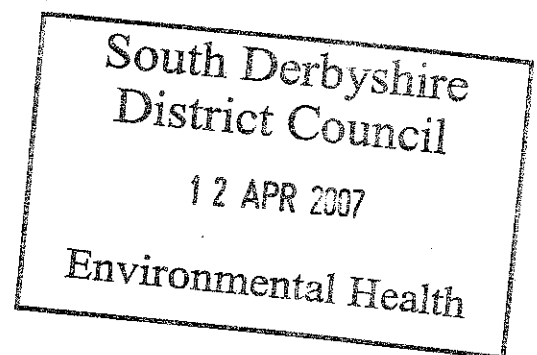


# Appendix 8





## **SOUTH DERBYSHIRE DISTRICT COUNCIL**

### **Licensing Act 2003**

#### **Representation by an Interested Party**

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

Before completing this form please read Guidance Note - *Representations by Interested Parties*. Details of where this can be obtained are set out to the bottom of this form.

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

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

- A person living in the vicinity of the premises ☒
- A body representing a person in the vicinity of the premises ☐
- A person involved in a business in the vicinity of the premises ☐
- A body representing a business in the vicinity of the premises ☐

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

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

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

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

Please enter your contact details below: -

Name:	MRS PENNY FRANCIS
Address:	1 SOUTH STREET MELBOURNE
Postcode:	DE73 89B
Tel:	01332 864685
E-mail:	

Please confirm name and address of person or business affected in the vicinity, 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 HARRISON
Address of Premises	THE ALMA INN MELBOURNE
Application Details:	NOISE NUISANCE

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

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

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

Details of representation.....

MY HUSBAND, TWO CHILDREN AND I LIVE DIRECTLY BEHIND THE ALMA INN IN FACT OUR BOUNDARY ADJOINS THEIRS. SINCE JUNE LAST YEAR THE NOISE LEVELS HAVE INCREASED. DURING THE EVENINGS WHEN THE WEATHER IS WARMER WE ARE FREQUENTLY DISTURBED BY LOW CONVERSATIONS BEING HELD ON THE PATIO AREA FROM 7PM THROUGH TO 2AM. WE HAVE BEEN WOKEN UP DURING THE EARLY HOURS TO ALMA CUSTOMERS DRINKING AND CONVERSING WITH LOW LAUGHTER AND SHOUTING OFTEN HEARING NEW DRINKS ROUNDS BEING TAKEN WHICH CONTRAVENES THE LICENSING CONDITIONS. ON SEVERAL OCCASIONS MY CHILDREN HAVE BEEN WOKEN UP BY THE CONSISTANT LOW THUMPING OF MUSIC WHICH PLAYS CONTINUALLY THROUGH THE NIGHT IN SUMMER AND WINTER AS THE ALMA WINDOWS ARE LEFT OPEN. WHEN PEOPLE LEAVE AND ENTER THE ALMA THE DOOR DOES NOT CLOSE EFFICIENTLY AND DOUBLE BANGS, AGAIN, DISTURBING US AND SOMETIMES THE NOISE IS SO LOW WE CANNOT HEAR OUR TELEVISION UNLESS TURNED UP ABNORMALLY HIGH WHICH IS IN OUR FRONT ROOM.

Representation continued.....

I AM NOT SURE IF THERE IS A SIGN ON THE EXIT DOOR ASKING THE CUSTOMERS TO LEAVE QUIETLY. THERE IS A SIGN ON THE WALL WHICH SEPARATES OUR BOUNDARIES BUT IT IS TOTALLY IGNORED BOTH MY HUSBAND AND I WORK SOMETIMES AT WEEKENDS AND WE ARE FED UP LISTENING TO THE ALMA NOISE AND

WAITING FOR CLOSING WHICH CAN BE LATER THAN 2AM

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

TO ENABLE US TO GET TO SLEEP.

Continued.....

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Please tick this box if you consent to any notice of any hearing being sent to you to the e-mail address provided by you above. ☐

Please tick this box if you do not intend to attend or be represented at any hearing. ☐

If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed: ..... 

PRINT NAME: ..... P. J. Francis

Date: ..... 10/4/07

Please return this form to the following address:

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





11 APR 2007



**SOUTH DERBYSHIRE DISTRICT COUNCIL**  
**Licensing Act 2003**

**Representation by an Interested Party**

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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:	Maria Reid
Address:	49 Derby Road Melbourne
Postcode:	DE73 8FE
Tel:	01332 804646
E-mail:	mhareid@mac.com

Please confirm name and address of person or business affected in the vicinity, 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 Hansen
Address of Premises	The Alma Inn, Derby Road Melbourne
Application Details:	Noise nuisance

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

☐☐☒☐

Details of representation.....

The conditions of the licence for the Alma Inn are consistently ignored by the current licensee as follows:

- during the "live music" nights the windows & doors are not kept closed during warm ~~weather~~ <sup>weather</sup> resulting in high noise levels during the evening.
- there is no control of noise levels within the building
- the "live music" sessions have appeared to continue beyond the 12 midnight licensed hours ~~on~~  
~~on many occasions~~
- customers park along Derby Road & leave creating noise & disturbance to residents beyond the premises!
- a tent & tables in car park & on small terrace allow drinking outside which continues past 10.30 pm.

Representation continued.....

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

Enforcement of noise limiter use or suspension of music licence.

Enforcement of limits to drinking outside past 10.30pm.

Tighter, more specific draughting of conditions to licence to prevent future licencees flouting the conditions in the same way.

Continued.....

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Please tick this box if you do not intend to attend or be represented at any hearing. ☐

If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed: ..... *J. End* .....

PRINT NAME: ..... *J. End* .....

Date: *10 April '07* .....

Please return this form to the following address:

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





South Derbyshire  
District Council

13 APR 2007

Environmental Health

**SOUTH DERBYSHIRE DISTRICT COUNCIL**  
**Licensing Act 2003**

**Representation by an Interested Party**

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Please enter your contact details below: -

Name:	William N. K. ROWLEY
Address:	63 DEERY RD MELBOURNE DE73 8FE
Postcode:	DE 73 8FE
Tel:	01332 864399
E-mail:	

Please confirm name and address of person or business affected in the vicinity, 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 HARRISON
Address of Premises	THE OLMO INN DEERY RD MELBOURNE
Application Details:	NOISE NUISANCE

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

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

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



Details of representation.....

This statement is supplemental to the representations of Mr. Roger Harrison in respect of the licence issued to the licensee of the Alma Inn, Melbourne.

My wife and I live at No 63 Derby Road, Melbourne, a matter of thirty yards from the Alma. When in late 2005 the present conditions were attached to the licence I have to say that we were very apprehensive but in fairness to the licensee the change in permitted hours was not really noticeable in the early months. There were occasional noisy departures from the premises but generally speaking at that time no worse than we had become accustomed under the regime of the previous licensee. It is also relevant that this was during winter months when we would not customarily sleep with the bedroom window open.

However this changed as the summer of 2006 advanced and it is not an exaggeration to say that noise of both "music" and departing customers became regular. This was invariably after we had retired to bed and while on a good many occasions either I or my wife put our heads out of the bedroom window to identify the source of the disturbance, neither of us were disposed to dress and go out into the street. There was one occasion in 2006 when I did try to ring the police but predictably there was no reply.

While I have not witnessed from the street customers drinking in the car-park of the Alma and in the area of the raised "staging" at the rear of the premises, it is possible without any effort to view that area from my back garden and there have been many occasions when I have seen and heard drinking and hilarity in that area from my premises. I cannot pinpoint a time for such events but it would certainly be after sundown because I have felt that it was totally unfair and inconsiderate to inflict such noise on the neighbours at 1. South Street who have young children who one would reasonably expect at that hour to be trying to sleep.

It is by no means uncommon for noise of "music" to escape from the Alma due to the windows at the front being open. I had at one time attributed such noise to the Liberal Club but on closer examination that was in error since the Club premises were not in use, evidenced by the absence of lights on the first floor. In the summer windows are regularly open to the street during the day/evening and frequently there is the noise of "music" to be heard in the street.

Representation continued.....

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

Continued.....

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Please tick this box if you do not intend to attend or be represented at any hearing. ☐

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Signed: .....

PRINT NAME: .....

Date: .....

Please return this form to the following address:

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





South Derbyshire  
District Council

12 APR 2007

Environmental Health

**SOUTH DERBYSHIRE DISTRICT COUNCIL**  
**Licensing Act 2003**

**Representation by an Interested Party**

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43.

Please enter your contact details below: -

Name:	Ms Rita Warrington
Address:	14 Haddon Drive, Gwilt Warrington Derby
Postcode:	DE74 2SU
Tel:	01332 850466
E-mail:	

Please confirm name and address of person or business affected in the vicinity, 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:	Mr Roger Hannon
Address:	34 Derby Road Melbourne
Postcode:	DE13 8FE

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

Name of Applicant:	Mr R Hannon
Address of Premises	The Alma Inn, Melbourne
Application Details:	Noise Nuisance

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

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

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

Details of representation.....

I have known Roger Harrison for approx 7 years and I regularly spend my weekends living with him at 34 Derby Rd, Melbourne.

In this time I have shared the experience of Mr Harrison in being disturbed by the excessive noise from the Alcazar.

This disturbance consists of the following:-

- \* People drinking outside the premises making noise beyond the 10.30 guideline.
- \* Live music played beyond the levels of acceptability
- \* Windows and doors particularly in the Summer are often left open during nights of live entertainment.

I am aware of the conditions of the licence and have witnessed and still continue to witness numerous occasions when these are breached.

Representation continued.....

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

N/A



Continued.....

N/A

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If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed: Peta Warrington

PRINT NAME: PETA WARRINGTON

Date: 10/04/2007

Please return this form to the following address:

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

