

Helen Farman-McKenna

From:
Sent: 21 July 2020 16:23
To: Licensing
Cc:
Subject: Shobnall Sports and Social Club Objection Form & Letter -

Attachments:
Application Objection Letter.pdf

Dear Sir/Madam,

Please see attached our representation form in objection to the Shobnall sports and social club extended opening hours,

Thank you,

Kind regards.



Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):

Your name	
Organisation name/name of body you represent (if appropriate)	NA
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	Shobnall Sports and Social Club (Shobnall Sports LTD)
Address of the premises you are making a representation about.	Shobnall Sports and Social Club, Shobnall Rd, Burton-on-Trent DE14 2BB

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	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	Please see attached supporting document for full representation of our objection regarding the prevention of crime and disorder.
Public safety	NO	N/A
To prevent public nuisance	YES	Please see attached supporting document for full representation of our objection regarding the prevention of public nuisance.
To protect children from harm	YES	Please see attached supporting document for full representation of our objection regarding the protection of children from harm.

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	We fully oppose all aspects of this application on the grounds stated in our supporting letter. This establishment is consistently in breach of its current supposed licence, further supporting our view that this new application must not be accepted.
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Signed: _____	Date: 21/07/2020
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Please see notes attached

NOTES

1. Representations can be made by any individual, body or business, regardless of their geographic proximity to the premises.
2. Your representation must relate to one or more of the four licensing objectives for it to be deemed relevant:-
 - ❖ The prevention of crime and disorder
 - ❖ Public safety
 - ❖ The prevention of public nuisance
 - ❖ The protection of children from harm

You must in your representation be able to demonstrate that if the premises were to be granted a new licence it would not:

- Deter and prevent crime or disorder
 - Promote public safety
 - Cause a public nuisance
 - Protect children from moral, Psychological and Physical harm
3. If you make a representation you will be expected to attend a meeting of the Licensing Sub Committee and any subsequent appeal proceeding. Details of your representation will be published in the report available to the Committee and the licence applicant. You will be given notice of the hearing before it takes place and will also be given a copy of the committee report.
 4. The hearing shall take the form of a discussion led by the Licensing Authority. The applicant for the licence will also be at the meeting and it will usually be open to the public and the media.
 5. This form must be returned within the statutory period of 28 days from the day after the date the application was given to the Licensing Authority – the deadline should be given in the notice displayed on the premises and in the public notice in a local newspaper or other local publication.
 6. Please return this form when completed to:

Licensing Department
East Staffordshire Borough Council
The Town Hall
King Edward Place
BURTON UPON TRENT
Staffordshire
DE14 2EB

Tel: 01283 508310
licensing@eaststaffsbc.gov.uk

Licensing Department
East Staffordshire Borough Council
The Town Hall
King Edward Place
Burton upon Trent
Staffordshire
DE14 2EB

21st July 2020

Dear Sir/Madam,

We wish to object to the alcohol licence application by Shobnall Sports and Social Club, Shobnall Road, Burton upon Trent, DE14 2BB.

We have an interest in this application that is greater than the general public's because the Shobnall Sports and Social Club and grounds back onto our rear garden and house.

Currently, the licence allows:

Live music indoors – Monday to Saturday – 10am – 11pm / Sunday 12pm – 10.30 pm

Recorded music – as above

Indoor dance – as above

Sale of alcohol – as above

We understand that these hours have been in operation since 2005 to comply with the the Licensing Act 2003.

The new application is for:

Live music indoors **and outdoors** – Monday to Saturday 11am – 11pm

Sunday – 12pm – 11pm

Outdoor finish time 9pm

Recorded music indoors – Monday – Saturday – 11am – 11pm / Sunday 12pm – 11pm

Performance of dance - Monday – Saturday – 11am – 11pm / Sunday 12pm – 11pm

Sale of alcohol – Monday to Thursday – 11am – 11.29pm (11.59pm)

Friday – 11am – 12.30am (1am)

Saturday – 10am – 12.30am (1am)

Sunday – 12pm – 11.29pm (11.59pm)

Note an additional 30 minutes is added to sale of alcohol times to allow for drinking up as shown in red above.

We object to this application on the following grounds:

Objection: Prevention of Public Nuisance

Reasons for Objection – The Shobnall Sports and Social Club is extremely close to quiet residential housing. There is already a noise disturbance from the premises while it is open, and if the premises were allowed to stay open any longer, this would go on until an unacceptably late time, well into the early hours of the morning. Dispersal of people

would take place at a much later time, which is already a public nuisance for the neighbours living in the surrounding residential areas. We already suffer noise disturbance when customers arrive at and leave the club so any extension of opening hours will significantly increase this.

The premises do not have sound-proofing or noise-limiting devices. We already suffer the nuisance of music being played after 11pm which, we understand is in contravention to their current licence. It is an old building that was not designed to contain modern levels of sound and vibration with noise inevitably escaping from the premises and affecting us. We already have to take a number of measures to address this noise disturbance, keeping windows closed, wearing earplugs to sleep and turning the television up. In summer having to keep windows closed is extremely uncomfortable, particularly when it is warm and muggy, specifically at bedtime. This often disturbs our sleep and general well-being.

The proposal to add outdoor music to the licence will have a significant negative effect on neighbouring houses. We already have to take measures to minimise the noise disturbance from inside music, so outdoor music will spiral this to an unacceptable level. We are already severely restricted in the use and enjoyment of our garden during the spring and summer months because of the noise nuisance. We should be able to have barbeques and sit outside without having the constant noise intrusion from the club. Customers often congregate outside smoking, shouting and singing late at night. There have been instances of people camping in the grounds too.

We know all this because our house and garden back directly onto the Shobnall Sports and Social Club site.

It is inevitable that any increase in the hours alcohol can be purchased and consumed will impact negatively on the wider community, on crime and disorder, and anti-social behaviour.

Objection: The protection of children from harm

Reason for objection - This is a particular concern in a family residential area. Families of all ages live here and many have young and/or school age children who need to have established sleep patterns uninterrupted by noise. Any extension of opening hours would further impact negatively on these children regardless of the days of the week, not just school days.

Objection: Prevention of Crime and Disorder

Reason for objection – Looking at the crime statistics for the past 12 months for the local area it is evidenced that the biggest proportion of crimes statistically relate to anti-social behaviour. It seems inevitable that any increase in opening hours allowing extra consumption of alcohol may well contribute to further anti-social incidents i.e. disorder, fighting. Generally any activity involving increased numbers of people, vehicles, music and alcohol after 11pm at night is not appropriate for a residential area and it increases the possibility of becoming a public nuisance and significantly raises the risk of criminal and disorderly behaviour.

It is widely acknowledged that alcohol is not an ordinary product, it is a legal drug that causes a range of harms. Alcohol plays a part in many health and social problems – not just to the drinker but also to those around them, including families, neighbours and the wider community. Evidence shows that the easier it is to buy

alcohol, the more people will drink. That is why controls are needed on how, where and when alcohol is sold. There are a significant number of licensed premises within the local vicinity and given that Shobnall Sports and Social Club already operates from 10am until 11pm Monday to Saturday and 12pm to 11pm on Sunday we feel that these hours are more than adequate and should not be increased for the reasons given above.

Finally, we would urge you to consider the responsibilities of the council under the Human Rights Act in particular **Protocol 1, Article 1** which states that a person has the right to peaceful enjoyment of all their possessions which includes the home and other land. We believe that the granting of any extension to the opening hours at Shobnall Sports and Social Club would have a dominating impact on us and our right to the quiet enjoyment of our property.

Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. Any further extension of the clubs licence to operate and sell alcohol beyond existing hours will be in direct opposition to this right.

We would be grateful if the council would take our objections into consideration when deciding this application. Based on the contents of this letter we respectfully request that this application is **refused/declined**.

Yours sincerely,