-derbys.gov.uk



SOUTH DERBYSHIRE DISTRICT COUNCIL

Licensing Act 2003**Representation by an "Other Person" as defined by the above Act.**

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.

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

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- A body representing a person e.g. Solicitor
- A person involved in a business
- A body representing a business

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

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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.

Please enter your contact details below: -

Name:	Martin Gilchrist
Address:	
Postcode:	
Tel:	
E-mail:	

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:	
Address:	
Postcode:	

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

Name of Applicant:	Roger Lowe
Address of Premises	Unit D, Melbourne Hall Visitors Centre, DE73 8EN
Application Details:	licence for events in courtyard and sale of alcohol

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

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

Details of representation.....

I would like to raise some concerns regarding this application which I believe may be misleading to Melbourne residents & the SDDC:

- Whilst the Notice states alcohol will be sold on premises between 1000 to 2100, I can see the Application states that this may be extended to 2230hrs which fits in more with the premises closing time of 2300hrs suggesting that more often than not alcohol would be sold to the later time.
- The Notice states the number of events through the year will be limited to 20 whereas the Application makes no reference to this limitation. The omission of this statement in the actual Application would not restrict the applicant to the number of events he could open for for the sale & consumption on the premises. This would essentially be handing him the ability to operate a pub with both indoor and outdoor seating he could run on a daily basis.
- The Application on the one hand states that no monitoring of sound from PA systems will be needed as live music etc will be done indoors. However, it states that recorded music will be played both indoors and outdoors. The indoor area where events are planned is relatively small compared to the proposed outdoor seating area. It seems likely that the applicant intends to provide entertainment to potentially a large number of people outdoors.

The above has the potential to provide problems through:

- Noise nuisance to nearby residents.
- Disorderly behaviour from drunken people leaving the premises, especially if large numbers are catered for in outdoor seating.
- There is limited parking outside the Courtyard at Melbourne Hall. Surrounding roads are usually congested from resident parking. Additional parking from large numbers of people attending this facility will place a further burden on local parking and has the potential for impacting on public safety for pedestrians using the immediate & surrounding area.

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

I would like to see the parameters of the Application and any Licence granted to be tightened as follows:

1. The number of events and opening of the premises for consumption of alcohol through the year to be limited to a reasonable number of days/ evenings. 715 times?
2. A definite cut off time for sale of alcohol for consumption on premises to be limited to 2100hrs with an earlier closing time of perhaps 2130hrs or 2200hrs to avoid alcohol being continued to be consumed up to their planned closing time of 2300hrs
3. Some thought to the maximum number of attendees to reduce impact from drunken behaviour & the parking issue

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.

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

Please tick this box if you would like to remain anonymous

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:

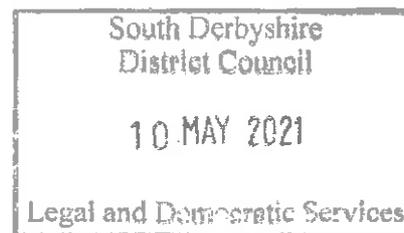
PRINT NAME: **Dr A Martin Gilchrist**

Date: **9th May 2021**

Please return this form to the following address:

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

Or e-mail the completed form to licensing@southderbyshire.gov.uk



SOUTH DERBYSHIRE DISTRICT COUNCIL

Licensing Act 2003

Representation by an 'Other Person' as defined by the Act

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Your personal details will be redacted in the Licensing and Appeals Sub-Committee report.

An 'other person' 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.

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2. Public Safety
3. Prevention of Public Nuisance
4. The Protection of Children from Harm

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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 Licensing Authority by the Magistrates Court, starting on the day after the day the notice was received.

Please enter your contact details below: -

Name:	PATRICK LAVIN
Address:	
Postcode:	
Tel:	
E-mail:	

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

Name:	
Address:	
Postcode:	

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

Name of Applicant:	ROGER LOWE
Address of Premises	THE OLD STABLES (STABLES ALES)
Application Details:	MELBOURNE HALL EVENTS.

Please give details of your representation and evidence supporting 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**



Details of representation (please use additional sheets where necessary)

① Many vehicles left unattended on the roadside, or parked indiscriminately, would more than likely encourage car criminals to steal.

The sale of alcohol could fuel people to be rowdy, noisy and argumentative, especially if cars had been damaged.

② High volume of traffic on the already narrow heavily congested road, with little of no pavement would be a danger to pedestrians, including young children who may be visiting the local pool area.

The roads are already difficult to negotiate with parked vehicles.

③ Excessive noise pollution from music festivals would interfere with local residents enjoying their own garden area in the summer months, and would drown out the wonderful bird song.

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

Once the Licensing Section has received this form you will receive a written acknowledgement. Your representation will be forwarded to the applicant and/or their representative who may contact you in order to discuss your representations.

This form must be received by the Licensing Authority within the statutory representation period

Signed:

PRINT NAME: *PATRICK JOSPEL LAMIN*

Date: *5-5-2021*

Please return this form to the following address:

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

Or by email licensing@south-derbys.gov.uk

South Derbyshire
District Council

10 MAY 2021

Legal and Democratic Services

To: Licensing Authority,
South Derbyshire District Council
Civic Offices,
Swordwick,
Derbyshire

3rd May, 2021

Dear Sir/Madam,

Re application by Roger Lowe for
licensing consent in the premises of Melbourne
Hall, Melbourne, Derbyshire - wishing to sell
alcohol inside and outside premises in Melbourne Hall
I Craft Centre and have loud live music.
I wish to raise objections in the strongest
terms to the proposal made by Roger Lowe
to open a business/ outside the buildings in the
Complex adjacent to Melbourne Hall as a pub.
My objections are that such a development is likely
to provoke disorder and problems in the environs
of the Hall, impose noise and anti-social
behaviour on the immediate vicinity of the Hall
and impose a very different atmosphere on
a formerly peaceful and civilised environment
simply for financial gain.
There is no benefit for the town in

2.

turning the Hall's buildings into another Public House. There are already two Pubs within 200 yards — the Spirit Vaults and The Swan. We have no need of another.

Mr. Lowe asks for permission to have music played outside as well as inside. The proposed site has one of Melbourne's most pleasant residential areas surrounding it. These houses have sleeping residents who include children, directly opposite, as well as a residential home for the elderly 200 yards distant and a housing complex for retired people. The provision of a public house in the Hall buildings will inevitably provide disorderly conduct — including noise and shouting — every night of the week during the summer months — when residents will want their windows open.

Immediately behind the proposed site is Melbourne Pool — a deep and dangerous place which has sadly claimed lives in the past. Young people have been tempted to swim in it or skate upon it — sometimes with fatal consequences. Children will play here attracted by the ducks — as their parents drink

8.

The only parking for the premises is in Church Square, often filled to capacity at night with the church congregation attending concerts and social events. Competition for parking spaces is already fierce in the town, provision in Castle Square and Church Square, already used by existing institutions.

If the clientele of the proposed new premises find a parking space close by the Hall (on the verge, pavements or private drives) they will then move to other pubs in the village and the bar will have an ambulant circulation of drinkers out after closing time. Those of us who have lived near pubs are aware that closing time in the licensed premises is not the end of noise, fighting, car doors slamming, arguments, shouted mobile phone calls, taxis arriving and vomit. These are nuisances beyond licensing hours and, with the provision of outside facilities, often involving children, especially on Saturday and Sunday afternoons.

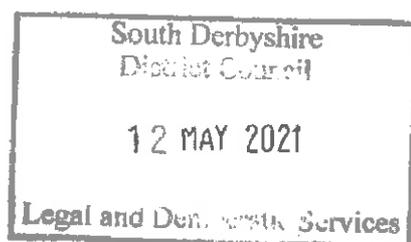
There is not a prettier or more architecturally sensitive group of buildings

4

There are grade One and two-star listed buildings — with the church listed as one of the finest Romanesque buildings in England. There are five licensed premises within a five minute walk from the Hall. We do not need any more, particularly with noise and raucous behaviour all evening. At least the other licensed premises contain their drinkers indoors.

South Derbyshire suffered a great deal of deprecation in the Industrial Revolution — making Melbourne a rare architectural and archaeological survival which should not ~~be~~ be sacrificed to commercial advantage. Further up the village there is a public house which offers drinkers (and smokers) the chance to sit outside. It is almost a no-go area on weekend evenings and a place of noise and conflict. Have we not learned what to protect in our community?

I strongly object to the Plans B license outdoor drinking in the premises on the town,



The Licensing Officer

South Derbyshire District Council

Civic Way

Swadlincote

Derbyshire

Dear Sir/Madam,

Re: Licensing Application by Mr Roger Lowe for (Stable Ales) The Visitors Centre, Melbourne Hall, Church Square, Melbourne, Derbyshire, DE73 8EN

I wish to object in the strongest terms to the licensing application for the above premises. I will objectify my principal reasons in four categories: namely, **The Protection of Children from harm, the Prevention of Crime and disorder, Public Safety and the prevention of Public Nuisance.**

Public nuisance is inevitable if licensed premises are to be introduced into a group of listed buildings which have been residential for a thousand years and adjacent to the Parish Church which is over a thousand years old. This area is famous throughout Derbyshire as a place of peace, tranquility and great charm. This will not be enhanced with the addition of live music and the sale of alcohol to be consumed away from the bar.

Immediately across the road from the intended premises are residences containing families some of which have children. The noise of music and people drinking alcohol will inevitably affect these near residents and their children. The licenced premises will also complete a triangle of public Houses in the immediate vicinity around which a travelling drinking population will inevitably circulate into the late hours and will gravitate towards the premises which offers late night smoking outside. It will be these premises. Groups of youths will make their ways to this public House for late night drinking, purchase their alcohol for last orders and disappear into the park to continue the evenings celebrations. Past experience from groups in Melbourne has included drug 'taking, binge 'drinking and disorder, continuing until the early hours. It matters little if the premises have closed. Some of the drinkers they create will continue celebrating in the vicinity. There is a residence for old people immediately over the wall which contains many who are infirm and confused. They have a right to expect to live unmolested at night as do the residents of Melbourne across the other boundary of the proposed premises.

Public Nuisance will also include the chaos which must come as so many people struggle to find a parking space in a medieval constricted town. Church square has the only nearby parking, which is often filled with guests attending functions in the church, or even when bell ringers are present each week. There is no space in Church Square since the few remaining spaces are used by residents of the Hall who live in cottages provide by the Hall. They also have families including old and sick people, but it is unlikely that these tenants of the Hall will ever complain. Nevertheless, the competition for car parking spaces will be fierce and bring the noise of departing drinkers across half the town. I can speak from personal experience having lived in my house for thirteen years on such nights when we have also experienced vandalism and theft.

It is our experience in Melbourne that children below the age of sixteen might often be found in states of drunkenness after their parents/or friends have bought them alcohol to be consumed in the park behind the Hall, away from supervision. This is often bought for them from shops by older characters who then pass it on to their younger friends. In all cases the owners of such businesses claim that they have been trained to make sure this does not happen. Sadly, it has proven almost impossible to prevent this abuse, particularly when relying of younger less experienced bar staff. There will be drunken youngsters around the pool which is deep and dangerous and has claimed lives.

If parking is to be attempted anywhere else, then the drinkers intending to visit these premises will need to cross the road too and from this place. Crossing the road by the Hall is dangerous and particularly so when judgement is impaired by drink and when hearing is impaired by loud music. Experience of living in this place has shown us that very few additional guests can mean a noticeably pressing problem of overcrowding, noise and offence behaviour from those seeking a parking space. Parking in Castle Square will bring drinkers into conflict with those attending the Swan Public House and Harpurs Public House.

I have experience of watching (Curleys) Wine Bar descend into a place of drunken and dangerous behaviour leading to its eventual closure. Licensing Councillors had been promised a sophisticated client base and atmosphere where the staff would be trained to a high degree. Eventually All management broke down. I note that Mr Lowe makes the same promises.

We will not benefit as a town from another pub we already have a significant level of public disorder on Friday and Saturday nights. All our Public Houses show evidence of drug taking. This ancient place, with its grade 1 and 2 star listed buildings should be protected and not exposed to this money 'grabbing search. We appeal to planners to protect what remains of our peace, dignity and security and resist yet another plan to make money at our expense. Most of us that live in this vicinity have retired and chosen to live in a quiet part of the town. We ask for the protection of councillors and note that Mr Lowe has begun to advertise, comedy concerts from these new premises, beginning in July of this year.

He is already very confident that you will not stand in his way.

I am happy to appear to any tribunal to defend my observations.

Yours sincerely

Lynne Williams



SOUTH DERBYSHIRE DISTRICT COUNCIL

Licensing Act 2003

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- A body representing a business

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- 2. Public Safety**
- 3. Prevention of Public Nuisance**
- 4. The Protection of Children from Harm**

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Please enter your contact details below: -

Name:	Gemma Grant
Address:	
Postcode:	
Tel:	
E-mail:	

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:	
Address:	
Postcode:	

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

Name of Applicant:	Roger Lowe
Address of Premises	Unit D Melbourne Hall Visitor Centre Melbourne DE73 8EN
Application Details:	Supply of alcohol on and off premises, including license for an outdoor seating area

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

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

Details of representation.....

Provention of public nuisance and the protection of children from harm

I object to the application for any music both live and recorded in the outdoor seating area. It is next door to a residential area and my house is within a few meters of the proposed outdoor area. Any music outdoors would create a public nuisance to all people living in close proximity and would cause harm to the 3 children in our home. The proposed site is in a conservation area which my property is also in. We have a listed building that prevents us from having any noise protection in the form of double glazing. The noise would cause a nuisance and disturb my children preventing them from being able to sleep in their own home. I do not object to the application for music inside the building and would be in support of that.

The supply of alcohol application would affect and pose a risk to all of the following:

- the prevention of crime and disorder
- public safety
- prevention of public nuisance
- the protection of children from harm

due to the length of hours requested it would be the only venue allowed to sell at all hours of the day and night and therefore there would be people causing a disturbance in a residential area and there would be risk of groups gathering, noise disruption and inevitably where alcohol is involved poor behaviour

The Chip and Pin another small and similar business was not allowed a license past 9pm to sell alcohol for these reasons and I would expect the same rules to be applied. There is already an advertismment and sales happening on the internet for 3 comedy outdoor events this is totally unacceptable next door to residential properties due the public nuisance from the noise pollution and offensive language that is inevitably going to come from both the comics and public next door to where very young children live.

The application for the venue to be open to the public between the hours of 8:00 and 23:00 would affect and pose a risk to all of the following:

- the prevention of crime and disorder
- public safety
- prevention of public nuisance
- the protection of children from harm

due to the length of hours requested it would be the only venue allowed to sell at all hours of the day and night and therefore there would be people causing a disturbance in a residential area and there would be risk of groups gathering, noise disruption and inevitably where alcohol is involved poor behaviour will occur.

The Chip and Pin another small and similar business was not allowed a license past 9pm to sell alcohol for these reasons and I would expect the same rules to be applied. There is already an advertismment and sales happening on the internet for 3 comedy outdoor events this is totally unacceptable next door to residential properties due the public nuisance from the noise pollution and offensive language that is inevitably going to come from both the comics and public next door to where very young children live.

Section 18 it states that public safety will be maintained by limiting any movement of stock to prior to 23:00 in a residential area deliveries and movement of stock outside of the standard working day 09:00 to 17:00 would cause a public nuisance and pose a risk to my children coming to harm caused by the traffic and noise when they are trying to go to bed.

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

The application for the provision of live and or recorded music must be limited and amended to indoors only to prevent both a public nuisance and prevent local children coming to harm.

The application for alcohol sales from 00:00 to 00:00 must be amended to 10am - 9pm to limit public nuisance, protect children from harm, limit crime and disorder and for general public safety. Events of any nature should be limited and restricted to 9pm also due to the residential nature of the venue.

To prevent a public nuisance the movement of stock and deliveries must be limited to standard working hours of 09:00 to 17:00

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.

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

Please tick this box if you would like to remain anonymous

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: Gemma Grant

PRINT NAME:

Date: 12th May 2021

Please return this form to the following address:

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

Or e-mail the completed form to licensing@southderbyshire.gov.uk



SOUTH DERBYSHIRE DISTRICT COUNCIL

Licensing Act 2003

Representation by an 'Other Person' as defined by the Act

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- A body representing a person e.g. Solicitor
- A person involved in a business
- A body representing a business

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

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Please enter your contact details below: -

Name:	Dot Devey Smith
Address:	
Postcode:	
Tel:	
E-mail:	

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

Name:	/
Address:	/
Postcode:	/

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

Name of Applicant:	Roger Lowe (for Stables Ales [sic])
Address of Premises	Unit D Melbourne Hall Visitor Centre, Melbourne, Derbyshire
Application Details:	Application for a premises license for licensable activities for Stables Ales [sic] whose business premises are listed at Melbourne Hall, Melbourne, Derbyshire.

Please give details of your representation and evidence supporting your representation in the box below. Indicate which of the licensing objectives your representation refers to by ticking the relevant box/es:

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

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

Details of representation (please use additional sheets where necessary)

I do need additional sheets on which to set my representation for the four Licensing Objectives.

For your reading convenience, you'll find all fo that representation together in the added pages following this page (Page 4) and your Page 5.

No pages are missing from your form,

All requested information has been supplied. Again, to ease your reading each of the four Licensing Objectives has been clearly identified in the inserted pages.



Details of representation

Stables Ales .[sic]

1. The prevention of crime and disorder

The issue:

If this business is properly and legitimately run, the potential for crime should be at the bottom end of a scale of likelihood. Of greater concern would be the potential for disorder that could be fuelled by alcohol consumption, whether indoors or out.

The business of Stables Ales [to use the name as provided on the application] is the sale of alcohol, doing so in immediate proximity to a residential area.

Under its current off-sales license it can sell alcohol to consumers who can then consume it in the courtyard. Stables Ales is seeking through this application to expand its activities to permit customers to drink on the premises as well as off - and to serve those drinks. As further enticement it wants also to broadcast music both inside and outside.

By applying to do these things, Stables Ales is declaring its intention to entice more clients to its premises, and then to **entice them to drink more at a sitting than they do now**. Inevitably, that will increase the potential for public disorder, both on and off the premises. Alcohol-fuelled temperaments colliding in parking areas would add increase yet more the potential for public disorder both there and subsequently on the streets and pavements in and around Melbourne, whether or not actual drunkenness existed.

As noted by Alcohol Change UK:

"The relationship between alcohol and violence is complex. Drinking does not inevitably lead to violent behaviour, and most episodes of drunkenness pass without any violence. However, by lowering inhibitions and impairing judgement alcohol can increase both aggression and the willingness to take risks." [<https://alcoholchange.org.uk/alcohol-facts/fact-sheets/alcohol-crime-and-disorder>]

The concept of promoting that situation in a residential area is deeply flawed.

If Stables Ales continues its business as-is, the likelihood of public disorder resulting from it should be minimal. But the proposed changes requested in this application would change the situation starkly, and therefore the license to so do should not be granted.

2. Public safety

The issue:

The entertainment venue that Stables Ales proposes would introduce additional parking needs and traffic concerns to an area that's already busy and that has a high pedestrian

volume across all ages. Particularly because alcohol would be involved, the likelihood of vehicular and pedestrian accidents at or near the area would escalate, especially for the young, the elderly, the disabled, and distracted people of all ages.

Parking

- ✓ Where will **Stables Ales'** customers park?
 - Within **Melbourne's** ordinary life, there **is little spare space** on the streets. In fact, part of the village charm is its narrow streets full of character.
 - In the evening the parking area at Church Square is little used, but during the day and especially on weekends it is crowded with those who go there routinely, either on business or for leisure, leaving little to no spare space for further parking.
 - The adjacent and nearby streets have competition in the evenings in the minimal available space from other several village drinking establishments. Eating [and eating/drinking] establishments at the top of Church and Potter Streets add their own demands on the limited spare spaces.
 - Safe passage along and across these streets is imperilled when there are few or no open parking spaces to maximise the lines of sight for both drivers and pedestrians.
 - Covid adds to the danger because all of Melbourne's pavements are too narrow to permit socially-distanced passage. When parties approach each other, one or the other must step between cars or into the street to leave space for the other to pass by. That isn't always either easy or possible. When visibility and space are minimised by crowded parking, it is outright dangerous. Covid cautions will remain wise, and may also be necessary, for an unknown time into the future. They must be taken into account.

Traffic

- ✓ The intersection at the approach to Church Square, which is the access way to Stables Ales, needs not an ounce of additional traffic brought by a venue whose viability depends on alcohol consumption.
 - The broad intersection at the entrance to Melbourne Hall through Church Square, which is the entrance to Stables Ales, requires vigilance at the best of times. In addition to cars, SUVs, etc, Melbourne's everyday wheeled traffic ranges from skateboards to prams to mobility devices, to buses to coaches; from tradespeople's vans to delivery and moving vans, and all types in between. Some are small and not easily seen or manipulated. Others are huge and leave bare inches on either side of themselves. All require attention not only by their operators, but also by other drivers and by pedestrians. Would that all gave their movement and

their presence 100% attention at all times, but such is not human nature.

- From East Midlands Airport and other points east, traffic funnels rapidly into that intersection from the winding two-lane road that becomes Blackwell Lane, skirting the northern wall of Melbourne Hall. And, of course is also takes exiting traffic in that direction.
- Traffic feeding in from the west, crossing Melbourne's main street, works its way down Church Street to that intersection. Drivers having traveled fairly slowly to that point can be tempted to start speeding up as they approach the passage out of town.
- Complicating the intersection is Castle Street, whose curve and parking areas can obscure the approach of cars, vans, trucks, and busses from certain angles and specific areas until they're quite close, especially for people whose reaction times are not fast. Either that street or Melbourne's main street, Derby Road brings traffic from the north. This is especially so when the parking area of Church Square is full, and even more so when it's overflowing.
- Pedestrians must be careful to clear from all three directions before crossing to or from Church Square, which leads to the entryway to Stables Ales. During the day, the parking area at Church Square is often busy. It is particularly so on weekends. Adding more traffic to that area on the basis that Stables Ales proposes is highly unwise, to put it charitably.
- Coming perpendicular into that intersection is Castle Street, whose bend before that intersection reduces the visibility of oncoming cars, trucks, and buses from certain angles. Especially when traffic already is arriving at that intersection from other directions, those in the intersection or about to cross it can become confused at a dangerous place. Adding yet more traffic to this area is asking for accidents to happen.
- The walk around the Melbourne Pool and the across the trails that lead off from there are popular with all ages, including families with young children. Additional traffic bent on the increased consumption of alcohol on the premises beyond where it is now would not be a good mix with that long-established usage.

3. Prevention of public nuisance:

The issue:

The entertainment venue that Stables Ales proposes has a high likelihood of creating a public nuisance on several levels for the area's residents.

Noise Nuisance:

I am aware that no license is now required for any applicant to play unamplified live

music between 08:00 & 23:00 on any day.

And that on premises authorised to sell alcohol for on-site consumption, no license is required for playing **either live or recorded music any day during those hours for an audience not exceeding 500.**

However, in both cases the licensee also has an obligation not to cause a public nuisance. [*Licensing Act 2003*].

Specifically, Section 11.2 within Section 11, Prevention of Public Nuisance In the *Statement of Licensing Policy 2021-2026 [Licensing Act 2003 Statement of Licensing Policy]*, states that the applicant should 'Prevent noise and vibration escaping from the premises'.

So please note this:

The Stables Ales application states In its Section 10 that live music **will** be "played within the stable block. **We are not proposing for live music to be played outdoors so are not predicting this will generate a nuisance or require a NMP or monitoring to take place.**"

But in fact, immediately above this statement, the business's owner Roger Lowe has specified that live music will take place **both indoors and out**. So the statement that he's made in application that he is "**not proposing for live music to be played outdoors**" is false.

There's more.

In Section 11 of the application he states that Stables Ales would:

"... play amplified recorded music to the indoor spaces & potentially to outdoor seating areas ..."

Doing so would, by definition, broadcast noise into the open air, in close proximity to residents' homes and gardens, as well as to nearby businesses. That certainly would require an NMP, regular noise monitoring, and pursuant control of its sound if it is not to infringe on the rights of those who live and/or work nearby.

Moreover, having an outdoor venue in close proximity to residents' homes and gardens obligates Stables Ales to assure that the noise from any and all of its activities, whether produced by voices or any other source, does not impinge on the rights of residents to enjoy their homes and gardens without infringement by an uninvited source.

Anyone has the right to pursue the [legitimate] business of his/her choice ... **but that right ends where others' rights begin.**

The disdain that Stables Ales shows for the rights of others is offensive. As much as its owner may wish that the facts were otherwise, he is obliged to follow the same laws and guidelines as everyone else. I trust that the appropriate authorities can and **will**

make him fully aware of that fact.

Additional nuisances

The Stables Ales application provides no restriction for the number of events which may have what the applicant calls 'requirements' for serving events at his establishment until 22:30 hours rather than the 21:00 hours he claims in the application's Section 17.

If the license were to be granted without refinement of that clause, what would stop him from carrying on his business adjacent to an entirely residential area late into the night any day of the week?

Furthermore, the events could be of any type. While in his application's Section 15 he specifies some events [tasting events and holidays], in the same place he has lodged the word 'events' without qualification.

Furthermore, as he specifies at that point 'until 22:30' as the actual hour at which he proposes to stop serving alcohol, having no limitation as to what those exceptional "events" may be puts that section in direct conflict with his claim in Section 17 that the "standard days and timings of the hours during which the premises are open to the public" will be from 08:00 to 23:00. In effect, in Section 15 he's saying that he doesn't intend to abide by the Section 17 standards.

Doing that would defy the intention and expectation that a license requires an applicant to present reasonable certainty of reasonable operating hours.

In addition, no one leaves an establishment that's serving alcohol at the moment the alcohol stops being served. So if this application is granted without change, what would prevent him from declaring that interval to be as long as he likes? What would prevent those unlimited events from going on until unknown and unpredictable hours any and all days of the week?

With arguably extremely few exceptions – if any – those of you who are reading this would find it unacceptable for any applicant to use his application to circumvent the intentions of the Licensing Authority.

You would also find it unacceptable in your neighborhood to have your late-night and early-morning peace disrupted at all hours, throughout the week as well as on weekends, by cars and people leaving an alcohol-serving place in whatever condition they might be – a situation known far more for being noisy than not, however full of good spirits any given leaver may be at that moment.

As unacceptable as that would be in your neighbourhood, it would be equally unacceptable in the neighbourhoods in proximity to Stables Ales.

4. The protection of children from harm:

The issue:

Children and alcohol are not a good mix.

The objections stated above include some of the reasons why permitting Stables Ales to entice more people to drink more on its premises in a location neighboring that used frequently by children of all ages is an imprudent and potentially dangerous notion. In fact, Stables Ales specifies that it intends to *attract* children specifically to its premises under those circumstances.

Any parent knows full well that children are influenced far more by what they see, hear, and otherwise are exposed to than by what anyone tells them. This application would permit Stables Ales to entice them into a situation where they would be watching more adults drinking more at a sitting even than they do now. Being exposed to the untoward behaviour that can result from that would be yet another imprudent lesson to present to them. But drinkers don't need to be obviously drunk to negatively influence youngsters who are in their presence.

At least with its present license, drinking is likely to stay within better boundaries at Stables Ales.

There is not yet any apparent reason to ask that that license be withdrawn. But there are numerous substantial reasons why Roger Lowe / Stables Ales should not be granted the license that this application asks for.

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

Once the Licensing Section has received this form you will receive a written acknowledgement. Your representation will be forwarded to the applicant and/or their representative who may contact you in order to discuss your representations.

This form must be received by the Licensing Authority within the statutory representation period.

Signed:

PRINT NAME:.....

Date:

Please return this form to the following address:

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

Or by email licensing@south-derbys.gov.uk

Licensing Act 2003**Premises Licence Application – Stable Ales****Notification to Local Authority of agreement regarding Representations**

To: Licensing Authority Office

Date: 07/05/21

Dear Sir/Madam

I write in my capacity as the applicant in relation to the above matter. Discussions have taken place with the Derbyshire Constabulary in relation to the promotion of the licensing objectives.

I would like to add the following conditions to my application:

Please see attached conditions.

Please accept this notice as formal request to amend my application/operating schedule in accordance with the above and note that I agree to these conditions being attached to the premises licence. Furthermore, I confirm that I do not consider a hearing to be necessary.

Signed.. Name in block capitals : **ROGER LOWE**Date..... **12/05/21**

Proposed Annex 2 conditions Stable Ales, Melbourne Hall

1) Full training shall be provided to all staff on commencement of employment relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods.

- a. Refresher training shall be provided at regular intervals – at least every 6 months.**
- b. Records detailing the training provided shall be kept on the premises for production upon request of a Police Officer or other authorised person.**
- c. All records must be written and shall be retained on the premise for a minimum of 12 months.**

2) A challenge 25 Proof of age scheme shall be operated at all times.

- a. Anyone attempting to purchase alcohol (or other age restricted product) that appears under the age of 25 years shall be asked to produce a proof of age.**
- b. The only acceptable forms of identification shall be:**
 - PASS – accreditation proof of age card.**
 - Photo Driving Licence.**
 - Current Passport.**
 - Her Majesties Forces ID Card**
- c. Clear, prominent and unobstructed signage informing customers of the proof of age scheme in operation, shall be displayed within the premises.**
- d. A system of recording sales refused under the proof of age scheme shall be operated at all times.**
- e. The refusal book/log shall be kept on the premises for production upon request of a Police Officer or other authorised person as detailed within Section 13 of the Licensing Act 2003.**
- f. The records relating to the refusal book/log shall be retained on the premises for a minimum of 12 months.**

3) The DPS shall ensure that a written incident log is maintained within the premises and details of all incidents are recorded within the log. This log shall be kept on the premises for a period of not less than 12 months and shall be produced upon request of a Police Officer or other authorised person.

4) The DPS shall ensure that a written Refusals log is maintained within the premises and details of all challenges and refusals are recorded within the log. This log shall be kept on the premises for a period of not less than 12 months

and shall be produced upon request of a Police Officer or other authorised person.

5) The Premises Licence Holder shall devise and adhere to a drugs policy when the premises are open for licensable activities.

- a. Training in this policy shall be given to all staff working at the Premises and records shall be kept for a period not less than 12 months.**

6) The Premises Licence Holder or nominated person shall ensure that clear, prominent and legible notices are displayed internally at all exits, requesting customers and other users to leave the premises and the area local to the premises, quietly and in an orderly manner respecting the needs of local residents.

7) A CCTV system shall be installed at all times and the recording system must be maintained in good working order and any faults repaired as soon as possible. (It is recommended that all maintenance paperwork be kept to show that the retailer has shown all due diligence in maintaining the system).

- a. The CCTV recording system must be operating at all times when the premises are open for licensable activities.**
- b. All CCTV recordings must be retained for a minimum of 28 days. These images must be available for viewing at any reasonable time upon request of a Police Officer or other authorised person as detailed within Section 13 of the Licensing Act 2003.**
- c. The Premises License Holder, Designated Premises Supervisor or person in charge of the premises must be able to retrieve and copy any recording/images at the time of asking or within 48 hours if so required. (The police will not meet the cost for a recording or materials used for a reproduction of the image in respect of any crime and disorder; all costs are to be met by the owner of the system. If the incident was unrelated to the premises, the retrieval, if a cost incurred, would be met between the agencies requiring the image).**
- d. The CCTV recording unit is to be kept secure, to be opened only by the Premises Licence holder, Designated Premises Supervisor, or authorised, designated member of staff.**
- e. Installed CCTV cameras are to be positioned so as to ensure that all parts of the premises to which the public has access are sufficiently covered (save for any toilet areas).**
- f. All cameras installed will be of a standard that will offer optimum image quality in low light.**

g. All digital recordings to be made in real time (time lapse not to be used).

8) No customer shall be allowed to remove any alcoholic or other drinks from the licensed area of the premises in an open container (e.g. glasses and open bottles) unless to an external area set aside for consumption indicated on a plan.

9) Anyone under the age of 16 must be off the Premises by 2200hrs. Unless at a pre-arranged function.

10) No sale of alcohol shall be made for consumption on the premises or immediate surrounding area (within the grounds of Melbourne Hall) after 2230hrs daily.

11) Customers consuming alcohol outside in the courtyard area must be seated at a table at all times.

Licensing Act 2003
Premises Licence Application - Stable Ales, Melbourne
Notification to Local Authority of agreement regarding
Representations

To: Licensing Authority Office

Date: 13/05/21

Dear Sir/Madam

I write in my capacity as a Police Licensing Enforcement Officer for Derbyshire Constabulary

Discussions have taken place with the application in relation to the promotion of the licensing objectives.

I understand that the applicant has formally amended their application to include the following conditions:

Please see attached conditions.

On this basis, please accept this notice as formal notification to withdraw my representation to the above premises licence application. Furthermore, I confirm that I do not consider a hearing to be necessary.

Signed... G.Fowler.....Name in blockP.C. 3492 G FOWLER.....

Date... 13/05/21.....

Proposed Annex 2 conditions Stable Ales, Melbourne Hall

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- f. All cameras installed will be of a standard that will offer optimum image quality in low light.**

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9) Anyone under the age of 16 must be off the Premises by 2200hrs. Unless at a pre-arranged function.

10) No sale of alcohol shall be made for consumption on the premises or immediate surrounding area (within the grounds of Melbourne Hall) after 2230hrs daily.

From: [John Williams](#)
To: [Faye Norman](#)
Subject: Fwd: Pavement to proposed parking field on Blackwell Lane, Melbourne.
Date: 03 June 2021 12:45:15

To whomsoever it may concern :

This narrow and restricted path, on the fast bend on a main road, is the proposed pedestrian route ,past residential houses ,for up to 500 customers of events at Melbourne Hall departing at the same time after conclusion of entertainment.At the narrowest point the path does not support two pedestrians side by side.

JWilliams. [REDACTED] [REDACTED]

Sent from my iPad

Begin forwarded message:

From: John Williams [REDACTED]
Date: 3 June 2021 at 11:24:46 BST
To: John Williams [REDACTED]
Subject: Pavement



Sent from my iPhone

30



From: [John Williams](#)
To: [Faye Norman](#)
Subject: Fwd: waterlogged field in late May , proposed as parking for hundreds of guests attending Hall functions.
Date: 03 June 2021 12:45:17

The field grows tussock grass and plants which indicate boggy and swampy conditions.
The Allotment society refused to have the ground as too waterlogged.
JWilliams, [REDACTED] [REDACTED]

Sent from my iPad

Begin forwarded message:

From: John Williams [REDACTED]
Date: 3 June 2021 at 11:22:45 BST
To: John Williams [REDACTED]
Subject: Field



Sent from my iPhone



From: [John Williams](#)
To: [Faye Norman](#)
Subject: Fwd: Entrance to the proposed parking field....Blackwell Lane, Melbourne.
Date: 03 June 2021 12:45:19

To whomsoever it may concern.

This photograph is the ramped entrance for upto 500 people proposed by the Hall into the parking field. The road is dangerous and has a fast curve.

J.Williams.

Sent from my iPad

Begin forwarded message:

From: John Williams [REDACTED]
Date: 3 June 2021 at 11:25:48 BST
To: John Williams [REDACTED]
Subject: Entrance



Sent from my iPhone



License Objections Arguments for Hearing June 8th

The prevention of crime and disorder

There is no doubt that an additional licensed premises will lead to more crime and disorder in the area. There is already evidence that Stable Ales cannot control the license they have as Mr Lowe has already been warned about patrons leaving the courtyard events drinking alcohol from open containers. I have personally witnessed people leaving the venue and crossing the road in front of my property with bottles in hand on the Wednesday evening courtyard events. In Mr Lowe's previous successful application in October 2020 he stated in **section 18 Licensing Objectives for part b) The prevention of crime and disorder** that 'alcohol sold is intended for home consumption and will not be permitted within the premises of Melbourne Hall Estate'. This license was granted based on this being how they would prevent crime and disorder yet have already on a regular weekly basis gone directly against this. How are we to be able to rely on the licensing objectives and the licensing panel to protect us from this? The most recent application that I am objecting to today has no material steps documented in this area other than challenging age which is simply the bare minimum that could be expected.

Public safety

I object to a license being granted for the outdoor area which can cater for events of up to 500 people until late evening. Any event where a mass of people will be leaving at the same time into the poorly lit and narrow roads surrounding poses a significant safety risk to the people leaving the event, local residents and cars driving along Church Street and Blackwell Lane. The parking along Church Street and Blackwell Lane is already insufficient for the number of businesses and events in the area. During even relatively quiet times the bus stop is blocked, dropped curbs are obstructed, corners are parked on and crossing and driving along the road is extremely dangerous. Blackwell Lane is also a narrow road with a narrow unlit pathway on one side only. An additional licensed premises will add to both the dangerous parking and number of people needing egress at the same time. The application has given no serious thought to parking or site egress. The proposed parking site is merely an unsuitable field that will not be used due to poor access and lack of drainage. No investment has even been suggested to turn the field into a suitable parking site. Even if the field was used, the walk to the premises is unlit, poorly paved and on the wrong side of the road. The parking for the current courtyard events is already in excess of what should be reasonably expected and the field has not been used once as an overflow car park. This clearly illustrates it is not suitable and will not be used going forward.

Photo from 12th May Courtyard event showing the bus stop on Church Street directly outside Tackle & Gun being blocked off causing danger to passengers forced to dismount the bus in the middle of the road as the bus is unable to pull in and then the passengers are crossing the road from in-between parked vehicles.



The picture below is the same street but the opposite side of the road and the car in the red oval is a stationary parked vehicle abandoned in the road, showing that people dismounting at the bus stop have to cross from directly behind a parked vehicle and cross to the pavement on the other side in between further parked vehicles.



Photo from June 1st showing the same bus stop and can see that vehicles are parked on both sides of the road leaving just enough space for the bus to drive through blocking the road to allow the passenger stood waiting to step on the bus.



Prevention of public nuisance

As outlined above, the additional car parking required and lack of investment to support this will clearly result in a public nuisance. The noise from the live music being proposed and any events of up to 500 people will be a nuisance to local residents such as myself. The noise generated as people leave an event late at night at the same time, shouting goodbyes and slamming car doors directly outside our bedroom windows. In the license application Mr Lowe states that the facility will be family friendly, I have explained in the below section why this is clearly not the case. Finally, Mr Lowe states in the application that he will undertake regular consultation with local community groups. In fact, as far as I am aware, this did not take place prior to the application being submitted. Mr Lowe did outline his intentions to us on one of our visits to his bottle shop, however, he omitted some of the more contentious details such as the late night comedy events and outside music, giving us a relatively qualified and rose tinted view of his intentions.

The protection of children from harm

As outlined above, there is a significant risk to everyone, particularly children, owing to the increase in traffic and dangerous parking that the proposed license will lead to. This is already an area where many people go for walks to visit Melbourne Hall, the Parish Church and Melbourne Pool. There is no safe place to cross the road as it is at a very busy junction and on a bus route. The parking driven directly from the courtyard events as shown in the photos make crossing significantly more risky. What will the licensing panel do to reduce this threat particularly to the many children who frequently walk and play in this area. It is a well documented fact that children have the highest risk of death when crossing the road where there are many parked cars as they are not seen and there is no where safe for them to cross. In addition, the houses in the vicinity of the hall are mostly listed and all in a conservation area. This means that residents are not permitted to make alterations to their houses such as adding double glazing. The historic single glazed sash windows on many of the properties do not block out sound and as such any noise generated in the area is clearly audible inside. The noise generated by an additional pub and the proposed music would keep children awake late (music, outside talking/ shouting both during the opening times and when people are leaving) which would affect their development and behaviour. We have three children: 9, 7 and 3 years old, all of whom have bedrooms on the front of our house directly facing the proposed premises. They all have bedtimes before the proposed closing times and would be severely impacted by the noise generated. I would like to know what the licensing panel will do to protect my children and my own mental health? In addition, in a previous licensing application, Stable Ales claimed that they are appealing to a 'wider family market' and they would under **section 18.e) of the application- The Protection of children from harm**, ensure that 'any foul language or sexual expletives are not permitted to ensure children are not exposed to this'. However, the associated courtyard events company is already promoting three nights of late night comedy with comedians (Examples: Reginald D Hunter & Rich Hall) who have all used both foul language and sexual expletives in their acts. In media articles, Mr Lowe has again stated that he is catering to a family market. However, late night comedy acts clearly contradict this.

What is acceptable

In summary I do not have an objection to a license being limited to 8pm providing that it is on the condition of amplified music only being allowed indoors. Events need further conditions around parking, public safety and noise nuisance prior to this being acceptable, they also need clear boundaries in terms of frequency and duration.

3-minute presentation for the Licensing Board, South Derbyshire District Council

Tuesday 8 June 2021

1: The prevention of crime & disorder

- If Stable Ales were to be further licensed, as this application requests, it would add a third pub within 200 yards of the Church Square/Melbourne Hall/Stable Ales intersection, to attract additional people to consume additional alcohol immediately adjacent to residential areas, at Melbourne's busiest leisure spot.
 - We don't need to speculate on what Roger Lowe's clients may or may not do either while there or while arriving or leaving. As Alcohol Change UK notes:

'... by lowering inhibitions and impairing judgement alcohol can increase both aggression and the willingness to take risks.'
 - He should know that.
 - Just as for any business, if he behaves himself as a good neighbour, including with his current license, neither he nor his alcohol business should be generating crime or disorder. However, if his or Stable Ales' actions, or those of his customers bring either crime or disorder of any level to the neighbourhood, those infringements will be recorded, and the appropriate authorities can deal with them.

2: Public safety

- **Parking**
 - Over the past few weeks, since Melbourne Hall began its Wednesday food hall events, parking on those afternoons has become a serious problem. This is in addition to the normally heavy parking pressures faced by pedestrians & drivers alike in and around that intersection and its neighbouring streets.
 - Particularly on Blackwell Lane, which is a narrow, twisting, limited-vision road, cars parking on both sides of the road for Hall-based activities block the vision of both drivers & pedestrians, turning that sector into a nightmare.
 - Exiting drivers must go nearly all the way into the road before they can see if any traffic is oncoming.
 - Pedestrians on the narrow, sloping, uneven pavement there who meet others coming toward them [especially in these

Covid times] must hope they can wedge themselves between the parked cars, with enough room for any accompanying pets [a common occurrence] to escape the traffic beside them.

- The entire rest of the area is as fraught and overrun from the remaining three directions.
- That is one event on one day. And Stable Ales is already doing business there.
- Stable Ales now proposes to attract further crowds *every day*, with particular emphasis on weekends, when the area is at its busiest. Roger Lowe has stated that most of his customers will be pedestrians. That's speculation. In fact, more people would mean yet more vehicles and yet more demand for parking in overcrowded conditions, especially in unfavourable weather. Sooner or later, stuffing the streets with yet more parked cars will lead to grief, potentially a matter of life or limb. That set-up is avoidable ... and should be avoided.

- **Traffic**

- Many business people, workers, visitors, and residents from all across Melbourne and the surrounding communities, of all ages & abilities, use that entrance area to Stable Ales daily. Many walk to there, but many more drive to it, through it, and/or past it.
- Three inherently dangerous two-lane roads intersect there, bringing fast-moving traffic from the east [the narrow Blackwell Lane], effectively single-lane traffic in large part from the west [Church Street], plus the northern-side traffic that feeds to and through the curves & bends & compromised visibility of Castle Street. Adding to that is road traffic to, from, and through the Church Square parking area, going to and from the roadway and private entrances around and beyond the Pool. All four serve assorted cars, vans, trucks, buses, and coaches plus bicycles, motorcycles, push-chairs, scooters, and a variety of other wheeled vehicles in addition to pedestrians. It is a Very Busy Place.
- Now imagine adding a flow of vehicles whose drivers and passengers are either coming to party and drink at an enhanced Stable Ales, or who are leaving after having been drinking, possibly for hours if they've stayed for a music event or other activity. Imagine that impact on the already heavy traffic situation if Stable Ales were to gain the premises license that it's seeking. Where is the wisdom in that? Surely the Council doesn't want to foster further danger there.

3: Prevention of public nuisance

- **Noise**

- The noise that Stable Ales proposes to make with its music and from its additional customers were it to have a further license would not be in isolation. It would layer atop the daily noise from cargo and passenger aircraft flying very low overhead from East Midlands Airport, and from the international race track and the entertainment venue at Donington Park, both approximately two miles west of Melbourne. Those are not avoidable. Additional noise is.
- The UK provides guidance on noise nuisance:
 - **Permitted noise levels**
 - The permitted noise level using A-weighted decibels (the unit environmental noise is usually measured in) is:
 - 34 dBA (decibels adjusted) if the underlying level of noise is no more than 24 dBA
 - [or] 10 dBA above the underlying level of noise if this is more than 24 dBA

[Source: <https://www.gov.uk/guidance/noise-nuisances-how-councils-deal-with-complaints>]

- Assuming that Roger Lowe is not intent on defying the UK Government it's interesting, as noted in my representation regarding his application, his declaration in its Section 10 that **live music will take place both indoors and out**'. He reiterates this in Section 11, declaring his intent to '**... play amplified recorded music to the indoor spaces & potentially to outdoor seating areas ...**

Yet in its Section 10 he states: '**we are not predicting that this will generate a nuisance or require a NMP or monitoring to take place.**'

As both of those cannot be true at the same time, he has therefore made at least one true statement and at least one false statement in his application.

Mr Lowe has made verbal promises that he will not create a public nuisance, violating the rights of his neighbours or other Melbourne citizens. But in writing, here and elsewhere, he has shown that he will say one thing in one place and another in another, as he find it convenient to do so.

Nothing here justifies either trust in Roger Lowe or any further licensing for Stable Ales. Rather, it demonstrates why any further licensing there could burst the seams that hold that area in a delicate balance, even

with 'assurances' to the contrary, and therefore should not be granted.
