

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED
PARTIES

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

Please return this form, and any additional information within the statutory period to:
**The Licensing Section,
County Offices,
PO Box 233,
Bath Street, Hereford,
HR1 2ZF
licensing@herefordshire.gov.uk**

Your Name: [REDACTED]	Contact Telephone No [REDACTED]
[REDACTED] Old Forge Whitbourne Worcestershire WR6 5SB	[REDACTED] Please state your interest in the premises you are making a representation about: eg local resident/local business
Name & Address of premises you are making a representation about: Live and Let Live Whitbourne WR6 5SP (application PRO1656)	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder
Public Safety
To Prevent Public Nuisance We object to the granting of a licence to the Live and Let Live at Whitbourne, on the grounds of public nuisance. We believe that the licensing hours requested by the applicant represent an infringement of the rights of several residents in surrounding properties as provided by the Human Rights Act 1998. The Act which came into force in October 2000 in the UK, states in Article

~~1 of the First Protocol “that every person is entitled to the peaceful enjoyment of their possessions...”~~

~~Also, in Article 8 “that everyone has the right to respect for their home and private life”... It is clear that the extent of the licensing hours proposed would contravene these Articles for nearby residents of the Live and Let Live.~~

~~The hours of business proposed are not consistent with the rural residential environment and location of these premises. There are approximately 15 residential properties within a 100 metre radius of this establishment, so it can hardly be on the outskirts of the village as the applicant suggests. The granting of a licence for recorded and amplified live music until midnight every night is not in keeping with the needs of this quiet rural residential community. There are many frail elderly residents in this community, who would be potentially distressed by such provision of an entertainments licence.~~

~~Such a licensed premises, is for many of the nearby residents not a “village hub” as the applicant suggests. Indeed, The Live and Let Live, has not been trading since January 2013, but in that period, the village community shop, church and village hall have enjoyed a flourishing existence.~~

~~The exterior flood lighting to the front and car park side of the premises, illuminate the bedrooms on the rear and living rooms of at least 4 houses facing the premises. The hours proposed by the licence, would cause significant inconvenience to residents of these properties, this has been the case in the past. This would seem to be in direct breach of the Herefordshire Council Statement of Licensing Policy 2011/2013 paragraph 22.20, which states “bright lights on or outside licensed premises do not cause a nuisance to nearby properties”. If the proposed licensing hours are granted this would suggest that these lights would remain illuminated until potentially 00:30 seven nights per week.~~

~~Vehicles leaving the premises after the cessation of trading hours, potentially after 00:30 will also cause significant inconvenience to these 4 properties, as well as other residential properties in the immediate vicinity.~~

~~The granting of a regulated entertainment licence to the extent that the applicant proposes, would be in direct contravention of paragraph 22.17 of the Herefordshire Council Statement of Licensing Policy 2011/2013; that “noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties”. **This has always been the case with the Live and Let Live, with music being audible at unacceptable level** in several properties in the immediate vicinity. Again, this could potentially be the case on every night of the week until midnight. Representations have been made in the past to Fred Briggs and Victoria Woodlad of the Herefordshire Environmental Health and Trading Standards Service, the last contact being 21/11/2012. No provision has been made with regard to sound proofing to our knowledge since that date.~~

~~Furthermore, little provision has been made in the applicants supporting notes with regard to how litter will be controlled outside the premises. Litter has **been** an issue in the past, with bottles, crisps packets and other detritus coming to rest in neighbouring gardens; this would seem to be contrary to paragraph 20.12 of the councils Statement of Licensing Policy 2011/2013 - behaviour of customers outside licensed premises.~~

~~Also, scant regard has been given in the license application to how the conduct of customers using outside areas (beer garden) will be controlled to avoid public nuisance to surrounding residential properties, contrary to paragraph 20.13 of the council’s Statement of Licensing Policy. **Foul language and horse play have been a frequent common-occurrence in the past.**~~

~~Finally, we believe Herefordshire Council should honour its pledge to protect the rural community - paragraph 1.8 of the Statement of Licensing Policy. This can only be achieved by refusing this application in its current form; and if necessary issue a license to this premises, with due regard to protect this peaceful rural environment and the residents therein.~~

To Protect Children from Harm

Signed:
Date:



HEREFORDSHIRE
COUNCIL

If you have any queries about this form or are unsure of when the statutory period ends please contact the **Licensing Helpline** on **01432 260105**

**Representation Form – Interested Parties
Suggested Conditions**

Premise: Live and Let Live - Whitbourne
Your name: [REDACTED]

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder
Public Safety
Prevent Public Nuisance <ul style="list-style-type: none">Licensing hours until 11:00pm only.

- **Live and recorded music until 22:00 only once per month. No amplified live music. No live or recorded music to be audible in, or around the curtilage of surrounding residential properties. Provision of automated ventilation systems and soundproofing should be made to achieve this. The provision of sound proofing would seem to be a requirement specified by paragraph 22.08 of the Council’s Statement of Licensing Policy.**
- **Exterior flood lights on premises to be replaced with units that do not saturate surrounding properties with light – Paragraph 22.20 of Statement of Licensing Policy.**
- **Exterior litter bins to be provided for customers to dispose of unwanted items in an environmentally acceptable manner.**
- **Realistic measures put in place to control the activities of customers using outside areas both during and following cessation of licensing hours – paragraph 22:13 of the Council’s Statement of Licensing Policy.**
- **Exterior activities – such as use of “beer garden” to cease before the end of the main license at night – perhaps 22:00 would not be unreasonable; this is allowed for in paragraph 22.16 of the Statement of Licensing Policy.**

Protect Children from Harm

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