

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL
LICENSING ACT 2003**

REPRESENTATION FORM

Your name/organisation name/name of body you represent	Mr A Thomas
Organisation name/name of body you represent (if appropriate)	
Your Postal address	[REDACTED]
Name of the premises you are making a representation about	Ashby Ivanhoe Football Club
Address of the premises you are making a representation about	New Field Sports Field, Lower Packington Road LE65 1TS

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about (i.e. Terminal hours, and music and dancing on Friday and Saturday night)

All aspects of proposed variations to licence including terminal hours, the extension and variation of the alcohol sales licence, the addition of live music inside and outside the premises and the variation in terminal time for such activities, the removal of restrictions with regard to the playing of live/amplified/recorded music and the removal of restrictions regarding pre-booked private functions.

Your representation must relate to one of the four Licensing Objectives

Licensing Objective	Please provide full details of your concerns regarding the application and include any evidence you may have in support of it. Please use separate sheets if necessary
To prevent crime and disorder	The variation in terminal hours, the playing of live and amplified music outside and the extension of alcohol sales to players and fans of opposing teams as well as to general members of the public has the principal purpose of encouraging more, noisier and larger gatherings of people in a quiet residential area, which potentially will lead to conflict and possible crime and/or disorder. The application does not appear to have been accompanied by an Operating Schedule (if it has then it is not available for inspection on the Council's website) so it is not clear whether the proposed variation is based on an adequate risk assessment, undertaken by the applicant, of the likelihood of crime and disorder occurring as a result of the grant of the application.
Public safety	The premises has very limited car parking to satisfy existing licenced activities and this results in off-site hazardous and inconsiderate visitor parking along Lower Packington Road, on the grass verges opposite and adjacent to the club as well as on nearby residential streets at Cambrian Way and Wrekin Close - with inconsiderate and double parking, particularly on match and event days. The proposed variations would increase the off-site visitor parking problem in the vicinity of the premises as the majority of the premises is taken up by sports pitches with little space left for visitors or parking and with only a single point of access/egress onto Lower Packington Road. The absence of appropriate on-site parking affects public safety within the premises as well as highway safety of other road users and pedestrians on the surrounding road network. The licence variations now sought would have an immediate and direct impact on public safety in these respects.

	<p>Nonetheless, there does not appear to be any evidence in support of the application to prove that appropriate and satisfactory general and technical risk assessments, management procedures and certificates have been made available to demonstrate that the public living near to the premises or other members of the public visiting the premises will be safe within and in the vicinity of the premises. In this respect, it should be noted that the stated aim of the football club is to “ ... turn the area into a community hub with vastly improved facilities and room for 1,500 spectators” [source – AIFC website].</p>
<p>To prevent public nuisance</p>	<p>The proposed licence variations/relaxations greatly increase the potential for nuisance associated with the style, characteristics and activities to be carried on at the premises although it appears that no steps have been identified which could be taken to reduce the risk of nuisance occurring. This is especially important in view of the premises location so close to a neighbouring residential area in close proximity to the premises.</p> <p>The proposed variations, particularly the sale of alcohol, the playing of live and amplified music outside, the extension of terminal hours and the removal of restrictions on the number of private pre-booked functions will create significant public nuisance to many local residents who live adjacent to the site by virtue of noise nuisance (visitors entering/leaving motor cars later in the night parked on nearby residential streets after drinking alcohol, shouting, doors banging playing of loud music in cars) as well as noise pollution from playing amplified music from the premises and light pollution and litter. The noise and disturbance resulting from a relaxation of current conditions will be harmful and likely to cause additional public nuisance. No measures appear to have been included to consider provision to adequately limit noise and vibration, nor to control eating, drinking, smoking and litter outside the premises in the neighbouring residential area. Similarly, there is only one access into the site for visitors on foot or by car. There is a footway only on one side of Lower Packington Road and that is often crossed by vehicles parking on the adjoining grass verge. It is reasonable to expect that a direct impact of the proposed variations/relaxations will cause nuisance by congesting the pavement or the roadway – especially when one considers the objective to provide accommodation for 1,500 visitors. Queuing is likely and the steps proposed to prevent queuing, or to divert queues away from residential properties on Cambrian Way and Wrekin Close have not been provided.</p>
<p>To protect children from harm</p>	<p>There are many families with young children living in close proximity to the site, the potential noise and disturbance from late night, alcohol fuelled music events on the site will be detrimental to the children’s well being.</p>
<p>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>	<p>It is difficult to comment on suggested conditions in the absence of an Operating Schedule (if one has been submitted by the applicant it is not available for inspection on the Council’s website) or appropriate risk assessments.</p> <p>The conditions which the Applicant is now seeking to vary were originally imposed by the Council’s Licensing Sub-Committee</p> <p>Licensing Committee should have regard to the representations made at the time the premises licence was approved at the outset and to the reasons why conditions and restrictions were imposed at that time. They were imposed because the Sub-Committee felt they were necessary to promote the licencing</p>

objectives in relation to what was then, a small-scale sporting facility. The licensing objectives remain the same today although the scale and intensity of activity that the football club is seeking to develop is significantly greater and of a different character.

Since the original licence was granted, the applicant has added an external beer garden and occasional pavilion which accommodates functions and non football-match related events. The applicant has failed to demonstrate why the existing conditions and restrictions should be set aside to accommodate this increased level of activity or else identify alternative arrangements that would equally promote the licensing objectives.

Conditions and restrictions attached to the licence are focused on relevant matters that are within the control of the licence holders and others concerning matters occurring at, and in the vicinity of premises, and the direct impact they have on nearby residents. I understand that the Licensing Authority expects the licence holder to be responsible for minimising the impact of the activities and anti-social behaviour by their patrons within the immediate vicinity of their premises. I also understand that the Licensing Authority will require licence holders to demonstrate that they have taken appropriate action.

Indiscriminate off-site parking relating to events at the premises already takes place on nearby residential streets at Cambrian Way and Wrekin Close as well as on the grass verges of Lower Packington Road. I therefore suggest that if any variation is allowed, it should be subject to strict and enforceable conditions which will ensure the license holder will restrict visitor car parking to land within the licensed premises themselves and to ensure that no indiscriminate parking takes place in the vicinity of the premises on nearby residential streets.

The stated aim of the football club is to “... turn the area into a community hub with vastly improved facilities and room for 1,500 spectators” [source – AIFC website]. This is a totally unsustainable site for such a large facility which is accessed via an unsuitable local road network, has insufficient parking facilities and is in very close proximity to local housing which where residents will suffer direct public nuisance from noise and disturbance should the licence be varied as is now sought. This current application appears to be aimed at supporting this objective but if approved, would be at the expense of the quality of life and safety of many local residents. As such, the current application should be refused.

The Licensing Committee should also consider consultation with the Council’s Planning Department to investigate whether there has been a change of use of the premises or any other breaches of planning control that should be enforced under planning legislation before considering approving any variations to the premises license. If allowed, the variations would have a direct impact upon The variations would directly affect in order to prevent existing off-site parking and highway safety problems

Signed: Andrew Thomas

Date: 22/12/2020

Capacity: Neighbour/Local Resident

NOT FOR PUBLICATION

Your e-mail address	
Your contact telephone number	

SUPPORTING NOTES

If you do make a representation you will be invited to attend a meeting of the Licensing sub Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made.

This form must be returned within the Statutory Period, which is 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper. Please contact the Licensing Section on 01530 454556 if you are in doubt about the date.

They can only relate to the four licensing objectives.

Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Sub-Committee, which will be publicly available. Names and addresses will only be withheld from the Sub-Committee report at your request. Email addresses and contact telephone numbers will not be publicly available.

Please return this form when completed along with any additional sheets to:

Community Services
Licensing
North West Leicestershire District Council
Council Offices
Coalville
Leicestershire
LE67 3FJ

Email to licensing@nwleicestershire.gov.uk

Tel: 01530 454545
Fax: 01530 454574

PAUL DENNIS

From: andrew thomas [REDACTED]
Sent: 22 December 2020 17:50
To: PAUL DENNIS
Subject: EXTERNAL: RE: License Variation - Ashby Ivanhoe Football Club
Attachments: RepForm Licensing Act (AThomas 2 Wrekin Close).pdf

Re: Licensing Application – Ashby Ivanhoe Football Club

Thanks for your email.

I am a close neighbour to the premises [REDACTED] which, along with 6 other properties is on the south side of Wrekin Close with rear bedrooms and gardens facing the Football Club).

I would be grateful if you would consider this email and the attached Representation Form as a formal representation in relation to the current application to vary the existing premises licence. I have checked the Council's website and relevant sections regarding "current licensing applications" although there appears to be no detailed information there regarding this matter.

I would be grateful if you would treat this email as a formal objection to the application and note that I may wish to add to these comments at a later stage if/when more information is available. In order to avoid any doubt, I wish to object to the application on the following grounds:

- i. The prevention of crime and disorder.
- ii. The prevention of public nuisance.
- iii. Public safety.
- iv. The protection of children from harm.

I understand that each objective is of equal importance and that as there are no other statutory licensing objectives, the promotion of the four objectives is a paramount consideration at all times. However, I also understand that the legislation also supports a number of other key aims and purposes which are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

The premises include a small building and an extensive out-door, open-air area in close proximity to nearby residential properties. The proposed variations which amongst other things, would permit the sale of alcohol until midnight (with visitors permitted to leave the premises later than that), coupled with the ability to play recorded music and live music (including amplified music outside the building) until 2300hrs every day would have an unreasonable and significantly harmful impact on the living conditions of myself and other neighbours living in close proximity to the premises. The proposed variations demonstrably fail to achieve a balance between leisure/entertainment and the needs of residents for an acceptable environment and quality of life.

My representations have been provided in the light of the 4 objectives as well as the principal aims for those involved in licensing work.

I would be grateful if you would keep me informed of progress on this application but please don't hesitate to get in touch should you have any questions.

Regards
Andrew Thomas

From: PAUL DENNIS <PAUL.DENNIS@NWLeicestershire.gov.uk>
Sent: 21 December 2020 15:44
To: [REDACTED]
Subject: FW: EXTERNAL: Voice Mail (5 minutes)

Good Afternoon Mr Thomas,

Following our telephone conversation.....

For your information the premises licence currently permits the following licensing activities...

Supply by retail of alcohol 22:00	Everyday	12:00 -
Playing of Recorded Music 12:00 & 18:00 - 22:00	Monday to Friday	09:00 -
Playing of Recorded Music 22:00	Saturday and Sunday	18:00 -

The variation application requests

Supply by retail of alcohol Midnight	Everyday	10:00 -
Playing of Recorded Music 23:00 (inside and outside)	Everyday	12:00 -

The addition of live music inside and outside 12:00 – 23:00

The removal of the following existing conditions.....

The premises shall only be used on a pre-booked basis outside if the main use as a football club.

No amplified music shall be played outside of the building.

The following condition will be amended from...

No open containers of alcohol are permitted outside of the designated area. The designated area being an area extending not more than 6 meters from the building line at the front of the premises and to be marked in a conspicuous manner.

to

No open containers of alcohol are permitted outside of the designated area. The designated area being an area extending not more than **12** meters from the building line at the front of the premises and to be marked in a conspicuous manner.

I hope this helps. Please feel free to contact me if you wish to discuss this matter further. Please note the last date for representations is 23rd December 2020.

Kind Regards,



Paul Dennis
Licensing Enforcement Officer | Licensing

01530 454596 | paul.dennis@nwleicestershire.gov.uk | www.nwleics.gov.uk
Twitter @NWLeics | Facebook This Is NWLeics



From: [REDACTED]
Sent: 21 December 2020 12:48
To: PAUL DENNIS <PAUL.DENNIS@NWLeicestershire.gov.uk>
Subject: EXTERNAL: Voice Mail (5 minutes)

Hello, my name is Andrew Thomas. I would be grateful if Paul Dennis could call me back about the licensing matter please my telephone number [REDACTED] and again my name is Andrew Thomas. Thanks very much. Bye bye.

You received a voice mail from [REDACTED]

Thank you for using Transcription! If you don't see a transcript above, it's because the audio quality was not clear enough to transcribe.

[Set Up Voice Mail](#)



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https://www.nwleics.gov.uk/pages/website_privacy?

A dark grey banner with a white icon of a person and a list on the left, and text on the right. The icon is labeled 'Your Account'. The text reads: 'Register for a council online account', 'Quick, convenient, in your own time', and 'www.nwleics.gov.uk/myaccount'.

Your Account

Register for a council online account
Quick, convenient, in your own time
www.nwleics.gov.uk/myaccount