

Tucker Faye

From:
Sent: 14 September 2016 22:05
To: Licensing Mailbox
Subject: Amalfi White objection
Attachments: Amalfi White objection signed petition.pdf; Amalfi White license representation.pdf
Categories: Completed, Faye

Dear Sir/Madam,

Please find the attached file showing our objection to the Amalfi White's proposed changes to their license agreement.

I have also attached the supporting list of signatures obtained from local residents.

I have uploaded 5 videos to your sharefile tool. Please let me know if you have had any problems in receiving these and I will endeavour to re send them.

Kindest regards

Henry Hudson

2 South Street
Melbourne
Derby
DE73 8GB
10/09/16

Dear Sir/Madam,

We are writing to express our objections regarding the proposed alterations of the license agreement between yourselves and the Amalfi White on Derby Road, Melbourne.

In their proposal they have identified current conditions opposed on the license which they believe could be removed as a consequence of the variation they are seeking and described the steps they intend to take to promote the four licensing objectives. We believe that for the reasons stated below and the accompanying evidence, the proposed changes to the current license are detrimental to members of the local community and places local residents, especially children and those with special requirements not only at a disadvantage but in some instances at risk of harm.

Licensing objectives

1. The prevention of crime and disorder

- Owning a property within the vicinity of Amalfi White, we have experienced multiple episodes of littering within the boundary of our property. This has consisted of wine and beer bottles, easily identified as brands served within the establishment.
- Whilst Amalfi White describes themselves as providing a family environment, we find it inconceivable that the proposed change in licensing will appeal to families and is far more likely to attract a younger clientele and encourage increased consumption of alcohol therefore leading to an increase in anti-social behaviour.
- We have witnessed antisocial behaviour on numerous occasions, including physical violence, verbal altercations, an example of some of the language we have to listen to can be heard in attached video ((Friday_video_argument)), recorded on Friday 09/09/16 at around 2330), urinating on public property and extreme noise disturbance. At no time have we witnessed any staff member attempting to deal with any of these situations despite all occurring at the front of the building during antisocial hours. The application states that CCTV is present outside the building but we have never witnessed any staff members attempting to diffuse or manage any of the above situations. The license application states that Amalfi White are proposing to reduce staff training with regards criminal activity and vigilance in its prevention. We find this extremely concerning given the likelihood that the frequency of criminal activity and public disorder will increase with the increased number of patrons.
- Further to this, it has recently been reported there is an increase in local drug use and drug related criminal offences. Local newspapers have recently contained articles from local police asking for increased and continued vigilance in response to an increase in drug related charges being brought against people found committing criminal activities within the Melbourne area. It is highly concerning that this is occurring at a time when the Amalfi White proprietors are proposing to reduce staff training with regards dealing with this particular area of the law.

- We have had to complain personally on multiple occasions to the manager on duty at the Amalfi White about antisocial behaviour by patrons leaving the premises. Since making these complaints we have seen no improvement, although management assured us this would be prevented in future. Therefore the statement in section 16d that a dispersal policy is in place to ensure smooth flow of patrons leaving the premises in an orderly fashion appears defunct.
- We commonly find that the legislation regarding parking is violated in regard to our driveway and garage (see Fig 1 (light appears to be on in the photo, however this is a reflection from the flash)). This is of a particular concern to me, working as an equine veterinary surgeon who is at times on 24hr call out and requires access to parking local to my property which we have in the form of a driveway. However on multiple occasions patrons of the Amalfi White have blocked access to the garage and driveway preventing me from utilising my own property for parking and in the most severe scenario preventing me from providing emergency care which is a critical part of my job. We can be confident that the vehicles parked illegally were owned by patrons because due to our concerns we remained vigilant until the vehicles were moved.

2. Public safety

- Due to the rural position of the Amalfi White, we have concerns regarding the likelihood of extended licensing hours leading to an increased likelihood of drink driving due to the difficulty of arranging late night public transport. In our experience, it would appear the majority of patrons are not local due to the number of cars and taxis, transporting people from the premises during unsocial hours.
- Although the application states that smoking areas are provided away from combustible materials and structures, these are within the garden of the property. Due to the garden positioning on the ground floor, commonly, patrons smoke outside the front door, attempting to 'prop' the door open. This results in littering outside the front door and secondary smoke inhalation by the patrons inside. We have seen no attempt by staff members to prevent this happening (see Fig 2, 3 and 4).
- The Amalfi White building is situated opposite a T-junction on the main through road of Melbourne. It is a common occurrence for taxis to be parked waiting for arriving or exiting patrons (see Fig 5 and 6). This increases the risk of traffic related public safety incidents, taxis and cars often parking illegally and obscuring vision for local residents both travelling by automotive transport and on foot.
- There is no provision of parking for customers, thus resulting in an enormous influx of extra vehicles utilising street parking. The village is within a conservation area, due to the style of housing, the majority of residents rely on street parking. It is especially noticeable that on a Friday and Saturday night it is increasingly difficult to park within the local vicinity. This is particularly important to families with children and residents with reduced mobility (such as the residents at 63 Derby Road), which may not be able to park with easy access to their own properties. Families with children find the safety aspect of parking some distance from their own properties very concerning.
- At times, convenient to the Amalfi White, traffic cones or chairs from within the building are placed outside the front of the building to reserve parking space for patrons attending functions such as weddings. Again this reduces available parking for local families in an

already restrictive area and potentially contributes to reduced safety for vulnerable members of the local community when accessing their property.

3. The prevention of public nuisance

- Although a sound limiter is stated to be present in the upstairs ballroom, on the frequent occasion that live music is played, this remains audible within local properties despite double glazing.
- Although the license application states that 'the front entrance is encouraged to be used by those waiting for taxis to avoid loitering on the street' this does not appear to occur (see Fig 7 and 8). Patrons commonly congregate in the doorway and outside in the 'front garden' resulting in noise disturbance. We have witnessed no attempt at any time by staff members to prevent or even discourage this behaviour, please see videos attached in email. (20160910_224509 recorded at around 2245 on Saturday 10th September 2016 & 20160910_232128 recorded at around 2321 on Saturday 10th September 2016).

4. The protection of children from harm

- By removing the stipulation that all staff must be CRB checked, we believe this will contribute to reduced safety for children entering the property. By their own admission, the proprietors state that they experience a high turnover of staff. It can therefore be assumed that a significant proportion of staff members are not well known to them again increasing the likelihood of reduced safety with regards minors. We would strongly ask that staff members continue to be CRB checked if Amalfi White continues to propose that its target clientele are families.
- Due to lack of control surrounding patrons leaving the premises, we have experienced a large number of incidents whereby abusive language between adults is audible from inside local properties. Whilst not directly physically harmful for children, we would argue that repeat incidents of this nature may be harmful mentally and emotionally for children of local residents.

Other concerns

We also believe that the approach the owners have adopted to this application has not been transparent. The documentation displayed for members of the public to see at the front of the building does not fully explain the full intention of their application (see Fig 9 and 10). It is concerning that at this early stage in proceedings the owners have adopted an approach of non-disclosure. Given some of the aforementioned concerns it may be right to assume that the proposed steps to promote the licensing objectives will not be followed through to completion.

Current license agreement states no alcohol consumption to occur in front of the building after 2000hrs, with the application to extend this agreement to 2300hrs. Currently the proprietors do not enforce this criteria of the current license (see Fig 11 and 12), again casting doubt on the transparency of their application and agreement to follow licensing legislation if granted.

Current license agreement also states that closing time is to be 0030, however you can clearly see from attached videos (20160911_005051, recorded at around 0050 on Sunday 11th September 2016 & 20160911_004408, recorded at around 0044 on Sunday 11th September) customers had still not left after the closing time of 0030.

Whilst we understand the requirement for business expansion, Melbourne is predominantly an area populated by families. Whilst use of a facility for celebratory functions may be required within this community, use of a licensed establishment with late night licensing is not required. Currently the licensing agreement allows for extension of opening hours and license to serve alcohol up to 6 and 24 times a year respectively. Given the number of residents in the Melbourne area we do not believe there is sufficient demand to extend this for celebratory functions only. Therefore leaving us to conclude that the most significant reason to amend the license is to permit late night alcohol consumption. We do not want a change in license at Almalfi White to set a precedent for further establishments within Melbourne to follow suit thus resulting in the attraction of large groups of people from surrounding communities gathering until the early hours of the morning in a densely populated residential area.

We would like to highlight that the supporting evidence was all gathered between 06/09/16 and 11/09/16, a random sample rather than evidence gathered of the most extreme incidents we have encountered.

Further to our letter, we also attach a signed list of residents who are local to the premises and their proximity to the property is shown in the attached map (see Fig 13). As you can see from the map, there is clear support from all local residents surrounding the premises, who were present to comment.

Kind regards

Henry Hudson & Holly Johnson

Supporting evidence – all times are estimates and are accurate to within 15minutes, please review CCTV footage from the premises to confirm exact time stamp. Dates are all accurate.

Fig 1 – Parking violation by Amalfi White Patron on 06/09/16 @ 2309



Fig 2/3/4 – Door propped open and litter outside, taken at 2157 on Saturday 10th September



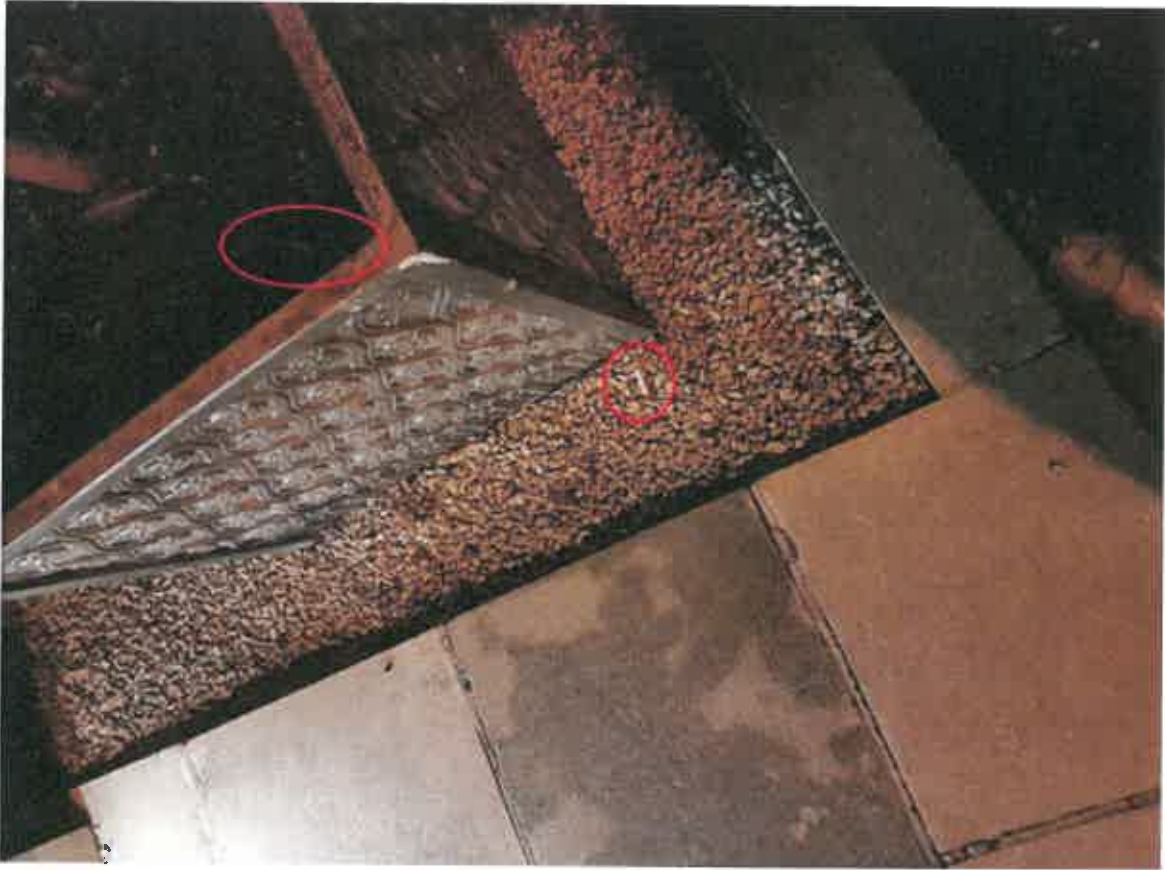


Fig 5/6 – taxis parked outside, taken at 2310 on Saturday 10th September and 0040 on Sunday 11th September.

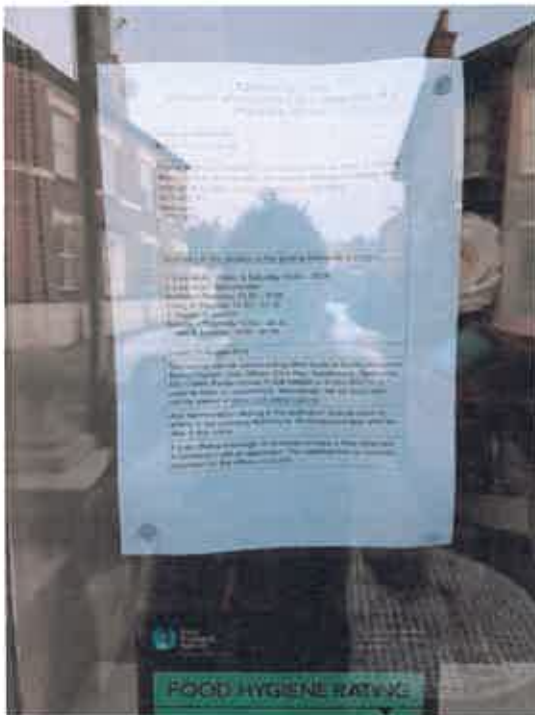


Fig 7/8 – patrons loitering around front door, screenshots from previously mentioned video (20160910_232128) and photo taken on Friday 09/09/16 at around 2330.





Fig 9/10 – incomplete license changes displayed in window, photo in window taken on Wednesday 14th September, photo of license changes online, taken Monday 12/09/16.



HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Times

MONDAY

Start 08:00

End 01:00

Start

End

Please bring in 24 hour clock (eg. 14:00) and only give details for the start of the week when you intend the premises to be used for the activity.

TUESDAY

Start 08:00

End 01:00

Start

End

WEDNESDAY

Start 08:00

End 01:00

Start

End

THURSDAY

Start 08:00

End 01:00

Start

End

FRIDAY

Start 08:00

End 01:00

Start

End

SATURDAY

Start 08:00

End 01:00

Start

End

SUNDAY

Start 08:00

End 01:00

Start

End

State any seasonal variations

For example (but not exclusively) when the activity will occur on additional days during the calendar months

A late door entry policy will be implemented on Friday and Saturday nights at the premises. The last time for late entry to the premises will be 00:30. No more access to the premises will be allowed after that time.

Non standard timings where you intend to use the premises to be open to the members and guests at different times than those listed above, list below.

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

Fig 11/12 – drinking outside after 2000hrs screen shot of videos (20160910_224509 & 20160910_232128)





Fig 13 – map of residents who signed petition



Please fill in the details if you are in support of the objection to Amalfi Whites proposed license amendments, made by Henry Hudson and Holly Johnson

Name	Address	Signature	Further concerns
STEVE SPORN	1 SOUTH STREET MELBOURNE DORM DE73 94B	S Sporn	Own letter sent.
Vicky Sporn		V. Sporn	see letter
Emma Holden	46 Derby Road Melbourne DE73 8FE	E Holden	see objection letter
Heien Dennis	44 OSMYRD Melbourne	H Dennis	see objection letter
J G Jattus	38 DERBY MELBOURNE	J Jattus	N/A
Judith Baran	36, Derby Road Melbourne	Judith Baran	I will send a letter
Deborah Smith			see letter
WNEALE WALSH	14 BEECH AVE DE73 8FA	W Walsh	N/A
Sally James	16 Beech Ave Melbourne	S James	see letter
Heather Hudson			Parking Noise
DAVID HUDSON			Parking Noise
Rupert Scott-Jones			N/A
Julia Raulo	63 Derby DE73 8FE MELBOURNE	J Raulo	see letter
HENRY HUDSON	2 SOUTH STREET MELBOURNE	H Hudson	N/A

