

## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

### LICENSING SUB-COMMITTEE – 15 APRIL 2009

Title of report	APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
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<p data-bbox="921 1205 949 1435">Purpose of report</p>	<p data-bbox="806 191 1035 1094">To determine an application for the variation of a premises licence in respect of premises trading as the Jolly Sailor and located at Main Street, Hemington, Derbyshire, DE74 2RB. This report outlines the application and summarises representations received. It also highlights the licensing objectives, the relevant parts of Government guidance and the pertinent sections of the Licensing Authority's Licensing Policy.</p>
<p data-bbox="1079 1247 1106 1435">Strategic aims</p>	<p data-bbox="1079 703 1106 1094">Strong and safer communities</p>
<p data-bbox="1152 1273 1180 1435">Implications:</p> <p data-bbox="1236 1247 1264 1435">Financial/Staff</p> <p data-bbox="1329 1131 1388 1435">Link to relevant Corporate Action Team</p> <p data-bbox="1482 1196 1509 1435">Risk Management</p> <p data-bbox="1604 1209 1663 1435">Equalities Impact Assessment</p> <p data-bbox="1709 1247 1736 1435">Human Rights</p> <p data-bbox="1782 1213 1841 1435">Transformational Government</p>	<p data-bbox="1222 191 1281 1094">Implications arising from an appeal made to the Magistrates Court by anyone aggrieved by the decision of the Sub-Committee.</p> <p data-bbox="1346 956 1373 1094">Safer CAT</p> <p data-bbox="1434 191 1562 1094">The usual risks of cost involved of an appeal against the decision of the Committee. In any event and in order to mitigate these risks, the Committee should give clear reasons for its decisions and any such reasons would need to be substantiated in Court.</p> <p data-bbox="1619 289 1646 1094">Equality Impact Assessment to be undertaken during 2009/10.</p> <p data-bbox="1709 748 1736 1094">See the body of the report.</p> <p data-bbox="1797 898 1824 1094">Not applicable.</p>

Consultees	Leicestershire Constabulary, Leicestershire Fire and Rescue Service, Trading Standards, Health and Safety, Environmental Protection, Planning and members of the public/local businesses by way of notice at the premises and a newspaper circulating in the vicinity.
Background papers	Guidance issued under Section 182 of the Licensing Act 2003 - available for reference at <a href="http://www.culture.gov.uk">www.culture.gov.uk</a> and Statement of Licensing Policy -available for reference at <a href="http://www.nwleics.gov.uk/licensing">www.nwleics.gov.uk/licensing</a>
Recommendations	<b>THAT THE SUB-COMMITTEE DETERMINE THE APPLICATION.</b>

## 1. Background

- 1.1 The premises currently operate as a pub under the authorisation of a premises licence. The premises licence permits the sale of alcohol, private entertainment and late night refreshment. A copy of the premises licence is attached as appendix 1.
- 1.2 On 19<sup>th</sup> February 2009, an application to vary the premises licence was received from Greene King Brewing and Retailing Limited. A full copy of the application form is attached as appendix 2.
- 1.3 A map showing the location of the premises is attached as appendix 3.
- 1.4 The variation application is requesting the following:

### Sale of alcohol for consumption on and off the premises:

Monday to Thursday – 10.00 to 23.00  
Friday and Saturday – 10.00 to 01.30  
Sunday – 12.00 to 22.30  
Christmas Eve, Christmas Day, Boxing Day, New Year's Day, Good Friday,  
Easter Saturday, Sunday and Monday, all Bank Holidays plus the day preceding  
a Bank Holiday – 10.00 to 01.30  
New Year's Eve from the end of permitted hours to the start of permitted hours  
on the following day.

### Opening hours of the premises:

Monday to Thursday – 10.00 to 00.00  
Friday and Saturday – 10.00 to 02.00  
Sunday – 12.00 to 23.00  
Christmas Eve, Christmas Day, Boxing Day, New Year's Day, Good Friday,  
Easter Saturday, Sunday and Monday, all Bank Holidays plus the day preceding  
a Bank Holiday – 10.00 to 02.00  
New Year's Eve from the end of permitted hours to the start of permitted hours  
on the following day.

Indoor live music, recorded music, anything of a similar description to live music, recorded music and performances of dance, provision of facilities for making music and provision of facilities for dancing:

Friday and Saturday – 19.00 to 01.00

Christmas Eve, Christmas Day, Boxing Day, New Year's Eve, New Year's Day, Good Friday, Easter Saturday, Sunday and Monday, all Bank Holidays plus the day preceding a Bank Holiday – 19.00 to 01.00.

**Late night refreshment:**

Monday to Thursday – 23.00 to 23.30

Friday and Saturday – 23.00 to 01.30

Christmas Eve, Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Saturday, Sunday and Monday, all Bank Holidays plus the day preceding a Bank Holiday – 23.00 to 01.30

New Year's Eve from 23.00 to the start of permitted hours on the following day.

Removal of mandatory conditions 4 and 5.

1.5 The applicant has stated in the operating schedule of the application form that he will take the following steps in order to promote the four licensing objectives:

- All staff shall be fully briefed on the four licensing objectives.
- Responsible management of the premises.
- Regular external checks of the premises.
- Adopting best practices.
- Adhering to the Portman Group on drinks strategy.
- Internal and external lighting checked regularly.
- Risk management assessments carried out regularly.
- Electrics and relevant equipment checked and maintained in working order.
- Regular collection of glasses.
- Out of hours deliveries to be monitored.
- Prominent clear notices displayed at all exits requesting that customers respect the needs of local residents and leave the premises and area quietly.
- Due diligence log completed when regulated entertainment takes place.
- Litter collected.
- Full training is given to all staff to challenge those under 21 and to request photo ID e.g. driving licence, passport or card bearing the PASS hologram, all such training to be recorded.
- Children must be accompanied by a responsible adult.

## 2.0 Representations

2.1 In respect of a variation application, the applicant is responsible for advertising the application by way of a notice in the specified form at the premises for not less than 28 consecutive days and in a local newspaper. The applicant placed notice in the Loughborough Echo on 27<sup>th</sup> February 2009 and officers are satisfied that the correct notices have been displayed at the premises.

- 2.2 The applicant is also required to serve a copy of their application on each of the responsible authorities, namely, the Police and Fire authorities, Trading Standards Department and the District Councils Health and Safety, Environmental Protection and Planning Sections.
- 2.3 The Environmental Protection Department raised a representation to the variation application on the grounds of public nuisance. After negotiations with the applicant, the Environmental Protection Department withdrew their representation as the application formally amended their variation application agreeing to the following restrictions:
- All regulated entertainment will cease at 11pm.
  - All windows and doors shall remain closed during regulated entertainment events.
- 2.4 There have been no representations from any of the remaining responsible authorities.
- 2.5 Interested parties in the vicinity of the premises are able to make representations within 28 days of the application to the Licensing Authority.
- 2.6 Following the amendment of the application as above, residents who had raised representations were advised of the amendment and provided with the opportunity to withdraw their representation based on this amendment. One resident living in the vicinity of the premises withdrew their representation following the amendment of the application.
- 2.6 Representations have been received from 14 residents in the vicinity of the premises objecting to the variation application on the grounds of public safety, protection of children from harm, public nuisance and prevention of crime and disorder. Copies of their representations are attached as appendices 4 to 17.
- 2.7 Representations have been received from 3 residents in the vicinity of the premises in support of the variation application on the grounds of public safety, protection of children from harm, public nuisance and prevention of crime and disorder. Copies of their representations are attached as appendices 18 to 20.
- 2.8 A further representation has been received from Lockington cum Hemington Parish Council, a body representing persons who live in the vicinity of the premises, on the grounds of public nuisance, public safety and prevention of crime and disorder. A copy of the representation is attached as appendix 21.
- 3.0 Statutory Guidance**
- 3.1 In making its decision, the Sub-Committee is obliged to have regard to Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. All Licensing Committee members have been provided with a full copy of the guidance document. Officers consider that paragraphs 2.1 to 2.51 and 8.28 to 8.38 may have a bearing upon the application.

#### **4.0 Statement of Licensing Policy**

4.1 The Sub-Committee is also obliged to have regard to its own Statement of Licensing Policy. Officers consider that paragraphs 7.1 to 7.2, 8.1 to 8.4, 9.1 to 9.3 and 10.1 to 10.9 may have a bearing upon the application.

#### **5.0 Observations**

5.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are:

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

5.2 The Committee may take any of the following steps as it considers necessary for the promotion of the licensing objectives:

- a) Grant the application as requested.
- b) Modify the conditions of the licence, by altering or omitting or adding to them.
- c) Reject the whole or part of the application.

5.4 There is a right of appeal to the Magistrates Court against the decision of the Sub-Committee by the applicant and persons who made relevant representations.

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**Premises licence number**

NWL20179

**Part 1 – Premises details**

**Postal address of premises, or if none, ordnance survey map reference or description**

The Jolly Sailor, Main Street, Hemington

**Post town**  
Derbyshire

**Post code**  
DE74 2RB

**Telephone number** 01332 810448

**Where the licence is time limited the dates**

**Licensable activities authorised by the licence**

1. The sale by retail of alcohol for consumption on and off the premises.
2. Late night refreshment – indoors.
3. Performance of live music indoors (See Annex 1 – Mandatory Conditions).
4. Playing of recorded music indoors (See Annex 1 – Mandatory Conditions).
5. Performance of dance indoors (See Annex 1 – Mandatory Conditions).
6. Entertainment of a similar description to that falling within 3, 4 and 5 above indoors (See Annex 1 – Mandatory Conditions).
7. Provision of facilities for making music indoors (See Annex 1 – Mandatory Conditions).
8. Provision of facilities for dancing indoors (See Annex 1 – Mandatory Conditions).
9. Provision of facilities for entertainment of a similar description to that falling within 7 and 8 above indoors (See Annex 1 – Mandatory Conditions).

**The time the licence authorises the carrying out of licensable activities**

The sale by retail of alcohol for consumption on and off the premises:  
On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10.00am to 11.00pm.  
On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 10.30pm.  
On Good Friday, 12.00 noon to 10.30pm  
On Christmas Day, 12.00 noon to 3.00pm and 7.00pm to 10.30pm  
On New Year's Eve on a Sunday, 12.00 noon to 10.30pm  
On New Year's Eve from the end of permitted hours on New Year's Eve to the start of the permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31<sup>st</sup> December).

Late Night Refreshment :

Until 30 minutes after the end of the hours permitted for the sale by retail of alcohol as set out above.

Performance of live music:  
No time restrictions

Playing of recorded music indoors:  
No time restrictions

Performance of dance indoors:  
No time restrictions

Entertainment of a similar description:  
No time restrictions

Provision of facilities for making music:  
No time restrictions.

Provision of facilities for dancing indoors:  
No time restrictions.

Provision of facilities for entertainment of a similar description:  
No time restrictions.

**The opening hours of the premises**

**Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

The sale by retail of alcohol for consumption on and off the premises.

**Part 2**

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence**

Greene King Brewing and Retailing Limited  
Abbot House  
Bury St Edmunds  
Suffolk  
IP33 1QT

Tel: 01284 763222

**Registered number of holder, for example company number, charity number (where applicable)**

3298903

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol**

Lorraine Baker  
Jolly Sailor  
21 Main Street  
Hemington  
Derbyshire  
DE74 2RB

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Personal Licence Number of Designated Premises Supervisor: PAVF/0640

Issuing authority: Chesterfield Borough Council

## Annex 1 – Mandatory conditions

1. The permitted hours stated above for the sale of alcohol do not prohibit:
  - a) During the first twenty minutes after the above hours the consumption of alcohol on the premises;
  - b) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
  - c) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by the persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
  - d) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
  - e) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
  - f) The sale of alcohol to a trader or club for the purposes of the trade or club;
  - g) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
  - h) The taking of alcohol from the premises by a person residing there; or
  - i) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
  - j) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
2. No supply of alcohol may be made under the premises licence;
  - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every supply of alcohol must be made or authorised by a person who holds a personal licence.
4. Recorded music is to be construed as music and singing only which is provided solely by the reproduction of recorded sound, or is permitted on the basis that it is not a public entertainment and is promoted for private gain (Section 2 of the Private Places of Entertainment (Licensing) Act 1967).
5. Licensable activities authorised by the licence, except for the sale of alcohol and late night refreshment, are restricted to dancing music or any other entertainment of the like kind which is not a public entertainment but is promoted for private gain (Section 2 of the Private Places of Entertainment (Licensing) Act 1967).

**Annex 2 – Conditions consistent with the operating schedule**

**Annex 3 – Conditions attached after a hearing by the licensing authority**

**Annex 4 - Plans**

Application to vary a premises licence under the Licensing Act 2003

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Greene King Brewing and Retailing Limited

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number NWL20179
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**Part 1 – Premises Details**

Postal address of premises or, if none, Ordnance Survey map reference or description Jolly Sailor 21 Main Street Hemington Derbyshire	Post town Derby	Post code DE74 2RB
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Telephone number at premises (if any)	01332 810448
Non-domestic rateable value of premises	

**Part 2 – Applicant details**

Daytime contact telephone number	(01284) 763222
E-mail address (optional)	
Current postal address if different from premises address	Greene King Brewing and Retailing Limited Abbot House
Post town	Bury St Edmunds
Post code	IP33 1QT

**Part 3 - Variation**

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**

To extend the hours for opening and sale of alcohol.

To add late night refreshment, live music, recorded music, facilities for dancing, making music and anything similar to e,f or g.

To remove Mandatory Conditions 4 and 5 (old Act embedded restrictions).

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

##### Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

##### Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

##### Provision of late night refreshment(if ticking yes, fill in box L)

##### Sale by retail of alcohol(if ticking yes, fill in box M)

In all cases complete boxes N, O and P

**A**

Plays Standard days and timings (please read guidance note 6)		Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>	
Day	Start			Finish
Mon		Please give further details here (please read guidance note 3)	Both <input type="checkbox"/>	
Tue				
Wed			State any seasonal variations for performing plays (please read guidance note 4)	
Thur				
Fri				Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat				
Sun				

**B**

Films Standard days and timings (please read guidance note 6)		Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
Day	Start		
Mon			<input type="checkbox"/>
Tue			<input type="checkbox"/>
Wed			<input type="checkbox"/>
Thur			
Fri			
Sat			
Sun			
Please give further details here (please read guidance note 3)			
State any seasonal variations for the exhibition of films (please read guidance note 4)			
Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)			

**C**

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)		Indoors <input type="checkbox"/>
Day	Start Finish	
Mon		<p><u>Will the boxing or wrestling entertainments take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p> <p><u>Please give further details here</u>(please read guidance note 3)</p>
Tue		
Wed		
Thur		<p><u>State any seasonal variations for the boxing or wrestling entertainments</u> (please read guidance note 4)</p>
Fri		
Sat		<p><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Sun		

**E**

Live music Standard days and timings (please read guidance note 6)		Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors Outdoors Both
Day	Start		
Mon			<input checked="" type="checkbox"/>
Tue			<input type="checkbox"/>
Wed			<input type="checkbox"/>
Thur			
Fri	19:00	01:00	
Sat	19:00	01:00	
Sun			

Please give further details here (please read guidance note 3)  
Bands etc

State any seasonal variations for the performance of live music  
(please read guidance note 4)  
Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, Good Friday, Easter Saturday, Sunday and Monday, all Bank Holidays plus the day preceding a Bank Holiday - 19:00 - 01:00.

Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)

**F**

Recorded music Standard days and timings (please read guidance note 6)		Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors Outdoors Both
Day	Start		
Mon			<input checked="" type="checkbox"/>
Tue			<input type="checkbox"/>
Wed			<input type="checkbox"/>
Thur			
Fri	19:00	01:00	
Sat	19:00	01:00	
Sun			

Please give further details here (please read guidance note 3)  
Discos, DJ etc

State any seasonal variations for the playing of recorded music (please read guidance note 4)  
Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, Good Friday, Easter Saturday, Sunday and Monday, all Bank Holidays plus the day preceding a Bank Holiday - 19:00 - 01:00.

Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)

**G**

Performances of dance Standard days and timings (please read guidance note 6)		Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
Day	Start		
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
Please give further details here (please read guidance note 3)			Outdoors <input type="checkbox"/>
State any seasonal variations for the performance of dance (please read guidance note 4)			Both <input type="checkbox"/>
Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)			

**H**

<p><u>Please give a description of the type of entertainment you will be providing</u> Karaoke</p>		<p><u>Please give a description of the type of entertainment you will be providing</u> Karaoke</p>	
Day	Start	Finish	Indoors
Mon			<input checked="" type="checkbox"/>
Tue			<input type="checkbox"/>
Wed			<input type="checkbox"/>
Thur			
Fri	19:00	01:00	
Sat	19:00	01:00	
Sun			

<p><u>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</u></p>	
Indoors	<input checked="" type="checkbox"/>
Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>

<p><u>Please give further details here (please read guidance note 3)</u> When regulated entertainment takes place.</p>	
Mon	
Tue	
Wed	
Thur	
Fri	
Sat	
Sun	

<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</u> Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, Good Friday, Easter Saturday, Sunday and Monday, all Bank Holidays plus the day preceding a Bank Holiday - 19:00 - 01:00.</p>	
Mon	
Tue	
Wed	
Thur	
Fri	
Sat	
Sun	

<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</u></p>	
Mon	
Tue	
Wed	
Thur	
Fri	
Sat	
Sun	

Provision of facilities for making music Standard days and timings (please read guidance note 6)		Please give a description of the facilities for making music you will be providing Making provision for playing of music, whether live/recorded, recording performances, microphone with amplifier, karaoke machine etc.		
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	
Mon			Indoors <input checked="" type="checkbox"/>	Outdoors <input type="checkbox"/>
Tue			Both <input type="checkbox"/>	
Wed			Please give further details here (please read guidance note 3) When regulated entertainment takes place.	
Thur				
Fri	19:00	01:00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, Good Friday, Easter Saturday, Sunday and Monday, all Bank Holidays plus the day preceding a Bank Holiday - 19:00 - 01:00.	
Sat	19:00	01:00		
Sun			Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5)	

J

Provision of facilities for dancing		Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors Outdoors Both	<input checked="" type="checkbox"/>
Day	Start			
Mon			<input type="checkbox"/>	<p><b>Please give a description of the facilities for dancing you will be providing</b>            Tables and chairs cleared in restaurant area.</p>
Tue			<input type="checkbox"/>	
Wed			<input type="checkbox"/>	
Thur			<input type="checkbox"/>	
Fri	19:00	01:00		<p><b>Please give further details here</b>(please read guidance note 3)            When regulated entertainment takes place.</p>
Sat	19:00	01:00		
Sun				
				<p><b>State any seasonal variations for providing dancing facilities</b>(please read guidance note 4)            Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, Good Friday, Easter Saturday, Sunday and Monday, all Bank Holidays plus the day preceding a Bank Holiday - 19:00 - 01:00.</p>
				<p><b>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)</p>

**K**

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)		Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	
Mon			Indoors <input type="checkbox"/>	Outdoors <input type="checkbox"/>
Tue			Both <input type="checkbox"/>	
Wed			Please give further details here (please read guidance note 3)	
Thur				
Fri				
Sat				
Sun				
			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)	
			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 5)	

Late night refreshment Standard days and timings (please read guidance note 6)		Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start		Finish	Outdoors
Mon	23:00	23:30	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tue	23:00	23:30	<input type="checkbox"/>	<input type="checkbox"/>
Wed	23:00	23:30	Please give further details here (please read guidance note 3) Hot food and drink being served.	
Thur	23:00	23:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Years Day, Good Friday, Easter Saturday, Sunday and Monday, all Bank Holidays plus the day preceding a Bank Holiday - 23:00 - 01:30. New Years Eve from 23:00 to the start of permitted hours on the following day.	
Fri	23:00	01:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)	
Sat	23:00	01:30		
Sun				

**M**

Supply of alcohol Standard days and timings (please read guidance note 6)		Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises
Day	Start		
Mon	10:00	23:30	<input type="checkbox"/>
Tue	10:00	23:30	<input type="checkbox"/>
Wed	10:00	23:30	<input checked="" type="checkbox"/>
<p><b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)                      Christmas Eve, Christmas Day, Boxing Day, New Years Day, Good Friday, Easter Saturday, Sunday and Monday, all Bank Holidays plus the day preceding a Bank Holiday - 10:00 - 01:30. New Years Eve from the end of permitted hours to the start of permitted hours on the following day.</p>			
Thur	10:00	23:30	<p><b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)</p>
Fri	10:00	01:30	
Sat	10:00	01:30	
Sun	12:00	22:30	

**N**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public		
Day	Start	Finish
Mon	10:00	00:00
Tue	10:00	00:00
Wed	10:00	00:00
Thur	10:00	00:00
Fri	10:00	02:00
Sat	10:00	02:00
Sun	12:00	23:00

**State any seasonal variations**(please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Years Day, Good Friday, Easter Saturday, Sunday and Monday, all Bank Holidays plus the day preceding a Bank Holiday - 10:00 - 02:00. New Years Eve from the end of permitted hours to the start of permitted hours on the following day.

**Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list** (please read guidance note 5)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking  
To remove Mandatory Conditions 4 and 5.

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

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

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)**

All staff are fully briefed on the 4 licensing objectives.

**b) The prevention of crime and disorder**

Responsible management of the premises. Regular external checks of the premises. Adopting best practices. Adhering to the Portman Group on drinks strategy. Internal and external lighting checked regularly.

**c) Public safety**

Risk management assessments carried out regularly. Electrics and relevant equipment checked and maintained in working order. Regular collection of glasses.

**d) The prevention of public nuisance**

Out of hours deliveries to be monitored. Prominent clear notices displayed at all exits requesting that customers respect the needs of local residents and leave the premises and area quietly. Due Diligence Log completed when regulated entertainment takes place. Litter collected.

**e) The protection of children from harm**

Full training is given to all staff to challenge those under 21 and to request photo ID e.g driving licence, passport or card bearing the PASS hologram, all such training to be recorded. Children must be accompanied by a responsible adult.

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	18 February 2009
Capacity	Licensing Officer

**Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)**

Natasha Wade (Licensing Officer)  
Greene King Pub Partners  
Licensing Department  
Abbot House  
Westgate Brewery

**Post town** Bury St. Edmunds **Post code** IP33 1QT

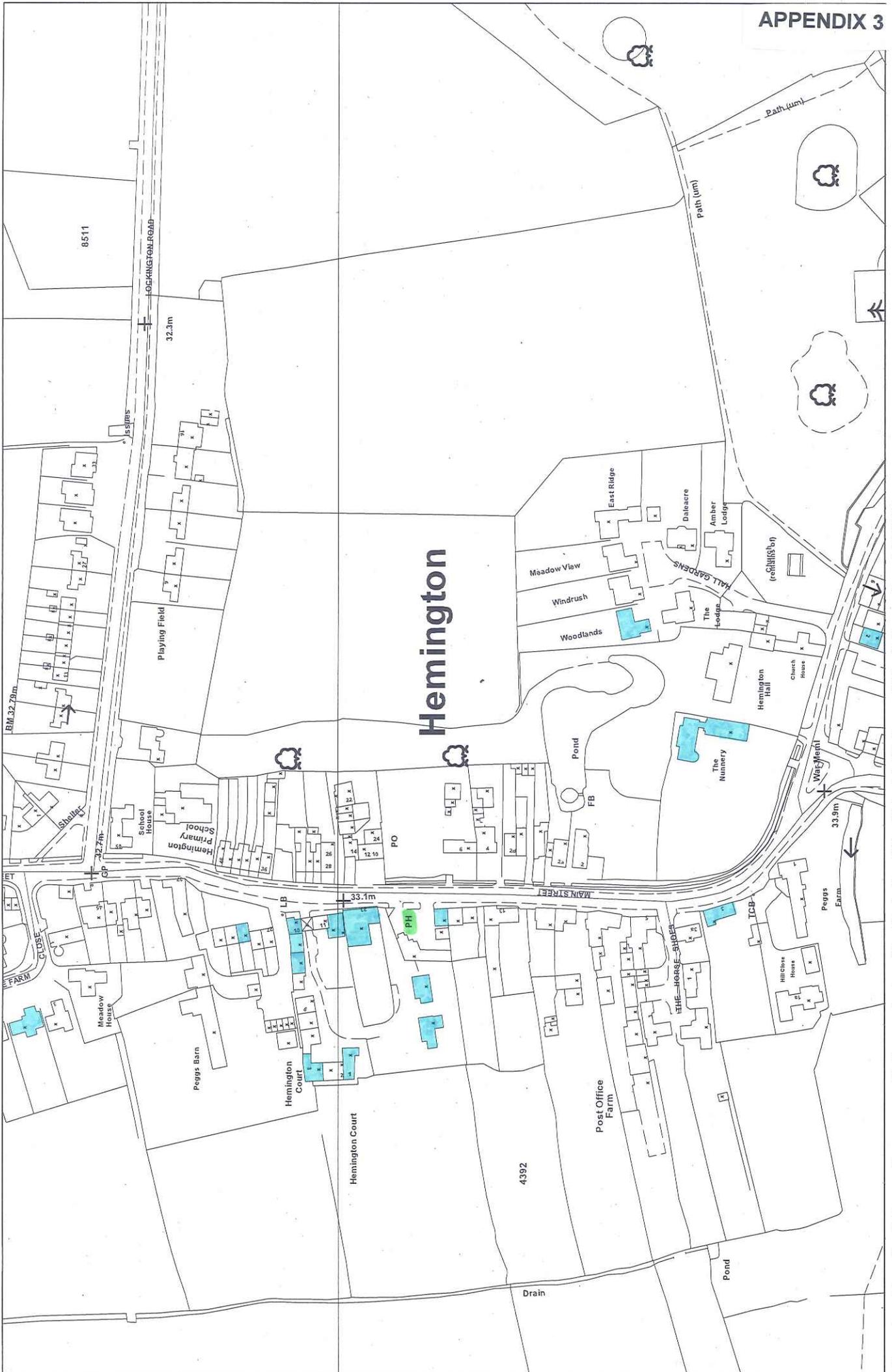
**Telephone number (if any)** 01284 763222

**If you would prefer us to correspond with you by e-mail your e-mail address (optional)**  
licensingppp@GreeneKing.co.uk

## Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. 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.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



Date: 01 April 2009  
 SLA: Not Set  
 Scale: 1:2200

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NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY  
Licensing Act 2003

**REPRESENTATION FORM FROM INTERESTED PARTIES**

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent	Mr & Mrs H Nightingale
Organisation name/name of body you represent (if appropriate)	-
Postal and email address	12 Hemmilton Court, Hemmington, DERBY, APT 01332 - 810 423
Contact telephone number	

Name of the premises you are making a representation about	"Jolly Sailor"
Address of the premises you are making a representation about	Main St, Hemmington, DERBY.

Your representation must relate to one of the four Licensing Objectives

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	Antisocial behaviour
Public safety	Yes	Parking problems see photographs trying to exit Hemmington Court,
To prevent public nuisance	Yes	Noise Pollution
To protect children from harm	Yes	Disturbance at night.

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account.\*\*

Please note photographs were taken when the Jolly Sailor was not open.

Signed: *Sr H Nightingale*

Date: 12/3/09.

Please return this form along with any additional sheets to: North West Leicestershire Licensing Authority, Council Offices, COALVILLE, Leicestershire, LE67 3FJ, or email to Licensing@nwleicestershire.gov.uk  
This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01530 454528, 01530 454838 or 01530 454844.







**NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY**  
Licensing Act 2003

01159795151

**REPRESENTATION FORM FROM INTERESTED PARTIES**

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent	DOUGLAS FLETCHER
Organisation name/name of body you represent (if appropriate)	N/A
Postal and email address	31 MAIN ST, HEMINGTON, DEBYS DERBY
Contact telephone number	0115 930 8544
Name of the premises you are making a representation about	JOLLY SAILOR PUB, HEMINGTON
Address of the premises you are making a representation about	MAIN ST, HEMINGTON, DEBYS DEAY

Your representation must relate to one of the four Licensing Objectives

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	NO	The changes that Green King wish to make may bring people to the village who do not respect the neighbourhood, get drunk & cause damage.
Public safety	NO	Fights might break out - I am a car, unsteady due to disability, rowdy behaviour might be a danger to me.
To prevent public nuisance	NO	Excess noise, too many cars, drunker behaviour would be detrimental to a quiet village environment.
To protect children from harm	NO	Ditto all the above -

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account."

Please do not grant these proposed changes - they would ruin a currently good, successful public house - many people I know, including myself, will cease to patronise the pub.

Signed: Douglas Fletcher Date: 15/3/09

Please return this form along with any additional sheets to: North West Leicestershire Licensing Authority, Council Offices, COALVILLE, Leicestershire, LE67 3FJ, or email to Licensing@nwleicestershire.gov.uk  
This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01530 454528, 01530 454838 or 01530 454844.

17 MAR 2009

## REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent	M BURDOL - RESIDENT
Organisation name/name of body you represent (if appropriate)	
Postal and email address	CHURCH LANE, HEMINGTON, DERBY Mandy.burdol@ntlworld.com
Contact telephone number	01332 391514

Name of the premises you are making a representation about	JOLLY SAILOR PUB/CLUB HOUSE
Address of the premises you are making a representation about	MAIN STREET, HEMINGTON, DERBY

Your representation must relate to one of the four Licensing Objectives

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	EXTENDED DRINKING HRS LEADING TO UNACCEPTABLE BEHAVIOUR IN THE EARLY HOURS OF THE MORNING
Public safety	YES	DOUBLE PARKING ON STREET PREVENTING THRO' TRAFFIC
To prevent public nuisance	YES	Loud noise from both music activities & drunken behaviour
To protect 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 Licensing Sub Committee to take into account. **	<p>* SOUND PROOF ROOM FOR ALL MUSIC ACTIVITIES</p> <p>* PROVISION OF OFF ROAD CAR PARKING FOR AT LEAST 25 VEHICLES</p> <p>* RESTRICTION ON OPENING HOURS - NORMAL CLOSURE 11-30 PM.</p>
---	---

Signed: M Burdol

Date: 16 MARCH 2009

Please return this form along with any additional sheets to: North West Leicestershire Licensing Authority, Council Offices, COALVILLE, Leicestershire, LE67 3FJ, or email to Licensing@nwleicestershire.gov.uk  
This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01530 454528, 01530 454838 or 01530 454844.

SEE Y11HT

**NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY**  
**Licensing Act 2003**

**REPRESENTATION FORM FROM INTERESTED PARTIES**

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent	NUANCE HOME
Organisation name/name of body you represent (if appropriate)	
Postal and email address	10. HUNTINGTON COURT OS22 8L577
Contact telephone number	

Name of the premises you are making a representation about	Sally Spice Pub Westwood
Address of the premises you are making a representation about	11 AND ST HESHINGTON

Your representation must relate to one of the four Licensing Objectives

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	SEE ATTACHED
Public safety	YES	SEE ATTACHED
To prevent public nuisance	YES	SEE ATTACHED
To protect children from harm	YES	SEE ATTACHED

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account.	SEE ATTACHED
--	--------------

Signed:



Date: 6 March 2009

10 Hemington court  
Hemington  
Derby  
DE74 2PT

16<sup>th</sup> March 2009  
my ref MHH ( 4 copies ) by Fax

Tel 01332 812577  
Email [Maurice.howe@btinternet.com](mailto:Maurice.howe@btinternet.com)

North west Leicestershire licensing Department  
Council Offices  
Whitwick Road  
Coalville  
Leicestershire

Dear sir

Re Jolly Sailor Public House Hemington

I refer to the recent planning application for alteration to the existing license of the Jolly sailor, and I take this opportunity of raising my concerns which I hope you will take into consideration before granting a revised operating license.

The Jolly sailor has a car parking area for 9 cars, 4 of which are taken up by the licensee and there family . When the car park is full to capacity, it is impossible for any vehicle to vacate the premises without backing into the road, which is an ordeal in itself. extra longer hours will mean extra cars and noise.

The main street of Hemington is only 18ft at its widest point, we have cars now parked on both sides of the street causing a health and safety hazard, The emergency services find it difficult to move in and through our village even now.

We the local residents find it difficult now especially at weekends to gain direct access to our properties, let alone being able to park .

Should you grant a license for the period applied for we feel that it will be 0300 hrs before the late Revellers have left the premises, with all the noise that accompanies drunks who refuse to go home And then there's a threat of vehicles being vandalised, creating more work for the overworked police.

Music and Booze and longer licensing hours are a cocktail for trouble, with people returning to or making a direct journey to The Jolly Sailor after other licensed premises have closed for that extra 4 or five drinks.

No one is adverse to the licensed premises being open for longer hours into the evening on Fridays and Saturdays but within reason. Possibly until 12.30 pm. with all other times as they are at present. The government are trying to clamp down on Binge drinking. If the application was granted all that has happened in my opinion is that a late drinking retreat has been created

This a small hamlet within a conservation area, with a small public house with limited road access and parking

Please find attached copies of a circular which a concerned parent has circulate around the households in Hemington



ATHT

# Green King Brewing have applied to change the licence for the JOLLY SAILOR

Did you know there has been an application for a Licence change at the Jolly Sailor? (See blue sign on lamp post outside Hemington School)

Not many do...and those who have seen it were confused as to what it all meant. This handout is to provide more information so that you can make an informed decision whether you need to be concerned or not.

Under the Licensing Act 2003 Green King wish to change the existing licence of the Jolly Sailor to incorporate the following:

- Sell alcohol by retail (for consumption on and off premises)
- Provide late night refreshments
- Regulated Entertainment to include:
  - Performances of live music
  - Playing of recorded music
  - Facilities for making music
  - Facilities for dancing
  - Similar but NOT including e, f, or g
  - Remove mandatory condition of 4 & 5 (old act embedded restrictions)

## What does this mean?

Allowing live or recorded music - anything from a one man band to disco or karaoke:

- Friday and Saturday 19.00 to 01.00 every week!
- Christmas Eve, Christmas Day, Boxing Day, New Years Eve/Day, Good Friday, Easter Sunday, Easter Monday
- ALL Bank Holidays plus the day before a Bank Holiday
- That's up to 115 days per year!

## Pub opening hours:

- Monday to Thursday 10.00 am to midnight
- Friday & Saturday 10.00 am to 02.00!:
- Sunday 12.00 am to 11.00 pm
- Christmas Eve, Christmas Day, Boxing Day, New Years Day, Good Friday, Easter Sunday, Easter Monday, all Bank Holidays plus the day before a Bank Holiday - 10.00 am to 02.00
- New Years Eve - from the end of regular hours on that day to the start of permitted hours on the following day - that's all night!

This is what you would expect from a city centre pub/club not from a village pub in a quiet conservation area!

**How do you feel about these changes? How will it affect you and your family?**

Fax

**DO NOT THROW ME AWAY – PLEASE READ-THIS COULD AFFECT YOU!**

**Green King Brewing have applied to change the licence for the**

**JOLLY SAILOR**

*Ed Valt*

**Points to consider:**

- What sort of visitors will this attract into the village? How many additional people will there be?
- What noise levels will this create? Noise from music? Noise from people - especially at closing times -- from (a) the visitors and (b) from their vehicles?
- Where are all these extra visitors going to park? Maybe in your space outside your house or blocking your entrance! If complaints are made to the council re parking how will they respond? – by ticketing cars, implementing parking restrictions? – how will they differentiate between residents and customers? Will you get fined for parking where you have always parked?
- How will this affect you in the warmer months especially if you enjoy being outside in currently, a quite peaceful village? Will you or your children be disturbed if you have bedroom windows open at night to keep cool?
- How will these changes be managed and monitored to prevent adverse impact to the current character of our village?
- Will this licensing arrangement impact the value of your property or your ability to sell it in the future?
- When the Coop has closed will the off licence facility attract extra visitors from surrounding areas? Do you think this may cause problems?
- Are you currently a regular at the pub and enjoy it as it is? How would you feel if changed?

If you have views and would like to make your feelings known please complete the attached form or write, email or fax to:

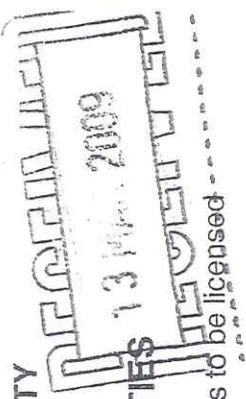
**North West Leicestershire Licensing Department,  
 Council Offices  
 Whitwick Road  
 Coalville**

**Fax: 01530 454506 E-Mail: [info@nwleicestershire.gov.uk](mailto:info@nwleicestershire.gov.uk)**

**ALL CORRESPONDENCE HAS TO BE REGISTERED BY 19<sup>th</sup> MARCH 2009**

**As a country pub the Jolly Sailor has been the heart of our  
 quiet village for many years – it's in our interests that it  
 continues to thrive but be appropriate to its surroundings.**

NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY  
Licensing Act 2003



REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent	P-C PERKINS
Organisation name/name of body you represent (if appropriate)	
Postal and email address	8, HEHINGTON COURT, HEHINGTON DERBYS DE74 2PT.
Contact telephone number	01332 814723.
Name of the premises you are making a representation about	THE JOLLY SAILOR, MAIN ST. HEHINGTON.
Address of the premises you are making a representation about	MAIN STREET, HEHINGTON, DERBYS DE74.

Your representation must relate to one of the four Licensing Objectives

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	MORE CARS IN THE VILLAGE COULD LEAD TO MORE CRIME.
Public safety	YES	PARKING WOULD INCREASE, GETTING OUT OF MY ARCH WAY NOW IS DIFFICULT. THIS WOULD MAKE IT IMPOSSIBLE.
To prevent public nuisance	YES	NOISE AND CAR POLLUTION WOULD INEVITABLY INCREASE BY THIS ACTION.
To protect children from harm	YES	THE AMOUNT OF TRAFFIC THROUGHT THE VILLAGE WOULD INCREASE THEREBY PUTTING VILLAGE CHILDREN AT RISK

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. \*\*

LEAVE THE PUB AS IT HAS BEEN FOR A NUMBER OF YEARS. I DO NOT WANT A CITY PUB IN MY VILLAGE.

Signed: *Perkins* Date: 10.3.2009.

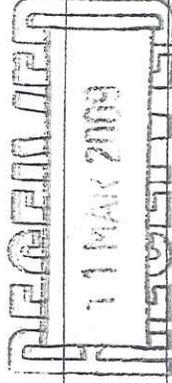
Please return this form along with any additional sheets to: North West Leicestershire Licensing Authority, Council Offices, COALVILLE, Leicestershire, LE67 3FJ, or email to Licensing@nwleicestershire.gov.uk  
This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01530 454528, 01530 454838 or 01530 454844.

**NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY**  
Licensing Act 2003

**REPRESENTATION FORM FROM INTERESTED PARTIES**

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent	ANN STOKES
Organisation name/name of body you represent (if appropriate)	
Postal and email address	3 HEMINGTON COURT HEMINGTON DERBYSHIRE DE 74 2PT
Contact telephone number	01332 814322 MOBILE 07766422806



Name of the premises you are making a representation about	JOLLY SAILOR
Address of the premises you are making a representation about	MAIN ROAD HEMINGTON

Your representation must relate to one of the four Licensing Objectives

<b>Licensing Objective</b>	<b>Yes Or No</b>	<b>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</b>
<b>To prevent crime and disorder</b>	YES	If the Jolly Sailor were to open from 10:00AM to Midnight - Mon - This - this would encourage people to drink more so causing a nuisance to neighbouring properties
<b>Public safety</b>	YES	The Jolly Sailor is located within the heart of the village not on the outskirts it has no car park. These opening hours would mean even more cars parked on Main Road making it even more hazardous.
<b>To prevent public nuisance</b>	YES	This pub is far too close to properties where there are children living. A music licence would inevitably interfere with their sleeping. This is not a city centre pub.
<b>To protect children from harm</b>	YES	There is a Primary School within close proximity to this pub. It is not right these premises be open from 10:00AM so close to young children

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. \*\*

Signed:

*A Stokes*

Date: 9.3.09

Please return this form along with any additional sheets to: North West Leicestershire Licensing Authority, Council Offices, COALVILLE, Leicestershire, LE67 3FJ, or email to Licensing@nwleicestershire.gov.uk  
**This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01530 454528, 01530 454838 or 01530 454844.**

**EMMA MCHUGH**

---

**From:** EMMA MCHUGH on behalf of LICENSING  
**Sent:** 18 March 2009 15:25  
**To:** EMMA MCHUGH  
**Subject:** FW: Premises variation - Jolly Sailor, Hemington  
**Attachments:** Jolly Sailor.doc

**From:** hjcarter@talk21.com [mailto:hjcarter@talk21.com]  
**Sent:** 18 March 2009 15:10  
**To:** LICENSING  
**Cc:** hjcarter@talk21.com  
**Subject:** Premises variation - Jolly Sailor, Hemington

Dear Sir/ Madam,

With reference to the application for premises variation for Jolly Sailor in Hemington - please find attached my representation. I am making this representation as a householder whose property adjoins the pub.

Please could you advise me of any developments with this application including any committee dates.

Kind regards,

James Carter.

Name: Mr James Carter  
 Address: 23a, Main Street, Hemington, Derby. DE74 2RB.  
 E-mail: [hjcarter@talk21.com](mailto:hjcarter@talk21.com)  
 Telephone: 01332 814117

Regarding: Jolly Sailor  
 Address: 21, Main Street, Hemington. Derby. DE74 2RB.

Representation:

Licensing Objective	Yes/No	Detail
To Prevent Crime & Disorder	No	
Public Safety	No	
To Prevent Public Nuisance	Yes	<p>I have raised the following issues based on reading section 9 of NWLDC Statement of Licensing Policy. My comments in this section relate to how I see my family and my property are directly impacted should the application be granted in its current state.</p> <p><b><u>Noise from premises.</u></b></p> <p>I am concerned that the <u>playing of live or recorded music will be heard throughout my house and cause disturbance to my family.</u></p> <p>My house, 23a Main Street, Hemington is immediately behind the Jolly Sailor pub – the back wall of the pub runs down one side of my back garden, it is possible to touch the back wall of the pub from my land. I have two children, one three years six months and one nine months old – their bedrooms are at the rear of our house overlooking the back garden. My children go to bed at 7.30 and 7.00pm respectively.</p> <p>The rear wall of the pub which forms the boundary with my property is approximately 20 ft from my house. The rear of the pub has three windows in it – of which only one is double glazed – and two extractors – of which one has no exterior cover.</p> <p>Two recent functions were held at the pub on 21<sup>st</sup> and 28<sup>th</sup> February – on both occasions our children woke whilst noise was clearly audible from the pub. We were aware of the first event and we didn't raise a concern as we thought this was a one off occasion for a local's birthday. We were not aware of the second event and, as we had by then discovered that the licensing application had been made we were advised by the council to raise a complaint (09/01737/PNSCOM) so that a formal record exists. On the second occasion music was clearly audible – I first heard it at about 9.30 over the sound of the television. It was audible throughout our house until the final song (Irish Rover) was played at 11.40pm – our youngest son had been woken at approximately 10.00pm and did not go back to sleep until 11.50pm.</p> <p>My concern is that noise from music being played in the pub will be audible from my property (including the garden area) and will be intrusive and disruptive to my families use and enjoyment of the property,</p> <p>The attached photograph shows the position of my property to the pub</p>

	<p><b><u>Prevention of nuisance and disturbance.</u></b></p> <p>I am concerned that there will be disturbance from people leaving the pub particularly on Friday and Saturday.</p> <p>Hemington is an old village with a number of driveways and accesses running off the main street. One of these accesses runs from Main Street to the immediate right of the pub and past the front of my property, another runs from three doors left of the pub and into a garden area to the rear of my property.</p> <p>My concern is that with extended opening hours people will come from Castle Donington when pubs with shorter opening hours close and continue drinking in Hemington. I am worried that this will generate more people who will be come out of the pub drunk and use these access ways as toilets, somewhere to drink alcohol that they have bought as 'off sales', wander around, etc and that these people will find themselves outside my property.</p> <p><b><u>Prevention of nuisance and disturbance.</u></b></p> <p>I am concerned that increased car traffic will cause access problems at my property.</p> <p>The pub is situated on Main Street in the centre of the older part of Hemington. There is limited parking in the central area of the village and cars are frequently parked on or straddling pavements. Some cars are unfortunately parked inconsiderately, partially blocking access points to properties and un-sighting cars entering and leaving. I believe that these incidents are infrequently reported as they are seen as minor and not worth the effort.</p> <p>Access to my property is through an archway some 50 yards to the north of the pub; this access is shared with eleven other properties mainly occupied by over 55s.</p> <p>My concern is that with increasing amounts of customers coming to the pub for either music nights or parking their cars and then walking home to take advantage of later opening hours then we will see increased parking that either directly blocks access to or visibility from this archway. This will increase the likelihood of not being able to get in or out of the entrance or cause of an accident due to being unsighted from on-coming traffic.</p> <p>I recognise that this is an extremely sensitive subject in this area of the village as a whole and I have no desire to exacerbate it.</p>
To Protect Children	No
Conditions that could be added to the licence to remedy my representation/ other suggestions I would like the Licensing sub-committee to take into account	<p>I would like to suggest that as per section 9.2 of the Statement of Licensing Policy a risk assessment is performed. This should be thorough and complete and address the concerns raised above.</p> <p>I would like the licensing sub-committee to review the findings of such an assessment to ensure that the application is rebutted (section 3.5) unless it can be demonstrated that adequate balance (section 2.3) has been struck between the needs of the pub and prevention of public nuisance (section 9).</p>

I would like to see the burden of proof that any such issues are resolved to be on the pub prior to any variation of the licence permitted. I would like this resolved from the outset so we do not face a situation where I feel the need to call for a review of the licence on a frequent basis.

I would like the licensing sub-committee to suggest that direct neighbours are consulted on any such future plans. This is in accordance with guidance from several local authorities – ref

- "Guidance on controlling noise from premises such as pubs, clubs, village halls & other community buildings & outdoor event venues" – Mid Sussex District Council.
- "Noise from pubs and other venues" – South Gloucestershire Council.

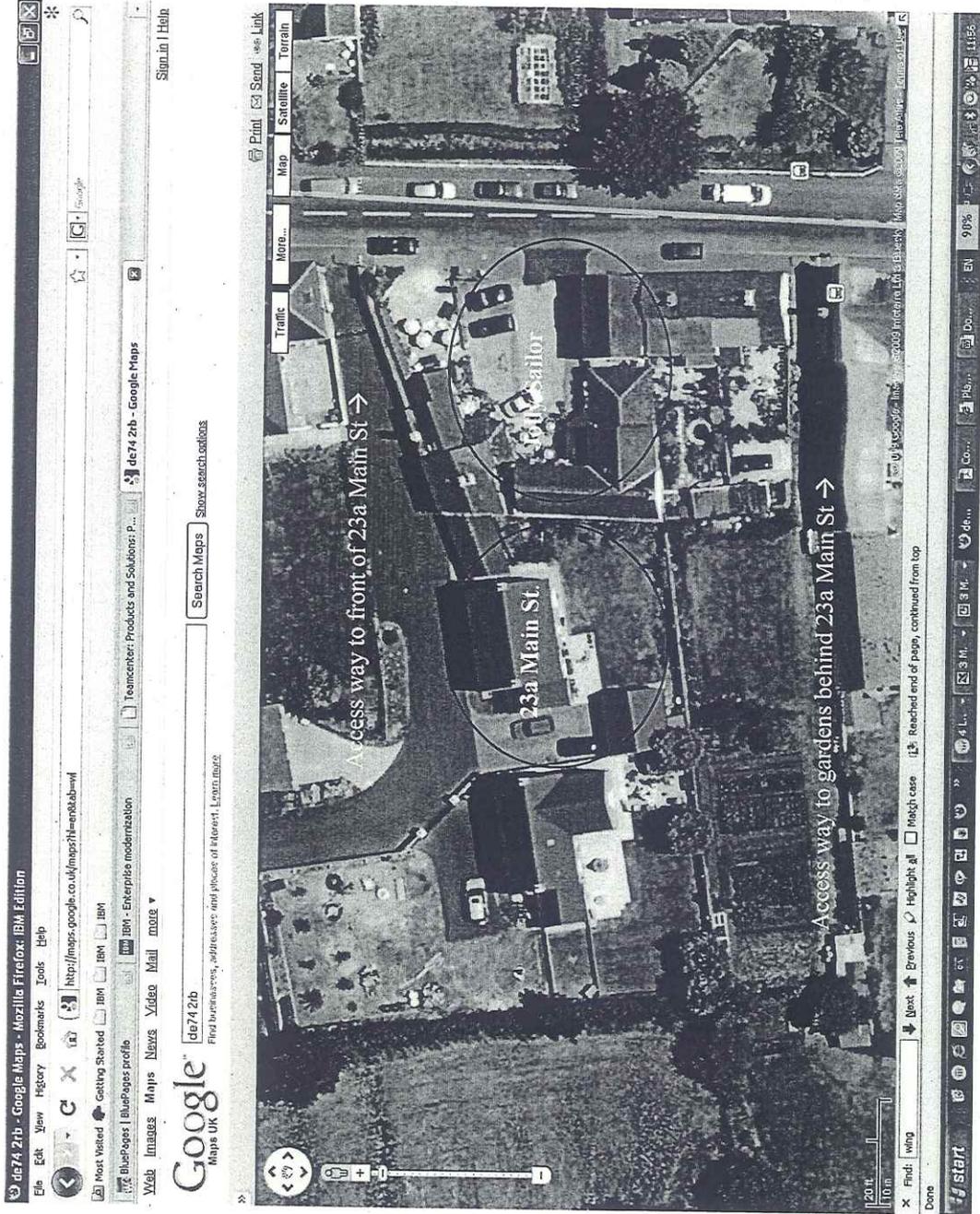
When I moved to Hemington just under four years ago I was moving next door to a traditional country pub run in an appropriate way with an appropriate licensing regime. I hear Morris Men in the summer and 'Old Lang Syne' sung badly at New Year – I have no problem with this, it's only what I would expect. I am concerned that what is being applied for is more suited to a city or town centre pub rather than a quiet village pub and is out of context with the area. My understanding is that I could face music 20 feet away from my house until 1.00am every Friday and Saturday plus Bank Holidays throughout the year.

Whilst I understand that it is not a legal requirement I am disappointed that I have not been spoken to by the pub regarding this application. A brief discussion might have allowed us to reach an understanding and avoid my complaint regarding noise or this representation. Without any discussion I have no context around the application and only the information that the licensing department of NWLDC has provided so can only assume the worst case scenario.

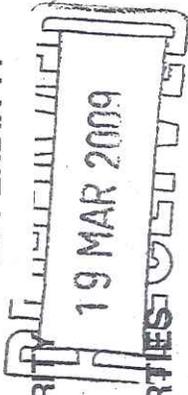
I have used the pub frequently in the past and like the current tenants. I have no personal issue with them.

Like many in Hemington I see the Jolly Sailor as an asset to the community and wish it to prosper and understand that changes may be required to allow this to happen. Whilst I understand this it can not be to the detriment to my family. If the issues raised can be addressed then I will have no problems, my view is that if I can't hear it, see it or feel it I can't object to it.

The following illustrates the location of my property in relation to the Jolly Sailor.



NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY  
Licensing Act 2003



REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent	MR & MRS J.J. HAVERON
Organisation name/name of body you represent (if appropriate)	
Postal and email address	1 HEMINGTON COURT HEMINGTON DERBY DE 74 2PT
Contact telephone number	01332 850713

Name of the premises you are making a representation about	THE JOLLY SAILOR
Address of the premises you are making a representation about	MAIN STREET HEMINGTON DERBY

Your representation must relate to one of the four Licensing Objectives

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		
Public safety		
To prevent public nuisance	YES	TO PREVENT NOISE, PARKING PROBLEMS WE ALREADY HAVE PROBLEMS WITH PARKING ON A FRIDAY AND SATURDAY NIGHT. SO TO INCLUDE THE HOURS OF OPENING WILL ONLY ADD TO PLUS THE FACT THAT THE JOLLY SAILOR HAS ONLY 600 SEVEN TO EIGHT OFF ROAD CAR PARKING SPACES
To protect 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 Licensing Sub Committee to take into account. **	
---	--

Signed: 

Date: 17.3.2009

Please return this form along with any additional sheets to: North West Leicestershire Licensing Authority, Council Offices, COALVILLE, Leicestershire, LE67 3FJ, or email to Licensing@nwleicestershire.gov.uk  
This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01530 454528, 01530 454838 or 01530 454844.

Northwest Leicestershire Licensing Authority  
Council Offices  
Coalville  
Leicester  
LE67 3FJ

16<sup>th</sup> March 2009

**RE: Application for change of License for Jolly Sailor – Hemington**

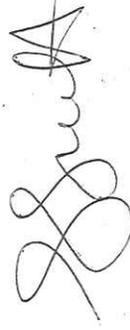
Dear Emma

Sorry I missed you last week however Stephen kindly showed me the above application.

I have attached the complaint form detailing my concerns.

I can appreciate the fact that we moved next to the Jolly Sailor, however that was 2 years ago and no problems occurred with either the existing licence or previous owner. The situation has changed now that Green King have purchased a country pub next to me and are trying to change the license to something that a city centre pub owner would be envious of, not a village pub in a conservation area.

Yours sincerely



Mr & Mrs Swift  
23 Main Street  
Hemington  
Derby DE74 2RB

Attached: Representation form from interested parties

NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY  
Licensing Act 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent	MR + MRS SWIFT
Organisation name/name of body you represent (if appropriate)	
Postal and email address	23 MAIN STREET HEMINGTON DERBY DE74 2RB
Contact telephone number	01332 855042 07971813578

Name of the premises you are making a representation about	GREEN KING — JOLLY SAILOR PUB
Address of the premises you are making a representation about	21 MAIN STREET HEMINGTON DERBY DE74 2RB.

Your representation must relate to one of the four Licensing Objectives

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	-	- SALE OF ALCOHOL FOR OFF PREMISES (SUPPLIED) - UNDESIRABLES THAT ALREADY CAUSE TROUBLE IN CASTLE DONINGTON COMING TO VILLAGE - DAMAGE TO CARS PARKED ON ROAD/PAVEMENTS.
Public safety	-	- CARS PARKED ON EITHER SIDE OF ROAD - CARS PARKED ON PAVEMENTS AND DROPPED CURBS - BLOCKING DRIVEWAYS.
To prevent public nuisance	-	- NOISE FROM MUSIC WITHIN PUB - EXIT NOISE IN EARLY HOURS - NOISE FROM VEHICLES DEPARTING - SMOKING AT THE END OF OUR DRIVEWAY - BEER GLASSES LEFT ON PAYMENT.
To protect children from harm	-	- THESE ARE 7 CHILDREN UNDER AGE OF 7 THAT LIVE IN IMMEDIATE LOCATION OF PUB - WHERE YOU CAN EXPECT TO HEAR RAISED NOISE LEVELS IN EARLY HOURS OF MORNING.

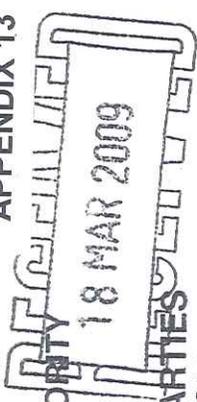
Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. \*\*

THE PUB HAS THRIVED AND BEEN VERY SUCCESSFULLY RUN ON EXISTING LICENSE. THE PUB WAS BOUGHT KNOWING IT WAS A COUNTRY PUB IN A CONSECUTATION AREA. THIS NEW PROPOSED CHANGE HAS THE ABILITY TO CAUSE BROADER + DEEPER ISSUES WITHIN VILLAGE.

Signed:  Date: 16<sup>th</sup> March 2009.

Please return this form along with any additional sheets to: North West Leicestershire Licensing Authority, Council Offices, COALVILLE, Leicestershire, LE67 3FJ, or email to Licensing@nwleicestershire.gov.uk  
This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01530 454528, 01530 454838 or 01530 454844.

CLARENCE ANNE 19 2 2009



18 MAR 2009

## REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent	GRAHAM & MARGARET CAMERON.
Organisation name/name of body you represent (if appropriate)	-
Postal and email address	9 HEMINGTON COURT, HEMINGTON, PERRY, DE74 2PT
Contact telephone number	01332 850941

Name of the premises you are making a representation about	THE JOLLY SAILOR
Address of the premises you are making a representation about	21 MAIN STREET, HEMINGTON, DERBY.

Your representation must relate to one of the four Licensing Objectives

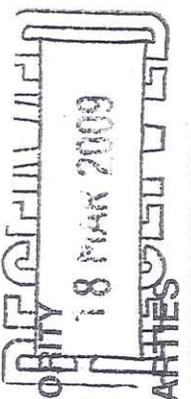
Licensing Objective	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	YES	PEOPLE LEAVING THE PUB WALK AT NIGHT/EARLY MORNING, CAUSING NOISE AND POSSIBLE DAMAGE TO CARS, AND PROPERTY.
Public safety	YES	THE MAIN STREET AREA HAS A PARKING PROBLEM, INCREASE TRAFFIC WILL INCREASE THIS PROBLEM, AND THE DIFFICULTY EXITING HEMINGTON COURT CAUSING ACCIDENTS.
To prevent public nuisance	YES	THIS IS A SMALL VILLAGE IN A COUNTRIFICATION AREA, WITH FAMILIES WITH SMALL CHILDREN, ELDERLY RESIDENTS IN CLOSE PROXIMITY TO THE JOLLY SAILOR.
To protect children from harm	NO	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. **	WE WOULD LIKE THE JOLLY SAILOR TO REMAIN AS A VILLAGE PUB. IN CHARACTER, WITH ITS SURROUNDINGS. WHAT IS BEING PROPOSED IS MORE SUITABLE TO A TOWN OR CITY PUB. WE WOULD LIKE TO ENJOY AND SUPPORT THE PUB AS IT IS.
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Signed: *Graham Cameron* Date: 16/03/09  
*G. Cameron*

Please return this form along with any additional sheets to: North West Leicestershire Licensing Authority, Council Offices, COALVILLE, Leicestershire, LE67 3FJ, or email to Licensing@nwleicestershire.gov.uk  
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NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY  
Licensing Act 2003



REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent	JAMES MELLORS
Organisation name/name of body you represent (if appropriate)	
Postal and email address	5 GRANVILLE PARK CHOSE HEMINGATON DE74 2TS
Contact telephone number	01332 853117

Name of the premises you are making a representation about	JOLLY SAVER - MAIN ST. HEMINGATON
Address of the premises you are making a representation about	MAIN ST. HEMINGATON

Your representation must relate to one of the four Licensing Objectives

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		
Public safety		
To prevent public nuisance	YES	Please see separate sheet.
To protect 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 Licensing Sub Committee to take into account. **	Please see separate sheet.
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Signed: *James Mellors* Date: 17-March 2009

Please return this form along with any additional sheets to: North West Leicestershire Licensing Authority, Council Offices, COALVILLE, Leicestershire, LE67 3FJ, or email to Licensing@nwleicestershire.gov.uk  
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**Re Licensing Act 2003**

**Changes to Licence, for Jolly Sailor, Main Street, Hemington, sought by Greene King Brewing**

We understand that Greene King are applying to change the current licence at the Jolly Sailor to allow live and recorded music on the premises to operate frequently.

We wish to make strong representations against this change to the licence. We understand the music could operate on up to 115 days per year. This is approximately 30% of the number of nights in the year.

The noise from this music would be detrimental to our ability to sleep. We have already experienced this when previous special licences have allowed music.

Hemington has always been a small residential village. The Jolly Sailor is surrounded by residential properties – some are extremely close.

The allowing of music on these premises would cause great public nuisance.

The other major factor causing public nuisance will be the additional number of vehicles that will want to park in the village to go to the Jolly Sailor if these changes are allowed.

We walked along the village early last Sunday morning and a lot of cars, belonging to residents, were parked on Main Street. This was well before opening time at the Jolly Sailor.

Additional cars would come to Hemington if the proposed changes to the licence were allowed and the parking would be chaotic and the passage of through traffic along Main Street would be very difficult. It must be appreciated that the Jolly Sailor only has a very small car park.

Parking on Main Street, Hemington has always caused traffic problems so any additional vehicles are only going to exacerbate the present situation.

The only way our representations can be remedied is for the licence application for changes to the Jolly Sailor's licence to be refused.

*James Mellors*

James Mellors

*R.A Mellors*

Rosemary Mellors

NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY  
Licensing Act 2003

18 MAR 2009

## REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent	Dr Wai Lim
Organisation name/name of body you represent (if appropriate)	
Postal and email address	238 Main Street Hemington DE742R
Contact telephone number	07709 533604
Name of the premises you are making a representation about	Tolly Sailors Pub Hemington
Address of the premises you are making a representation about	Main Street Hemington

Your representation must relate to one of the four Licensing Objectives

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	Extended hrs & sale of alcohol off premise will increase drunkenness & disorderly behaviour
Public safety	Yes	Poor parking on street ongoing issue in village. Reduce visibility when walking across road & driving on or onto Main Street
To prevent public nuisance	Yes	Noise pollution in relation to music esp Karaoke (!) will not be able to open windows or sit outside in the summer months
To protect children from harm	Yes	Also young children in house. As in public safety. Also children entitled to sleep without noise disturbance

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. **	<p>Present arrangement is fine. Tenants can apply for temporary licence. However future temporary applications needs more consultation with local immdicate residents.</p>
---	--

Signed:



Date:

15/3/09

Please return this form along with any additional sheets to: North West Leicestershire Licensing Authority, Council Offices, COALVILLE, Leicestershire, LE67 3FJ, or email to Licensing@nwleicestershire.gov.uk  
This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01530 454528, 01530 454838 or 01530 454844.



**NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY**  
**Licensing Act 2003**

**REPRESENTATION FORM FROM INTERESTED PARTIES**

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent	PROFESSOR + MRS. D. J. HOPE
Organisation name/name of body you represent (if appropriate)	✓
Postal and email address	THE NUNNERY, MAIN ST., HEMINGTON, DERBY DE74 2SQ <a href="mailto:terencehope@btinternet.com">terencehope@btinternet.com</a>
Contact telephone number	01332 811724

Name of the premises you are making a representation about	<del>TOLLY SALOON PUB</del> MAIN ST. HEMINGTON, DERBY DE74
Address of the premises you are making a representation about	MAIN ST. HEMINGTON. DERBY DE74

Your representation must relate to one of the four Licensing Objectives

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		SEE ATTACHED SHEETS
Public safety		"
To prevent public nuisance		"
To protect 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 Licensing Sub Committee to take into account.*
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Signed:

Date: 17.3.09

Please return this form along with any additional sheets to: North West Leicestershire Licensing Authority, Council Offices, COALVILLE, Leicestershire LE67 3FJ, or email to [Licensing@nwleicestershire.gov.uk](mailto:Licensing@nwleicestershire.gov.uk)  
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**NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY****Representation form from Interested Parties**

**Additional comments from Dr. and Mrs. D.T. Hope  
The Nunnery, Hemington, Derby DE74 2SQ**

**The Jolly Sailor Public House, Hemington, Derby  
re**

**To prevent crime & disorder**

Increased alcohol availability will be a problem for Castle Donington police. Even now, neighbours have had windows broken by youths leaving the pub. We get bottles and cans thrown over our boundary wall and into Hemington Brook on a regular basis. Today, for instance, there were 4 cans - bottles. We have had young men climb over our wall into our garden to urinate after leaving the pub. It will be far worse if these plans go ahead.

**Public safety**

Off-licensing arrangements will attract people from Castle Donington when the Co-op is closed causing parking problems. Parking is already a problem with cars parked both sides of a narrow road. Those living in Main Street will not be able to park outside their own houses. Emergency vehicles would have difficulty going down Main Street. It would be difficult for emergency vehicles trying to get to the East Midlands Airport or Donington Race Track at night. Hemington School already causes double parking in the morning and afternoon.

**To prevent public nuisance**

The noise going into the small hours from karaoke, live or recorded music would be unacceptable. This is a small country village and we already have to contend with airport noise and racetrack noise, any more noise whether from additional people, cars or music is intolerable. We want to enjoy summer days and evenings in our gardens without listening to other people's noise. In the past, there was a pub called the Three Horseshoes in Main Street which tried to increase its profits with music etc., upsetting all the neighbours with noise and nuisance. It failed and is now a private house.

**To protect children from harm**

Easy alcohol availability is always going to have the potential to harm children. Up to 1,000 people a day in Britain go to hospital for alcohol-related injuries - a 36% rise since 24-hour drinking was introduced in 2005. Children are bound to be affected whether directly or indirectly.

We live in a country village where our public house is the centre of the community. The pub, as it is, is an attractive place to visit, drink and eat and we wholeheartedly wish to support it but not in this way.

*D. Hope*  
*L. Hope*

17.3.2009

**EMMA MCHUGH**

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**From:** MATTHEW ROCKLEY on behalf of INFO  
**Sent:** 17 March 2009 16:19  
**To:** LICENSING  
**Subject:** FW: Licence change application by Green King Breweries for The Jolly Sailor Hemington

**From:** [theoakhouse@talktalk.net](mailto:theoakhouse@talktalk.net) [mailto:[theoakhouse@talktalk.net](mailto:theoakhouse@talktalk.net)]

**Sent:** 16 March 2009 20:16

**To:** INFO

**Subject:** Licence change application by Green King Breweries for The Jolly Sailor Hemington

The Oak House  
Hemington  
Derby

DE74 2RB

tel. 01332 810162

email. [theoakhouse@talktalk.net](mailto:theoakhouse@talktalk.net)

Dear Sir

A few years ago, Hemington had two public houses, The Three Horse Shoes and The Jolly Sailor.

As trading conditions became more difficult, as is the national trend for public houses, The Three Horse Shoes embarked upon a series of ventures to boost trade, which included music and disco's. These activities caused untold disturbance to the residents, but still did not keep the business viable. The Three Horse Shoes is now a private residence.

I fear that the same outcome will befall The Jolly Sailor, This type of entertainment should be kept for City centres, and not encouraged in quiet villages.

If the premises cannot be kept viable as a village pub, then it should close.  
Please refuse this application.

John Collins.

NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY  
Licensing Act 2003

18 MAY 2009

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent	MR & MRS J E COLLINS
Organisation name/name of body you represent (if appropriate)	LONG TERM HEMINGTON RESIDENTS
Postal and email address	THE OAK HOUSE, 3 MAIN ST, HEMINGTON, DERBY, DE74 2RB THEOAKHOUSE@TALKTALK.NET
Contact telephone number	01332 810162

Name of the premises you are making a representation about	THE JOLLY SAILOR
Address of the premises you are making a representation about	MAIN STREET, HEMINGTON, DERBY

Your representation must relate to one of the four Licensing Objectives

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	THE TYPE OF PERSON WHO FREQUENT SUCH PREMISES CAUSE UNTOLE CRIME AND DISORDER WHEN UNDER THE INFLUENCE OF ALCOHOL. THIS QUIET VILLAGE SHOULD NOT WITNESS SUCH BEHAVIOUR
Public safety	YES	THE INFLUX OF CARS IN THE VILLAGE WILL CAUSE A DANGER TO PUBLIC SAFETY, AS THE VILLAGE IS ALREADY CONGESTED WITH LOCAL VEHICLES
To prevent public nuisance	YES	WE HAVE PERSONAL EXPERIENCE OF THE DRUNKEN BEHAVIOUR OF PEOPLE LEAVING THE PREMISES AND MISBEHAVING WHILST WALKING BACK TO CASTLE DOMINGTON
To protect children from harm	YES	WITNESSING THE TYPE OF BEHAVIOR DISPLAYED BY THE TYPE OF PERSON WHO FREQUENTS SUCH PREMISES IS BOUND TO HAVE AN EFFECT ON YOUNG CHILDREN

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. **	DISMISS THE APPLICATION. HEMINGTON IS A QUIET VILLAGE WITH A LOCAL PUBLIC HOUSE, IF THE JOLLY SAILOR CANNOT BE PROFITABLE AS SUCH, THEN IT SHOULD CLOSE.
---	--

Signed: *J Collins* Date: 14-3-09

Please return this form along with any additional sheets to: North West Leicestershire Licensing Authority, Council Offices, COALVILLE, Leicestershire, LE67 3FJ, or email to Licensing@nwleicestershire.gov.uk  
This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01530 454528, 01530 454838 or 01530 454844.

19 Main Street,  
Hemington,  
Derby, DE74 2RB.

17th March 2009

TO WHOM IT MAY CONCERN

I am writing with regard to the extended hours licence application which has been made by The Jolly Sailor Public House, Hemington.

I reside at 19 Main Street, Hemington, which literally forms the border of their car park and pub.

During the time in which I have lived next to The Jolly Sailor I have had no cause whatsoever to complain with regards to noise, nuisance, car parking and loud music or anything else.

As a business man who has to be up early and run a large Company, I do not take kindly to any kind of interruption to my sleep. This, however, has not been an issue at all whilst Mr. and Mrs. Baker have been running The Jolly Sailor.

I have lived in Hemington for 12 years and I consider The Jolly Sailor to be the hub of the community. It is an important and integral feature of Hemington and should be supported by the community. This is why I wish to lend my FULL and COMPLETE support to their application and wish them every success for the future.



Nigel J. Blackburn

**EMMA MCHUGH**

**From:** Annah Swinscoe-Daniels [annah.swinscoe-daniels@flybmi.com]  
**Sent:** 18 March 2009 10:24  
**To:** EMMA MCHUGH  
**Subject:** RE: Green King Brewing - change of licence

Hi there, Emma, thanks for your email and for pointing this out to me, but it was not clear by the generic circular.

All we wanted to do was lodge the fact that in spite of the concerns raised

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

We feel that the public house will endeavour to ensure this is upheld as much as possible and for our part, have no real objection. The police as I am aware have been patrolling the local area for some time now anyway and as the public house is generally very welcoming to children, I am sure they are mindful of their obligations here too.

Regarding public nuisance, the pub currently has some evenings with live entertainment and bands and there does not appear to be any issues here either.

Overall I think what we wanted to say was that we feel that the current landlord and landlady are doing their utmost to try to make the pub "work" not only as a business but to blend in with the community as much as possible and I don't think they would want to feel that they are causing any undue angst to the locals and in the short time that they have been there, they have already made a positive impact.

It is appreciated that the village always goes "up in arms" whenever a change is mentioned, but sometimes change is positive!

Thank you for passing on the sentiments regarding the distribution centre – I have already lodged a formal complaint about this!

*Kind regards*

*Annah Swinscoe-Daniels*

**bmi** | [www.flybmi.com](http://www.flybmi.com)  
| Donington Hall | Castle  
Donington | Derby | DE74 2SB

*pa to director operations, head of operations & crewing and director network planning*

 **Tel:** 01332 854455

 **Fax:** 01332 854780

 **E-mail:** [annah.swinscoe-daniels@flybmi.com](mailto:annah.swinscoe-daniels@flybmi.com)

**From:** EMMA MCHUGH [mailto:EMMA.MCHUGH@nwleicestershire.gov.uk]  
**Sent:** 17 March 2009 10:29  
**To:** Annah Swinscoe-Daniels  
**Subject:** FW: Green King Brewing - change of licence

Annah,

Thank you for your email in relation to the Jolly Sailor, Hemington. As with all representations whether they are for or against the application, the representation must link to one of the four licensing objectives under the Licensing Act 2003 which are:

As your email does not relate to any of the above objectives, I am not able to accept this as a representation in favour of the application. If you do wish to make a representation in favour of the application then you must say how the grant of the application would promote any of the above objectives. I would need to receive any representation by 19th March 2009.

With regards to the flyer sent to all residents, this was sent by a resident of Hemington and not by the Council. The Licensing Authority act as an administration body in respect of an application for both the applicant and any objectors to the grant of the licence.

Also, your email refers to the building of a distribution centre. I am not aware of this but I can forward your comments on to the relevant department if you wish?

If you have any questions or queries in relation to this email then please do not hesitate to contact me via return email or on the details below.

Kind regards

Emma McHugh  
Licensing Enforcement Officer

Tel: 01530 454838  
Fax: 01530 454574

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**From:** EMMA MCHUGH **On Behalf Of** LICENSING  
**Sent:** 17 March 2009 08:54  
**To:** EMMA MCHUGH  
**Subject:** FW: Green King Brewing - change of licence

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**From:** MATTHEW ROCKLEY **On Behalf Of** INFO  
**Sent:** 16 March 2009 17:03  
**To:** LICENSING  
**Subject:** FW: Green King Brewing - change of licence

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**From:** Annah Swinscoe-Daniels [mailto:annah.swinscoe-daniels@flybmi.com]  
**Sent:** 16 March 2009 12:15  
**To:** INFO  
**Subject:** Green King Brewing - change of licence

Good afternoon

We are in receipt of the generic flyer concerning the above and wish to advise that as far as we are concerned, we have NO real objection to the application of licence to the Jolly Sailor public house.

Whilst there are certain aspects to consider as the flyer has pointed out, we feel that the landlord and landlady in situ are fully aware of the issues and concerns that the village has and will be doing their utmost to try to accommodate some of these issues.

To be fair, the pub is the only one in the village and they have to do something to maintain custom and perhaps encourage some new custom to the area which is ever expanding anyway and to be honest I find this flyer somewhat offensive in light of the fact that the council is even considering a huge distribution centre and does not seem to have an issue with this, yet can complain about a village pub trying to survive!!! Also with the onslaught of the race track on the horizon, it is probably inevitable that some changes will need to be made as the villages will have to sustain this extra traffic by some means.

As long as the management is in place to ensure the smooth running, I have no objection whatsoever and it is time the council concentrated on coping with the road flows that will be increased due to the race track and stopped talk about the distribution centre, but something like a village pub has to fight for survival and that is all that they are doing I believe!!

Where else in the village can local people go for live entertainment or dancing, etc – there is absolutely nowhere!!

Regarding the resale of property, again this old chesnut is raised by the council when it suits them – DO NOT ALLOW THE DISTRIBUTION CENTRE TO BE BUILT! Also, how can the council agree to the showground to be still in existence – I find this more “slummy” and unpleasant to look at than a public house trying to keep the villagers in the area!

In order to face these challenging times, the Jolly Sailor is doing its utmost to try to appeal to everyone, young and old and provided it is done without too much aggravation, we are looking forward to it!

*Kind regards*

*Annah Swinscoe-Daniels, Hall Gardens, Hemington*

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**EMMA MCHUGH**

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**From:** Angela Vickers [buddiesfloristdonnington@btconnect.com]  
**Sent:** 19 March 2009 09:46  
**To:** EMMA MCHUGH  
**Subject:** RE: LICENSING ACT 2003 - JOLLY SAILOR HEMINGTON

Dear Emma,

Thank you for your e mail.

In reply, I wish to lend my support to the Jolly Sailor , Hemington's application as I am more than sure that Mr. and Mrs. Baker have the wherewithal to ensure that extended hours will not cause any public nuisance, public safety issues, child protection issues or crime and disorder problems.

It is ludicrous to even suggest that having come to a quiet village and invested their life savings in to this business venture they would risk losing their livelihood by turning the pub in to a night club because at the end of the day the residents of Hemington are their clientele.

Kind regards,

Angela Vickers.

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**From:** EMMA MCHUGH [mailto:EMMA.MCHUGH@nwleicestershire.gov.uk]  
**Sent:** Wed 18/03/2009 16:26  
**To:** Angela Vickers  
**Subject:** FW: LICENSING ACT 2003 - JOLLY SAILOR HEMINGTON

Angela,

Thank you for your email in relation to the Jolly Sailor, Hemington. As with all representations whether they are for or against the application, the representation must link to one of the four licensing objectives under the Licensing Act 2003 which are:

- \* protection of children from harm;
- \* prevention of crime and disorder;
- \* public safety; and
- \* public nuisance.

As your email does not relate to any of the above objectives, I am not able to accept this as a representation in favour of the application. If you do wish to make a representation in favour of the application then you must say how the grant of the application would promote any of the above objectives. I would need to receive any representation by 19th March 2009.

If you have any questions or queries in relation to this email then please do not hesitate to contact me via return email or on the details below.

Kind regards

Emma McHugh  
Licensing Enforcement Officer

Tel: 01530 454838  
Fax: 01530 454574

-----Original Message-----

From: EMMA MCHUGH On Behalf Of LICENSING  
Sent: 18 March 2009 14:44  
To: EMMA MCHUGH  
Subject: FW: LICENSING ACT 2003 - JOLLY SAILOR HEMINGTON

-----Original Message-----

From: Angela Vickers [mailto:buddiesfloristdonnington@btconnect.com]  
Sent: 18 March 2009 11:51  
To: LICENSING  
Subject: LICENSING ACT 2003 - JOLLY SAILOR HEMINGTON

FOR THE ATTENTION OF EMMA MCHUGH - LICENSING OFFICER

My name is Angela Vickers and I live at 23, Ryecroft Road, Hemington, Derby, DE74 2RE.

It has come to my attention that the Jolly Sailor Public House at Hemington has applied for an extended hours license - AT LAST!!!! The pub is the centre of our village and we need to do everything we can to preserve it. In the current economic climate pubs are disappearing at a rate of knots and if Hemington was to lose the Jolly Sailor the heart would be ripped out of our community. If there is one thing Hemington can pride itself on its the fact we can still say we have a sense of community and this is essential to a village.

To this end, I wholeheartedly support the Jolly Sailor's application. The new Licencees are like a breath of fresh air and I firmly believe that given the opportunity will make the Jolly Sailor an even greater asset to Hemington and it will become the architypal quaint country pub it so thoroughly deserves to be.

\*\*\*\*\*

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# Lockington Cum Hemington Parish Council

Clerk – Graham Cameron

Tel/Fax: 01332 850941

Email: hemlock.clerk@btinternet.com

9 Hemington Court  
Hemington  
Derby  
DE74 2PT

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Licensing Department  
NWLDC  
Council Offices  
Coalville  
Leics  
LE67 3FJ

Copy to: Matt Baggott, Chief Constable, Leicestershire Constabulary

17<sup>th</sup> March 2009

Dear Mr Sirs,

**Re: Change to Licence Application by Green King, Jolly Sailor Main Street Hemington**

At a recent Parish Council meeting, and following representation by a number of local residents, the Council instructed me to write to you to express its objections to any proposed changes in the licence currently held for The Jolly Sailor, 21 Main Street, Hemington, Derby

The objections are that the community and village will be adversely affected for the following reasons:

1. Increase in Noise and Pollution
2. Lack of Car Parking Space
3. Will affect the Conservation Area
4. The Pub is in Close Proximity to Residential Housing
5. Will encourage Late Drinkers – Public Order
6. Disturbance through Off Sales – 2am
7. Increase in the amount of Litter

The Councils view is that it is important to maintain The Jolly Sailor as a village pub providing an invaluable service to the local community. The Council maintains that the present licence arrangements should be sufficient to accommodate these requirements.

Yours sincerely,

Graham Cameron

Graham Cameron  
Clerk to the Council