

Dear Mr. Goodwin,

Further to our telephone conversation this afternoon I can confirm that I require the following amendments to your licence application:-

Section P(d) The Prevention of Public Nuisance should read as follows:-

Windows and doors shall remain closed during live and recorded entertainment apart from for use as ingress or egress.

Regular noise checks shall be undertaken during live and recorded entertainment, these shall be noted.

Whilst any recorded or live entertainment is present at the public house noise shall not emanate from the premises so as to be clearly audible at the boundary of nearest residential premises.

The other 2 conditions in this section regarding CCTV and displaying or public nuisance notices and signs, as requested by other parties, shall remain the same.

Should you have no objections to the above conditions being added **Whilst any recorded or live entertainment is present at the public house noise shall not emanate from the premises so as to be audible at the premises boundary.**

then I would be grateful if you could reply to this email. Should this reply be received then this department shall have no objections to the application.

41.

South Derbyshire
District Council

12 SEP 2011

Environmental Health

Rose Cottage
The Green
Dalbury Lees
Ashbourne
Derbys. DE6 5BE

6th September 2011

Dear Sirs,

I am writing to object in the strongest possible terms, to the application for an outside bar and extension of opening/licensing hours of the Black Cow Pub, Dalbury Lees.

Dalbury Lees is a small, quiet, rural village and any late night drinking, with all the associated noise and disturbances, would shatter the character of the village and spoil our quality of life.

We live in very close proximity to the pub, just on the opposite side of the road, and would be woken up at night by late night music/noise from the pub and from people making a noise when they leave.

We have already experienced excessive noise when the pub held a beer festival over three days earlier in the year and another three day event over the August Bank holiday weekend, when there was music blasting out almost continually throughout the afternoons and evenings. We could hear the loud music when sitting in our own garden and in our lounge at the rear of the house. On another evening occasion they had a singer performing in the pub which, again, was very loud and could be heard in our house. In fact, on this occasion, there were still people leaving the pub in a very noisy manner at 12.45 am.

On all these occasions we felt unable to go to bed at a reasonable time as we knew we would be unable to sleep.

To extend the opening hours of the pub would greatly reduce our quality of life and of those in the vicinity. The opening hours being sought are more for a city pub/club not for a rural community.

Yours sincerely



43.

12 SEP 2011



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.

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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

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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:	JOYCE LEE
Address:	ROSE COTTAGE THE GREEN DALBURY LEE'S ASHBOURNE, DERBYS.
Postcode:	DE6 5BE
Tel:	01332 824312
E-mail:	Joyce.mary.lee@aol.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:	SEAN + MARK GOODWIN
Address of Premises	THE BLACK COW DALBURY LEE'S ASHBOURNE DERBYS
Application Details:	PREMISES LICENCE - VARIATION TO OPENING HOURS + LICENSING HOURS

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 595

45.

Details of representation.....We wish to object in the strongest possible terms to the application for an outside bar and extension of opening/licensing hours of the Black Cow Pub Dalbury Lees.

Dalbury Lees is a small, quiet, rural village and any late night drinking, with all the associated noise and disturbances, would shatter the character of the village and spoil our quality of life.

We live in very close proximity to the pub, just on the opposite side of the road, and would be woken up by late night music/noise from the pub and from people making a noise when they leave the premises.

We have already had experience of excessive noise when the pub held a beer festival over three days earlier in the year and another three day event over the August Bank holiday weekend, when there was music blasting out almost continually throughout the afternoons and evenings. We could hear the loud music when sitting in our own garden and in our lounge at the rear of the house. On another evening occasion they had a singer performing in the pub which again was very loud and could be heard in our house. In fact, on this occasion, there were still people leaving the pub, in a very noisy manner, at 12.45am.

On all of these occasions we felt unable to go to bed at a reasonable time as we knew we would be unable to sleep. To extend the opening hours of the pub would greatly reduce our quality of life and of others in the vicinity. The opening hours being sought are more for a city/pub/club than a rural community.

IF a license for an outside bar was granted, there would be even more noise, they have already

Representation continued..... had bands playing outside on the aforementioned occasions, until midnight. In all, the alterations to the license as requested will make our lives intolerable. We trust that you will give full consideration to our valid objections and refuse the application.

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 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: J. Lee

PRINT NAME: J. LEE

Date: 7/9/11

Please return this form to the following address:

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

Licensing Section,
Civic Offices, Civic Way, Swadlincote Derbyshire DE11 0AH
01283 595

48.

App. 6

10.10.11

LICENSING ACT 2003 – NOTICE OF HEARING
THE BLACK COW, THE GREEN, DALBURY LEES, DE6 5BB

This is to inform you that we intend to attend the hearing on 19th October and herewith submit a summary of the representation we wish to make.

We wish to object in the strongest possible terms to the application for an outside bar/external facilities at the Black Cow Pub.

The Black Cow Pub is surrounded by houses in the middle of a very quiet rural village. We live just opposite. The granting of the use of external facilities and the provision of outdoor bar facilities would completely shatter the character of the village and cause major disturbances, especially to those of us in the vicinity of the pub. We have already experienced unacceptable levels of noise when extremely loud music was played throughout the afternoons and evenings. On all these occasions the noise was so incredibly loud that not only were we unable to sit in our own garden but even inside the house the noise spoilt our enjoyment of just being inside our own home. Our request for the music to be turned down was refused. Why should anyone be allowed to pollute our environment in such a profound way? We should not have to arrange weekends away every bank holiday just to get away from the noise or be rendered unable to go to bed at a reasonable time because we know we will be unable to get to sleep.

Living close to a pub we have always accepted there will be some noise on occasions but certainly not at the level we have experienced lately and would experience in future if this proposal went ahead.

Reference to The Premises License Section P(d) The Prevention of Public Nuisance states Whilst any recorded or live entertainment is present at the Public House noise shall not emanate from the premises so as to be clearly audible at the boundary of the nearest residential premises.

Should this include noise from the outside area? It is still "at the public house" And will be "emanating from the premises"

Yours faithfully

Nigel Lee

Joyce Lee

LB(a)

Licensing Dept.,
 South Derbyshire District Council,
 Civic Way,
 Swadlincote DE11 0AH.

Dalbury Lees,
 Nr. Ashbourne,
 DE6 5BE.

Dear Sir/s /Madam,

Re: Black Cow Public House, Dalbury Lees.

I understand that the owners of the Black Cow have applied for an extension to the licensing hours of this public house and I am writing to lodge our objection to this application.

Our first objection is to the extension of the opening hours. They want an extra 4 hours opening Sunday to Thursday beginning at 8.0a.m. and an extra 5 hours Friday to Saturday. We currently have lorries coming through the village daily delivering food or beer, or both, imagine this beginning at 8.0a.m. when children are preparing to get to school and parents to work. Travelling would be at an all time high posing the risk of accidents. Also who would want beer lorries delivering in the village on a Sunday morning, let alone visitors to the public house.

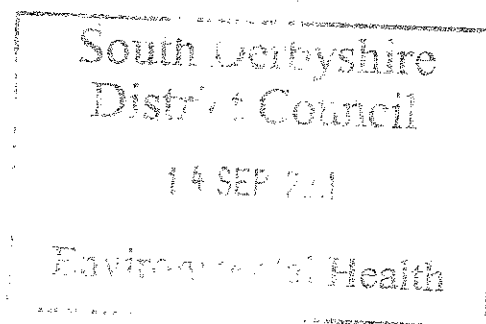
We feel that the outside area with an outside bar would become a public nuisance. Currently the noise of the music from the Beer Festival can be heard in our home, we are four properties away. This is only tolerated by villagers because it is only once or twice a year. If it were to become the norm it would become unbearable.

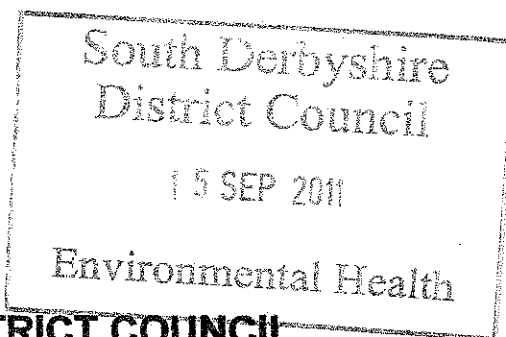
We also feel that the monitoring of the 'no glass outside' condition would be very difficult as would monitoring closure of the outside bar at 10.30p.m. with drinks up by 11.0p.m.

We feel that these extensions could bring in unruly characters looking for late-night drinking, posing a threat to residents and their properties. Currently when there is a beer festival at the Black Cow pub the village green and our lanes are nose to tail with motor vehicles making it difficult for residents. Being a linear village the exodus of late night patrons could prove a disturbance to residents trying to sleep and could pose a threat to drink-driving.

I trust that you will accept our views in the manner in which they are presented and consider them before making your decision.

Yours faithfully,





SOUTH DERBYSHIRE DISTRICT COUNCIL
Licensing Act 2003

Representation by an Interested Party

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- 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

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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:	M. a M. Simon Scarsill
Address:	Holly Tops Dalbury Lees Ashbourne Derbyshire
Postcode:	DE6 5BE
Tel:	01332 824241
E-mail:	simonscarsill12@aol.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:	Sean and Mark Cooduin
Address of Premises	The Black Cow, The Green, Dalbury Lees Ashbourne DE6 5BE
Application Details:	For a Premise licence / Club Premise Certificate

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.....

We live next door to The Black Cow and are extremely concerned to hear that an application has been submitted to extend their licencing hours as referred to above.

The Inn is situated in the middle of the village and is surrounded by houses and cottages and in our opinion this proposal represents a public nuisance as customers will be leaving the premises in the early hours of the morning resulting in general noise and disturbance due to general chatter, slamming of car doors, revving car engines and accelerating past our house. We would also point out that there is no public transport facilities within the village at this time of night.

The external bar proposed will also cause a major disturbance to the general enjoyment of villagers who surround the pub. The use of this bar combined with the proposal for live internal music will also be accentuated as the doors are opened regularly to enable purchasing of drinks and the return to the internal music. We have experienced two bank holidays during 2011 where The Black Cow has obtained a special licence to have music played in the garden for three consecutive afternoons / evenings which was incredibly loud and restricted the personal enjoyment of ones own garden.

If the pub were located outside the village environment one could understand the application but, as mentioned above, the fact that it is located in the heart of the village overlooking the village green and surrounded by houses and cottages the proposals would undoubtedly affect the lives of quite a number of the local people.

The village inn is an important part of our community and benefits locals and outside people but the style of pub proposed would, in our opinion, be more suited to a city centre venue rather than a rural village one.

Representation continued.....

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

We would recommend that the current licensing as applicable to The Black Cow remains unchanged.

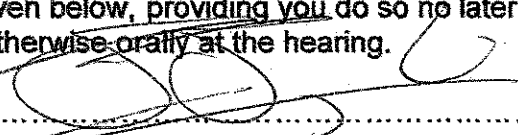
Continued.....

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Signed: 

PRINT NAME: SIMON SCARCILL

Date: 13. Sept. 2011

Please return this form to the following address:

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

App 8

Holly Tops
Dalbury Lees
Ashbourne
Derbyshire
DE6 5BE

SSC/JJ

27th September 2011

Ms R Boam
Licensing Enforcement Officer
Civic Offices
Civic Way
Swadlincote
Derbyshire
DE11 0AH

Dear Ms Boam

**Re: Licencing Act 2033
The Black Cow, Dalbury Lees, Derbyshire, DE65 5BE
Application to vary a premise licence**

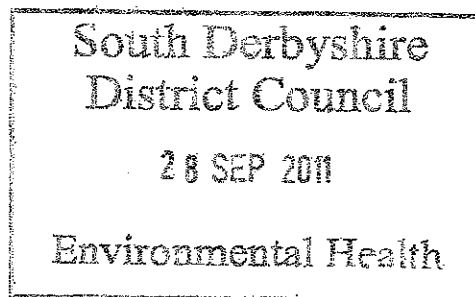
Thank you for your letter dated 20th September the contents of which I note. I trust that consideration is still being given to the points raised, particularly to the outside bar requirement.

I look forward to hearing from you.

With kind regards

Yours sincerely


SIMON SCARGILL



South Derbyshire
District Council

15 SEP 2011

Environmental Health



SOUTH DERBYSHIRE DISTRICT COUNCIL
Licensing Act 2003

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Please enter your contact details below: -

Name:	MARGARET AND GERAUD WILLIAMS
Address:	'PEMBROKE', DALBURY LEES, ASHBOURNE, DERBYSHIRE
Postcode:	DE6 5BE
Tel:	01332 824316
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:	MR SEAN & MARK GOODWIN
Address of Premises:	THE BLACK COW, THE GREEN, DALBURY LEES ASHBOURNE, DERBYSHIRE DE6 5BE
Application Details:	APPLICATION FOR A VARIATION TO OPENING HOURS AND LICENSING HOURS, THE USE OF AN EXTERNAL

BAR AREA & LIVE ENTERTAINMENT WITHIN PUB INTERIOR.
 OPENING HOURS: 11-00-000 SUN-THUR. 11-0130 FRI-SAT, LICENSING HOURS: 11-00.00 SUN-THUR.
 11:00 - SAT - FRI.

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.....


We have lived in this village for the last 44 years and during this time, until the Black Cow public house changed hands in 2010 it has been a busy & popular village pub serving meals and drinks to a large clientele at lunchtimes & early evenings with service largely having quietened down by 10.30-11pm. There has also been the occasional Beer Festival weekend but we didn't find it to be intrusive in this quiet village situation.

Under the proposed application for this variation to opening and licensing hours, an external bar area & live entertainment until the early hours, we foresee that it would change in character from a pleasant village pub into a noisy, town club type of establishment entirely unsuited and unfitting to it's situation. It would be more in keeping in an area with a lot of young people who support and welcome this facility. Dalbury has residents consist of a large proportion of older, retired people who would not find it attractive or wish to make use of it.

We also feel that it will create a pub to which people can move on, after other local pubs have closed, and we do not want the noisy intrusion of traffic,

CONTD

Representation continued..... car doors slamming, & loud music drifting out at times, late into the night and I wish to register a strong & valid objection on the grounds that it will constitute a Public Nuisance.

SIGNED, J. Williams, 

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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Signed: *M Williams* *G W Williams*

PRINT NAME: MARGARET WILLIAMS G W WILLIAMS

Date: 11.9.2011

Please return this form to the following address:

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

Licensing Section,
Civic Offices, Civic Way, Swadlincote Derbyshire DE11 0AH
01283 595

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South Derbyshire
District Council

15 SEP 2011

Environmental Health



SOUTH DERBYSHIRE DISTRICT COUNCIL
Licensing Act 2003

Representation by an Interested Party

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Name:	
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Postcode:	
Tel:	
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:	MR SEAN & MARK GOODWIN
Address of Premises:	THE BLACK COW, THE GREEN DALBURY LODES
Application Details:	VARIATION OF OPENING HOURS

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.....

I OBJECT TO THE APPLICATION TO INCREASE THE OPENING HOURS AND THE INTENTIONS OF OUTDOOR MUSIC BEING PLAYED ON A REGULAR BASIS.

THE PUBLIC HOUSE IS SURROUNDED BY RESIDENTIAL PROPERTIES SOME WHICH ARE NEXT DOOR AND ACROSS THE ROAD FROM THE PUB.

THE RESIDENTS OF DALBUZBY LEE ARE MAINLY OLDER PEOPLE AND I CANNOT SEE THE REQUIREMENT FOR THE PUBLIC HOUSE TO BE OPEN UNTIL 1.30AM.

I AM AWARE THAT SUCH A SMALL VILLAGE CANNOT GENERATE ENOUGH TRADE TO SUPPORT THE BLACK COW IT IS THEREFORE OBVIOUS THAT CUSTOMERS ARE REQUIRED FROM OUTSIDE THE VILLAGE. THIS WILL MEAN MORE CARS COMING AND GOING LATE AT NIGHT. THE CAR PARK ALLOWS FOR ONLY APPROXIMATELY 20 CARS AND INCREASE WILL MEAN PARKING WILL BE AROUND THE VILLAGE GREEN. THE NOISE OF CARS LEAVING, DOORS CLOSING, AND PEOPLE TALKING, WILL INTRUDE ON PEOPLE LIVING IN THE AREA. I AM NOT AWARE THAT OTHER PUBLIC

Representation continued.....

IN THE AREA STAY OPEN THIS LATE, SO IT MAY
ENCOURAGE PEOPLE TO ARRIVE LATER AT
THE BLACK COW AFTER 8:30 P.M. CLOSE.

I AM A REGULAR USER OF THE BLACK
COW BUT CANNOT SUPPORT THIS APPLICATION,
UNLESS THERE IS A RESTRICTION OF THE NUMBER
OF TIMES PER YEAR.

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

AT PRESENT NOT FEW PEOPLE ARE
IN THE BLACK COW BETWEEN 8:30 AND
CLOSING TIME THE MAIN TRADE IS MEALS
EATEN IN THE EVENING AND IMPROVEMENTS
ARE NEEDED AND SHOULD BE MADE IN
THIS AREA TO INCREASE THE CUSTOMER
BASE

* I WOULD DRAW YOUR ATTENTION TO THE
RESTRICTIONS PLACED ON THE RECENT
APPLICATION TO EXTEND THE HOURS OF
THE DALBURY LODS VILLAGE HALL.

" ALL DOORS AND WINDOWS TO BE
CLOSED WHEN MUSIC IS BEING
PLAYED "

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: 14th SEPT 2011

Please return this form to the following address:

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

App. 11

28.9.11

Further to your letter dated the 20th Sept 2011 regarding the application to vary the premises licence of the above public house.

The main concern of my representation was the number of times that live/recorded music could be played. I am aware that living close to a public house that music will be played outside and inside the premises, and I have no problem with this, I do not wish to be a kiljoy.

The ammendments do not address my objection, I ask that, if possible, consideration be given to restricting the number of occassions music can be played.

I note that item 21 on the Premises Licence Conditions allows for the external bar to operate for a maximum of 40 days per annum, if music is played each time this equates to every nine days. The nearest residential boundary is within 3 metres of the Black Cow which does not have double glazing so even with the doors and windows closed the sound will be heard.

Yours sincerely