

Agenda

Licensing sub-committee

Date: **Monday 25 September 2017**

Time: **10.00 am**

Place: **Committee Room 1, The Shire Hall, St Peter's Square,
Hereford, HR1 2HX**

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

Caroline Marshall, Governance Services

Tel: 01432 260249

Email: caroline.marshall3@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format, please call Caroline Marshall, Governance Services on 01432 260249 or e-mail caroline.marshall3@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Licensing sub-committee

Membership

Councillor DW Greenow
Councillor CR Butler
Councillor FM Norman

Agenda

	Pages
1. APOLOGIES FOR ABSENCE To receive apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY) To receive any details of Members nominated to attend the meeting in place of a Member of the committee.	
3. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the agenda.	
4. REVIEW OF A PREMISES LICENCE IN RESPECT OF: THE HORSE & JOCKEY, 9-10 NEW STREET, ROSS ON WYE, HR9 7DA' MADE BY HEREFORDSHIRE COUNCIL: ENVIRONMENTAL HEALTH - LICENSING ACT 2003 To consider an application for a review of a premises licence in respect of: The Horse & Jockey, 9-10 New Street, Ross on Wye, HR9 7DA, made by Herefordshire Council: environmental health.	11 - 84
5. APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF: THE DUCKING STOOL, 11 SOUTH STREET, LEOMINSTER, HR6 8JA - LICENSING ACT 2003 To consider an application for a variation of a premises licence in respect of: The Ducking Stool, 11 South Street, Leominster, HR6 8JA.	85 - 210

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- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
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HEREFORDSHIRE COUNCIL

SHIRE HALL, ST PETERS SQUARE, HEREFORD HR1 2HX.

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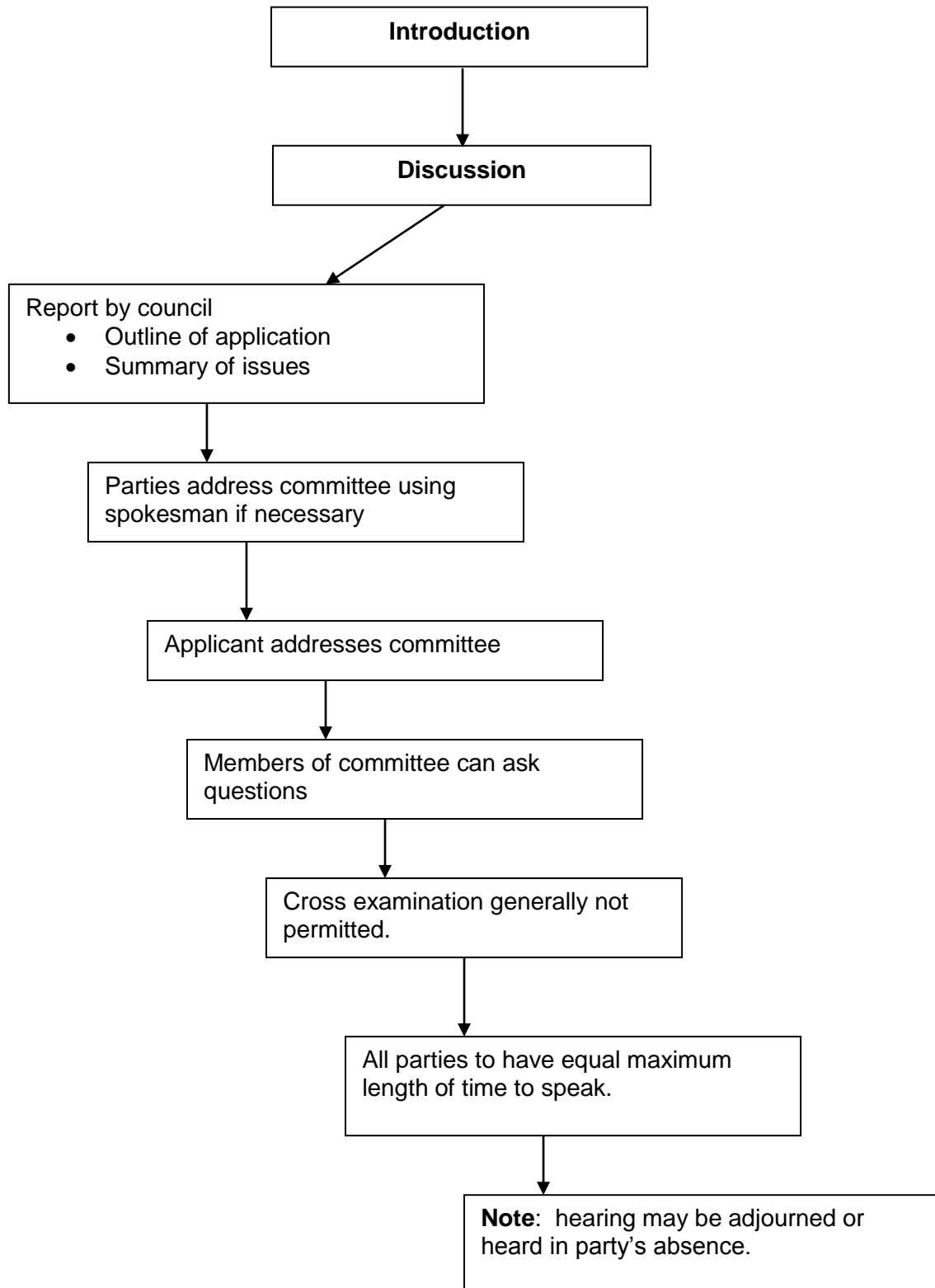
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Licensing Hearing Flowchart





Meeting:	Licensing sub committee
Meeting date:	25 September 2017
Title of report:	Review of a premises licence in respect of: 'The Horse & Jockey, 9-10 New Street, Ross On Wye, HR9 7DA' made by Herefordshire Council: Environmental Health - Licensing Act 2003
Report by:	Licensing officer

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Ross West

Purpose

To consider an application for a review of a premises licence in respect of: The Horse & Jockey, 9-10 New Street, Ross On Wye, HR9 7DA, made by Herefordshire Council: Environmental Health (Appendix 1).

Recommendation

That:

Sub-Committee determine the application with a view to promoting the licensing objectives in the overall interests of the local community. They should give appropriate weight to:

- The steps that are appropriate to promote the licensing objectives,
- The Environmental Health application for the review,
- The representations (including supporting information) presented by all parties,
- The Guidance issued to local authorities under the Licensing Act 2003, and
- The Herefordshire Council Licensing Policy.

Options

1. There are a number of option open to the committee in relation to the Review:
 - the modification of the conditions of the premises licence;
 - the exclusion of any licensable activities from the scope of the licence;
 - the removal of the designated premises supervisor from the licence;
 - the suspension of the licence for a period not exceeding 3 months; and
 - the revocation of the licence

Where the authority takes a step mentioned in bullet point 1 and 2 above it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

Alternatively the committee can determine to take no action or issue an informal warning and/or recommendations in writing should it consider appropriate.

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003.

Key Considerations

3. The licensing authority must take into account any relevant representations made. Relevant representations are those that:
 - relate to one or more of the licensing objectives;
 - have not been withdrawn; and
 - are made by the premises licence holder, a responsible authority or an interested party

Applicant	Herefordshire Council Environmental Health	
	Represented by: - Elizabeth Laughland	
Premise Licence Holder	NewRiver Retail (Mantle) Limited 37 Maddox Street, London, W1S 2PP	
Solicitor	David Crank – DWF LLP	
Type of application:	Date received:	End of 10 day period
Review	22/07/2017	18/08/2017

4. Copies of the application were sent to the premise licence holder and responsible authorities.
5. In brief the Environmental Health grounds for the review are:
Since Mar 2016 Environmental Protection has received a total of 9 complaints from 3 separate households and 9 referrals from the police. Within the 9 complaint records there were multiple reports of noisy events made over this time.

Mr Hudson (the DPS) and NewRiver Retail Limited have been give noise control advice over this time. The advice included that the Horse and Jockey premises has a

history of being a poor sound insulator and is therefore a noise sensitive premises. As such it was advised that amplified music needed to be carefully managed within the premises to ensure the volume was kept down to a reasonable level and music with a dominant bass sound should be avoided

Following this advice two more loud music events with dominant bass sound were held at the premises over three nights and two separate weekends; 16 June 2017 and 7 & 8th July 2017. This was a breach of their licence condition which states that 'The licensee shall ensure that noise and vibration does not emanate from the premises so as to cause a public nuisance.'

On the 7th July officers from Environmental Health witnessed the music to be causing a statutory noise nuisance in the neighbouring property. Noise abatement notices were served on Mr Hudson and NewRiver on the 11 July 2017.

The Environmental Health Department is satisfied that that the premises licence holder and the DPS are breaching the condition on the licence which states "The licensee shall ensure that noise and vibration does not emanate from the premises so as to cause a public nuisance" on a regular basis and therefore are not promoting the licensing objective of the prevention of public nuisance.

6. Further additional supporting information has been provided by Environmental Health within their application at page 4.
7. The application for review has received representation from the police, trading standards and public.
8. The police representation can be found at appendix 2 and the Trading Standard application at Appendix 3.
9. Six representations have been received from the public (appendix 4). Five supporting the review and one supporting the premises.
10. This premises licence was reviewed on 4th July 2008 under the public nuisance licensing objectives concerning noise coming from the premises.
11. Environmental Health and the Premises Licence Holder's solicitor is trying to arrive at any agreed set of hours and conditions.
12. This matter did appear before this committee on 11th September when following a request by the premises licence holders solicitor it was adjourned to today.
13. **Current Licence**
The current licence (Appendix 5) authorises the following licensable activities during the hours shown: -

A performance of live music, Any playing of recorded music, Facilities for similar entertainment, Dancing (All indoors) and Sale by retail of alcohol (Indoors and Outdoors)

Monday-Wednesday: 11:00 - 23:00

Thursday-Saturday: 11:00 - 00:00

Sunday: 12:00 - 22:30

Non standard timings apply to all licensable activities listed above:-

Friday, Saturday, Sunday and Monday of all Bank Holiday weekends, Thursday preceding Easter weekend, Christmas Eve, Boxing Day: An additional hour permitted at the end of normal licensing hours.

On New Year's Eve the permitted hours shall extend through from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

Community Impact

14. Any decision is unlikely to have any significant effect of the local community.

Equality duty

15. This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in section 1 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.
16. Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.
17. There are not considered to be any equalities implications arising from this report.

Financial implications

18. There are unlikely to be any financial implications for the authority at this time.

Legal Implications

19. The licensing authority must have regard to the promotion of the four licensing objectives namely; the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm in exercising its functions under the Licensing Act 2003. Further regard should be had to the statutory guidance under Section 182 of the Act and the council's own statement of licensing policy.
20. The options available to the licensing authority on considering this review are set out in section 1 of this report.
21. Following amendments made by the Live Music Act 2012 and the Deregulation Act 2015 any condition attached to a premises licence which relates to live music or recorded music does not have effect in relation to the live music or recorded music unless the suspension has been lifted in accordance with Section 177A (3) of the Act

Further information on the subject of this report is available from
Fred Spriggs – Licensing Officer 01432 383542

on a review or such conditions have been attached by the Licensing Authority through a review of the premises licence. Condition includes the times which the premises is authorised for the licensable activities.

- 22 In considering this review the sub-committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the licensing authority.
- 23 The case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, Before the Honourable Mrs Justice Black.
- 24 In this case it was summed up that: -
A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.
- 25 Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions. It should be noted that hearsay evidence is admissible in the context of making decisions on licensing matters.
- 26 This judgement is further supported in the case of The Queen on the Application of Bristol Council v Bristol Magistrates' Court, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:

'Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives'.
- 27 In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

Right of Appeal

- 28 An appeal may be made within 21 days to the Magistrates Court by the police or any person who has made a relevant representation and also by the premises licence holder once notified of the licensing authority's decision.
29. The decision of the licensing authority, following the review hearing, will not have effect until the end of the period allowed for appeal, or until the appeal is disposed of.

Risk Management

- 30 There is little risk associated with the decision at this time as the legislation allows for a right of appeal.

Consultees

- 31 All responsible authorities and members of the public living within Herefordshire.

Appendices

- Appendix 1 - Environmental Health application for the review
- Appendix 2 - Police representation
- Appendix 3 - Trading Standards representation
- Appendix 4 - Six public representations
- Appendix 5 - Current licence
- Appendix 6 - Correspondence from premises licence holder solicitor
- Appendix 7 - Additional correspondence from premises licence holder solicitor

Background Papers

Section 12 of the Guidance issued under Section 182 of the Licensing Act 2003.

Application for the review of a premises licence or club premises certificate 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.

Herefordshire Council - Environmental Health Department

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Horse And Jockey Inn, 9-10 New Street,	
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Post town Ross On Wye	Post code (if known) HR9 7DA
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Name of premises licence holder or club holding club premises certificate (if known) NewRiver Retail Limited, 37 Maddox Street, London, W1S 2PP

Number of premises licence or club premises certificate (if known) PR00478
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Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Elisabeth Laughland
Principal Environmental Health Officer
8 St Owens St
Hereford

Telephone number (if any)
01432 261676

E-mail address (optional)
elaughland@herefordshire.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

Since Mar 2016 Environmental Protection has received a total of 9 complaints from 3 separate households and 9 referrals from the police. Within the 9 complaint records there were multiple reports of noisy events made over this time.

Mr Hudson (the DPS) and NewRiver Retail Limited have been give noise control advice over this time. The advice included that the Horse and Jockey premises has a history of being a poor sound insulator and is therefore a noise sensitive premises. As such it was advised that amplified music needed to be careful managed within the premises to ensure the volume was kept down to a reasonable level and music with a dominant bass sound should be avoided

Following this advice two more loud music events with dominant bass sound were held at the premises over three nights and two separate weekends; 16 June 2017 and 7 & 8th July 2017. This was a breach of their licence condition which states that 'The licensee shall ensure that noise and vibration does not emanate from the premises so as to cause a public nuisance.'

On the 7th July officers from Environmental Health witnessed the music to be causing a statutory noise nuisance in the neighbouring property. Noise abatement notices were served on Mr Hudson and NewRiver on the 11 July 2017.

The Environmental Health Department is satisfied that that the premises licence holder and the DPS are breaching the condition on the licence which states "The licensee shall ensure that noise and vibration does not emanate from the premises so as to cause a public nuisance' on a regular basis and therefore are not promoting the licensing objective of the prevention of public nuisance.

Please provide as much information as possible to support the application
(please read guidance note 2)

Background

Historically the premises has been known as a noise sensitive premises due to its location and structure i.e. a Mid terrace property, poor sound attenuation between the adjoining properties, predominantly a residential street close to Ross town centre. As a result amplified music and bass music in this property has caused noise nuisance complaints. This has resulted in past enforcement action where notices were served on previous landlords for playing excessively loud music through a juke box.

Case Information

Mar 2016 to 21 July 2017 - From 2016 the service has received an increase in complaints regarding the premises. A total of 9 complaints from 3 separate households and 9 referrals from the police, since Mar 2016. Within the 9 complaint records there were multiple reports of noisy events made over this time.

Summer 2016 - Environmental Health carried out an extensive investigation in the summer 2016 where visits were made over 11 Friday or Saturday evenings. It was noted that people noise was the most significant noise impact on the area. Although, audible music was witnessed on two occasions outside of the premises, but not sufficient to be a Statutory Nuisance.

Autumn 2016 - Further noise complaints received by Environmental Health (EH). Noise equipment was installed into an adjoining neighbouring property in November where bass beat music was clearly audible within the neighbour's property. The complainant confirmed this music was emanating from the Horse & Jockey public house.

8 April 17 EH received a complaint that loud bass music was causing a noise nuisance to neighbouring properties on Friday 7th April. Also concerns over a future advertised Drum and Bass night at the Horse and Jockey premises

11 May 2017 EH held meetings and discussions with NewRiver, Mr Hudson, the police and licensing to discuss music and people noise issues in anticipation of a drum and bass night advertised and detailing concerns over the suitability of the premises to hold such events.

DPS and NewRiver agreed they would provide a noise management plan to be agreed by Environmental Health before planning any further events.

16 June 2017 Mr Hudson held a birthday party following an agreement not to hold such events until a noise management plan had been submitted and agreed by all parties.

22 June 2017 A noise management plan was supplied to the EH which was inadequate and the premises licence holder was informed of this.

7 & 8th July 2017 - Bass music and people noise over two nights on Friday 7th & Sat 8th July causing noise disturbance and complaints. On Friday 7th July noise officers from the Environmental Health team witnessed loud bass music that was causing a statutory nuisance to the neighbours. Sound Clips and noise measurements were made.

11 July 2017 A noise abatement notice was served on Mr Hudson and NewRiver.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date 21.7.17

Capacity **Principal Environmental Health Officer Environmental Protection**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Appendix 2

01 August 2017

Our Ref:
Your Ref: LUB/PRO0478

Harm Reduction Dept.,
Hereford Police Station
Bath Street
Hereford. HR1 1TA

Direct Dial: 01432 347102
Fax:

Licensing Act 2013 – review of the Horse and Jockey, New Street, Ross on Wye.

West Mercia Police has representations with regards to this review.

It is the opinion West Mercia Police that the premises license holder has failed to promote the licensing objectives with regards to the prevention of crime and disorder and the prevention of public nuisance.

Attached are a schedule of incidents that concern the licensing objectives that have been reported to West Mercia Police and are recorded on police systems. These matters cover a period from March 2016, when a Neil STANLEY became the designated premises supervisor (DPS), through the current date which includes the date when the DPS was changed to the current person Martin HUDSON. It is the view of West Mercia Police that the catalogue of incidents commenced when Mr STANLEY became the DPS and continued since Mr HUDSON took over.

West Mercia Police are of the view that this review should be granted and that the operating hours for the premises should be reduced, restrictions placed on the licensable activity of regulated entertainment and that Mr HUDSON should be removed from his position as designated premises supervisor.

It is understood that this review has been submitted by another responsible authority and that any decision with regards to it being granted is that of the licensing regulatory sub-committee.

Yours sincerely

Ps 3456 Duncan Reynolds
Hereford Harm Reduction Dept.

Premises Name: HORSE AND JOCKEY URN: EC0114
Premises Type: PUBLIC HOUSE Licence Type: Sale by retail of alcohol
Registering Authority: Herefordshire Council Premises Status: Live
Owner: Sales BOTH
PremLH: NEWRIVER RETAIL (MANTLE) LTD
Address: HORSE AND JOCKEY
9-10 NEW STREET
ROSS-ON-WYE
HEREFORDSHIRE
HR9 7DA

DPS Links:

LID: 30510
Name: MICHAEL HUDSON
Licence status: DPS
Issued: 07/06/2017
Unlinked:

Incidents:

Date: 09/07/2017 00:47

Licensing objective – Prevention of NOISE NUISANCE

CALL FROM MOP ABOUT LOUD MUSIC COMING FROM THE PREMISES. NO POLICE ATTENDANCE
SHARED WITH EHO AND AUTHORITY BY E-MAIL

Date: 08/07/2017 00:23

Licensing objective – Prevention of NOISE NUISANCE

CALL FROM MOP ABOUT LOUD SHOUTING FROM CUSTOMERS WHO ARE ALSO OUTSIDE IN THE STREET DRINKING. NO POLICE ATTENDANCE.
SHARED WITH EHO AND AUTHORITY BY E-MAIL

Date: 07/07/2017 23:23

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME and DISORDER

CALL FROM MOP ABOUT LOUD NOISE COMING FROM THE PUB. NO POLICE ATTENDANCE.
SHARED WITH EHO AND AUTHORITY BY E-MAIL

Date: 16/06/2017 22:33

Licensing objective – Prevention of NOISE NUISANCE

LOCAL RESIDENT COMPLAINING ABOUT EXCESSIVE MUSIC NOISE FROM THE PREMISES
NO POLICE DEPLOYMENT
EHO INFORMED BY E-MAIL

Date: 16/06/2017 23:25

Licensing objective – Prevention of NOISE NUISANCE

CALL FROM ANON PERSON, THAT THERE IS LOUD NOISE IN THE PUB AND HE HAS CONCERN IT WILL GET WORSE
OFFICERS DID ATTEND AT 0056hrs, CUSTOMERS LEAVING QUIETLY
EHO INFORMED BY E-MAIL

Date: 29/05/2017 00:06

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

CALLER REPORTING SHOUTING, BOTTLES BEING SMASHED AND PERSONS BANGING ON HER DOOR. CALLER BELIEVES BEING CAUSED BY CUSTOMERS LEAVING THE PUB AND THAT SHE WAS BEING TARGETED AS SHE HAS COMPLAINED ABOUT THE PREMISES PREVIOUS. NO POLICE DEPLOYMENT

Date: 28/05/2017 15:38

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

CALL FROM MOP THAT LIVE MUSIC WAS GOING ON - MUSIC WAS BEING TURNED UP EXCESSIVELY, AND THAT THERE WAS SHOUTING AND SWEARING FROM CUSTOMERS IN THE BEER GARDEN. NO POLICE DEPLOYMENT. EHO ADVICE GIVEN

Date: 26/05/2017 21:50

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

MOP REPORTING AMPLIFIED MUSIC BEING PLAYED AFTER ALLOWED LICENSED HOUR. NO POLICE DEPLOYMENT

Date: 30/04/2017 23:56

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

MOP REPORTING A NUMBER OF PERSONS LEAVING THE PREMISES SHOUTING AND SCREAMING. IT IS REPORTED THAT THEY ARE EXTREMELY INTOXICATED AND FALLING ALL OVER THE PLACE. THIS IS A RESIDENTIAL AREA AND THE ISSUES ARE ONGOING. THEY ALSO HAVE GLASSES OUT IN THE STREET. NO ATTENDANCE BY OFFICERS

Date: 29/04/2017 22:49

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

REPORT OF A NUMBER OF YOUTHS RUNNING UP AND DOWN THE STREET SHOUTING AND SCREAMING. THERE ARE ALSO WOMEN DRINKING ON THE STREET O/S THE PREMISES. IT IS VERY NOISY AND ROWDY AND THE ISSUES HAVE BEEN REPORTED MANY TIMES. OFFICERS CONDUCTED AN AREA SEARCH WITH NO TRACE OF ANYONE.

Date: 29/04/2017 23:59

Licensing objective – Prevention of CRIME AND DISORDER

REPORTING A GROUP OF YOUTHS HAVE EXITED THE PREMISES AND ARE ROWDY AND APPEAR TO BE ON SOMETHING. NO POLICE DEPLOYMENT

Date: 17/04/2017 22:42

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

MOP REPORTING THAT THE HORSE AND JOCKEY HAVE A TV SET UP IN THE GARDEN AND ITS BLASTING OUT COMMENTARY VERY LOUDLY.

HORSE AND JOCKEY HAVE A MUSIC LICENCE THAT IS PERMITTED ONE HOUR OVER THE DESIGNATED TIME (2300) ON BANK HOLIDAYS, BUT ONLY INDOORS, SO COULD BE IN BREACH OF THEIR LICENCE.

CONSIDERED CCTV TO CHECK IF PREMISES CLOSED HOWEVER NOT AN AREA COVERED BY HEREFORD CCTV. NO ATTENDANCE

Date: 16/04/2017 22:30

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

NOISE NUISANCE FROM THE PREMISES MUSIC STILL BEING PLAYED AND THE PREMISES IS MEANT TO BE CLOSED AT 2230 AND THE MUSIC OFF AT 2200HRS. CUSTOMERS ARE STILL ENTERING THE PREMISES AT THE TIME OF THE CALL.

Date: 15/04/2017 00:03

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

REPORT THAT MUSIC IS STILL BEING PLAYED PAST THE LICENCE TIMES WHICH IS POSSIBLY A BREACH OF LICENCE. NO OFFICERS IN ATTENDANCE AS THEY ATTENDED JUST UNDER AN HOUR AGO AND ESTABLISH LICENSING CONDITIONS.

Date: 15/04/2017 00:33

MOP REPORTING PERSON STILL INSIDE THE PREMISES AND THEY SHOULD HAVE CLOSED BY NOW. NO OFFICERS ATTENDED AS CALLED RECEIVED 3 MINUTES AFTER LICENSING OPERATING HOURS AND DEEMED BY CT NOT SUFFICIENT TIME HAS LAPSED TO REMOVE ALL CUSTOMERS AT THIS STAGE

Date: 14/04/2017 23:11

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

REPORT BY MEMBER OF THE PUBLIC - MUSIC FROM OUTSIDE THE PREMISES WHICH POSSIBLY BREACHED THE PREMISES LICENCE. ON POLICE ATTENDANCE NO MUSIC IN THE STREET HOWEVER THE BACK DOOR WAS OPEN WHICH COULD HAVE BEEN THE REASON AS THERE WAS MUSIC BEING PLAYED INSIDE. THE BARMAN CLAIMED THEY HAD AN EXTENDED LICENCE FOR THE BANK HOLIDAY.

Date: 13/04/2017 23:00

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

REPORT BY MEMBER OF THE PUBLIC - MUSIC FROM INSIDE AND OUTSIDE THE PREMISES WHICH POSSIBLY BREACHED THE PREMISES LICENCE. NO POLICE ATTENDANCE.

Date: 08/04/2017 23:00

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

REPORT BY MEMBER OF THE PUBLIC - MUSIC FROM INSIDE AND OUTSIDE THE PREMISES WHICH POSSIBLY BREACHED THE PREMISES LICENCE. NO POLICE ATTENDANCE.

Date: 31/03/2017 23:00

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

MOP REPORTING LOUD AMPLIFIED MUSIC FROM THE PREMISES. NO POLICE ATTENDANCE. FURTHER CALL AT 2347HRS REGARDS EXCESSIVE NOISE/SWEARING FROM THE REAR GARDEN, AGAIN NO POLICE ATTENDANCE
E-MAIL TO OWNERS AGENTS WITH DETAILS OF BOTH MATTER

Date: 19/03/2017 00:30

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

E-MAIL TO ROSS SNT FROM LOCAL RESIDENT
I AM WRITING ONCE MORE REGARDING THE HORSE AND JOCKEY PUB ON NEW STREET.

ALTHOUGH WE WERE NOT AWARE OF ANY PROBLEMS AFTER CLOSING TIME ON

EITHER FRIDAY OR SATURDAY NIGHT, THIS WEEKEND WAS EXTREMELY NOISY, WITH MUSIC BEING PLAYED ON FRIDAY NIGHT SO LOUDLY THAT OUR WINDOWS AND DOORS WERE RATTLING. THROUGHOUT THE EVENING AND NIGHT VERY DRUNK, OUT OF CONTROL PEOPLE WERE SCREAMING, SHOUTING AND SWEARING ON THE STREET OUTSIDE THE PUB AND IN THE PUB GARDEN, SO WE HAD IT FROM ALL SIDES. ON FRIDAY NIGHT WE RANG THE ENVIRONMENTAL HEALTH PEOPLE IN HERFORD AND ALSO SPOKE TO THE PERSON MANNING THE WEST MERCIA POLICE SWITCHBOARD, BUT THE LATTER TOLD THAT UNLESS THERE WAS A PROBLEM AFTER 00:30 THERE WAS NOTHING THE POLICE CAN DO. IT WAS ALMOST AS NOISY LAST NIGHT, WITH LARGE NUMBERS OF PEOPLE TAKING GLASSES AND BOTTLES OUT OF THE PUB AND DRINKING ON THE STREET, AND MAKING A LOT OF NOISE. THIS MORNING WE AGAIN HAD TO CLEAR UP THE ALCO-POP BOTTLES AND GLASSES FROM THE PAVEMENT AND WINDOW SILLS.

DOES THERE ACTUALLY HAVE TO BE AN AFFRAY ON THE STREET BEFORE THE POLICE ARE ABLE TO TAKE ACTION? THE PEOPLE OPERATING THE PUB TURN A BLIND EYE TO PEOPLE TAKING DRINKS ONTO THE STREET AND SEEM TO THINK THAT THEY ARE NOT RESPONSIBLE FOR THE COMMOTION CAUSED BY THEIR CUSTOMERS EITHER ON OR OUTSIDE THEIR PREMISES. THEY CERTAINLY CONTINUE TO SERVE PEOPLE WHO ARE CLEARLY INCAPACITATED BY DRINK. WE HABITUALLY STAY UP LATE ON FRIDAY AND SATURDAY NIGHTS BECAUSE IT IS TOO NOISY TO SLEEP BEFORE 12:30, AND WE USUALLY DON'T VENTURE OUT IN THE EVENING AT THE WEEKENDS BECAUSE OF THE AGGRESSIVE AND UNPREDICTABLE BEHAVIOUR OF THE PUB'S CLIENTELE.

Date: 05/03/2017 22:41

Description: BREACH OF LICENCE/NOISE NUISANCE

LOCAL RESIDENT REPORTING LIVE OR RECORDED MUSIC BEING PLAYED INSIDE THE PREMISES IN BREACH OF THE LICENCE . NO POLICE DEPLOYMENT

Date: 19/02/2017 00:33

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

LOCAL RESIDENT REPORTING LIVE OR RECORDED MUSIC BEING PLAYED INSIDE THE PREMISES IN BREACH OF LICENCE, WITH 4/5 OUTSIDE THE PREMISES DRINKING IN THE STREET.

Date: 14/02/2017 22:35

Licensing objective – Prevention of CRIME AND DISORDER

REPORT FROM A MEMBER OF BAR STAFF THAT AN INTOXICATED MALE WAS SWEARING AND REFUSING TO LEAVE. HE IS WELL KNOWN AND HAS BEEN ABUSIVE ON PREVIOUS OCCASIONS.

MALE WAS EVENTUALLY ESCORTED FROM THE PREMISES

Date: 04/02/2017 00:00

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

EMAIL RECEIVED IN ROSS SNT EMAIL ON SUNDAY 05/02/16. PC 3202 HAS REPLIED ASKING WHY IT WASN'T REPORTED AT THE TIME. HE HAD BEEN ON DUTY BOTH NIGHTS.

JUST TO LET YOU KNOW IT HAS BEEN VERY NOISY OUTSIDE THE HORSE & JOCKEY AGAIN THIS WEEKEND, WITH SHOUTING AND VOMITING ON THE STREET OUTSIDE THE PUB ON FRIDAY NIGHT, AND LAST NIGHT, PEOPLE SHOUTING, SMOKING AND DRINKING OUTSIDE THE FRONT OF THE PUB AFTER MIDNIGHT, ALTHOUGH THEY ARE SUPPOSED TO USE THE SMOKING AREA IN THE REAR OF THE PUB. THE PUB DOES NOTHING TO CONTROL THIS BEHAVIOUR AND WE OFTEN SEE PEOPLE SMOKING AND DRINKING OUT OF PUB GLASSES ON THE STREET IN THE EVENING,

ESPECIALLY AT WEEKENDS, AND THEY TEND TO SPILL OUT DOWN THE STREET. WE SOMETIMES FIND BEER AND WINE GLASSES OUTSIDE OUR DOORS IN THE MORNING. THIS MORNING THERE'S LOADS OF CIGARETTE BUTTS AND BROKEN GLASS ON THE GROUND OUTSIDE THE PUB, ON THE PAVEMENT AND ON THE ROAD, AND NO ONE HAS YET BOTHERED TO SWEEP IT UP ALTHOUGH WE WENT IN EARLIER TODAY TO ASK THEM TO DO SO AS IT IS A PUBLIC HAZARD. WE WOULD BE GRATEFUL IF YOU COULD HAVE A WORD WITH THEM.

Date: 27/12/2016 00:10

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

CALL FROM A NEIGHBOUR REPORTING LOUD MUSIC COMING FORM THE PUB WHICH SHOULD HAVE BEEN TURNED OFF BY THE TIME OF HIS CALL TO US AS PER THEIR LICENCE CONDITIONS. UPON MY ARRIVAL AT APPROXIMATELY 00:29 HOURS I COULD HEAR PERSONS LAUGHING ETC INSIDE AND COULD HEAR MUSIC BEING PLAYED. I APPROACHED THE PREMISES AND THE FRONT DOOR WAS CLOSED BUT UNLOCKED. I ENTERED THE PUB WHERE I SAW APPROXIMATELY 15 PERSONS INSIDE. THERE WERE ALCOHOLIC DRINKS ON THE BAR AND I SPOKE TO A MALE WHO IDENTIFIED HIMSELF AS MICHAEL HUDSON WHO STATED THAT HE WAS IN CHARGE OF THE PREMISES. HUDSON ASKED WHAT THE PROBLEM WAS AND AT THIS POINT A FEMALE WHO WAS BEHIND THE BAR BEGAN ASKING THE CUSTOMERS TO LEAVE WHICH THEY DID QUITE QUICKLY. I LATER FOUND OUT THIS FEMALE IS HUDSON'S PARTNER WHO DOES NOT WORK AT THE PUB BUT WAS HELPING OUT. I EXPLAINED WHY WE WERE THERE AND ASKED WHO THE DPS WAS AND HUDSON STATED IT WAS A MALE BY THE NAME OF STAN. I ASKED IF STAN WAS ON THE PREMISES WHICH HE STATED HE WAS UP UNTIL JUST AFTER MIDNIGHT AND HE WENT HOME. HUDSON STATED THAT THEY ARE LICENSED UNTIL 1AM BUT THEY STOPPED SERVING ALCOHOL AT MIDNIGHT. I ASKED IF HUDSON OR HIS PARTNER WERE PERSONAL LICENCE HOLDERS TO WHICH THEY STATED THEY ARE NOT SO I ASKED TO SEE THE PREMISES LICENCE SUMMARY WHICH THEY PRODUCED FOR ME. HAVING LOOKED AT THIS IT STATED THAT THERE HOURS FOR THE SALE OFF ALCOHOL WAS UP UNTIL 11PM ON A MONDAY NIGHT BUT AS IT WAS BOXING DAY THEY HAD AN EXTENSION FOR AN EXTRA HOUR PAST THERE NORMAL LICENSING HOURS SO UP UNTIL MIDNIGHT SO THEY ARE NOT LICENSED UNTIL 1AM. I EXPLAINED THIS TO HUDSON BUT HE DIDN'T REALLY UNDERSTAND WHAT I WAS SAYING.

I THEN ASKED TO SEE A COPY OF THE FULL LICENCE SO I COULD CHECK THEIR LICENCE CONDITIONS. AT THIS POINT HUDSON STARTED TO GET ALL PANICKY AND STATED HE WOULD MAKE CONTACT WITH STAN. HE TRIED THIS SEVERAL TIMES HE TOLD ME WITHOUT SUCCESS. HUDSON THEN ASKED IF IT HAD TO BE STAN THAT I SPOKE TO OR IF IT COULD BE ONE OF THE OTHER DPS'S. AT THIS POINT I EXPLAINED YOU CAN ONLY HAVE ONE DPS AND I NEEDED TO SPEAK TO HIM. HUDSON CLEARLY DID NOT HAVE ANY IDEA WHAT I WAS TALKING ABOUT AS BOTH HIM AND HIS PARTNER KEPT ASKING WHAT IT WAS I WAS ASKING FOR AND WHY. I EXPLAINED THAT THE FULL PREMISES LICENCE SHOULD BE ON THE PREMISES AND AVAILABLE FOR INSPECTION AT ANY TIME. HUDSON THEN STATED THAT IT WILL BE ON THE PREMISES AND SAID HE WOULD FIND IT. HE RETURNED A FEW MINUTES LATER WITH A PLASTIC STORAGE BOX FULL OF STUFF AND ASKED HIS PARTNER TO LOOK IN THERE FOR IT. HE THEN SAID HE WAS STILL UNABLE TO GET HOLD OF THE DPS SO STATED HE WOULD GO AND GET HIM AND BRING HIM TO THE PUB. HUDSON THEN LEFT THE PUB AND RETURNED APPROXIMATELY 10 MINUTES LATER WITH A MALE WHO STATED HE WAS THE DPS.

I ASKED TO SEE HIS PERSONAL LICENCE WHICH HE PRODUCED TO ME. THE LICENCE HAD THE NAME OF NEIL STANLEY WITH AN ADDRESS OF 19A BROOK END STREET, ROSS ON WYE, HEREFORDSHIRE, HR9 7EE (DIFFERENT TO THE ONE ON THE PREMISES LICENCE) PERSONAL LICENCE NUMBER ELINDC/A/009248. STANLEY WAS CLEARLY INTOXICATED AND STATED THAT HE HAD BEEN AT THE PREMISES UNTIL JUST AFTER MIDNIGHT AND WAS AT HOME IN BED. I ASKED STANLEY FOR THE FULL PREMISES LICENCE AND INITIALLY HE STATED THAT THE PROPERTY OWNERS NEW RIVER RETAIL HAVE GOT IT. I EXPLAINED THAT A COPY OF IT SHOULD BE ON THE PREMISES AT ALL TIMES. HE THEN SAID IT MIGHT BE ON THE BACK OF A DOOR BEHIND THE BAR. IT WAS NOT THERE.

I EXPLAINED THAT MY CONCERN WAS THAT THEY DID NOT KNOW WHERE THERE LICENCE WAS SO HOW COULD THEY COMPLY WITH THEIR CONDITIONS IF THEY DO NOT KNOW WHAT THEY ARE. STANLEY STATED HE KNEW WHAT THE CONDITIONS WERE BUT PRIOR TO STANLEY ARRIVING HUDSON STATED HE IS LICENSED TO STAY OPEN UNTIL 1AM BUT THEY CHOSE TO CLOSE AT MIDNIGHT. THIS IS INCORRECT.

Date: 18/12/2016 22:13

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

LOUD MUSIC FROM THE PREMISES - FURTHER CALL FROM MOP AT 2338, CUSTOMERS STILL AT THE PUB AND MUSIC BLASTING OUT, OFFICERS DID ATTEND BUT DID NOT ENTER, MUSIC COULD BE HEARD - ALBEIT NOT LOUD AND CUSTOMERS STILL IN THE PREMISES. INFORMATION SHARED WITH NEW RIVER (PLH)

Date: 20/11/2016 00:54

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

NOISE, SWEARING AND ASB MOST WEEKENDS WHEN CUSTOMERS LEAVE THE PUB. NO POLICE DEPLOYMENT

Date: 12/11/2016 00:12

Licensing objective – Prevention of CRIME AND DISORDER

A REPORT FROM A MEMBER OF THE PUBLIC THAT THERE WAS A FIGHT IN THE BEER GARDEN AND THE PUB WAS STILL SERVING. OFFICERS ATTENDED AND SPOKE TO THE BAR STAFF WHO WERE COOPERATIVE. NO DRINKS WERE BEING SERVED AND ABOUT 15 PEOPLE WERE INSIDE FINISHING THERE DRINKS. THERE WAS 1 PERSON IN THE BEER GARDEN FINISHING A CIGARETTE AND MUSIC WAS BEING PLAYED. ESTABLISHED THAT THE LICENCE WAS UNTIL 0030 TO EJECT CUSTOMERS WHICH THE BAR STAFF WERE IN THE PROCESS OF DOING. NO DISORDER SEEN AND NO OFFENCES ESTABLISHED.

Date: 04/11/2016 00:07

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

CALL FROM MOP - CUSTOMERS ARE STILL IN THE PREMISES AND BEING 'REALLY LOUD AND DRUNK'. NO BREACH OF LICENCE. NO POLICE DEPLOYMENT

Date: 30/10/2016 00:55

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

CALL FROM MOP, LOUD NOISE/MUSIC INSIDE THE PREMISES. NO POLICE ATTENDANCE

Date: 23/10/2016 22:45

Description: BREACH OF LICENCE

CALL FROM MOP - PREMISES IN BREACH OF PREMISES LICENCE - MUSIC STILL

BEING PLAYED WHEN THEY SHOULD BE CLOSED. NO POLICE DEPLOYMENT

Date: 10/09/2016 00:30

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

'CONTACT US' MESSAGE FROM A MEMBER OF THE PUBLIC, COMPLAINING ABOUT LOUD MUSIC, 'LOCKS INS' AND THEIR VIEW THAT THE PREMISES IS A BREEDING GROUND FOR TROUBLE.

Date: 10/09/2016 00:43

Description: MOP REPORTING THAT THEY HAD JUST SEEN OFFICERS LEAVE AND DRIVING AWAY BUT THERE ARE STILL PEOPLE THERE SMOKING AND LAUGHING AND THEY HAVE JUST LET OFF ONE OF THOSE FIRE LANTERNS - CAN THE OFFICERS GO BACK PLEASE

OFFICERS REVISITED - NO LIGHTS ON AND NO NOISE HEARD

Date: 10/09/2016 00:28

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

MOP MAKING A COMPLAINT ABOUT THE PUB BREACHING THERE LICENSING NEXT DOOR. THE MUSIC IS STILL GOING ON.

LOCATION VISITED - NO LIGHTS ON NO NOISE HEARD

Date: 19/08/2016 22:42

Licensing objection – Protection of CHILDREN FROM HARM

Description: FEMALE REPORTING THAT SHE HAD BEEN IN THE PUB WITH FRIENDS AND HAD BEEN REFUSED SERVICE AS SHE WAS 17. FEMALE SAYS SHE HAD BEEN SERVED MANY TIMES BEFORE

PREMISES VISITED, NO REFUSAL BOOK IN USE AND NO KNOWLEDGE OF INCIDENT REPORTED BY FEMALE

Date: 12/08/2016 23:21

Licensing objective – Prevention of CRIME AND DISORDER

RESIDENT OF NEW STREET PHONED POLICE REPORTING A DRUNK MALE WHO HAD LEFT THE HORSE AND JOCKEY WAS HANGING AROUND SAYING THAT HE WAS GOING TO BEAT SOMEBODY UP. THE MALE WAS SWEARING LOUDLY. INCIDENT WOULD APPEAR TO BE LINKED TO 0853S 120816 AND 0893S 120816. POLICE ATTENDED AND GAVE THE MALE WORDS OF ADVISE.

Date: 12/08/2016 23:16

Description: DISORDER

BAR STAFF RANG POLICE TO SAY THERE HAD BEEN A SCUFFLE OUTSIDE FOLLOWING A MALE BEING TOLD TO LEAVE THE PUB. THE MALE HAD APPARENTLY KICKED SOME CARS AS HE LEFT. POLICE DID NOT ATTEND AS OFFENDER HAD LEFT.

Date: 12/08/2016 23:55

Licensing objective – Prevention of CRIME AND DISORDER

RESIDENT OF NEW STREET PHONED POLICE REPORTING A MALE AND FEMALE WERE OUTSIDE THE HORSE AND JOCKEY SCREAMING AT EACH OTHER. (CALL TAKER COULD HEAR SHOUTING IN BACKGROUND) FEMALE WAS HEARD TO SHOUT "GET OFF ME". POLICE ATTENDED. THE FEMALE PARTY HAD BEEN PHYSICALLY ASSAULTED WITH INJURIES TO HER FACE.

Date: 06/08/2016 00:16

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

REPORTING NOISE PROBLEMS FROM THE PREMISES AS THERE IS A LIVE BAND STILL PLAYING AND CAUSING A DISTURBANCE.

LICENCE ALLOWS LIVE MUSIC PERMITTED UNTIL MIDNIGHT. CALLER WILL CALL BACK IF PERSISTS PAST 01:00 OFFICERS ATTENDED AND ALL WAS SILENT AS AT 00:30

Date: 12/07/2016 00:01

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

MOP REPORTING NOISE ISSUES - LOUD MUSIC
EHO MADE AWARE BY E-MAIL
PLH INFORMED BY E-MAIL

Date: 03/07/2016 22:38

Licensing objective – Prevention of CRIME AND DISORDER

REPORTS OF 20 + PEOPLE FIGHTING IN THE STREET HAVING COME FROM THE HORSE AND JOCKEY. SUSPECTS BELIEVED TO HAVE RUN BACK INTO THE PUB. ON POLICE ARRIVAL. DPS SPOKEN TO, FOYER OF THE PREMISES HAS A STRONG SMELL OF CANNABIS. OWNER COMES ACROSS TO POLICE AS BEING ANTI POLICE AND UNHELPFUL.

Date: 03/07/2016 01:07

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

CALL FROM MOP ABOUT EXCESSIVE NOISE FROM CUSTOMERS IN THE BEER GARDEN. NO POLICE ATTENDANCE
DETAILS PASSED TO EHO BY E-MAIL

Date: 02/07/2016 12:30

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

CALL FROM MOP ABOUT EXCESSIVE NOISE AND INCIDENTS OCCURRING AT THE PREMISES THE PREVIOUS EVENING
INFORMATION PASSED TO EHO BY E-MAIL

Date: 01/07/2016 22:38

Licensing objective – Prevention of CRIME AND DISORDER

ANON PERSON CALLED POLICE REPORTING A FIGHT IN NEW STREET CAR PARK INVOLVING ABOUT 20 YOUTHS FROM THE HORSE AND JOCKEY. NO OTHER CALLS. POLICE ATTENDED WITHIN 5 MINUTES BUT NO SIGNS OF ANYTHING HAVING TAKEN PLACE.

Date: 26/06/2016 01:10

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

CALL FROM MOP OF EXCESSIVE NOISE FROM THE PREMISES - INCLUDING AFTER HOURS SERVING - MATTER DEALT WITH AS PER LOG 0057S260616
INFORMATION SHARED WITH EHO BY E-MAIL

Date: 26/06/2016 00:51

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

OFFICER ATTENDED THE PREMISE AT 01:05 AND FOUND THE FRONT DOOR CLOSED

AND CURTAIN DRAWN HOWEVER COULD HEAR MUSIC AND NOISE FROM INSIDE. THE FRONT DOOR WAS NOT LOCKED AND ON ENTERING IT WAS CLEAR THAT ALCOHOL WAS STILL BEING SERVED, MUSIC WAS PLAYING, CUSTOMERS WERE ON THE DANCE FLOOR AND IN THE BACK BAR AREA. THE MANAGER, MICHAEL HUDSON WAS PRESENT AND WAS AWARE OF HIS LICENSING HOURS AND CONDITIONS. TOLD TO CLOSE AND GIVEN UNTIL 01:30 TO CLOSE UP.

OFFICER ATTENDED AT 01:40 AND THERE WERE STILL CUSTOMERS IN THE PUB, ALTHOUGH THE MUSIC WAS OFF, THE BAR WAS SHUT DOWN, MOST LIGHTS WERE OFF. HUDSON EXPLAINED THAT BUSINESS WAS GOING WELL AND IT WAS NORMAL TO PUSH THE HOURS BY 30 MINUTES. HE ALSO STATED THAT HE HAD FAMILY DOWN STAYING WHICH WAS WHY AFTER GETTING FINAL 3 CUSTOMERS OUT, THERE WERE STILL PERSONS PRESENT. HUDSON WAS ADVISED THAT THERE HAD BEEN SEVERAL COMPLAINTS REGARDING HIS NOISE AND LATE NIGHTS HOURS AND THAT I WOULD SUBMIT A REPORT FOR LICENSING OFFICE.

INFORMATION SHARED WITH EHO BY E-MAIL

Date: 25/06/2016 00:05

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

MOP REPORTING EXCESSIVE NOISE FROM THE PREMISES

NO POLICE ATTENDANCE

INFORMATION SHARED WITH EHO BY E-MAIL

Date: 20/06/2016 21:00

Licensing objective – Prevention of CRIME AND DISORDER

POLICE WERE CALLED BY A MOP THAT HER DAUGHTER HAD BEEN FOLLOWED BY A MALE. MALE HAD BEEN FOLLOWED BY THE CALLER AND HAD BEEN SEEN TO ENTER THE HORSE AND JOCKEY. ON POLICE ARRIVAL AT THE PUB, SUSPECT MALE WAS LOCATED IN THE PUB COMPLETELY INTOXICATED. HE WAS SPOKEN TO AT LENGTH OUTSIDE THE PUB. WHILST POLICE PRESENT THE OWNER HAS ASKED POLICE TO MOVE AWAY FROM THE PUB DESPITE BEING TOLD THAT POLICE WERE DEALING WITH AN INCIDENT. AGAIN THE OWNER DISPLAYS VERY ANTI POLICE ATTITUDE.

Date: 12/06/2016 00:33

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

NOISE COMPLAINT FROM MOP. EHO ADVICE GIVEN. INFO SHARED WITH EHO BY E-MAIL

Date: 11/06/2016 23:40

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

NOISE COMPLAINT FROM MOP. EHO ADVICE GIVE. INFO SHARED WITH EHO BY E-MAIL

Date: 10/06/2016 23:43

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

NOISE COMPLAINT FROM MOP - EHO ADVICE GIVE. SHARED WITH EHO BY E-MAIL

Date: 05/06/2016 01:14

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

MOP REPORTING EXCESSIVE NOISE FROM INSIDE THE PREMISES (NOT MUSIC). EHO

ADVICE GIVEN NO POLICE ATTENDANCE.
INFORMATION SHARED WITH EHO BY E-MAIL

Date: 05/06/2016 01:45

Description: NOISE NUISANCE

FURTHER CALL ABOUT NOISE AT THE PREMISES WITH CUSTOMERS BEING NOISY IN THE BEER GARDEN. OFFICER DID ATTEND, 'LISTENED' NO NOISE HEARD. EHO ADVICE GIVEN. INFO SHARED WITH EHO BY E-MAIL

Date: 14/05/2016 00:10

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

RESIDENT OF NEW STREET PHONED POLICE TO SAY THAT THE PUB WAS STILL PLAYING VERY LOUD MUSIC AND THAT THERE WAS A SPEAKER IN THE PUB GARDEN. POLICE DID NOT ATTEND.

Date: 07/05/2016 21:30

Licensing objective – Prevention of CRIME AND DISORDER

REPORT BY NEIGHBOUR OF DISTURBANCE INSIDE PUB. OFFICERS ATTENDED, ALL WAS IN ORDER. BAR STAFF STATED THERE HAD BEEN A DISAGREEMENT BETWEEN SOME LADS FROM FOOTBALL TEAMS. NO ONE CAME FORWARD WITH ANY COMPLAINTS.

Date: 01/05/2016 07:59

Licensing objective – Prevention of NOISE NUISANCE, Prevention of CRIME AND DISORDER

REPORT OF EXCESSIVE NOISE FROM PREMISES THAT HAS BEEN GOING ON ALL NIGHT. NO POLICE DEPLOYMENT
INFO SHARED WITH EHO BY E-MAIL

MEMORANDUM

To : **RESPONSIBLE AUTHORITIES/INTERESTED PARTIES**
 From : **LICENSING SECTION, ENVIRONMENTAL HEALTH AND TRADING STANDARDS**
 Tel : **01432 261886** My Ref : **LUB/PR00478**
 Date : **26/07/2017** Your Ref :

LICENSING ACT 2003 NOTIFICATION OF APPLICATION FOR REVIEW OF PREMISES LICENCE

The Licensing Section has received the following applications for the **REVIEW** of a premises licence. A summary of each application is provided in the table below. If you would like to view any of the applications copies are available at the licensing section.

Should you wish to make a representation in respect of any one of the applications listed then please submit your information on the memorandum below to the licensing section before expiry of the 28 day representation period which is the date shown in column 5 of the table below. Please be aware that the licensing authority can only consider those representations that are relevant to the four licensing objectives: ***Prevention of Crime and Disorder, Prevention of Public Nuisance, Public safety and Protection of Children from Harm.***

For the Environmental Health Commercial and Environmental Protection Teams should officers wish to raise any issues in respect of any of the applications listed below please contact the Environmental Health team (licensing) in good time for the relevant representations to be co-ordinated and made to the licensing section within the 28 day period.

Premise Name	Premise address	Applicant	Grounds	Start of 28day Period	End of 28day Period
Horse And Jockey Inn,	9-10 New Street, Ross on wye, Herefordshire, HR9 7DA	Herefordshire Council - Environmental Health Department	Not promoting the licensing objective of the prevention of public nuisance.	26/07/2017	22/08/2017

LUCY BOND
LICENSING TECHNICAL OFFICER
ENVIRONMENTAL HEALTH AND TRADING STANDARDS

MEMORANDUM

To : LICENSING OFFICER

From : TRADING STANDARDS

Tel : 01432261987

My Ref : LW/051631

Date : 10.08.2017

Your Ref : LUB/PR00478

**LICENSING ACT 2003
APPLICATION FOR REVIEW OF PREMISES LICENCE
HORSE AND JOCKEY**

Having assessed the above application, I would like to make the following representation:

Representation	Industry Guidance
PREVENTION OF CRIME & DISORDER	
PUBLIC SAFETY	
PREVENTION OF PUBLIC NUISANCE	
<p>PROTECTION OF CHILDREN FROM HARM</p> <p>As an authorised body under the Licensing Act 2003, Herefordshire Council Environmental Health and Trading Standards have received details of the review instructed by Environmental Health for Horse and Jockey Inn, 9-10 New Street, Ross on Wye HR9 7DA.</p> <p>Trading Standards have the responsibility for enforcing the Licensing Act 2003 in respect of sales of alcohol to anyone under the age of eighteen.</p> <p>After looking at your current licence under the section protection of</p>	

children from harm we would seek to include the following conditions on the premises licence:

1. All staff engaged in the sale of alcohol to be trained in responsible alcohol retailing to the minimum standard of BIIAB level 1 or any equivalent training course within 1 month of commencing employment at the premises. Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence. Refresher training will be conducted at 6 monthly intervals. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
2. A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months. It will be collected and reviewed on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
3. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any sale area advertising the scheme operated.

**LEAH WILSON
TRADING STANDARDS OFFICER
HEREFORDSHIRE COUNCIL**



9th August 2017

Licensing Section,
Herefordshire Council,
8 St Owen Street,
Hereford
HR1 2PJ

Re. The Horse & Jockey pub Ross-on-Wye licensing review

We are writing in support of the licensee of this pub.

We live on the opposite side of the road from the pub, only 30 metres away.

Since the current licensee has been at the pub, we have not experienced any disturbance of any kind, specifically, there has been no noise disturbance.

There is usually music playing in the pub, but the volume is such that conversation is easy without the need to raise ones voice.

The pub is a popular, friendly and pleasant meeting place, for people of all ages. It appears to be well run. It also appears that the licensee has been keeping to the terms of his licence.

The licensee takes part in a variety of local charity events (such as the recent Ross-on-Wye Carnival), supports various local sports groups, and is altogether an asset to the community.

We cannot understand why there have been any complaints.

Yours faithfully,

Janet Nelson B.Sc. M.Sc.

Nick Nelson B.Sc. C.Eng. M.I.E.T.

From: [REDACTED]
To: [Licensing](#)
Subject: Attn: Lucy Bond Re: Horse and Jockey
Date: 22 August 2017 15:29:49
Attachments: [horse & jockey representation 2017-08-22.docx](#)

Dear Mrs Bond

I am making a representation from [REDACTED] with regard to the Horse and Jockey public house, New Street, Ross on Wye, in the belief that the owners and operators of the premises have undermined the licensing objectives - in particular those of the prevention of crime and disorder and the prevention of public nuisance. The evidence I wish to rely on is contained in the attached statement. Please notify me of the date and time of the hearing.

Yours sincerely

Clare Parfitt

Horse and Jockey pub license review: local resident representation

2017-08-22

1. Introduction and summary

The following is a statement from [INSERT NAME AND ADDRESS]. We identify two main problems with the situation as it stands:

- the license terms are not appropriate for a pub located in a residential area
- the pub is run with insufficient consideration for the well-being of local residents

Concerns about the pub centre on issues of public nuisance, crime and disorder.

Attempts by residents to reach an understanding directly with the pub management have been largely frustrated. Attempts to improve the situation by involving the police and the council have led to further deterioration in relations between the pub and the local community. The pub owners have not demonstrated consideration for local concerns, or intent to control problems associated with the pub.

2. Problems with the current terms of the license

- The pub has a longer than normal license, at weekends until 12:30.
- The pub has an extra hour for entire bank holiday weekends and other public holidays, until 1:30.
- The license does not prohibit the holding of events liable to create a public nuisance.
- The license allows amplified music to be played up to midnight.
- the license does not control noise from the pub garden and designated smoking area.
- the pub is not obliged to ensure clients disperse quietly at closing time.
- the pub is not obliged to ensure people smoking on the street are not served at the bar.

3. Problems with the current owners/management of the pub

a) Breach of license

The pub has contravened the terms of its license as follows:

- noise nuisance from the pub after closing time
- open bottles and containers taken off the premises.
- noise and vibration so as to cause a public nuisance.
- serving people at the bar after smoking outside the pub.
- music and tv broadcasting in the garden and smoking area after 9 pm.

b) responsibility to prevent public nuisance

The pub management and owners have failed to comply with three of the four key objectives of the Licensing Act 2003, namely, prevention of public nuisance, protection of public safety, and prevention of crime and disorder. These public duties have never been taken seriously by either the pub management or the pub owners, who claim this is not their responsibility.

Prevention of public nuisance

- loud amplified music all hours inside the pub and relayed via speakers in the pub garden.
- events inappropriate in a residential area, including amplified live music, drum and bass nights, and private parties. Inadequate notice given and inadequate measures to minimise impact on the local community.
- Loud singing, shouting, swearing and rowdy behaviour inside the pub and in the pub garden, unregulated by the pub management
- Gatherings of smokers causing noise nuisance and drinking from bottles and glasses on the street outside the pub, also leads to littering, broken glass etc.

Protection of public safety

- Failing to clear up broken glass left on the pavement and street outside the pub
- Production of noxious smoke while burning rubbish in the pub garden

Prevention of crime and disorder

- Fighting and other disorderly conduct outside the pub and down the street

4. Conclusions and recommendations

The recently imposed noise abatement order has done a great deal to reduce noise nuisance and we are extremely grateful for this. However further steps are necessary to resolve the situation. We propose”

- **Replacement of the current management**, and
- **Formal agreement** between owners, Environmental Health Authority and Police to ensure improved pub management, or
- **Revoke the license** altogether.

From: [REDACTED]
To: [Licensing](#)
Subject: Horse and Jockey pub
Date: 22 August 2017 21:55:30
Attachments: [horse & jockey representation 2017-08-22.docx](#)

We have since new tenants moved in a lot of loud music, disturbed late at night and early hours of the morning with customers of the Horse and Jockey leaving and smoking outside the front of their and our own doorstep, fighting in the street, we would like the licence to be reviewed knowing it is on a residential street with private households as if we did the same to their customers at their homes I don't think they would be able to put up with the disturbances as we all have for the period of time the street.

Yours sincerely Donna Dickens

David Cole

Horse and Jockey pub license review: local resident representation

2017-08-22

1. Introduction and summary

The following is a statement from [INSERT NAME AND ADDRESS]. We identify two main problems with the situation as it stands:

- the license terms are not appropriate for a pub located in a residential area
- the pub is run with insufficient consideration for the well-being of local residents

Concerns about the pub centre on issues of public nuisance, crime and disorder.

Attempts by residents to reach an understanding directly with the pub management have been largely frustrated. Attempts to improve the situation by involving the police and the council have led to further deterioration in relations between the pub and the local community. The pub owners have not demonstrated consideration for local concerns, or intent to control problems associated with the pub.

2. Problems with the current terms of the license

- The pub has a longer than normal license, at weekends until 12:30.
- The pub has an extra hour for entire bank holiday weekends and other public holidays, until 1:30.
- The license does not prohibit the holding of events liable to create a public nuisance.
- The license allows amplified music to be played up to midnight.
- the license does not control noise from the pub garden and designated smoking area.
- the pub is not obliged to ensure clients disperse quietly at closing time.
- the pub is not obliged to ensure people smoking on the street are not served at the bar.

3. Problems with the current owners/management of the pub

a) Breach of license

The pub has contravened the terms of its license as follows:

- noise nuisance from the pub after closing time
- open bottles and containers taken off the premises.
- noise and vibration so as to cause a public nuisance.
- serving people at the bar after smoking outside the pub.
- music and tv broadcasting in the garden and smoking area after 9 pm.

b) responsibility to prevent public nuisance

The pub management and owners have failed to comply with three of the four key objectives of the Licensing Act 2003, namely, prevention of public nuisance, protection of public safety, and prevention of crime and disorder. These public duties have never been taken seriously by either the pub management or the pub owners, who claim this is not their responsibility.

Prevention of public nuisance

- loud amplified music all hours inside the pub and relayed via speakers in the pub garden.
- events inappropriate in a residential area, including amplified live music, drum and bass nights, and private parties. Inadequate notice given and inadequate measures to minimise impact on the local community.
- Loud singing, shouting, swearing and rowdy behaviour inside the pub and in the pub garden, unregulated by the pub management
- Gatherings of smokers causing noise nuisance and drinking from bottles and glasses on the street outside the pub, also leads to littering, broken glass etc.

Protection of public safety

- Failing to clear up broken glass left on the pavement and street outside the pub
- Production of noxious smoke while burning rubbish in the pub garden

Prevention of crime and disorder

- Fighting and other disorderly conduct outside the pub and down the street

4. Conclusions and recommendations

The recently imposed noise abatement order has done a great deal to reduce noise nuisance and we are extremely grateful for this. However further steps are necessary to resolve the situation. We propose”

- **Replacement of the current management**, and
- **Formal agreement** between owners, Environmental Health Authority and Police to ensure improved pub management, or
- **Revoke the license** altogether.

Horse and Jockey pub license review: representation from residents of [REDACTED]

2017-08-22

1. Introduction and summary

The following is a statement from Denise and Peter Hewett of [REDACTED]. We belong to the local community group composed of a number of residents from New Street and Morley Square, which formed in June 2016 in response to nuisance from the Horse and Jockey Pub. We identify two main problems with the situation as it stands:

- the license terms are not appropriate for a pub located in a residential area
- the pub is run with insufficient consideration for the well-being of local residents

We are not opposed in principle to having a licensed premises on the street – we, and some other local residents even supported efforts to keep the pub open as a local community asset after it was threatened with closure in 2015. Since New River Retail took over the license, however, they, and the current management, have squandered local goodwill by failing to accommodate the legitimate concerns of the neighbourhood community. Concerns have centred on issues of public nuisance, crime and disorder.

Attempts by residents to reach an understanding directly with the pub management have been largely frustrated. Although requests to reduce noise in connection with license breach have been occasionally acted upon, and apologies were even made on one occasion after a particularly noisy Halloween event in 2016, this has never translated into a sustained policy of respect and cooperation. Requests have more frequently been ignored, or met with unhelpful responses such as “this is a pub – what do you expect?”. The pub management have not responded to requests to moderate anti-social behaviour of clients outside the premises, or to clean up hazardous broken glass or mess left in the street by pub users as they do not see that as their responsibility. Attempts to improve the situation by involving the police and the council have led to further deterioration in relations between the pub and the local community. The pub management’s increasingly resentful attitude is considered to have tacitly sanctioned unacceptable behaviour by regular clientele towards objecting local residents, including verbal abuse, harassment, and most recently, repeated malicious damage to property.

Nor have the pub owners shown any consideration for local concerns, or demonstrated any intention to control problems associated with the pub. At a meeting with New River Retail brokered by the police on 05/09/2016, New River Retail’s legal adviser, David Crank, stated that there was nothing in the license to specifically oblige the pub to control behaviour of pub clients on the street, that it was impossible to control noise coming from the smoking area in the garden, and that he could see no reason for the current license to be changed.

2. Problems with the current terms of the license

- The long licensing hours include a half-hour drinking up time, which means that clients don’t begin to disperse on Thursday, Friday and Saturday nights until 12:30.
- This problem is exacerbated by late-night revellers who have already spent the evening in other pubs in the town, and come to the Horse and Jockey after other pubs close. Clients are therefore often extremely drunk and rowdy when they leave the pub and dispersal is often noisy and protracted. Local residents are often prevented from sleeping until after 1 am, which is particularly problematic for residents who are shift-workers or have young children.

- The license gives the pub an extra hour for entire bank holiday weekends and other public holidays, which means that local residents are often disturbed by noise until 2 in the morning on these occasions.
- The license does not prohibit the holding of parties and other events which are liable to create a public nuisance in a residential area.
- The license currently allows amplified music to be played up to midnight, which is not appropriate for the Horse and Jockey as the premises cannot be adequately sound-proofed to prevent noise nuisance to residents.
- Many local residents' properties back onto the pub garden but the license currently has no specific provision for the control of the considerable noise nuisance emanating from this location, where the designated smoking area is also located.
- Under the prevention of public nuisance section, the license obliges the pub to display a notice to ask clients to disperse quietly and respect the interests of the local residents, but it does not oblige the pub to do anything to ensure that this happens.
- Similarly, a condition attached to the license following a hearing on 18th June 2008 obliges the pub to display a notice warning that clients smoking on the street will be refused further service at the bar, but it does not oblige the pub to enforce this.

3. Problems with the current owners/management of the pub

a) Breach of license

The pub has contravened the terms of its license on many occasions, for example:

- Even when ostensibly closed, noise nuisance from music and people remaining in the pub substantially after closing time has continued on many occasions [at least 7 instances reported to the police/council between June 2016 and July 2017]. When challenged, pub management have said that they have the right to have 'friends' stay on in the pub whenever they like.
- In breach of license (Annex 2: public safety) the pub management allows open bottles and containers to be taken off the premises. This frequently results in broken glass on the pavement and in the street, causing a hazard for cars and pedestrians, and the unwelcome deposition of glasses and bottles on the doorsteps and window-sills of houses near to the pub [incidents reported to police 03/03/2017, 18/03/2017, 30/04/2017];
- In breach of license (Annex 2: prevention of public nuisance): the management allows noise and vibration to emanate from the premises so as to cause a public nuisance [at least 20 instances reported to police/council between June 2016 and July 2017].
- In breach of license (Annex 3) the pub management continue serving people at the bar after smoking outside the pub.
- In breach of license (Annex 3) pub management have regularly played TV and/or amplified music outside the pub after 9 pm.

b) responsibility to prevent public nuisance

The pub management and owners have failed to comply with three of the four key objectives of the Licensing Act 2003, namely, prevention of public nuisance, protection of public safety, and prevention of crime and disorder. These public duties have never been taken seriously by either the pub management or the pub owners, who claim this is not their responsibility. Noise nuisance resulting from the playing of loud music has only reduced to acceptable levels since the recent imposition of a noise abatement notice on the premises. Instances include:

Prevention of public nuisance

- Unacceptably loud, pounding amplified music regularly played day and night inside the pub and relayed via speakers in the pub garden [see above for reported instances].
- the holding of events which are not appropriate in a residential area, including amplified live music, drum and bass nights, and private parties. Notice of these events, and provision to minimise impact on the local community have been inadequate [instances reported 30/10/2016, 28/05/2017].
- Loud singing, shouting, swearing and rowdy behaviour inside the pub and in the pub garden, unregulated by the pub management [at least 17 incidents reported to police/council between June 2016 – July 2017].
- Gatherings of smokers causing noise nuisance and drinking from bottles and glasses on the street outside the pub.

Protection of public safety

- Failing to clear up broken glass left on the pavement and street outside the pub
- Production of noxious smoke while burning rubbish in the pub garden

Prevention of crime and disorder

- Fighting and other disorderly conduct outside the pub [instances reported 12/08/2016, 30/10/2016, 11/11/2016]
- Harassment of local residents by regular pub clientele including swearing, and banging on the door late at night and running away [instances reported 15/04/2017, 28/05/2017].
- malicious damage to cars belonging to residents at [REDACTED] in connection with complaints to police and council [instances reported 22/07/2016, 09/07/2017, 31/7/2017, 11/08/2017].

4. Conclusions and recommendations

The recently imposed noise abatement order has done a great deal to reduce noise nuisance and we are extremely grateful for this. However, we still face a raft of other problems emanating from the pub, and further steps are necessary to resolve the situation. Although the license is clearly inadequate, the current management has a long history of license breach, so amendments are unlikely to be respected. Furthermore, changes to the license would not address some of the other problems highlighted in this representation.

- These could only be addressed by **replacing the current management**.
- The owners must also take on **more responsibility for management standards and quality surveillance**, and a **more cooperative attitude** to the authorities and residents if an equitable arrangement is to be reached.
- Otherwise we can see no other solution but to **revoke the license** altogether.

From: [REDACTED]
To: [Licensing](#)
Date: 22 August 2017 14:58:46

Dear Ms Bond,

Re: Horse and Jockey pub license review: local resident representation

2017-08-22

1. Introduction and summary

The following is a statement from Mr & Mrs Knight, [REDACTED]

[REDACTED]. We identify two main problems with the situation as it stands:

- the license terms are not appropriate for a pub located in a residential area
- the pub is run with insufficient consideration for the well-being of local residents

Concerns about the pub centre on issues of public nuisance and disorder.

Attempts by residents to reach an understanding directly with the pub management have been largely frustrated. Attempts to improve the situation by involving the police and the council have led to further deterioration in relations between the pub and the local community. The pub owners have not demonstrated consideration for local concerns, or intent to control problems associated with the pub.

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- the license does not control noise from the pub garden.
- the pub is not obliged to ensure clients disperse quietly at closing time.

3. Problems with the current owners/management of the pub

a) *Breach of license*

The pub has contravened the terms of its license as follows:

- noise nuisance from the pub after closing time
- noise so as to cause a public nuisance.
- music and tv broadcasting in the garden after 9pm.

b) *responsibility to prevent public nuisance*

The pub management and owners have failed to comply with two of the four key objectives of the Licensing Act 2003, namely, prevention of public nuisance and prevention of crime and disorder. These public duties have never been taken seriously by either the pub management or the pub owners, who claim this is not their responsibility.

Prevention of public nuisance

- loud amplified music all hours inside the pub and relayed via speakers and in the pub garden.
- events inappropriate in a residential area, including amplified live music, drum and bass nights, and private parties. Inadequate notice given and inadequate measures to minimise impact on the local community.
- Loud singing, shouting, swearing and rowdy behaviour inside the pub and in the pub garden, unregulated by the pub management.
- Gatherings of people in the garden causing noise nuisance during opening hours and after closing time.

Prevention of crime and disorder

- Arguing and other disorderly in the pub garden.

4. Conclusions and recommendations

The recently imposed noise abatement order has done a great deal to reduce noise nuisance and we are extremely grateful for this. However further steps are necessary to resolve the situation. We suggest below an option for consideration;

- **Replacement of the current management**, and
- **Formal agreement** between owners, Environmental Health Authority and Police to ensure improved pub management

Yours sincerely

Mr & Mrs Knight

Sent from my iPhone

Horse and Jockey pub license review: representation from residents of [REDACTED]

2017-08-22

1. Introduction and summary

The following is a statement from Lisa Shekede and Stephen Rickerby of [REDACTED]. We belong to the local community group composed of a number of residents from New Street and Morley Square, which formed in June 2016 in response to nuisance from the Horse and Jockey Pub. We identify two main problems with the situation as it stands:

- the license terms are not appropriate for a pub located in a residential area
- the pub is run with insufficient consideration for the well-being of local residents

We are not opposed in principle to having a licensed premises on the street – we, and some other local residents even supported efforts to keep the pub open as a local community asset after it was threatened with closure in 2015. Since New River Retail took over the license, however, they, and the current management, have squandered local goodwill by failing to accommodate the legitimate concerns of the neighbourhood community. Concerns have centred on issues of public nuisance, crime and disorder.

Attempts by residents to reach an understanding directly with the pub management have been largely frustrated. Although requests to reduce noise in connection with license breach have been occasionally acted upon, and apologies were even made on one occasion after a particularly noisy Halloween event in 2016, this has never translated into a sustained policy of respect and cooperation. Requests have more frequently been ignored, or met with unhelpful responses such as “this is a pub – what do you expect?”. The pub management have not responded to requests to moderate anti-social behaviour of clients outside the premises, or to clean up hazardous broken glass or mess left in the street by pub users as they do not see that as their responsibility. Attempts to improve the situation by involving the police and the council have led to further deterioration in relations between the pub and the local community. The pub management’s increasingly resentful attitude is considered to have tacitly sanctioned unacceptable behaviour by regular clientele towards objecting local residents, including verbal abuse, harassment, and most recently, repeated malicious damage to property.

Nor have the pub owners shown any consideration for local concerns, or demonstrated any intention to control problems associated with the pub. At a meeting with New River Retail brokered by the police on 05/09/2016, New River Retail’s legal adviser, David Crank, stated that there was nothing in the license to specifically oblige the pub to control behaviour of pub clients on the street, that it was impossible to control noise coming from the smoking area in the garden, and that he could see no reason for the current license to be changed.

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- The long licensing hours include a half-hour drinking up time, which means that clients don’t begin to disperse on Thursday, Friday and Saturday nights until 12:30.
- This problem is exacerbated by late-night revellers who have already spent the evening in other pubs in the town, and come to the Horse and Jockey after other pubs close. Clients are therefore often extremely drunk and rowdy when they leave the pub and dispersal is often noisy and protracted. Local residents are often prevented from sleeping until after 1 am, which is particularly problematic for residents who are shift-workers or have young children.

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- In breach of license (Annex 2: prevention of public nuisance): the management allows noise and vibration to emanate from the premises so as to cause a public nuisance [at least 20 instances reported to police/council between June 2016 and July 2017].
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Prevention of public nuisance

- Unacceptably loud, pounding amplified music regularly played day and night inside the pub and relayed via speakers in the pub garden [see above for reported instances].
- the holding of events which are not appropriate in a residential area, including amplified live music, drum and bass nights, and private parties. Notice of these events, and provision to minimise impact on the local community have been inadequate [instances reported 30/10/2016, 28/05/2017].
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- Gatherings of smokers causing noise nuisance and drinking from bottles and glasses on the street outside the pub.

Protection of public safety

- Failing to clear up broken glass left on the pavement and street outside the pub
- Production of noxious smoke while burning rubbish in the pub garden

Prevention of crime and disorder

- Fighting and other disorderly conduct outside the pub [instances reported 12/08/2016, 30/10/2016, 11/11/2016]
- Harassment of local residents by regular pub clientele including swearing, and banging on the door late at night and running away [instances reported 15/04/2017, 28/05/2017].
- malicious damage to cars belonging to residents at [REDACTED] in connection with complaints to police and council [instances reported 22/07/2016, 09/07/2017, 31/7/2017, 11/08/2017].

4. Conclusions and recommendations

The recently imposed noise abatement order has done a great deal to reduce noise nuisance and we are extremely grateful for this. However, we still face a raft of other problems emanating from the pub, and further steps are necessary to resolve the situation. Although the license is clearly inadequate, the current management has a long history of license breach, so amendments are unlikely to be respected. Furthermore, changes to the license would not address some of the other problems highlighted in this representation.

- These could only be addressed by **replacing the current management**.
- The owners must also take on **more responsibility for management standards and quality surveillance**, and a **more cooperative attitude** to the authorities and residents if an equitable arrangement is to be reached.
- Otherwise we can see no other solution but to **revoke the license** altogether.



**LICENSING ACT 2003
Part A - Premises Licence**

Premises Licence Number PR00478 (App to Vary Premise DPS)

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description THE HORSE & JOCKEY 9-10 NEW STREET	
Post town ROSS-ON-WYE	Postcode HR9 7DA
Telephone number 01989 763834	

Where the licence is time limited the dates Not applicable
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Licensable activities authorised by the licence (All indoors unless otherwise stated) <ol style="list-style-type: none"> 1. A performance of live music 2. Any playing of recorded music 3. Facilities for similar entertainment 4. Dancing 5. Sale by retail of alcohol (Indoors and Outdoors) Restrictions on Licensable Activities as numbered above <ol style="list-style-type: none"> 1. Amplified ancillary and un-amplified music preformed by no more than 2 entertainers. 2. Amplified recorded music ancillary to sale of alcohol. 3. Karaoke

The times the licence authorises the carrying out of licensable activities Monday-Wednesday: 11:00 - 23:00 Thursday-Saturday: 11:00 - 00:00 Sunday: 12:00 - 22:30 The following non standard timings apply to all licensable activities listed above:- Friday, Saturday, Sunday and Monday of all Bank Holiday weekends, Thursday preceding Easter weekend, Christmas Eve, Boxing Day: An additional hour permitted at the end of normal licensing hours. On New Year's Eve the permitted hours shall extend through from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

The opening hours of the premises

Monday-Wednesday: 11:00 - 23:30

Thursday-Saturday: 11:00 - 00:30

Sunday: 12:00 - 23:00

The following non standard timings apply to all licensable activities listed above:-

Friday, Saturday, Sunday and Monday of all Bank Holiday weekends, Thursday preceding Easter weekend, Christmas Eve, Boxing Day: An additional hour permitted at the end of normal licensing hours.

On New Year's Eve the permitted hours shall extend through from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

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

Both on and off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

NewRiver Retail (Mantle) Limited

37 Maddox Street

London

W1S 2PP

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

09682036

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

Michael Hudson

10 New Street

Ross-on-Wye

Herefordshire

HR9 7DA

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

Licence number: xxxxxxxxx

Issuing authority: Herefordshire Council

Annex 1 - Mandatory conditions

Irresponsible Drinks Promotions

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Free Drinking Water

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age verification

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Small Measures

4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

- (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Below Cost Price

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

Mandatory conditions where licence authorises supply of alcohol

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.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Door supervision

Each individual required to carry out a security activity must be licensed by the Security Industry Authority

Annex 2 - Conditions consistent with the operating Schedule**Licensing conditions - Licensing objectives****General:**

Following an assessment of the premises and its surrounding area the following is proposed: 30 minute 'drinking up' time will allow appropriate dispersal, use of lavatories, etc.

In order to further the licensing objectives the licensee reserves the right to move the fire appliances, AWP machines, cigarette machines and any other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.

- a) 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;
- b) consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;
- c) the ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
- d) the sale of alcohol to a trader or club for the purposes of the trade or club;
- e) 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;
- f) the taking of alcohol from the premises by a person residing there; or
- g) 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
- h) 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

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8 St Owen Street, Hereford, HR1 2PJ**

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;

Public Safety:

The Licensee shall take all reasonable precautions to ensure the safety of the public, the performers and employees on the premises.

The approved arrangements, including the means of escape, the fire alarm and warning system, the fire fighting equipment, the electrical equipment and mechanical equipment shall be maintained in good condition and full working order.

No open bottles or containers shall be taken off the premises.

First Aid The Licensee shall ensure that an adequate and appropriate supply of first aid equipment and material is available on the premises.

Prevention of Public Nuisance:

The licensee shall ensure that noise and vibration does not emanate from the premises so as to cause a public nuisance.

No amplified live or recorded music shall be provided at the premises after 00.00 (midnight) on any day.

Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

All external doors shall be kept closed during performance except for access or egress by persons to and from the premises.

All windows to the entertainment area shall be kept closed during performance and on any day after 23.00 hours.

Prevention of Crime:

Lighting to the exterior of pub and there are no other pubs in close proximity. Most of the customers are local.

Public Safety:

Basic food hygiene certificates are held by the staff. Emergency lighting is in place and fire fighting equipment is on site. There is no smoking in the dining area.

Prevention of Public Nuisance:

There are 5 Clean air/extractors situated throughout the pub and a kitchen extract. There is a managed customer departure policy in place. There are no other pubs in close proximity.

Protection of Children:

No unaccompanied children are allowed in the premises and the dining area is a designated childrens area.

Annex 3 - Conditions attached after a hearing by the licensing authority

Following a review on 18th June 2008

A notice shall be displayed reading 'Customers must not smoke on the street outside these premises. Any person failing to observe this condition will be refused further service at the bar

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8 St Owen Street, Hereford, HR1 2PJ**



upon re-entry'. This notice, measuring not less than A4 size shall be prominently displayed on both the entrance door to the premises and also on the ground floor, street facing windows in such a manner that it is clearly visible to customers both inside and outside the premises.

There shall be no use of televisions or amplified music in any external area of the premises after 2100 on any evening.

A liaison group to be set up between all parties involved with mediation offered by Council Officers when reasonable.

Annex 4 - Plans

As attached

**LICENSING ACT 2003
Part B - Premises licence summary**

Premises Licence Number PR00478 (App to Vary Premise DPS)

Premises details

Postal address of premises, or if none, ordnance survey map reference or description THE HORSE & JOCKEY 9-10 NEW STREET	
Post town ROSS-ON-WYE	Post code HR9 7DA
Telephone number	

Where the licence is time limited the dates Not applicable
--

Licensable activities authorised by the licence (All indoors unless otherwise stated) <ol style="list-style-type: none"> 1. A performance of live music 2. Any playing of recorded music 3. Facilities for similar entertainment 4. Dancing 5. Sale by retail of alcohol (Indoors and Outdoors) Restrictions on Licensable Activities as numbered above <ol style="list-style-type: none"> 4. Amplified ancillary and un-amplified music preformed by no more than 2 entertainers. 5. Amplified recorded music ancillary to sale of alcohol. 6. Karaoke

The times the licence authorises the carrying out of licensable activities Monday-Wednesday: 11:00 - 23:00 Thursday-Saturday: 11:00 - 00:00 Sunday: 12:00 - 22:30 The following non standard timings apply to all licensable activities listed above:- Friday, Saturday, Sunday and Monday of all Bank Holiday weekends, Thursday preceding Easter weekend, Christmas Eve, Boxing Day: An additional hour permitted at the end of normal licensing hours. On New Year's Eve the permitted hours shall extend through from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.
--

The opening hours of the premises

Monday-Wednesday: 11:00 - 23:30

Thursday-Saturday: 11:00 - 00:30

Sunday: 12:00 - 23:00

The following non standard timings apply to all licensable activities listed above:-

Friday, Saturday, Sunday and Monday of all Bank Holiday weekends, Thursday preceding Easter weekend, Christmas Eve, Boxing Day: An additional hour permitted at the end of normal licensing hours.

On New Year's Eve the permitted hours shall extend through from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

Name, (registered) address of holder of premises licence

NewRiver Retail (Mantle) Limited

37 Maddox Street

London

W1S 2PP

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

03752645

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

Both on and off the premises

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Michael Hudson

State whether access to the premises by children is restricted or prohibited

Licence Conditions/Objectives:

No unaccompanied children are allowed in the premises and the dining area is a designated childrens area.

David Crank

From: David Crank
Sent: 15 August 2017 08:00
To: Laughland, Elisabeth; Trezins, Aris (Aris.Trezins@herefordshire.gov.uk)
Cc: Spriggs, Fred (fspriggs@herefordshire.gov.uk)
Subject: Horse and Jockey Ross on Wye [DWFLLP-Active.FID3558018]

Hello,

I write further to the meeting last Thursday and am grateful for your time and that of Mr Haskins, I realise I did not check the correct spelling of his name or details of his email to copy him in but would ask if you could share this with him please?

I have looked to draft the wording for what I would hope would be a Minor Variation as it reduces the licensable activities. I have taken further instructions from my client and would ask for two further concessions based on our discussions please? They both relate to seasonal variations, on New Year's Eve I would ask if we could agree that licensable activities be allowed until midnight thirty, still with a 01.00 close and on Boxing Day night that licensable activities be allowed until midnight with a 00.30 close. I have included this in the draft below but wanted to point it out for discussion and hopefully agreement.

There are a couple of conditions I have looked to remove that are now obsolete, but if any of them cause you concern please advise.

I think all the other points are those that we discussed, but if I have interpreted any element incorrectly please let me know.

The proposed variation to the licence would be requested as follows;-

The hours for operation of the premises be amended to allow licensable activities on Sunday between midday and 22:30, on Monday to Thursday from 11:00 to 23:00, and on Friday and Saturday from 11:00 to 23:30 with the opening hours of the premises to the public on Sunday being to 12:00 to 23:00, Monday to Thursday being 11:00 to 23:30 and Friday and Saturday being 11:00 to midnight.

The following seasonal timings would apply to allow licensable activities on New Year's Eve 11:00 to 00.30, on Boxing Day night from 11.00 to 00.00, and on a Sunday preceding a Bank Holiday 12:00 to 23:30, with the opening hours of the premises on New Year's Eve being 11:00 to 01:00, on Boxing Day 11.00 to 00.30 and on Sundays preceding a Bank Holiday 12:00 to midnight.

The following licensable activities would be removed from the Licence: facilities for similar entertainment, dancing and performance of live amplified music.

The following conditions would be added to the Licence:

On occasions when the premises are open after 23:00 hours then any sound system, other than if required for emergency, would be turned to silent from then until the premises are closed to the public.

No amplified live music should be provided at the premises.

Any performance of live unamplified music shall not be performed by more than 2 entertainers.

All windows to the licensed area shall be kept closed after 22:30 hours,

The outside area shall not be used for the consumption of alcohol after 22:30 hours.

There should be no use of televisions or amplified music in any external area of the premises.

The following conditions shall be removed:

First aid – the licensee shall ensure that an adequate and appropriate supply of first aid equipment and material is available on the premises.

No amplified live music or recorded music shall be provided at the premises after 00:00 (midnight) on any day.

All windows to the entertainment area shall be kept closed during performance and on any day after 23:00 hours.

On public safety remove "there is no smoking in the dining area",

On public nuisance remove "There are 5 clean air/extractors situated throughout the pub and a kitchen extract. There is a managed customer departure policy in place. There are no other pubs in close proximity".

Remove "A liaison group to be set up between all parties involved with mediation offered by council officers when reasonable" and replace with "The representatives of the Premises Licence Holder will meet representatives of West Mercia Police and the Herefordshire Council Environmental Health Team and, if necessary, Licensing Team, before the end of February 2018 and confirm any further variations that would be appropriate."

I look forward to your comments and hope that the proposals are acceptable. If anything further is required please advise.

Kind regards

David

David Crank Associate
Litigation, Licensing and Regulatory
DD +44 151 907 3381 **DF** +44 151 907 3030 **M** +44 7872 808 568

DWF LLP
5 St Paul's Square Old Hall Street Liverpool L3 9AE
T +44 3333 20 22 20 **F** +44 3333 20 44 40

NOTICE OF INTENTION

1. I do/do not (delete as appropriate) consider a hearing to be necessary for the following reason(s).....
 it is agreed there will need to be a hearing at present

2. I/We [~~Insert Name of Applicant/Premises Licence Holder/Solicitor~~] shall/~~shall not~~ (delete as appropriate) be attending the hearing in respect of the application to review the licence for **Horse & Jockey Inn, 9-10, New Street, Ross on Wye, HR9 7DA**. We ~~have asked~~ will represent to attend and represent us.
 DWA LLP for New River Retail (manly) Ltd
3. I wish to withdraw my application/representation for the following reason(s)

4. I request permission for the following person to appear at the hearing: -
 (Insert Name of Person)..... **DANIEL CRANK, MICHAEL HUDSON, MR J. ALLAN**
 Mr Clive Greene
5. Brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request
 MR CRANK to represent the Premises licence Holder
 MR GREENE AS OPERATIONS MANAGER to deal with questions
 re operation
 Mr HUDSON AS DPS to address question of future operation
 Mr ALLAN as a resident supportive of the premises

6. Please tick if appropriate:
 I agree to be contacted by email. My email address is: -
 [REDACTED]

Signature DWA LLP	Name (please print) DWA LLP DANIEL CRANK
Capacity Solicitor Agent	Date 31 August

This form must be returned at least FIVE working days before the day of hearing. FAILURE TO DO SO WILL MEAN THAT YOU WILL BE UNABLE TO ADDRESS THE COMMITTEE. Please forward it to: -

Herefordshire Council
 Licensing Section
 8 St. Owens Street
 Hereford
 HR1 2PJ

If you wish to email your response our address is licensing@herefordshire.gov.uk




Date : 5th August 2017

To whom ever it may concern,

I was recently visited by a gentleman named Michael who is known to me because he is the landlord at the nearby Horse and Jockey public house. I have only met him a handful of times and we have exchanged words pleasantly on passing. He seems a polite, courteous and amicable character. He asked me, when he visited, if I had been experiencing any problems with regard to noise nuisance, damage to property and people loitering in New Street near his premises.

I am a property owner on New Street and have a personal office at the above address which I often work long and late hours in. I do not frequent the Horse and Jockey, purely because my social scene is not largely public house based, although I have been there on occasion in the past. I have lived in Ross-on-Wye, besides a few years abroad and a couple of years in London, since I was eleven years of age, so at the age of forty-eight I know the town pretty well. I might add that for the majority of that 37 years I have lived in or very near the centre of Ross-on-Wye, residing in High Street, Wye Street, Edde Cross Street, Swan Court and now New Street. I have lived near various public houses in that time and in making my decision to live close to a public house I knew the potential for footfall during public house opening times and other related issues such as deliveries and a degree of social interaction on the pavements near to such establishments. In my mind, anyone that chooses to live close to a public house should consider these factors before making such a decision.

I personally enjoy living in a vibrant environment and take pleasure from what that brings socially and to the community. Public houses have always been a focal point for socialising and without local residents using and appreciating such establishments, a vital part of the history and social interaction of this town would be lost. I believe that face to face social interaction is a vital part of human life and in an ever growing electronic culture such establishments should be regarded as very important for the community.

Having lived close to many public houses during my time in Ross-on-Wye, The Man of Ross, The Hope and Anchor, The Riverside, The Swan, The Rosswyn and now the Horse and Jockey to name a few, I can honestly say that I have not experienced any degree of nuisance in relation to the Horse and Jockey that I would not expect living in close proximity to any public house. Yes there are conversations on the street, yes there are taxis picking up and dropping people off, yes there is a degree of music and other entertainment noise that all public houses are allowed to produce, but I have never experienced noise levels that I would consider abnormal from the Horse and Jockey. Between  New Street and the Horse and

Jockey there are 18metres of road and pavement and I can see the frontage of the Horse and Jockey from all of my windows and doors facing New Street. Having been an Environmental Health Officer for several years, both in London and Gloucester, I have a wide experience of environmental nuisance issues and an in depth knowledge of noise nuisance and the associated monitoring of this type of problem. I regularly monitored public houses, night clubs, social events and residential areas and dwellings for decibel levels both inside and outside premises. Although I have not monitored the noise levels emitted by the Horse and Jockey electronically, I do not consider the audible levels to be above normal and in fact would say that the Horse and Jockey is one of the quieter public houses that I have lived near to.

I feel that it is important to note that New Street is not a solely residential street and has been an industrial and commercial street dating back to the 16th century. Times have changed and although there are now more residential dwellings on New Street it is still both residential and commercial, having business premises, public car parks, access roads to Broad Street businesses, various offices along its length and a public house. This type of street is always going to be busy and anyone choosing to live on such a street should consider these factors before deciding to live here. Common sense should prevail and to ignore such obvious factors during a decision to live on New Street would be ignorant and indeed foolhardy.

I am aware that there have been some localised issues with regard to the Horse and Jockey and have indeed been approached both in writing and in person several times by the residents of [REDACTED] New Street regarding this. I also found them to be amicable and pleasant in character although the conversation and written matter I found to be more than a little persuasive in nature. I also got the impression that they were regretting their decision to live at No12 and have progressively developed a somewhat psychological fixation against the Horse and Jockey. This unfortunately is often the case in such circumstances and usually escalates to the point where normal noise levels become unacceptable to the affected individuals. This was a regular occurrence in my professional career as an Environmental Health Officer. Perhaps their circumstances are different from mine in that their property is indirectly physically attached to the Horse and Jockey and due to my Environmental Health experience I know that sound can travel in various ways. I also fear that, in their decision to move to [REDACTED] New Street common sense did not, on this occasion, prevail. This is nothing personal against the residents of [REDACTED] but they clearly should have considered the proximity of the Horse and Jockey to [REDACTED] prior to committing to reside there.

No-one else on New Street has ever said to me that they have had problems of any nature relating to the Horse and Jockey. I have seen various residents of New Street visiting the Horse and Jockey on a regular basis and can only assume that most local residents do not have a problem living near to a pub, probably because they used common sense when deciding to live where they do.

I also feel it is important to note that New Street is both a vehicular and pedestrian thoroughfare that is busy and at times bustling with members of the public using it as pedestrians for various reasons. My view point from [REDACTED] New Street is extensive and besides the final twenty or so metres towards Broad Street I can see all of New Street. I also, to the rear of my property can see the public car park accessed directly opposite the Horse and

Jockey. On the rare occasions that I have experienced noise nuisance during the evenings or late at night and viewed the source, it has not originated from the Horse and Jockey, but in fact from people coming from Broad Street and the centre of town. I personally have not experienced any damage to property and feel that as New Street is accessed from more than five possible directions it would be wrong to assume that any damage to property was directly associated to the Horse and Jockey. Of all the pedestrians that use New Street throughout the day and night I think it is a safe to say that 1% are patrons of the Horse and Jockey and far more people pass through New Street late at night coming from the centre of town than people entering or leaving the Horse and Jockey.

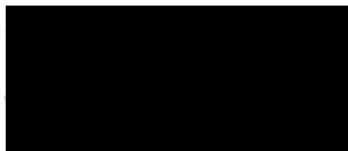
When I have heard and then seen any arguments or physical confrontations in New Street the persons involved are invariably coming from the Broad Street direction and usually at a time long after the Horse and Jockey has closed. This type of disturbance is more than likely related to people that have been to establishments that close in the early hours of the morning on Broad Street or Gloucester Road.

As is often the case, in my professional experience, authorities only become aware of the people that have a problem with noise and other types of nuisance. They are not aware of all the people that do not have a problem, and who may well like to live on a street that has a public house within it. Some people may well have even chose to live in New Street because it has a public house within it. I feel this is a very important point! In essence complaints get heard, but you rarely hear from all the people that are happy to live in that same environment, hence the reason for my writing this letter. I am pretty sure the number of people that do not have a problem far outweigh those that do!

Surely if a human being wishes to live in a peaceful environment without disturbance they should seek an environment that provides such solitude and not seek one that doesn't and try to change it to suit their personal needs!

I consider my opinion, as should you, to be unbiased and impartial in this matter.

Yours sincerely, J.Allan



Jim Frick

August 22nd 2017

Dear neighbour,

Herefordshire Environmental Health Authority have called for a review of the Horse and Jockey's license, and are working with the police to get some amendments made to the terms of the license and possibly to call for the owners to change the management of the pub.

As residents we have the right to make representation of our views, and we have been told that the best chance of getting anything done is if we get a good response from local residents. But we have an urgent deadline - **the submissions have to be in by the end of the day today.**

If you would like to help, I am including a print-out of a statement which you can use as a template, or you can do your own. I can email an e-copy to you if you get in touch with me at [REDACTED] You will need to:

- prepare your representation (put your own details in in the paragraph at the top)
- attach it to an email with the following message (or similar):

I am making a representation from (your address) with regard to the Horse and Jockey Public House, New Street, Ross on Wye in the belief that the owners and operators of the premises have undermined the licensing objectives - in particular those of the 'prevention of crime and disorder' and the 'prevention of public nuisance'. The evidence I wish to rely on is contained in the attached statement. Please notify me of the time and date of the hearing.

- email it to Lucy Bond at the following email address: licensing@herefordshire.gov.uk

If you need help, let me know as I can always pop round sometime today.

all the best,

Lisa, [REDACTED]
[REDACTED]

PTO.

Horse and Jockey pub license review: local resident representation

2017-08-22

1. Introduction and summary

The following is a statement from [INSERT NAME AND ADDRESS]. We identify two main problems with the situation as it stands:

- the license terms are not appropriate for a pub located in a residential area
- the pub is run with insufficient consideration for the well-being of local residents

Concerns about the pub centre on issues of public nuisance, crime and disorder.

Attempts by residents to reach an understanding directly with the pub management have been largely frustrated. Attempts to improve the situation by involving the police and the council have led to further deterioration in relations between the pub and the local community. The pub owners have not demonstrated consideration for local concerns, or intent to control problems associated with the pub.

2. Problems with the current terms of the license

- The pub has a longer than normal license, at weekends until 12:30.
- The pub has an extra hour for entire bank holiday weekends and other public holidays, until 1:30.
- The license does not prohibit the holding of events liable to create a public nuisance.
- The license allows amplified music to be played up to midnight.
- the license does not control noise from the pub garden and designated smoking area.
- the pub is not obliged to ensure clients disperse quietly at closing time.
- the pub is not obliged to ensure people smoking on the street are not served at the bar.

3. Problems with the current owners/management of the pub

a) Breach of license

The pub has contravened the terms of its license as follows:

- noise nuisance from the pub after closing time
- open bottles and containers taken off the premises.
- noise and vibration so as to cause a public nuisance.
- serving people at the bar after smoking outside the pub.
- music and tv broadcasting in the garden and smoking area after 9 pm.

b) responsibility to prevent public nuisance

The pub management and owners have failed to comply with three of the four key objectives of the Licensing Act 2003, namely, prevention of public nuisance, protection of public safety, and prevention of crime and disorder. These public duties have never been taken seriously by either the pub management or the pub owners, who claim this is not their responsibility.

Prevention of public nuisance

- loud amplified music all hours inside the pub and relayed via speakers in the pub garden.
- events inappropriate in a residential area, including amplified live music, drum and bass nights, and private parties. Inadequate notice given and inadequate measures to minimise impact on the local community.

Protection of public safety

- Failing to clear up broken glass left on the pavement and street outside the pub
- Production of noxious smoke while burning rubbish in the pub garden

Prevention of crime and disorder

- Fighting and other disorderly conduct outside the pub and down the street

4. Conclusions and recommendations

The recently imposed noise abatement order has done a great deal to reduce noise nuisance and we are extremely grateful for this. However further steps are necessary to resolve the situation.

We propose"

- **Replacement of the current management**, and
- **Formal agreement** between owners, Environmental Health Authority and Police to ensure improved pub management, or
- **Revoke the license** altogether.

for example: the glasses and bottles you speak of are placed by people coming from other pubs or shops before they enter the Horse and Jockey. The people that stand outside the front of the Horse and Jockey smoking are finishing the cigarettes that they smoked on the way to the pub. The "fighting ~~you~~ and other disorderly conduct" that you mention is assumed by you to be connected with the A+J. I have not experienced any for over a year and I sleep with my windows open. Any such trouble that I have experienced comes from town not the H+J.

I find your methods to be inappropriate and inconsiderate of all the people on New Street that like to live near a public house and understood the implications of living where they do when they decided to move into New Street.

I also find your methods of communication impersonal and dictatorial in approach.

There are many residents on New Street that do not have a problem with the Horse and Jockey and in fact know that at present the nuisance levels are very low compared to the past years. Residents that have lived here for 20 years or more such as myself know that the present situation is fine and don't wish for change of management or operating hours.

You cannot move into a house near a pub and expect a ~~totally~~ peaceful life within the regulations of which you speak. Humans are humans and you are a minority. A lot of your points are assumptions as you cannot even see out of your boarded up windows.

I find myself wondering if you had any similar problems where you used to live as I get the impression you live a secluded "boarded up" life, do not integrate into your surroundings and feel that your opinion regarding your frustrations should permeate into the other residents minds and that they should all agree with you. It doesn't work like that I'm afraid!

I'm pretty sure the Police think that the Horse and Jockey is one of the better pubs "in Ross, or at least they did until you started living in New Street and began your 'campaign'."

I personally am sick of hearing about your problems a lot of which are blown out of proportion and, I believe, fabricated. I do believe you have a problem with the Horse and Jockey and I do sympathise, but you should have considered your own needs better and your state of mind before buying your house.

To whom it may concern

The Horse & Jockey Pub, New Street, Ross-on-Wye

We have been very concerned to hear that there have been renewed complaints about this pub from certain residents in the street.

We would like to make it clear that, while the current landlord and manager have been in charge, we have had no disturbances of any kind from the pub or its patrons.

We live on the opposite side of the road from the pub, literally a stone's throw away from the entrance.

We have seen that the pub is currently well managed, and we have never seen any trouble of any kind.

Of course, as there are far fewer pubs than there used to be in the town, any well-managed establishment is bound to be reasonably popular. The Horse and Jockey caters for a wide variety of people - young and old, locals and visitors. It is inevitable that there will be people entering and leaving the premises regularly.

There has been a pub on the site for at least 200 years. The Horse and Jockey is listed as an "Asset of Community Value".

We think it is very unfair to complain about a well run business that is so well liked by many people. We have heard that the source of the complaints are not the immediate neighbours, who we understand are on good terms with the pub management.

25th May 2017

Nick & Janet Nelson

MR. T. LLOYD



Dear Sir,

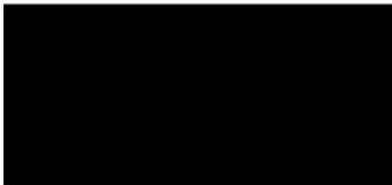
I understand that a meeting has been arranged to discuss the Horse and Jockey public house.

As a retired engineer I regularly enjoy a quiet beer there. I have not seen any trouble inside the premises. However I have witnessed trouble and noise issues in the street caused by houses in the street and pedestrians that haven't been in the pub but are using the road as a cut through.

It is my opinion that a small number of neighbours are using those occurrences, and exaggerate others to create trouble, for what is a successful small business. The pub welcomes locals and tourists alike, and provides a friendly atmosphere in which to spend time.


Best regards

Mr T. Lloyd



To: Whom Ever It Concerns.

From: Dominic William Green


Ross on Wye

Date: 1-8-2017

Ref: Horse and Jockey Pub

Ross on Wye.

I have been attending this pub on a regular basis for two years or more.

It would seem to me that the Horse and Jockey is being subjected to a campaign of mischief and malevolent nonsense.

Why am I motivated to write to you?

I am a regular driver for the ROSS ON WYE ACTION COMMITTEE; we take old people out and about, you may have heard of us or even seen me driving the bus, as I am one of the main drivers and staunch supporters of ROWAC.

The Horse and Jockey pub have been very helpful to the ROSS ON WYE ACTION COMMITTEE run by Rosemary Rigby MBE. They have shown great support and enthusiasm for the cause, raised substantial funds and I can't thank them enough.

Does this sound like a public house set on the disharmony of the local community? Definitely not: quite the opposite.

Moving in next to a pub (an established long running pub) and then complaining about the noise when you are quite frankly NOT a helpful member of the community and a part timer, is very much like moving in next to a church and complaining about the bells: ridiculous.


The main face of the bar: Mick Hudson is very approachable, very friendly and a real community player..... for anyone to cast aspersions on this man and his pub is quite frankly offensive and should be dismissed as mischief making by non community players.

Mick is a big fit man and therefore could be perceived as 'threatening'; he is anything but, he's just a big, healthy, happy man trying to run a pub, get on with his life and serve the community.

I serve the community, The Horse and Jockey serves the community and should be cherished not vilified.

Sincerely 

Dominic William Green: Ross On Wye Action Committee.



Dear sir/madam

I'm writing this letter after hearing some unsettling rumours concerning the Horse and Jackie New Street Pass-on-way, my local public Inn. My understanding of the situation is that complaints of noise have been made more than once and other complaints of antisocial behaviour have also been alleged. As a resident of edde cross st ~~pass-on-way~~ I find these allegations to be nothing less than Popycock. I live with my grandparents and our garden is only one garden from the Horse and Jackie's garden so we're close enough to hear any noise or other disturbances if they ever happen to occur. I am very pleased to say that since the new landlord has taken over the lease there has been no reason for complaint from my-self my grandparents or any of our other neighbours should such incidence arise in the future I feel the landlord is friendly enough to approach and voice any issue and responsible enough to take the correct actions to rectify the problem himself.

yours faithfully

Ray Marchant

To whom it may concern:-

I am aware of concerns of some in the community of the noise & behavioural goings on surrounding the Horse & Jockey Public House situated in new street, as a middle aged man who uses this establishment frequently, I can only support Mr Hudson & his family for their hard work in restoring this public house to some of its former glory, in the current climate where public houses are being closed at somewhere between 25-30 a day, surely as a community we should applaud & support this landlord & staff in their quest to provide an excellent service to all.

Whilst I don't condone bad behaviour, and some of the problems running such a business will incur, in my experience, Mr Hudson & staff keep a very close eye on their patrons and will deal with situations that could get out of hand appropriately & methodically, unfortunately what happens outside isn't always the fault of that particular pub (in my view) and in this day & age attitudes of certain people are absolutely unacceptable but this is not the fault landlord, so long as the offending party hasn't been allowed to get so intoxicated on the premises that causes them to behave inappropriately then I think this is all one can do, and I do believe the landlord a staff work hard to eradicate these situations.

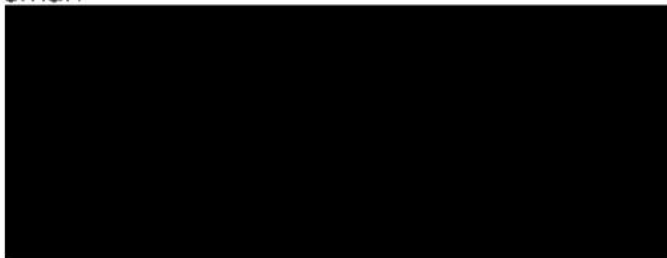
Yes there will be some tom foolery, yes there will be noise, and let's say high spirited actions, but no more than any other establishment of this kind in the area, I do think it's sad that this particular pub seems to be continuously victimised for this type of thing, yes we need to keep things under control, but all these people want to do is make a good honest living, without having to face constant barrage of moaning & groaning and possible threat of closure, please let us not forget, this public house has been in existence since the mid 1700's, far longer than current residents, and whilst I can sympathize with residents and the occasional associated problems that may be caused by living in its close vicinity, they live there by their own choice and have purchased their property knowing full well of the existence of this venue, therefore I would urge these people to

work and discuss feelings with the Landlord, Area Managers, and council etc. so any problems can be dealt with in the appropriate way, rather than in what I consider to be a somewhat continuous belligerent manner.

We need to keep venues like this alive for the sake of the town, and I hope common sense will prevail, I look forward to my next pint and many more in this great little pub with its wonderful atmosphere, well done the Horse & Jockey.

Yours Sincerely

Mr Coleman



ROSS-ON-WYE ACTION COMMITTEE

Community Transport Association No: 7025 Registered Charity No: 501580

<p>President: Miss Rosemary Rigby MBE Cartref Tump Lane Wormelow Hereford HR2 8HN Tel: 01981 540477</p>	<p>Treasurer: Robert Barnes Dunelm, Gypsy Lane Llanfoist Abergavenny NP7 9LS Tel: 01873 850294</p>	<p>Chairman: Mr David Rose Epworth House Manson Lane Moomouth NP25 5QZ Tel: 01600 714135</p>	<p>Secretary: Jill Morgan 25 Oveross Farm Ross-on-Wye Herefordshire HR9 7BN Tel: 01989 564147</p>
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10 August 2017

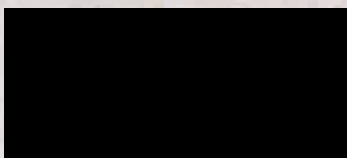
TO WHOM IT MAY CONCERN

I am writing to express our gratitude to Michael Hudson, Landlord of the Horse and Jockey, New Street, Ross-on-Wye.

We are a local charity, founded in 1966, operating an 'Action Bus' to transport the elderly, blind and disabled residents of Ross on various outings.

We have much to thank the Horse and Jockey for. Their generosity and support to our cause and fundraising has been heart warming. Their latest donation has been the prize money from the Ross Carnival, where they entered into and enjoyed being part of the community spirit.

Mr Hudson takes a great interest in our charity and constantly offers his support and help.



Secretary

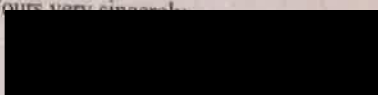
Trustees: R.E. Rigby MBE; D.K. Rose; R. Barnes

Ross Action Committee

Rosemary E. Rigby MBE, *President*
"Cartref", Wormelow, Hereford HR2 8HN • Tel: 01981 540477

TO THE HORSE + JOCKEY.
Your special help with our collection for the Mini-Bus / Ambulance is greatly appreciated, and the receipt of the sum of £100.00 is acknowledged with most grateful thanks on behalf of The Elderly, Blind and Handicapped of Ross and District, whom we have the privilege of helping.

Your very sincere



Special Helper.

Ross Action Committee is a Registered Charity No. 501580

To Whom Etc.

NEW ST
ROSS ON WYE
HR9 7DA

As close neighbours of the Horse & Tackery public house I can confirm that we have never once had cause for concern or complaint since Michael, the current manager (barlord), took over its running.

Previously there was frequently roughness and sometimes trouble, particularly at closing time. This must have been addressed and I think Michael deserves credit for this improvement.

He and his staff are always friendly and welcoming when we too infrequently visit. Michael also contributes to the community - I noticed his effort in the Ross carnival! Jim pleased as is my partner Sarah and other local residents that the Horse & Tackery seem better attended than in our memory but

without any of the attendant problems under past ownership/management. The pub is a service to the locale, particularly in view of the high turnover of management in other local establishments and is a genuine asset as a trading concern and community hub.

We wish the current incumbents a long happy and prosperous tenure

Yours faithfully

PAUL ERASMUS PROTHORPE SARAH JANE SHEPHERD



Meeting:	Licensing sub committee
Meeting date:	25 September 2017
Title of report:	Application for a variation of a premises licence in respect of: 'The Ducking Stool, 11 South Street, Leominster, HR6 8JA- Licensing Act 2003
Report by:	Licensing officer

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Leominster East

Purpose

To consider an application for a variation of a premises licence in respect of 'The Ducking Stool, 11 South Street, Leominster, HR6 8JA.

Recommendation

THAT:

The Sub-Committee determine the application with a view to promoting the licensing objectives in the overall interests of the local community. They should give appropriate weight to:

- The steps that are appropriate to promote the licensing objectives,
- The representations (including supporting information) presented by all parties,
- The Guidance issued to local authorities under Section 182 of the Licensing Act 2003, and
- The Herefordshire Council Statement of Licensing Policy 2015 - 2020.

Options

1. There are a number of options open to the Sub-Committee:

(a) to modify the conditions of the licence;

(b) to reject the whole or part of the application;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003.

Key Considerations

3. Licence Application

The application (appendix 1) for a variation of the premises licence has received representation and is brought before the committee for determination.

4. The details of the application are:

Applicant	Sian Rooke-Jenkins 11 South Street, Leominster, HR6 8JA.	
Agent	Nick Semper	
Type of application: Variation	Date received: 1st August 2017	28 Days consultation ended 28th August 2017

5. Summary of Application

The application requests a variation to the premises licence to allow the following licensable activities, during the hours shown as follows:

Live Music (Indoors)

Sunday to Thursday 20:00 – 00:01
Friday & Saturday 20:00 – 01:00

Recorded Music (Indoors)

Sunday to Thursday 19:00 – 00:01
Friday & Saturday 19:00 – 01:00

Late Night Refreshment (Indoors)

Sunday to Thursday 23:00 – 00:01
Friday & Saturday 23:00 – 01:00

Sale of alcohol (On & Off premises)

Sunday to Thursday	11:00 – 00:00
Friday & Saturday	11:00 – 02:00

Non Standard Timings:

All Bank Holidays except Christmas Day until 0100 hours

From the end of licensable activities on New Year's Eve to the end of licensable activities on New Year's Day

6. In addition to this the application requests to be allowed to remove the following conditions:
- *The main business of the premises shall be the provision of hot food and drink. At least 75% of the floor space shall be set aside for the use of the consumption of hot food.*
 - *No person under the age of 18 shall be permitted on the premises unless dining and accompanied by an adult aged 18 or over.*
7. The applicant has offered a number of conditions within the application.

Newspaper Advertisement

8. The newspaper advertisement has been seen by the Licensing Authority and whilst it covers the standard timings and removal of condition no reference is made to the non- standard timings contained within the application.

Premises History

9. On 2nd August 2013 the premises licence was varied to allow:

Live Music (Indoors)

Sunday – Thursday	20:00 – 23:00
Friday & Saturday	20:00 – 02:00

Recorded Music (Indoors)

Sunday – Thursday	11:00 – 23:30
Friday, Saturday	11:00 – 02:00

Sale by retail of alcohol

Sunday-Thursday	11:00-00:00
Friday, Saturday	11:00-02:30

Non Standard Timings:

On a Sunday before Bank Holiday Monday, Christmas Eve, New Years Eve until 02:00

10. At about 1am on Sunday 1st February 2015 a serious assault took place at the premises which resulted in the police launching an expedited review.
11. During the review consultation process the Licensing Authority received at least eight representations from members of the public and one from a local business. A majority

of the issues raised within these representations concerned public nuisance being caused by music from the premises or people leaving the premises.

12. A redacted copy of the representations can be found at Appendix 2.
13. The decision of the Licensing Committee was that the:
The operating hours for licensable activities on Friday and Saturdays will terminate at 0030 hours
14. In addition to this there was a requirement that on Fridays, Saturdays and Bank Holidays there had to be one (1) Door supervisor from 2100 hours and one(1) further from 2300 hours.
15. About a month after the review hearing, the premises licence holder at the time, contacted the Licensing Authority concerning the conditions attached to the premises licence following the review.
16. She was struggling to comply with these conditions and still make a living.
17. As a result she had decided to change her business model from that of a community premises to a food led premises.
18. As a result of this the Licensing Officer in conjunction with the premises licence holder agreed a set of conditions which would allow the premises to operate without there being an adverse effect on the licensing objects.
19. As a result of this, application was made for a minor variation which resulted in the current licence being issued.

Current Licence

20. The current licence (appendix 3) authorises the following licensable activities during the hours shown:

Live Music

Sunday – Thursday	20:00 – 23:00
Friday – Saturday	20:00 – 00:00

Late Night Refreshment

Friday – Saturday	23:00 – 00:00
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Sale/Supply of Alcohol

Sunday – Thursday	11:00 – 23:00
Friday – Saturday	11:00 – 00:00

Summary of Representations

21. One (1) Representation (appendix 4) has been received from the Responsible Authorities (Trading Standards) which the applicant has agreed.
22. Five (5) Representations have been received from the public, one (1) from a local business (appendix 5).

23. One (1) representation has been received from the Local Councillor containing Five (5) public representations (appendix 6).

Community Impact

24. Any decision is unlikely to have any significant effect of the local community.

Equality duty

25. This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in section 1 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.
26. Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.
27. There are not considered to be any equalities implications arising from this report.

Financial implications

28. There are unlikely to be any financial implications for the authority at this time.

Legal Implications

29. The licensing authority must have regard to the promotion of the four licensing objectives namely; the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm in exercising its functions under the Licensing Act 2003. Further regard should be had to the statutory guidance under Section 182 of the Act and the council's own statement of licensing policy.
30. The options available to the licensing authority on considering this application under the Licensing Act 2003 are set out in section 1 of this report.
31. The case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, Before the Honourable Mrs Justice Black.
32. In this case it was summed up that: -

A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.

33. Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions. It should be noted that hearsay evidence is admissible in the context of making decisions on licensing matters.,
34. This judgement is further supported in the case of *The Queen on the Application of Bristol Council v Bristol Magistrates' Court*, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:
- 'Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives'.
35. In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

Right of Appeal

36. There is a right of appeal to the Magistrates Court within 21 days of being notified in writing of the decision

Risk Management

37. There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court within a period of 21 days of being notified of the decision in writing.

Consultees

38. All responsible authorities and members of the public living within Herefordshire.

Appendices

- Appendix 1 - Application for a variation of a premises licence
- Appendix 2 - Copy of representations from previous hearing
- Appendix 3 - Current Premises Licence
- Appendix 4 - Trading Standard Representations
- Appendix 5 - Public representation
- Appendix 6 - Councillor representation

Background Papers

The Section 182 and the Council's statement of licensing policy.

Guidance

Licensing Act 2003

34 Application to vary premises licence

- (5) The duty to make regulations imposed on the Secretary of State by subsection (5) of section 17 (advertisement etc. of application) applies in relation to applications under this section as it applies in relation to applications under that section.

35 Determination of application under section 34

- (1) This section applies where the relevant licensing authority—
- (a) receives an application, made in accordance with section 34, to vary a premises licence, and
 - (c) is satisfied that the applicant has complied with any requirement imposed on him by virtue of subsection (5) of that section.

The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005

Advertisement of applications

26.—(1) In the case of an application for a premises licence or a club premises certificate, the notices referred to in regulation 25 shall contain a statement of the relevant licensable activities or relevant qualifying club activities as the case may require which it is proposed will be carried on or from the premises.

Section 182 Guidance

11.8 Where a licensing authority receives a geographic cluster of complaints, the authority may consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the authority may also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement. Further guidance on cumulative impact policies can be found in Chapter 14 of this Guidance.

The need for licensed premises

14.19 There can be confusion about the difference between the “need” for premises and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel and

is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.

What is cumulative impact?

14.20 “Cumulative impact” is not mentioned specifically in the 2003 Act. In this Guidance, it means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a licensing authority to consider in developing its licensing policy statement. Cumulative impact policies (CIP) may relate to premises licensed to carry on any licensable activity, including the sale of alcohol for consumption on or off the premises, and the provision of late night refreshment. This includes late night fast food outlets which are not licensed to sell alcohol.

14.21 In some areas, where the number, type or density of premises selling alcohol or providing late night refreshment is high or exceptional, serious problems of nuisance and disorder may be arising or have begun to arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport. Licensing authorities should consider whether the number of fast food outlets or off licences in an area contribute to these problems, and may choose to include them in their cumulative impact policy.



Herefordshire
Application to vary a premises licence
Licensing Act 2003

EH & TS / LICENSING SECTION
RECEIVED

20 JUL 2017

For help contact
licensing@herefordshire.gov.uk
 Telephone: 01432 261761

TO:

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

Is the applicant's business registered outside the UK? Yes No

Note: completing the Applicant Business section is optional in this form.

Business name If the applicant's business is registered, use its registered name.

VAT number Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

6,120

Section 3 of 18

VARIATION

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

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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.

The Ducking Stool is an established pub in Leominster, but several years ago was subject to review due to disorder issues linked to the premises. Following that review, the licence was varied to be primarily a restaurant style establishment and marketed as 'The Castle Kitchen'. In July 2017 the premises changed hands and is now run by a licensee who has relocated from a premises nearby. The new licensee intends to re-market and relaunch this premises as a community-focused pub again. In making this application we have considered the lessons learned from the past review, and have considered the current Herefordshire Council Licensing Policy and the Guidance issued under s182 Licensing Act 2003. Consequently this variation is to extended licensable activities, to remove certain conditions with regards to restaurant usage and Under 18s, and amend some pre-existing conditions and add additional conditions which are proportionate, achievable and enforceable.

Section 4 of 18

PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

Live Music Acts, using amplified and acoustic music

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

All Bank Holidays with the exception of Christmas Day until 01:00hrs.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Year's Eve until 01:00hrs.

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

All Bank Holidays with the exception of Christmas Day until 01:00hrs.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

Continued from previous page...

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Year's Eve until 01:00hrs.

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start 23:00

End 00:01

Start

End

FRIDAY

Start 23:00

End 01:00

Start

End

SATURDAY

Start 23:00

End 01:00

Start

End

SUNDAY

Start 23:00

End 00:01

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

All Bank Holidays with the exception of Christmas Day, until 01:00hrs.

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Year's Eve until 01:00hrs.

Continued from previous page...

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

All Bank Holidays with the exception of Christmas Day, until 01:00hrs.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

From the conclusion of licensable activities on New Year's Eve, to the conclusion of licensable activities on New Year's Day.

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

All Bank Holidays with the exception of Christmas Day, until 01:00hrs.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

From the conclusion of licensable activities on New Year's Eve to the 07:00hrs on New Year's Day.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Annex 2:

Prevention of Crime & Disorder. Lines 18-19:

"The main business of the premises shall be the provision of hot food and drink. At least 75% of the floor space shall be set aside for the use of the consumption of hot food."

Protection of Children: Lines 1-2:

"No person under the age of 18 shall be permitted on the premises unless dining and accompanied by an adult aged 18 or over."

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

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

Currently the Premises Licence has been submitted to Herefordshire Council Licensing Department by the Applicant for a change of address etc.

Continued from previous page...

Section 16 of 18

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

We have offered additional condition to the Premises Licence to reflect this Variation Application.

NB For the sake of clarity, many of the below conditions are already within the pre-existing premises Licence, but are repeated here to indicate that we wish them to remain on the Licence.

b) The prevention of crime and disorder

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions, particularly concerning facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/supply of alcohol occurs. Equipment must be maintained in good working order, be correctly timed and date stamped. Recordings must be kept in date order, numbered sequentially and kept for a period of 31 days, and handed to Police, Herefordshire Trading Standards or an authorised Local Authority Officer on reasonable demand.

The Premises Licence Holder must ensure at all times that a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a re-playable media format. The recording equipment and recorded data shall be kept in a secure environment under the control of the DPS or other responsible named individual. A daily log must be maintained, endorsed by signature, indicating that the system has been checked and is operating correctly. In the event of any system failures, all remedial activity shall also be recorded within that same log. In the event of technical failure of the CCTV equipment, the Premises Licence Holder or DPS must report that failure to the Police 'Herefordshire Harm Hub' via 101.

2. An incident book must be maintained at the premises. Therein incident log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'Authorised Person' (as defined by s13 of the Licensing Act 2003) a Herefordshire Trading Standards Officer or the Police. It should record the following:

- (a) all crimes relevant to the Licensing Objectives reported to the premises,
- (b) any complaints relevant to the Licensing Objectives received from any party,
- (c) any faults in the CCTV system, or searching/scanning equipment if provided,
- (d) any refusal of the sale of alcohol,
- (e) any visit by a relevant authority or emergency service.

NB Separate Registers may be maintained e.g. Incident Book, Refusals Book, etc.

3. All staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing to the minimum standard of BIIAB1 or any other training recognised and agreed with Herefordshire Trading Standards. All existing staff shall be trained within one month of the date that this condition appears on this licence. All new staff shall be trained within one month of taking up employment. All staff shall be retrained twelve monthly thereafter. Training records shall be kept on the premises, which shall record the identity of the staff member, the training received, and the date of that training. That record of training shall be made immediately available on request to an 'Authorised Person' (as defined by s13 of the Licensing Act 2003) a Herefordshire Trading Standards Officer or the Police.

4. The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose will employ a minimum of one SIA door staff after 23:00hrs until the end of business when Regulated Entertainment is taking place at the premises.

5. The Premises Licence Holder or DPS will employ SIA door staff at all other times on a Risk Assessed Basis. The Risk Assessment should be in writing and shall be made immediately on request to an 'Authorised Person' (as defined by s13 of the Licensing Act 2003) or the Police.

6. The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose, shall maintain a register of door supervisors which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'Authorised Person' (as defined by s13 of the Licensing Act 2003), or the Police or an authorised officer of the SIA.

7. The premises shall be an active member of any locally operating Pub Watch Scheme (e.g. HAND) while such a Scheme or similar exists.

8. The Premises Licence Holder and all other staff shall ensure that no open vessels are taken off the premises by customers.

Continued from previous page...

c) Public safety

1. All staff shall be clearly identified as members of staff of the premises.
2. First Aid: A HSE Compliant Industrial High Response First Aid Kit for 21-50 people shall be kept fully stocked at the premises and kept behind the bar. Such kit shall contain: 1 x Guidance Leaflet, 60 x Washproof Plasters, 6 x Eye Pads with Bandage, 8 x Triangular Bandages, 12 x Safety Pins, 16 x Assorted Sterile Dressings, 20 Moist Wipes, 3 Pairs Disposable Gloves.
3. Electrical & Gas Installations: All electrical wiring and distribution systems shall be tested at least once a year and signed off by a competent person whose name is shown within the Local Authority Building Control Part P Competent Persons Register (<http://www.competentperson.co.uk/search.asp>). The sign off certificate shall be produced to an 'Authorised Person' (as defined by Section 13 of the Licensing Act 2003) or Police on demand.
4. Any and all gas appliances (except cellar gas) used in the premises must be tested at least once a year and signed off by a competent person whose name appears within the current Gas Safety register (GSR). The sign off certificate shall be produced to an 'Authorised Person' (as defined by Section 13 of the Licensing Act 2003) or Police on demand.
5. Hypnotism: The Licensed premises shall not be used for any exhibition, demonstration or performance of hypnotism unless the hypnotist has been licensed by the relevant Local Authority in England or Wales. Any performance must comply in accordance with any conditions attached to that licence.
6. Maintenance, Repair and Cleanliness: All parts of the premises and all fixtures and fittings therein including seating, door fastenings, notices, floors, carpets and furniture shall be kept clean and maintained in good order.
7. Special Effects: The installation and use of laser beams, pyrotechnics or real flames, explosive or highly flammable or smoke producing agent, for any purpose shall not be permitted without prior notification to the Licensing Authority. Notification, together with a detailed description of the method of use, shall be made to the Licensing Authority not less than 14 days prior to the day on which the laser equipment is to be used.
8. Strobe lights shall be operated on a fixed rate of not more than four flashes per second. Where more than one strobe light is used, the flashes shall be synchronised. In any case, such lights shall not be installed without notify the Licensing Authority in writing.
9. Disabled people: When disabled people are present, arrangements must exist to enable their safe evacuation in the event of an emergency. Details of the arrangements shall be recorded in writing and shall be made immediately available to an 'Authorised Person' (as defined by Section 13 of the Licensing Act 2003) or the Police on demand.
10. Disabled people on the premises must be made aware of the evacuation procedure.
11. Lighting: In the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be sufficient (107 lux or more) to enable people to move about safely.
12. Capacity limits: The maximum permitted numbers of persons in the premises including staff shall not exceed the numbers set within the fire risk assessment for the premises.

d) The prevention of public nuisance

1. Noise or vibration shall not emanate from the premises so as to cause a nuisance.
2. The Premises Licence Holder or DPS or the responsible person must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'Authorised Person' (as defined by Section 13 of the Licensing Act 2003) or the Police.
3. All doors and windows at the premises shall be kept closed after 00:01 hrs until the termination of licensable activities, except during immediate access and egress, or from 22:00hrs when regulated entertainment is taking place (e.g. live or recorded music).
4. Live or Recorded music shall be restricted to the area marked on the premises plan.
5. Any speaker within the premises shall be directed away from any residential property.
6. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
7. No noxious smell emanating from the premises shall cause a nuisance to nearby properties.
8. Light pollution: Lighting outside premises including flashing lights shall not cause a nuisance to nearby properties, unless written consent has been obtained from the police to the effect that such lighting is necessary to promote the crime prevention objective.
9. The premises licence holder shall ensure that there is no alcohol is consumed on any external area of the licensed premises after 00:01hrs, although smoking is permissible. The doors to and from any external area shall be kept closed after 00:01hrs save for egress and exit to that same area.
10. No music entertainment shall be provided outside the premises at any time.

Continued from previous page...

e) The protection of children from harm

1. No person under the age of 18 shall be permitted on the premises after 22:00hrs other than a member of staff employed at the premises, a child of the Premises Licence Holder or Designated Premises Supervisor, and then only when supervised by a person of 18.

2. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises, and be made immediately available on request to an 'Authorised Person' (as defined by s13 of the Licensing Act 2003) a Herefordshire Trading Standards Officer or the Police. Furthermore, clear and legible (in not less than 32 font bold) shall be displayed at all entrances to the premises, and at least on one location behind any bar, advertising that the scheme is in operation.

3. No adult entertainment or services or activities may take place at the premises. (Adult Entertainment includes, but is not restricted to, such entertainment or services which would generally include topless bar staff, striptease, lap dancing, pole dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong or offensive language).

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Variation Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the

Continued from previous page...

* licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/herefordshire/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >

[REDACTED]

[REDACTED] I have secondary double glazing and use cordless headphones to listen to the television or the radio, and I can still hear pounding music and drunken bellowing coming from the garden - usually after 10 o'clock on Fridays and Saturdays.

[REDACTED] often work late (again in the lounge) and so the noise can be very distracting.

I think that midnight is a reasonable time for a pub in a residential area to close.

Thanks for letting me know about the Licensing Review - I hope the committee listens to the residents for a change.

[REDACTED]

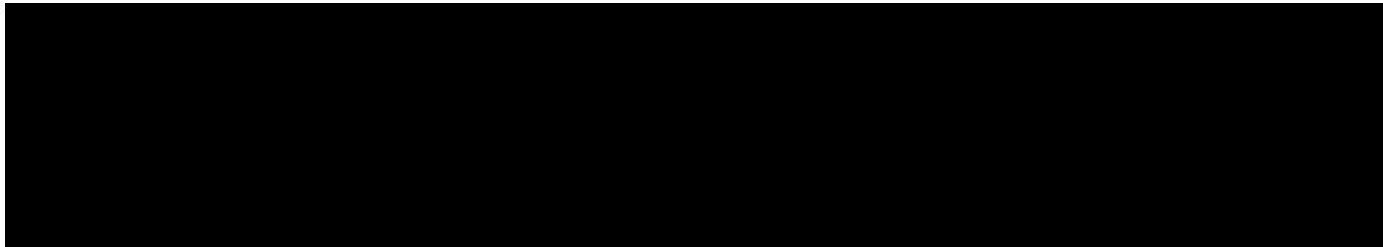
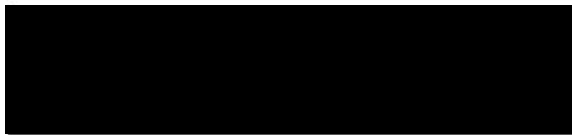
[REDACTED]

Hi

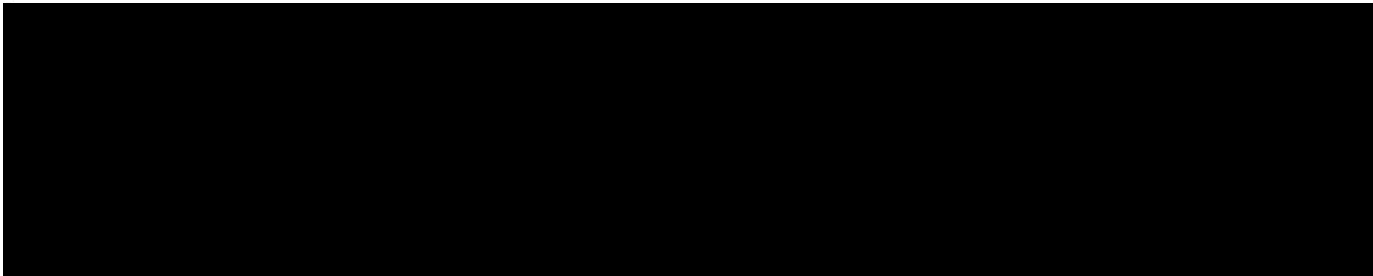
Yes, I agree that it will be good to have a reduction in licensed hours, properly regulated. [REDACTED]

I remember hearing a sound system Saturday night / Sunday morning being turned up loud and then turned down, turned up and then turned down, as if two people had a difference of opinion over the volume. But I don't remember hearing a police siren (I was working late).

[REDACTED]



I only heard noise from the Ducking Stool - mostly chatter and shouting because the music was quieter than normal for some reason.



Did anyone suffer with noise over the weekend?

The Royal Oak seemed very quiet but I woke up at about 2am with the heat on Saturday and could hear quite a bit of music outside in the distance. I was wondering if it was the new club in West St?



Bad language + shouting -

Unable to sleep -

Urinating in our entrance -

Need to compromise

Vibrating inside our house

Building not fit for purpose

door open, lots of people in garden.



- Respect the fact that the pub is completely surrounded by residential properties.
- Make sure that after 11.00 pm the garden, when used for smoking, is "policed" by staff to make sure that people keep the noise down.
- Keep doors & windows closed as per licensing regs.
- Look into soundproofing the back room
- Turn the music down!!
- Re-assess where the equipment is so that noise can be kept inside the pub.
- Monitor language used in garden as much of it is obscene

[REDACTED]

Log of noise / public nuisance coming from the Ducking Stool on South Street.

[REDACTED]

Note: A number of weekends I was not in Leominster, due to family commitments. This accounts for the breaks in the log, not that the pub was quiet on those weekends where I have not made an entry.

Friday 9th August 2013:

On Friday I was woken at 1.30 by excessive noise emanating from the garden, overlaid with loud music from the pub. There was much screaming, whooping and swearing and this continued for some time. The noise continued as I tried to get back to sleep and I eventually managed to sleep about 2.00pm. Needless to say I was shattered on Saturday morning when I got up for work.

Saturday 10th August 2013:

On Saturday the noise was even worse and continued for much longer, as I could not sleep through it I decided to keep my log updated as advised.

The music was turned off at around 2.20pm. The garden's brightest lights were switched off about 2.30 am and the noise level in the garden started to subside. The remaining garden lights were switched off around 3.00 am and the noise returned to what we refer to as 'normal pub noise level'. The noise eventually ended at 3.30 am.

Friday 16th August 2013:

8.30pm music started and by 9.00pm the garden was filling up and getting louder. Particularly the girls voices. I went to bed early (10.00ish) as I had an early start next day. Noise level was still bad without hearing aids in.

Saturday 17th August 2013:

Weather was not good (much colder and raining) so open garden beyond covered end not so full tonight. Noise became a problem from about 9.30pm onward. Again the whooping and screaming from the girls is the loudest noise that over rides my hearing aids. From then on, I could hear it over the television. I had my doors and windows shut as it had cooled down that weekend. By midnight, the noise level had started dropping.

Tuesday 20th August 2013:

Same constant noise going on but with loud outbursts of shouting / screaming / and swearing. It was particularly bad between 10.00 and 11.00.

Friday 23rd August 2013:

10.30pm despite the rain the noise has been going on all evening. There is no change this weekend in managing the behaviour in the garden despite the residents group forwarding our letter of concerns to the proprietor. The music finished about 2.00am but there has been no attempt to regulate the garden noise which went on after the music finished.

Saturday 24th August 2013:

From 9.30pm the noise in the garden is again louder than the television. At 2.15am the noise in the garden is still going on and there is a lot of shouting and swearing.

Sunday 25th August 2013:

Really loud music coming from the pub. The garden is full and there is lots of shouting and screaming. This has now gone on all night and into the early hours of the morning. I am being kept awake despite having taken out both hearing aids.

Wednesday 28th August 2013:

From 10.00pm onwards the talking and screaming in the garden has become really loud. I can hear it over the television. The girls voices are the most penetrating which override my hearing aids. I is a nice night I do not want to have to close my windows again. Midnight and the pub is closing. Perhaps now I can get some sleep.

Saturday 31st August 2013:

Pub is busy from quite early onwards and by 9.15 onwards it os becoming really loud. There is lots of whooping and shouting going on. Noise continued into early hours of morning.

Monday 2nd September 2013:

(Mondays used to be the quietest day). A large gang of blokes' were shouting and singing in garden between 7.30pm and 10.00pm. No one from the pub come out and ask them to keep the noise down. From 11.00pm it started to subside a bit and from 11.30 onwards was reasonably quiet.

Tuesday 3rd September 2013:

Got home quite late and there is a big party in the pub garden at 10.00pm with girls whooping and signing. I can still hear it over the news and weather on TV at 10.30pm. Again, as the night before, at no time did anyone come out and ask them to quieten down.

Saturday 7th September 2013:

Got home about 10.15 and the noise from the pub garden is really loud with lots of shouting and girls screaming. Went to bed at midnight, but there is no improvement. It can be hard trying to get to sleep sometimes with so much noise going on.

Wednesday 18th September 2013:

From 10.00pm onwards, there has been really loud shouting in the pub garden with no attempt to ask people to quieten down. This is still going on at 11.00pm and I am going to try and sleep through it.

Wednesday 2nd October 2013:

The garden was quit noisy when I got home just after 10.00pm. But from 11.00pm onwards there was suddenly lots of shouting and screaming, feet stamping and clapping going on. This was followed by really load drunken singing that was still going on at 11.30. Trying to get to sleep was hard and I had to get up early the next day. Needless to say, I was exhausted.

Saturday 5th October 2013:

Got home late and the pub garden is noisy as usual. Kept the windows closed as it had been a long day and I needed to get some sleep. The garden was still loud at 11:00 when I turned in.

[REDACTED]

12 February 2015

Mr Fred Spriggs
Herefordshire Planning Department
Herefordshire Council

DELIVERED BY HAND

Dear Sirs

RE: COMPLAINT
THE DUCKING STOOL, SOUTH STREET, LEOMINSTER, HEREFORDSHIRE

[REDACTED]

We cannot live in our front rooms because of the noise at night from the Ducking Stool and people spilling onto the Street causing a volume of noise which is, quite frankly, disruptive of sleep and disruptive of social life.

[REDACTED]

I have noted that, in the past, Complaints have gone unheeded and now matters have come to a head because of a particularly vicious incident involving violence at the Ducking Stool. To say that I am not surprised is an under statement. I have heard fights, criminal damage, screaming and shouting on a regular basis until the early hours of the morning and, quite frankly, enough is enough. A lot of people live in the centre of Leominster now especially as the Retail Trade is going downhill. More people are moving into apartments etc which are being let above and indeed in place of Retail Premises. This is bringing new life into the Town. But lack of control and lack of restraint shown by premises such as the Ducking Stool, make life for us Town Dwellers virtually unendurable.

At the very least, the hours of opening should be restricted and not extended. Not just for myself but for other people that I have spoken to and visitors who come to our Town to see its historical pleasures.

I am not the sort of person who writes letters all the time. I do not pester you with Complaints. I make this Complaint at the end of a long period of time when ~~we~~ have endured noise etc which is, quite frankly, unendurable.





Friday, 18 October 2013.

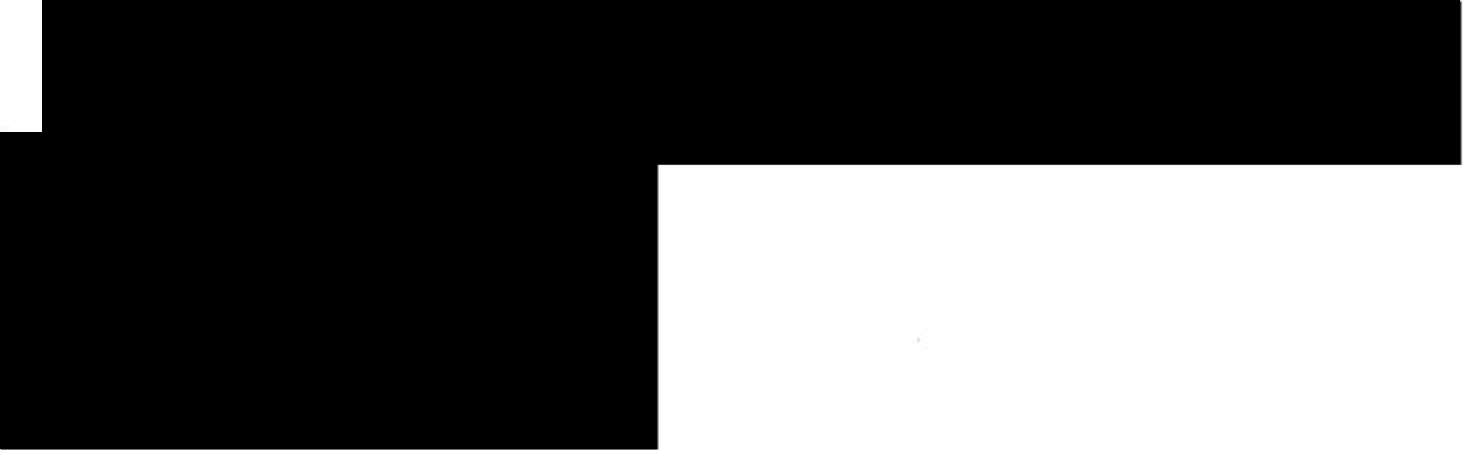
Senior Licensing Officer,
Hereford Council,
Licensing Section,
Blueschool House,
PO Box 233,
Hereford
HR1 2ZB

Dear Sirs,

RE: SOUTH STREET, LEOMINSTER – THE DUCKING STOOL AND ROYAL OAK HOTEL.

This complaint relates mainly to the Ducking Stool but there is one incident regarding the Royal Oak which I draw to your attention – Sunday 13th October 2013 a party was going on at the Royal Oak until after 6am. The noise could be heard along South Street at the junction with Etnam Street and was clearly audible from the front rooms of my premises [REDACTED]. There was no attempt to lower the noise even at that time of the morning.

The Ducking Stool has been a continuous problem on Friday and Saturday nights. Music on occasions but usually rowdiness from people drinking in the beer garden.



Date	times	details
Wednesday 2 nd Jan 2014	10:30 -1am	Violent shouting
Friday 14 th Feb	1am – 3am	Shouting screaming
Friday 25 th April	2am – 3am	Car doors slamming whooping and shouting
Saturday 26 th April	Midnight till 2am	shouting and screaming
Friday 2 nd May 2014	From midnight onwards till 3am	Kept awake with shouting and swearing
Saturday 3 rd May	2 – 3:30 am	Woken up with shouting screaming and swearing constant
Saturday 10 th May 2014	2 am – 3:30 am	Noises from the pub people shouting
Saturday 17 th May 2014	2 am	Woken up again by shouting and screaming sounds like a fight
Saturday 24 th May 2014	2am - 3am	Constant shouting and screaming again woken up
Sunday 25 th May	2am – 3:15 am	Yet again woken up by noise
Saturday 20 th July	1:30 – 3:00	Shouting and screaming
Saturday 27 th July	10:30 – 3:00 am	Shouting and swearing
26 th September	1:30 – 2:30 am	Fighting shouting and swearing
Saturday 27 th September	1:30 – 2:30 am	Shouting
Saturday 10 th jan 2015	Between 1am and 3am	Shouting and swearing
Saturday 24 th jan	Midnight till 1am	Shouting, screaming
Saturday 31 st Jan	2am – 2:30am	Shouting

In the summer 2014 we decided to use ear plugs in the house all night as a family in order to cancel out the noise, however this did result in an ear infection in August, which needed treatment (picture!), it has meant that we have been able to sleep better as night. We do think that the pub, has tried to keep the music noise down since the summer, but this is a residential and conservation area with listed old buildings and we do still wake up at weekends when the noise is especially bad.

The Public Nuisance sound log from [REDACTED]

[REDACTED] gaps in the sound log does not necessarily mean that there was not public nuisance on these dates.

Date	Day	Time	Details
6 th August 2013	Tuesday	10:25pm	Pub doors open at the back with loud music playing
9 th August	Friday	Midnight-2am	Loud music and shouting audible throughout the house
10 th August	Saturday	10pm – 3:30am	Really loud music coming from the pub and the garden – the loudest we have ever heard and going on for the longest time
13 th August	Tuesday	10:45pm	Shouting obnoxious language from the pub garden clearly audible in our living room – impossible to relax and watch tv
23 rd August	Friday	From 10pm till around 2pm	loud music and raised voices can be heard from the pub all through our house even with all windows and doors shut
25 th August	Sunday	10am – at least 1am	Shouting and screaming swearing and laughing going on all the time, finally managed to sleep around 1am
26 th August	Monday	12:30 – 2am	Woken up by noise from the pub – and kept awake by it
28 th August	Wednesday	10pm - midnight	Shouting and bad language is clearly audible in our living room and kitchen – even with all the windows shut
31 st August	Saturday	9:30 - late	Noisy until we managed to get to sleep woken up again when they left the pub around 3am – noises on the street – shouting, sounded like a fight
2 nd September	Monday	All evening until 11pm	Very loud shouting coming from the pub garden
7 th September	Saturday	All evening until after midnight	Shouting and screaming with swearing in the pub garden – woken up between 2am – 3am with people on the street – shouting leaving the pub
13 th September	Friday	2-3am	intermittent car doors slamming, engines revving , shouting in South street as customers left the pub
21 st September	Saturday	2- 3:30 am	woken up last night from 2am until at least 3:30 with continual shouting swearing and what sounded like a

			fight on South Street, I phoned the police and reported the disturbance around 3:10.
27 th September	Friday	2-3am	woken up and kept awake between 2-3am last night by a screaming distressed woman and a man threatening extreme violence outside my window, as well as the usual slamming of doors and general noise of drunken people leaving the pub
29 th September	Sunday	Midnight	whole house woken up around midnight to what sounded like loud music being played in our own house - could not sleep afterwards
2 nd October	Wednesday	10:30 pm – 11:30	shouting and screaming from 10:30 onwards
4 th October	Friday	10:45	Loud music being played audible in our house with all the windows closed
5 th October	Saturday	2:30 - 3am	woken up by 3pm sound of multiple door slamming - and loud car stereo play as customers left pub
12 th October	Saturday	2- 3am	Intermittent shouting and swearing
19 th October 2013	Saturday	2am – 3:45	Woken up by noise from garden – music and shouting – followed by more shouting on the street – this got worse and worse – I made an audio recording – all sorts of shouting and swearing kids running around doors banging sounds like a street party 20-30 people right outside our bedroom window – finally got to sleep around 4:30am

Concerns for Jan/Ducking stool to address

① At a weekend after a busy working week I need to unwind and relax and catch up on sleep.

Instead as I and my family tried to watch TV and hang out together (remembering that our living room is at the back of the building)

The noise from [REDACTED] Ducking stool ^{mid evening} ~~8 PM~~ on. totally ruined our evening from 8 PM on. It vibrated our building by the songs and general screaming of loads of drunk people. As the evening progressed the noise got worse and worse. ~~When~~

② when we went to bed it was worse, with rowdy behaviour (our bedrooms at the front) And went on to gone 2 in the morning. It is very unpleasant. I felt ill and stressed. Litter on the streets, cans etc are horrible.

③ ~~noise~~

④ A totally public nuisance
~~that~~ we are dealing with listed buildings that can't cope with noise like that - not a insulated building.
It is a area with ~~of~~ respectful ~~people~~ vulnerable members of the public

we are concerned that complaining - there could be smashed windows or reproductions.

CONCERNS FOR DUCKING STOOL.

* PEOPLE OUT ON THE STREET IN THE EARLY HOURS OF THE MORNING (AROUND MIDNIGHT TO 3 AM). SWEARING, FIGHTING, SHOUTING. IT AFFECTS ~~MY~~^{OUR} SLEEP.

* LOUD MUSIC & KARAOKE LATE INTO THE NIGHT IS VERY DISTURBING.

* OUR CATS ARE SCARED OF THE NOISE.

~~* I WANTED TO ADVISE THAT THE PROBLEMS WERE~~

* NOISE POLLUTION.

* THE STREET IS SOMETIMES LITTERED WITH BEER CANS AND VOMIT ON OCCASION.

* LAST SATURDAY NIGHT/SUNDAY MORNING MUSIC WAS MUGELY LOUD. WE HAD TO WAKE UP AT 4 AM TO GO TO LONDON AND ONLY GOT AROUND TWO HOURS SLEEP.

* WE'VE HAD OUR WINDOW SMASHED, DOORBELL STOLEN AND CAKE THROWN AT OUR FRONT DOOR IN THE PAST.

Sounds like the ducking stool have a live band on tonight (very loud) does their licence allow this for a Tuesday night ?

it's just getting to much at the weekends and we have to consider our quality of life and our family and friends no longer wish to come and visit at weekends due to the noise and disturbance

Sent from my iPhone

On 25 Oct 2013, at 09:07,

Thank you . That sounds very positive.
Kind regards

On Thursday, October 24, 2013,
Great news I will try to get as many people to attend as possible

Sent from my iPhone

On 24 Oct 2013, at 18:32

Hi Folks,

The open meeting about the three main pub / street public nuisances will be on:

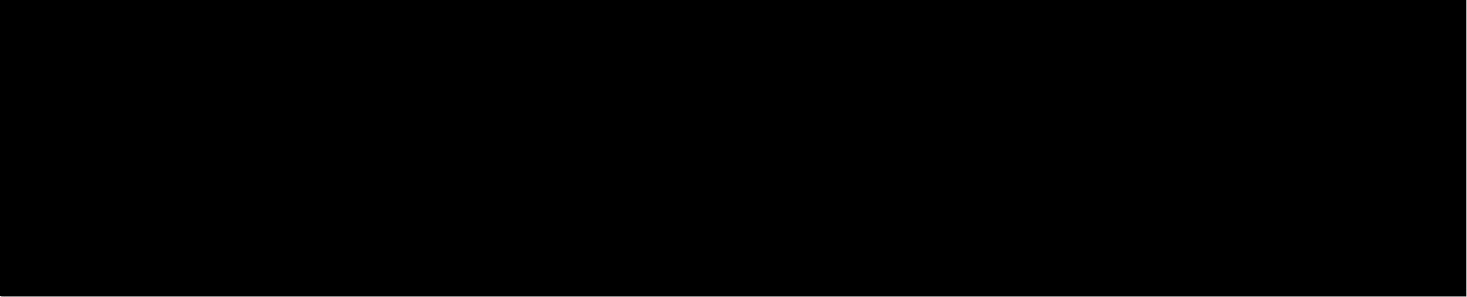
Thursday 31st October at 6.30pm in the Town Council office on West Street.


Representatives from Licensing, Environmental Health, Police and HAND will be attending. This is being quietly advertised as an 'information meeting' as some of the issues are emotive for some people. Residents from Etnam Street, Central carpark / Burgess Street / South Street / School Lane / Corn Street will be in attendance too.


The aim is to better understand everyones positions, duties and remits, as well as the position of the residents who are on the recieving end and build a balanced way forward to solve this.

Please let residents who you think would want to come know about it, but there will be no great public advertisement of this first meeting.

I will contact so that our neighbours in the sheltered housing will have an advocate present. In the mean time please continue to keep your logs up to date.



We carried out a full conversation to the 3 property's 
The council passed planning permission in 2007 /2008 for residential property's and at this time there was no late hours at the ducking stool, we now find our investment in these property's to be a disaster as we have problems with tenants vacating because of noise issues, we were never contacted with any information regarding the hours at the pub.



Sent from my iPad

[REDACTED]

RE: NOISE NUISANCE DUCKING STOOL PUBLIC HOUSE LEOMINSTER
(up to 13/10/13)

Dear Sir

[REDACTED]

[REDACTED]

We moved in knowing there was a pub and expected some noise and the last three and a half years it has by and large been managed. Over the last 6 months it has been getting a lot worse with the loud music/swearing/drunken behavior. Since the license extension (03.00) at weekends it has gone totally out of control. After complaining the music has gone down a little but doors and windows are still left open and the customers unfortunately are getting louder and more drunken and hostile with up to 20-30 people shouting/swearing/singing etc at the top of their voices till 02:45 in the morning (video evidence available upon request) there seems to be no attempt by the management to stop this.

This we believe is having a detrimental effect on our health and quality of lives. [REDACTED]

[REDACTED]

[REDACTED]

also occasionally has her two very young grandchildren [REDACTED] staying at weekends and the drunken behavior is distressing to them.

As most of the problems accrue between midnight and 03:00 our only option is to call 101 but unfortunately on a few occasions they have been very unhelpful and refused to log the complaint stating it is not their problem, this makes us feel very vulnerable and isolated and has discouraged us from phoning this number on occasions.

We have also since the extension on several occasions had to swill away what appears to look and smell like urine [REDACTED] to the pathway that leads to our property, this is disgusting.

Yours Sincerely

[REDACTED]

RECORD OF PHONING POLICE DUE TO NOISE NUISANCE FROM THE DUCKING
STOOL (UPTO 13/10/13)

31/08/13 (00:03) Phoned 101

15/09/13 (02:27) Phone 101

22/09/13 (12:46) Phone Herefordshire Police Headquarters (log 309522913) as stated in my cover letter I phoned Police headquarters as the 101 number were telling me its was not their problem and no help making us feel very venerable and scared in our own home, I would have phoned 101 on other occasions but have lost all faith in this number

RECORD OF NOISE NUISANCE FROM THE DUCKING STOOL PUB (UPTO 13/10/13)

Saturday night into Sunday morning 31/08/13 loud music/shouting/swearing/singing/aggressive behavior till 02:45

Saturday night into Sunday morning 07/09/13 as above till 02:45

Friday night into Saturday morning 13/09/13 as above till 02:55

Saturday night into Sunday morning 14/09/13 as above till 02:50

Saturday night into Sunday morning 21/09/13 as above till 02 35

Friday night into Saturday morning 27/09/13 as above till 02:50

Saturday night into Sunday morning 28/09/13 as above till 02:55

Saturday night into Sunday morning 5/10/13 as above till 02:50

Saturday night into Sunday morning 12/10/13 as above till 02:35

The noise level during the week has also been higher than the norm since moving in [REDACTED] but tends to finish at 23:00

The above record is only since I have been making a log and has been going on longer than that.

I have also noticed on tripadvisor.co.uk web site the Talbot hotel situated across the road from the Ducking Stool has been left a lot of negative feedback regarding the noise level and behavior of the pubs customers sometimes up to 04:00 in the morning. This will start to affect tourism which is something Leominster can ill afford to lose

[REDACTED]

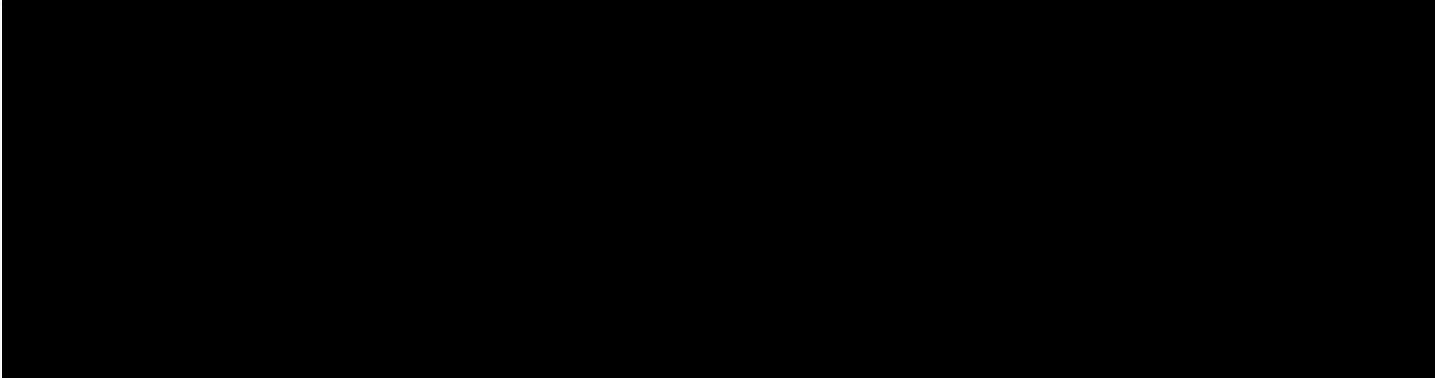
[REDACTED] this plus another to follow, m'notes taken as things happened:-

00.15 it's all on 'tape', I've been recording this week's street party since around 10.30 last night, and like Topsy, it grewed. Mostly pretty good humoured. I do hope there's enough battery. 01.20, th loud chatter has stopped, but the music is pretty clear. I think the word's been put around, I think a police car may have just cruised past, either a PA system or very loud intercom drifting along the street, once gone the voices swelled again. Laughter and banter volume increased just as when the teacher leaves the classroom.

There's been some unusually heavy traffic through this evening too.

SORRY, dictaphone batteries died in minutes. [REDACTED]

Sent from iPhone



My note taken at the time. I have it on dictaphone. Had to use earplugs and 2 sleeping tablets.

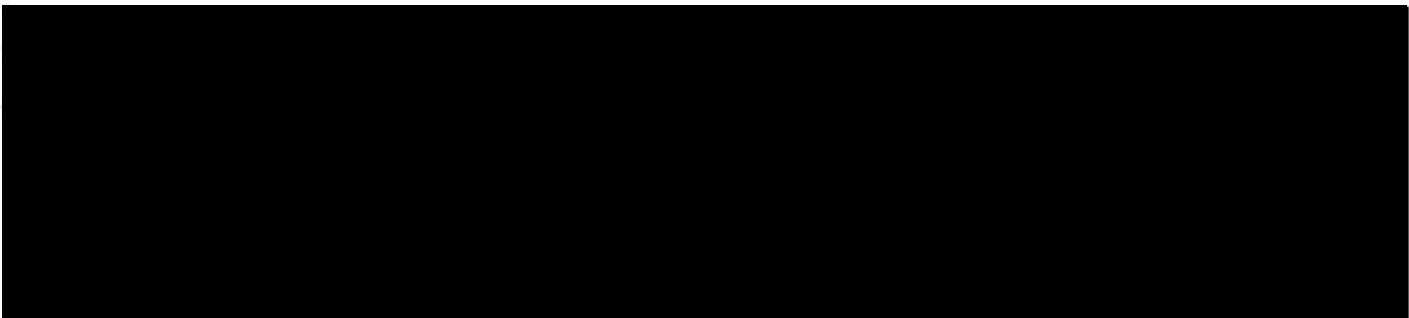
01.29 Since 12.30am men and women have filled the streets outside yelling and squabbling nonstop. I've set the dictaphone to record at around 01.00. I don't have the energy or will any more to make notes.
03.15 stopped recording.



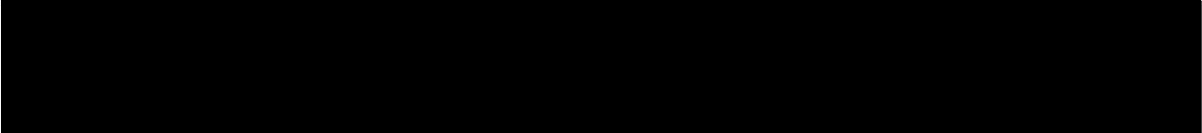
Sent from iPhone

Since 10.30 last night spasmodic spells of loud vocals, & from 11.15-ish bangers.
 00.32 squealing & yelling. Raucous f. laughter, loud rhythmic beat. "Hey! Hey!!" m.
 F. Squawking repeatedly, whooping. DOUBLE EXPLOSIONS. M. "I AN'T F-ING
 YOU F-IN' C-NT. I AIN'T YOU F-ING, " in a threatening voice.
 Others join in to try calming him. He carries on. More f. laughter.
 I try blocking the noise with the radio but to have it loud enough to work makes it too loud, it'd carry to MY
 neighbour.
 F. Arguing with m. Very insistent that he listen getting louder, others join in. Escalating sounds of their voices
 competing to make their point. I can't keep up. Screeching row coming from west. St. Direction. The streets
 sound as if they're FULL of folk. Pub door has been banging intermittently since nearly 11.pm. It'll come off its
 hinges if it gets much more of this treatment. F. screeches "OI.....C'MON 'ERE, C'MON, 'AVE YER DONE THAT
 THEN.....yer 'AVENT YER BU--ER!"
 BEAT BEAT BOOM BOOM of the music nearly out-decibels the door banging but not quite. In fact I think there's a
 competition happening, door loudest? Beat loudest? Door? Beat? Door?..... His voice? her voice? His...? Hers.....?
 Bang beat yell roar.... Hey ho, 'tis new year, who am I to spoil their fun....?
 01.00 Car or shop alarm outshrills the rumpus.
 Bloke yells angrily threatening someone's vitals, woman shrieks a name becoming more and more shrill, m.
 laughs another tries to calm both. Up and down the street. Boom boom bang bang thump thump "wether yo.
 What the f.... !" M.
 Laughter loud & happy.
 F. "Martin, Martin....."
 Her voic carries from somewhere up West St.
 M. "Hey C'MON, HEY, HEY, C'MON!!"
 F. Squeals.
 Bump bump bump.
 F. Impersonates the call of a peacock three times with real accuracy. M. Voices chorus laughter.
 F. "HAHAHAHA!" (More duck like than peacock. Quite clever really.)
 More yelping with m. overtones. Much laughter. Boom boom bump boom thump.
 "Didja? Didja? HEY IM SPEAKIN' TER YER!!"
 " HAHHAHAHA!" Cackles she.
 "Hoi! HOI! H O I!!!!" M.
 The duck lady cuts in again.
 M. "YER F'ING...."
 M. Growls
 Shrieking now.
 Argybargy argybargy shouting.
 I DO WISH I COULD VIDEO THIS
 Happy New Year folks.
 01.39 I've now been taping the noise [REDACTED] for ten minutes, and turned radio 3 on from my
 sitting room window for ten. The police have been there that time, lights flashing. I truly don't know if my music
 can be heard above the hubbub, but there are still people hanging around watching as if its an interesting piece of
 street theatre. I'm trying not to show my face but I so do want to see if there's ANY reaction to the classical
 music that I've got blaring. Turned it down - but rowdies still at it. Maybe it just isn't classical enough. There's a
 big dog barking, I think in one of the police cars, it's been barking
 since I came to the window. One of the cars has gone now. Oh, the dog and the 'music' are competing now.
 Switched boom boxes to the bigger one, put a cd of 70 mins of 'classical to drive your motor home to'. Starting
 with THE ARRIVAL OF THE QUEEN OF SHEBA at full vol. next Verdi's SPRING. Howzat!? I wonder.....
 At least it smothers irate voices - I findin it almost calming.....mmm.....nice
 02.00 police gone. Rowdies gone.

Sent from iPhone



Begin forwarded message:



RECORD OF EVENTS ON SAT-SUN 19th&20th OCTOBER 2013.:

00.03. Shouting wakes me, yelling & v. loud whistling (male, -m. & f. for future reference) as they leave Ducking Stool towards Royal Oak.
Thrumming beat coming from pub.
00.11 goes quiet.
00.55 m. voices talking loudly on street, door bangs twice, thrumming beat music from D. S., rumbling as of skateboard up & down road/pavement. Loud voices just talking. Door bangs.
01.09 door banging, m&f voices loudly up & down the street, bloke shouting
"COME ON.....DENZIL!"
"What's the point of.....!"
Thump thump thump thump beat, door bang, thumpthump
Thumpthumpthumpthumpthump- faster than I can write.... Thumpthumpthumpthumpthumpthumpthumpthumpthumpthump without pause. It sounds as if the party is in the street beneath the window as well as each end.
"You BASTard....you f.....in' aint gonna....."
Laughter all round. It is now
01.20. Voices a little quieter now, but still clearly audible, (door bangs) and on.... F. laughter, chatting at the tops of their voices in a way they would never do on the street during the daytime. Thumpthump, thumpthumpety
Thump, Thumpthumpety thump, Thumpthumpety thump. Pause. Thumpthumpety thump.....
Door bang
01.32 a blessed pause
Door bang
"HEY!" m. voice. Silence.
Whistling from s.
m&f chat from n.
"Ya! Watsit BABE.....!"
"Y'know wha' tharris....? Doncha..?" m&f laughter, more talk, some exaggerated groaning.
"No....no, no..." Squeals & bellows of laughter. More calling out one to another. Door bang.
"Hoi, hoi, whaddyer want!?"
Crescendo of roaring and whooping coming down from West St. direction, a whole large group of folk loudly talking and calling sounding like a fairground. YammaYammaYatterYatter.
A tin gets kicked a short way along the road.
YatterYatterYatterYatter....
It is now
01.50, and the hubbub goes on without abatement.
01.54 "...where are you?.... What the f...., where ARE you, where ARE you, where ARE you? Heeey, blether blether blether....chuckle..."
a moment's quiet follows, though voices are still audible from further up and down the street, and the thumping of the 'music' quickens from somewhere below.
02.02 door bangs. A momentary blast of 'music'.
F voices calling from West St. and loud cackles. M. Shouts "Don't you DARE....."
M. "LAUREN, LAUREN,"
Loud laughter, "hey LAUREn,"
Blah blah blah....." etc etc etc al.
"...unfortunately, you listening, unfortunately, you know? you know? you do!, you do!!,...."
"What'll 'appen then?, what'll 'appen then?, you dunno then, you dunno..." (m)
f. rejoinder indecipherable but loud.

WHISTLE, sharp and high.
Chatter in middle distance, loud m cackling.
Door bangs. M voice,
"Who is it, yeah, yeah."
F laughter,
"Yeah, hehe, yehehe...." Mock argybargy.
Door bang. Time,
02.23.
Gone quiet. NOW GO TO SLEE.....
DOOR BL...g BANG!
Bang, bang,
M voices
No Thumpthumpety.
More m voices from West St., now f. Mixed voices, loud talk.
Double bang. Double bang. (How'd they do THAT?)
Mixed voices.
02.32 - omg-it has gone QUIET
Loud BELCH, then m voices shout, sound non-English. That's a first
02.35
M voices. "Hya, hya, blerdyblerdybler....."
Sporadic calling from both ends of South St.
02.39
A party coming from West St. loudly goes, where? I'm too tired to register.
More laughing and jeering m voices from High St. direction, m laughter from directly below.
02.43 Silence! Oops, no, here it comes again, f calls; mixed chatter; +++++. From West St. M with deep voice,
f responses. Laughter, raucous f cackle; chorus mixed voices & more cackles & shouting,
"F.....ng 'ell....." Growling m voice.
"Shu-u-err-up!"
Getting LOUDER & LOUDER & LOUDER 02.54 MY DOORBELL IS BEING RUNG &
the crowd is even NOISIER if that's possible.
02.55 call 999, hold 'phone to the noise for police to hear, [REDACTED]
policewoman asks me what she's listening to (door bangs again) I say the crowds outside my window. She
asks if they're fighting or are there any weapons, I think I say no, but it's 3a.m. And I'm sick of this. She
thanks me courteously, and rings off.
I set my iPhone to 'camera' and 'video' and for twenty increasingly shaky & chilly minutes hold it and follow
the rowdy gathering up & down the street again and again. When there are only half a dozen left shouting
and swearing, I try to review what's done. I find I've pressed the wrong button, and have nothing on record. I
do record the last few minutes, they are pathetic in comparison, but they are there.
03.43 door double bangs. F voice calls to someone
03.47 all is quiet now fingers crossed.

Three hours and 44minutes of unacceptable disturbance after midnight.

05.45-DOOR DOUBLE BANGS??!!

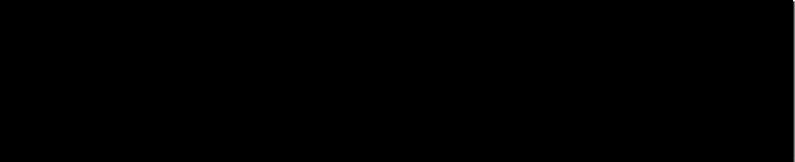
NB, Two names were repeated several times: in my hearing if not in my notes: LAUREN & DENZIL.
This is necessarily an abbreviated account because I am incapable of typing fast enough to record each and
every event. And I doubt no-one would wish to read such.

Yours,

[REDACTED]

Sent from iPhone

[REDACTED]



01.03 18th august, awoken to thrumming beat of music next door. If anything more will report. Some people on West St. Side calling loudly to one another.
00.53 Sat. 14th sep. woken by woman shouting across st. To m. Companions until 01.25.
02.30. Sun. 15th Sep. powerful car pulled up, doors slammed 2/3 times, pulled away amid shouts m. & f. Loud conversation between m. & f. Laughing & talking 'til 03.05. Car doors slam. F. Laughter & cars rev. @ 03.12.
For info.
P2 from last night to follow.



Sent from iPhone

[REDACTED]
Sent: 12 February 2015 11:50

To: Licensing

Subject: Ducking stool

Can't believe it's taken people this long to notice that place is nothing but trouble!! Do most people walk around with there eyes closed nowadays!

[REDACTED]
-----Original Message-----

[REDACTED]
Sent: 12 February 2015 17:10

To: Licensing

Subject: Regarding: The Ducking Stool Leominster

Dear Sir/Madam

I just wanted to put it in writing how strongly I feel against the recent restrictions placed upon the opening hours of The Ducking Stool in Leominster.

As a regular for years now I have found the establishment the safest public house in the town centre. It is very rare I have ever seen any trouble there and on the odd occasion there has been it has been dealt with swiftly and fairly by the doormen.

I have always felt reassured that the customers well being is the very top priority for the landlords, bar staff and door men.

I feel it is so important we don't lose any more entertainment in Leominster as it is already becoming increasingly quiet.

For these reasons I hope you re-think the restrictions placed upon the property.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Sent from my iPhone

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

[REDACTED]
Sent: 09 February 2015 18:48

To: Licensing

Subject: The Ducking Stool

To whom it may concern,

I am writing to you in regards to The Ducking Stool at 11 south street, Leominster. Due to recent circumstances this premises has had their licence restricted, I feel this is unjust.

Since moving back home after university and visiting Leominster, a town I was not very familiar with, I was made extremely welcome by the owners of the Ducking Stool. Both Matt and Jan are wonderful people, who not only try their best to provide a safe and high standard open house but they also make everyone feel welcome. Not only do I feel comfortable in socialising with my friends here but I happily take my children to the Ducking Stool during the day times for lunch. Matt and Jan cater for all ages and occasions and in my opinion, is the best pub in Leominster.

For a short time, I worked for the Ducking Stool as a barmaid one day a weekend. My experience of this made me favour the Ducking Stool and it's owners even more. I have never felt so supported and cared for in a working position and I can confidently say the door men were very good at their job. With this, I can honestly say I did not see one fight or brawl in my whole time working there and have always had a lovely time when socialising there.

I really do hope that the Ducking Stool get reinstated with their original licence as they really do deserve it and this current situation and licence restriction is no reflection of the pub in any way and is, in my opinion, a disgrace.

Thank you for taking the time to read my email.

Yours sincerely,

[REDACTED]

Sent from my iPhone

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

[REDACTED]

Sent: 11 February 2015 22:20

To: Licensing

Subject: Ducking stool leominster

To whom it may concern i would just like to say, I feel it is unfair at the decision made against the duking stool i have lived in Leominster all my life so have used the pub on lots of occasions and have never felt scared or threatened, A specially now they have two bouncers, so to implement these rules i feel unfair

[REDACTED]

[REDACTED] Original Message-----

From: [REDACTED]

Sent: 11 February 2015 23:13

To: Licensing

Subject: Ducking Stool Leominster

Sirs,

I am by no way a regular at The Ducking Stool in Leominster but it is one of the few pubs I go in if I am out for the evening. Whenever I have walked past, on a weekend, there has always been door staff on. I have always felt safe when I go inside and have never felt threatened (unlike many Hereford pubs I have been in). The incident that happened there recently, that led to the suspension of their license, hasn't been made public so I can't comment on it, but I showed my support when it was reinstated by taking my family in (all legal age drinkers) at the earliest opportunity. In fact the Ducking Stool will now be my pub of choice as I think they need the vote of confidence the Leominster community is showing them.

[REDACTED]

Sent from my Sony Xperia™ smartphone

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

From: [REDACTED]
Sent: 11 February 2015 15:56
To: Licensing
Subject: RE The Ducking Stool, Leominster

To whom it may concern.

[REDACTED]

I am sending this e-mail in relation to the decision recently made about the licensing of The Ducking Stool, South Street, Leominster.

I am a regular patron of this pub and have witnessed first hand the warm, welcoming, family friendly, atmosphere that both Jan and Matt strive to achieve. They are both personal friends of mine since moving here 5 years ago from South Wales.

I feel disappointed in the decisions taken as The Ducking Stool is one of the safest pubs I have ever spent time in, the staff and management work hard at maintaining the safety of patrons, and there is rarely any trouble.

I also feel that the restriction of their licensing terms is detrimental to Leominster town, as now young people, such as myself will now travel further afield eg, Hereford, for a night out at a weekend. This is money not being spent in our home town.

Both Jan and Matt Morris work extremely hard at providing a safe and welcoming public house, and in my opinion the actions of a minority should not have an adverse upon their livelihood.

Sincerely

[REDACTED]

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

From: [REDACTED]
Sent: 12 February 2015 07:32
To: Licensing
Subject: The Ducking stool Leominster

To Whom it may concern,

As a resident of Leominster and perhaps regarded as a middle aged member of the community I would like to share with you my views on the proprietors and licensing at The Ducking Stool.

Firstly I do frequent the premises on occasion and know a lot of the clientele that socialise there due to my job in customer services outside of the pub. 99% of the customers are well behaved when out but unfortunately every pub ends up having an "issue" however I have only ever witnessed one said "issue" and was extremely impressed as it was dealt with quickly and very professionally. I have to admit when I read about the Ducking Stool being regularly visited by the police I was shocked and deemed this untrue as I know that there are at least two other establishments that have been visited by the police due to unruly behaviour as much as three times on a weekend.

As far as the licensing is concerned, Leominster does have a larger group of "nightclub" goers but unfortunately we don't have one anymore and the Ducking Stool does provide a safe environment with some decent music for members to have a dance and a drink later in the evening. You would have thought having such a premises would allow people to know they don't have to fork out huge taxi fares to get to and from Hereford the nearest place with any sort of nightlife, and the security of being in their own town!

Reducing the hours at the Ducking Stool not only will destroy the owners livelihood (another business strangled by "red tape") but also I believe it will reduce the amount of people staying in Leominster for a night out therefore the knock on affect to other pubs and the takeaway businesses would be dramatic.

I also want to state that we have an 18 year old daughter who we have told if ever she is out and feels unsafe wherever she may be in town to go straight to the Ducking Stool where she knows and we know she would be safe day or night.

I hope you take my opinions and comments into consideration and reinstate the licence at the Ducking Stool.

Yours Faithfully

[REDACTED]

Sent from my iPhone

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

From: [REDACTED]
Sent: 11 February 2015 22:15
To: Licensing
Subject: ducking stool Leominster.

I write with reference to the application to suspend the premises license at the ducking stool, Leominster. I completely appreciate the reasons behind the suspension of the license and understand that they have failed to demonstrate how the licensing objectives have been met however I don't feel closing the premises down is the answer. I think the council needs to take a more proactive response to work with the licensees and show them the correct way, what measures has the licensing officer taken in the last 6 months to work with the premises? Has he visited the premises on a Friday or Saturday night? Has he spoken to the poor quality door supervisors employed or checked their status? They were employed on a cash in hand basis without any insurances and failed to carry out their jobs did the licensing officer address this with the licensee? I feel a proportion of the blame for the way the premises is currently is down to the poor support provided by the licensing officer the role should be more about educating and less about prosecuting. There are many licensed premises failing to comply with the four licensing objectives but the council are failing to recognise it until something drastic happens such as it has here and the they attempt to make an example I feel you should be ashamed with the way the licensed trade is

being managed currently and look to yourselves to find the answer I have worked up and down the country and no where have I found such a poor licensing approach as there is towards Leominster especially given the current financial hardship in this industry.

>

>

>

> Kind regards

>

> [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

From: [REDACTED]

Sent: 11 February 2015 12:38

To: Licensing

Subject: License of the ducking stool leominster

To whom this may concern,

I don't agree on the restriction of the license for the ducking stool in leominster.

Mrs Morris is a lovely lady and helps everyone that steps through her door she is the reason the people of leominster have some where that's warm and welcoming late at night to have a drink.

My self and a lot of other people are distraught that she as to now close at 12. She worked her self hard to get the license in the first place and to provide somewhere for people to go on the closure of the local nightclub.

After 12 is where Mrs Morris makes her money and can afford to keep the ducking stool open.

I hope you can re think the decision.

Many thanks

[REDACTED]

Sent from my iPhone

From: [REDACTED]

Sent: 11 February 2015 21:24

To: Licensing

Subject: Ducking stool

Dear Sirs/ Madam

With regard to the licensing of the Ducking stool in Leominster, I have worked on Taxis around Leominster for over 13 years, and even when picking up from either there or The Oak the amount of trouble has been minimal. The bouncers are very good and control it well, any

one too drunk they will ring for a cab to take them home if needed and with myself being female they will always give me the option.

Leominster no longer has a club and without somewhere to go instead of going home the kids are more likely to hang around the town causing trouble- The Ducking stool gave them somewhere to dance off excess energy.

Please reconsider your decision

[REDACTED]

From: [REDACTED]
Sent: 12 February 2015 12:50
To: Licensing
Subject: The Ducking Stool

To whom it may concern,

I feel that after recent events at The Ducking Stool in Leominster, I would like to voice a personal view of the pub if you will allow me.

I am sixty years old and am a resident of Leominster born and bred and can honestly say until the present licensee took over, I had never set foot over the threshold.

Having been invited into the place by a friend, I was pleasantly surprised and have been a regular customer ever since along with my husband. We were made to feel incredibly welcome by both the licensee and the clientele that use the establishment. Especially the younger customers as they know there is a standard of behaviour that is expected of them. We have never been shown anything but respect.

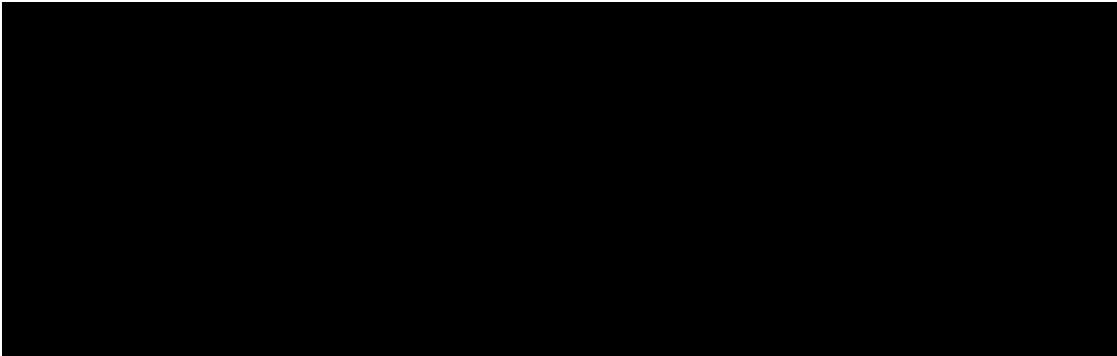
My husband, being a Parkinson's Disease sufferer has been supported not only in his personal life by playing darts for one of their darts teams but also in helping to fundraise for the local Parkinson's group often with Matthew acting as MC and Jan supplying refreshments. We have had very successful evenings with many of the young regulars supporting our fundraising efforts.

I have always found the security staff vigilant, polite and swift to address any trouble that may crop up occasionally. As I say, most of the customers know that the licensee has a strict policy about bad behaviour, neither will they tolerate any bad language in my experience which means that even older customers can feel comfortable. I have to admit to occasionally taking advantage of the late license and have noticed upon leaving that any high noise levels in the street are not coming from the Ducking Stool but from other establishments nearby.

I hope that when you consider the terms of their license, that you take into account the points that I have presented for you.

Thank you

[REDACTED]



10 February 2015

Dear Fred Spriggs

The residents association was constituted in April 2014 for the benefit of the local community and to support residents. Some of our members have moved away because of the public nuisance issues of the pub (see pages 2 and 3 attached). There are 19 residential properties within 100 feet of the pub including 8 SHYYP flats (see map page 1). We are writing in support of the Police's call for a revue on the late night extension for licensing hours for the Ducking Stool pub, to midnight on Fridays and Saturdays, we would further request that Section 15 of 17 'Hours Premises are open to the public 'Standard Days And Timings' for Friday and Saturday nights is amended to 12:30 from the current time of 2:30 in the premises license.

In our presentation form, for interested parties we reflect the following licensing objectives:

1. To prevent Crime and Disorder
2. To Prevent Public Nuisance

In support we have attached a number of records made by residents at 9, 7, 13 and 15 South street as well as 6a Corn Square which also backs onto the pub (see map attached). We also have letters and customer revues from the Talbot, which although are not residents do point to the reputation that Leominster has amongst some visitors to the town because of this late night extension and do provide examples of people's experiences of Public Nuisance, Crime and Disorder. We are aware of problems other residents have had, but they have not wanted to come forward to report them to you. We would like to note that the Residents Association supports the pub's continued operation and acknowledge that the management have tried to keep the levels down, but we feel that the hours for operation in such a heavily residential area are fundamentally unsuitable.



Chair
SSRA

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED PARTIES

Please return this form, and any additional information within the statutory period to:
**The Licensing Section,
Unit 10
Blackfriars Street,
Hereford
HR4 9HS
licensing@herefordshire.gov.uk**

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.

Your Name: South Street and Neighbourhood	Contact Telephone No.
Address: Residents association	E-mail address:
	Please state your interest in the premises you are making a representation about: eg local resident/local business local resident association
Name & Address of premises you are making a representation about: Dickington pub 11 South St	

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:

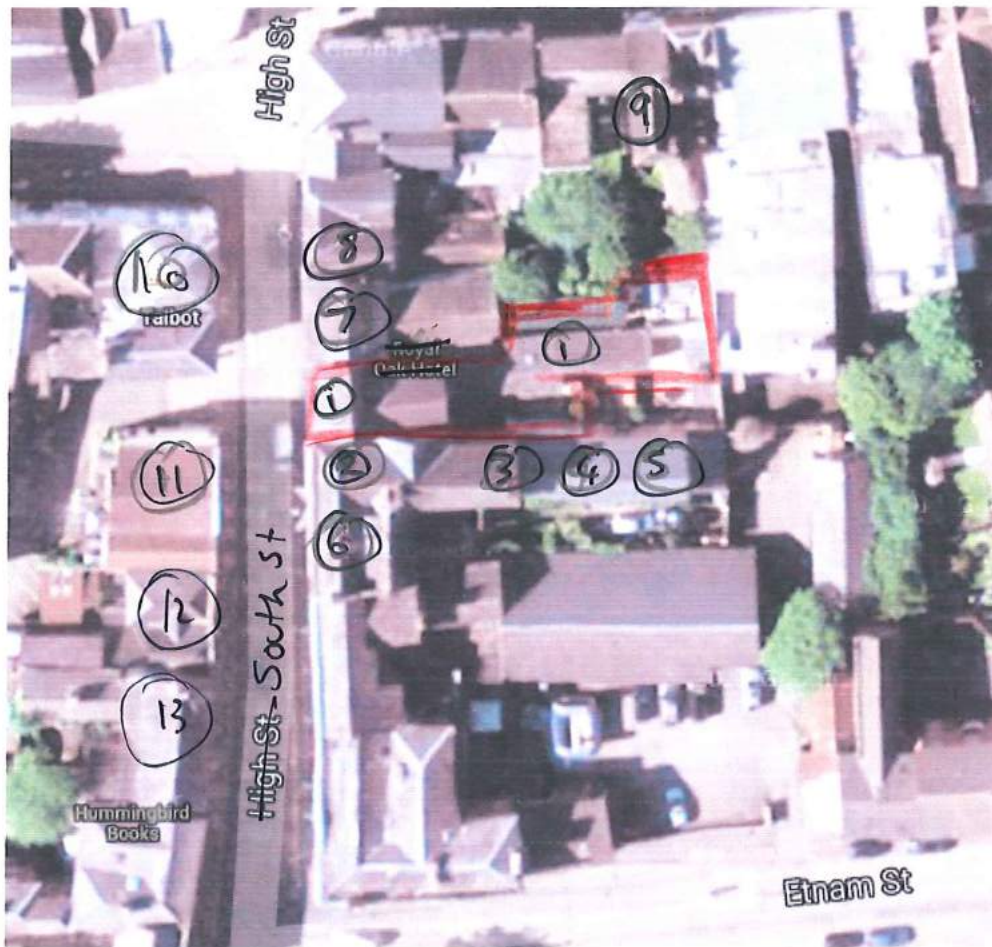
To Prevent Crime & Disorder Licensing objectives have been undermined by fighting, roughness and aggressive language over a long period.
Public Safety
To Prevent Public Nuisance Licensing objectives have been undermined by constant and disturbing noise, shouting, swearing and music of a loud nature
To Protect Children from Harm

Date: 10th Feb 2015

ELL/EDPE 1 Representation Form Interested Parties

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

18 Residential properties within
 36m, surrounding pub + gardens of
 Ducking stool 11 South St. Leominster.



- | | |
|-------------------------------|--------------------------------------|
| ① Duckingstool Pub. + gardens | ⑨ 6A Corn Sq. |
| ② 13 South St | ⑩ Talbot |
| ③ 13 " 4 mens cottage | ⑪ 6 South St |
| ④ " 5 mens cottage | ⑫ 8a South St |
| ⑤ " 6 mens cottage | ⑬ SHYPP
10 South St.
(8 flats) |
| ⑥ 15 South St. | |
| ⑦ 9 South St | |
| ⑧ 7 South St#3 | |



**LICENSING ACT 2003
Part A - Premises Licence**

Premises licence number PR00921 (App to Transfer & Vary Premise DPS)

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
THE DUCKING STOOL 11 SOUTH STREET	
Post town LEOMINSTER	Postcode HR9 8JA
Telephone number 01568 610803	
Where the licence is time limited the dates	
Not applicable	
Licensable activities authorised by the licence	
Live Music (Indoors) Late Night Refreshment Sale/Supply of Alcohol	
The times the licence authorises the carrying out of licensable activities	
<u>Live Music</u> Sunday – Thursday 20:00 – 23:00 Friday – Saturday 20:00 – 24:00	
<u>Late Night Refreshment</u> Friday – Saturday 23:00 – 24:00	
<u>Sale/Supply of Alcohol</u> Sunday – Thursday 11:00 – 23:00 Friday – Saturday 11:00 – 24:00	
The opening hours of the premises	
Sunday – Thursday 07:00 – 23:00 Friday – Saturday 07:00 – 24:00	
Where the licence authorises supplies of alcohol whether these are on and/ or off supplies	
For consumption on and off the premises	



Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mrs Sian Dale Rooke-Jenkins
11 South Street
Leominster
Herefordshire
HR6 8JA

Xxxxxxxxxx
xxxxxxxxxx

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

Not applicable

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

Mrs Sian Dale Rooke-Jenkins
11 South Street
Leominster
Herefordshire
HR6 8JA

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

Licence number: xxxxxxxx
Issuing authority: Herefordshire Council

Annex 1 - Mandatory conditions

Irresponsible Drinks Promotions

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

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 8 St Owen Street, Hereford. HR1 2PJ



- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Free Drinking Water

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age verification

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Small Measures

4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Below Cost Price

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

Mandatory conditions where licence authorises supply of alcohol

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.

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Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Door supervision

Each individual required to carry out a security activity must be licensed by the Security Industry Authority

Annex 2 - Conditions consistent with the operating Schedule

General

Prevention of Crime and Disorder:

CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition.

Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs.

Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand.

The Premises Licence Holder must ensure at all times there shall be a member of staff capable and competent at downloading CCTV footage in a recordable format immediately on demand of a police officer of Inspector or above. On other occasions to such footage shall be supplied with 48 hours.

The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police on contact number 0300 333 3000 immediately.

The main business of the premises shall be the provision of hot food and drink. At least 75% of the floor space shall be set aside for the use of the consumption of hot food.

The Premises Licence Holder will employ SIA doorstaff on a risk assessed basis. The risk assessment shall be in writing and shall be made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.

An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police, which must record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service



All bar staff engaged in the sale of alcohol to be trained in Responsible alcohol retailing to the minimum standard of BIIAB level 1 or any other training recognised and agreed with Herefordshire Council Trading Standards within one month of the date that this condition appears on this licence. (Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence). Training records shall be kept on the premises and shall be produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

The DPS and all other staff shall ensure that no vessels are taken off the premises by customers

Public Safety:

Electrical & Gas Installations

All electrical wiring and distribution systems shall be tested at least once a year and signed off by a competent person whose name is shown within the Local Authority Building Control Part P Competent Persons Register (<http://www.competentperson.co.uk/search.asp>). The sign off certificate shall be produced to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or Police on demand.

Prevention Of Public Nuisance:

'Noise' from the premises must not be 'audible or discernible' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernible' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'

Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly

No music entertainment shall be provided outside the premises at any time

Protection of Children:

No person under the age of 18 shall be permitted on the premises unless dining and accompanied by an adult aged 18 or over.

The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authorised Trading Standards Officer of Herefordshire Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans

As attached

Licensing Section, Herefordshire Council
8 St Owen Street, Hereford. HR1 2PJ



LICENSING ACT 2003
Part B - Premises licence summary

Premises licence number PR00921 (App to Transfer & Vary Premise DPS)

Premises details

Postal address of premises, or if none, ordnance survey map reference or description THE DUCKING STOOL 11 SOUTH STREET	
Post town LEOMINSTER	Post code HR9 8JA
Telephone number 01568 614403	

Where the licence is time limited the dates Not applicable
--

Licensable activities authorised by the licence Live Music (Indoors) Late Night Refreshment Sale/Supply of Alcohol
--

<u>Live Music</u> Sunday – Thursday 20:00 – 23:00 Friday – Saturday 20:00 – 24:00 <u>Late Night Refreshment</u> Friday – Saturday 23:00 – 24:00 <u>Sale/Supply of Alcohol</u> Sunday – Thursday 11:00 – 23:00 Friday – Saturday 11:00 – 24:00
--

The opening hours of the premises Sunday – Thursday 07:00 – 23:00 Friday – Saturday 07:00 – 24:00



Name, (registered) address of holder of premises licence

Mrs Sian Dale Rooke-Jenkins
11 South Street
Leominster
Herefordshire
HR6 8JA

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

For consumption on and off the premises

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

Not applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mrs Sian Dale Rooke-Jenkins

State whether access to the premises by children is restricted or prohibited

No person under the age of 18 shall be permitted on the premises unless dining and accompanied by an adult aged 18 or over.

The Premise shall operate a Challenge 25 Policy

Dear Licensing

Confirmed conditions:

All staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing to the minimum standard of BIIAB 1 or any other equivalent training course within one month of the date this condition appears on the licence. All new staff shall be trained within one month of taking up employment. All staff shall be retrained six monthly thereafter. Training records shall be kept on the premises, which shall record the identity of the staff member, training received, and the date of that training. That record of training shall be made immediately available on request to an 'Authorised Person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer or the Police.

A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months. It will be collected and reviewed on a weekly basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

Regards

Leah

From: Nick Semper [<mailto:info@semperfidelisconsultancy.co.uk>]

Sent: 11 August 2017 14:01

To: Wilson, Leah

Cc: 'Mooney,James'

Subject: RE: {Disarmed} RE: Premises Licence Variation - The Ducking Stool

Dear Leah,

That all makes eminent common sense – if you can draw up the necessary amended conditions, then I am convinced that my client will agree them. In fact, I'll go so far as that they are AGREED unless you hear from me again during the Consultation Period.

Thanks again!

Kind regards,
Nick SEMPER

Semper Fidelis Consultancy

Email: info@semperfidelisconsultancy.co.uk

Tel: 07890 105387

Web: www.semperfidelisconsultancy.co.uk

From: Wilson, Leah [<mailto:LWilson@HEREFORDSHIRE.GOV.UK>]
Sent: Friday, August 11, 2017 10:12 AM
To: 'Nick Semper' <info@semperfidelisconsultancy.co.uk>
Subject: RE: {Disarmed} RE: Premises Licence Variation - The Ducking Stool

Hi Nick

I'm happy to go with weekly checks by the DPS then if this suits the business better.

Personally from a TS inspection point of view, I don't want to take up the business' time going through the incidents which wouldn't relate to underage sales. It would take up too much time and I don't believe it would be clear from the outset where the UAS refusals had occurred if I was trawling through months of incidents. If we have the TS condition and take out the refusal section of the incident log book, how would your client feel about this?

So one book labelled incidents and one labelled refused sales?

Regards
Leah

From: Nick Semper [<mailto:info@semperfidelisconsultancy.co.uk>]
Sent: 10 August 2017 15:15
To: Wilson, Leah
Subject: RE: {Disarmed} RE: Premises Licence Variation - The Ducking Stool

Yes, in one we've negotiated it down to weekly checks by the DPS and another like the below entry.

Personally, I'd rather the DPS maintains control and does weekly checks.

The whole 'Refusal Entry' condition is a bit of a moot point, because in another condition we mention an Incident Book, where (amongst other things) Refusals are noted. We look like we're asking for two separate books here and double-typing each refusal. It's all a bit confusing for an old guy like me...

What do YOU think?

NS

From: Wilson, Leah [<mailto:LWilson@herefordshire.gov.uk>]
Sent: Thursday, August 10, 2017 3:07 PM
To: 'Nick Semper' <info@semperfidelisconsultancy.co.uk>
Cc: Licensing <licensing@herefordshire.gov.uk>
Subject: RE: {Disarmed} RE: Premises Licence Variation - The Ducking Stool

Hi Nick

We can certainly amend this if it's not a condition which the business can meet. I think we have discussed previously with another application that the wording 'in absence of the DPS another person authorised by the DPS' be added. How about something like that?

From: Nick Semper [<mailto:info@semperfidelisconsultancy.co.uk>]
Sent: 10 August 2017 15:01
To: Wilson, Leah
Subject: {Disarmed} RE: Premises Licence Variation - The Ducking Stool

Dear Leah,

Thanks for this.

Para 1. No issues.

Para 2. Your condition means that the DPS needs to go to the Premises every single day of the year, every year, and will therefore never get a holiday. May I suggest that this is a little onerous and that consequently we amend 'daily' to read 'weekly'?

Regards,

Nick S.

From: Wilson, Leah [<mailto:LWilson@herefordshire.gov.uk>]
Sent: Thursday, August 10, 2017 2:53 PM
To: Nick Semper (info@semperfidelisconsultancy.co.uk)
<info@semperfidelisconsultancy.co.uk>
Cc: Licensing <licensing@herefordshire.gov.uk>
Subject: Premises Licence Variation - The Ducking Stool

Hi Nick

In the matter of: The Ducking Stool, 11 South Street, Leominster, Herefordshire HR6 8JA

Thank you for the application to vary this premises Licence. I can see that some conditions presented in the application are in need of adjustment in order for them to further promote the 'protecting children from harm' objective under the Licensing Act 2003.

1)

In section 16 b(3) (as below) I would suggest that your client removes the words 'recognised and agreed with Herefordshire Trading Standards', however please advise that we can offer support to them if they need it. I would recommend refresher training to be given every 6 months. This can be in-house training by a competent and qualified person for example the DPS or a personal licence holder.

3. All staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing to the minimum standard of BIIA81 or any other training recognised and agreed with Herefordshire Trading Standards. All existing staff shall be trained within one month of the date that this condition appears on this licence. All new staff shall be trained within one month of taking up employment. All staff shall be retrained twelve monthly thereafter. Training records shall be kept on the premises, which shall record the identity of the staff member, the training received, and the date of that training. That record of training shall be made immediately available on request to an 'Authorised Person' (as defined by s13 of the Licensing Act 2003) a Herefordshire Trading Standards Officer or the Police.

2)

I recommend further to the incident log a refusal register to be used in relation to refused sales. I propose the following wording:

A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age.

Such records shall be kept for a period of 12 months. It will be collected and reviewed on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

If your client agrees to the changes please do email licensing and I to let us know.

Kind regards

Leah

Herefordshire.gov.uk

Leah Wilson
Trading Standards Officer
Environmental Health and Trading Standards
Economy, Communities and Corporate
Directorate
Hereford Council
01432 260163
lwilson@herefordshire.gov.uk
lwilson@herefordshire.gcsx.gov.uk

8 St Owens Street
Hereford
HR12PJ



Please consider the environment - Do you really need to print this E-Mail?

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HEREFORDSHIRE COUNCIL
Licensing Act 2003

Please return this form, and any additional information within the statutory period to:
The Licensing Section,
8 St Owen Street, Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk

TO: **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.

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
Address: [REDACTED]	E-mail address:
	Please state your interest in the premises you are making a representation about: eg local resident/local business LOCAL BUSINESS
Name & Address of premises you are making a representation about: THE DUCKING STOON SOUTH STREET LEOMINSTER WILTS HR26 8JA	

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 THE ADJACENT HOTEL PREMISES ARE ADJACENT TO THE PREMISES KNOWN AS THE DUCKING STOON & THE HOTEL HAS EXPERIENCED SOME DISORDER IN THE PAST SEE ARTICLE ATTACHED
Public Safety AS THE HOTEL PREMISES ACCOMMODATES ALL AGE GROUPS OF GUESTS. IT HAS TO ENSURE THAT THEIR SAFETY IS NOT COMPROMISED IN ANY WAY
To Prevent Public Nuisance THE ACCOMMODATED GUESTS AT THE HOTEL HAVE TO BE ASSURED THAT THERE CAN BE NO DISRUPTION TO THE ENJOYMENT OF THEIR STAY
To Protect Children from Harm AS MENTIONED PREVIOUSLY THE HOTEL ACCOMMODATES ALL AGE GROUPS, TO INCLUDE CHILDREN OF ALL AGES WHO SHOULD NOT BE SUBJECT TO ANY HARSH INCIDENTS

Signed:
Date:

If you have any queries about this form or are unsure of when the statutory period ends please contact the **Licensing Helpline on 01432 261761**

**Representation Form – Interested Parties
Suggested Conditions**

Premise: The Ducking Stool 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.

<p>To Prevent Crime and Disorder the [REDACTED] premises</p> <p>Any immediately adjacent to the premises known as the Ducking Stool. The hotel has in the past experienced some disorder in the past attached letter refers</p>
<p>Public Safety</p> <p>All staff groups are accommodated in the [REDACTED] + their safety should not be compromised in any way</p>
<p>Prevent Public Nuisance</p> <p>All guests should be assured that during the duration of their stay there will be no disruption at any time</p>
<p>Protect Children from Harm</p> <p>The hotel carries for all areas of children who should not be subject to any abusive incidents</p>

Signed:

Date:

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

Herefordshire Council.
35 Hafod Road.
HEREFORD. HR1 1SH

12th February 2015.

Dear Sirs.

Our letter of 14th October 2013 advised of the concerns that some of the [REDACTED] [REDACTED] regular guests were experiencing, due to the disruption caused by the noise levels emitted from the adjacent establishment: The Ducking Stool. This advise was supported by a sample of customer opinions from The Medallia Guest Satisfaction Survey, & Trip Advisor.

We are now aware that the extended hours licence afforded to the Ducking School has been suspended. We believe, alas only until March 2015.

It is the opinion of [REDACTED] that a permanent revokement of the extended hours licence, would be in the best interest of the [REDACTED] local residents, and its committee, and indeed the local Police.

Yours faithfully.

[REDACTED]

Accept LUB
29/8/17

HEREFORDSHIRE LICENSING SECTION
RECEIVED
24 AUG 2017
TO:

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED PARTIES

Please return this form, and any additional information within the statutory period to:
The Licensing Section,
8 St Owen Street, Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk

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.

Your Name: [REDACTED]	Contact Telephone No: [REDACTED]
Address: [REDACTED]	E-mail address: [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: <i>The Ducking stool</i> 11 South Street Leominster - Hereford	

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 when the Ducking stool had a late licence disorder in the streets went on all night - many neighbours were so traumatised they became sick and moved house. The quality of the area went down. It affects our business as we are so tired it is hard to work.

Public Safety My partner was verbally attacked in the street as we walked past the pub to our front door. He received death threats at the same time - this was when the pub was out of control before. There was often fighting in the streets and shouting all night after it closed.

To Prevent Public Nuisance The Ducking stool is a timber framed old building that can not contain its noise. It is about 10 metres from the back of our house to the pub - this is where we sleep - it was so loud in the past that our building vibrated & we couldn't sleep. Even with all doors & windows closed the noise comes into our property. yet people are always going into the garden to smoke & leave the door open.

To Protect Children from Harm we can't even watch the tv without the music coming into our building very loud.

*the police investigated and found the phone call came from a phone box so it wasn't proven.

*I suffer from migranes & high blood pressure - made much worse by having sleep disturbed night after night.

Signed: [REDACTED]
Date: 24 Aug 2017

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

**Representation Form – Interested Parties
Suggested Conditions**

Premise: 11 South St 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.

<p>To Prevent Crime and Disorder have bouncers on the door and close at 11pm every night.</p>
<p>Public Safety to have police on the streets late at night so we can all get safely to our front doors.</p>
<p>Prevent Public Nuisance TO re-fit the pub with high level sound insulation as these old buildings are simply not suitable for loud music and screaming drunken people in and out the back of the building causing much disturbance however it will be impossible to do this and people go outdoors and people go</p>
<p>Protect Children from Harm and we can't get any sleep. over the road</p>

Signed: [REDACTED]

Date: 24 Aug 2017

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

Accept LUB
29/8/17

EM & IS / LICENSING SECTION
RECEIVED
24 AUG 2017

HEREFORDSHIRE COUNCIL
Licensing Act 2003

TO:
REPRESENTATION FORM - INTERESTED
PARTIES

Please return this form, and any additional information within the statutory period to:
The Licensing Section,
8 St Owen Street, Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk

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.

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: eg local resident/local business LOCAL LOCAL RESIDENT
Name & Address of premises you are making a representation about: 11 SOUTH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8JA	

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	WHEN THE DUCKING-STOOL HAD A LATE LISENCE, I WAS A YOUNG CHILD OF AROUND TEN, KEPT AWAKE BY PEOPLE HAVING FIGHTS IN THE STREET. THE VIOLENCE AND DISORDER I HEARD WAS VERY SCARY AND KEPT MY FAMILY FROM SLEEPING.
Public Safety	THE POLICE WOULD BE CALLED VERY OFTEN AS PEOPLE LEAVING THE PUB LATE WOULD GET INTO FIGHTS. THIS WAS SCARY AND THREATENED PUBLIC SAFETY AS I FELT UNSAFE IN MY HOME, IMAGINING THEM SOMEHOW GETTING INTO MY HOME.
To Prevent Public Nuisance	THE NOISE POLLUTION CREATED BY THE DUCKING STOOL WHEN THEY HAD A LATE NIGHT LISENCE KEPT US ALL AWAKE ALL NIGHT AND CAUSED PROBLEMS TO OUR PHYSICAL AND MENTAL WELLBEING. WE HEARD MUSIC ALL NIGHT AND FIGHTS ON THE STREET.
To Protect Children from Harm	

Signed: [REDACTED]
Date: 24th AUGUST 2017

ELI REPRE - 1 Representation Form - Interested Parties

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761



**Representation Form – Interested Parties
Suggested Conditions**

Premise: THE DUCKING STODL 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	The only thing I suggest the owner to do without disturbing to avoid disturbing the physical and mental wellbeing of multiple neighbours in nearby properties is to revoke accept that they can not have a night late night licence
Public Safety	in such a timber frame property, or when if possible to also start a business elsewhere in Leominster, perhaps in a stand-alone building not surrounded by
Prevent Public Nuisance	residents.
Protect Children from Harm	

Signed: [REDACTED]

Date: 24th AUGUST 2017

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

Accept 75

EH & IS / LICENSING SECTION
RECEIVED
14 AUG 2017
TO:

HEREFORDSHIRE COUNCIL
Licensing Act 2003

Please return this form, and any additional information within the statutory period to:
The Licensing Section,
8 St Owen Street, Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk

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.

Your Name:	[Redacted]	Contact Telephone No.	
Address:	[Redacted]	E-mail address:	
		Please state your interest in the premises you are making a representation about:	[Redacted]
Name & Address of premises you are making a representation about: Ducking Stool (aka The Kitchen), 11 South Street, Leominster. HR6 8JA			

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 In the past, there have been rows and violence after midnight - especially when there has been no security on the door.
Public Safety
To Prevent Public Nuisance At times, I have had to wear headphones to hear my own TV because of the deafening "music" and shouting coming from the beer garden.
To Protect Children from Harm

Signed: [Redacted]
Date: 11/08/17

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761



**Representation Form – Interested Parties
Suggested Conditions**

Premise: 11 South Street, Leominster Your name: 

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.

<p>To Prevent Crime and Disorder</p> <p>① Licensing hours restricted to midnight. (They have breached this twice in the past 4 weeks.)</p> <p>② Security on the door, late at night.</p>
<p>Public Safety</p>
<p>Prevent Public Nuisance</p> <p>① A decibel limit set on all music.</p> <p>② No sales or consumption after midnight.</p> <p>③ Security on the door, late at night.</p>
<p>Protect Children from Harm</p>

Signed: 
Date: 

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

Accept LVB
29/8/17



HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED
PARTIES

Please return this form, and any additional information within the statutory period to:
The Licensing Section,
8 St Owen Street, Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk

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.

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]
Please state your interest in the premises you are making a representation about: eg local resident/local business <i>Local Resident</i>	
Name & Address of premises you are making a representation about: <i>11 South St Leominster HR6 3JA 'The Duck'</i>	

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 <i>and living room</i>
To Prevent Public Nuisance <i>Our bedroom is 6 metres away from the pub's garden, around 9 metres from the pub's back door, we live in a grade II listed building in a conservation area - the noise even</i>
To Protect Children from Harm <i>with the garden being used for smoking will cause a public nuisance late at night and in the morning</i>

Signed: [REDACTED]
Date: *24th August 2017*

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

attached letter.

Representation Form – Interested Parties

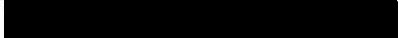
Suggested Conditions

Premise: 11 South St
Leominster HR6 8JA Your name: 

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 Sunday - Thursday nights - pub closes at 11 pm no regulated entertainment after 10.30 pm Friday - Saturday nights - no entry or re-entry after 11.30 pm no regulated entertainment after 11.30 pm pub closes at midnight exception - New Years Eve.
Protect Children from Harm

Signed: 

Date: 

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

[REDACTED]

Representation from interested parties:

Ducking Stool application for variation of premise license Sian Rooke-Jenkins 11 South Street HR6 8JA Leominster

To prevent Public Nuisance:

The Ducking Stool (the Ducker) is a young person's pub in a terraced house in a line of mixed residential and retail houses in a conservation area with grade II listed properties (not insulated). It is backed on three sides by 7 residential properties around the pub garden and on three sides at the front in South Street with residential dwellings.

The noise from the pub garden, even with the door kept shut has been a public nuisance late at night when the pub previously had an extension to 3am. If the pub's back door is kept shut and only opened to let people in an out for cigarettes, then this only means that every few minutes there is a loud noise from the pub as the door is opened, followed by muffled music noise and shouting from the garden. Our bedroom and living room is only 6 metres from the pub garden as is the case for our fellow residents.

When the pub had a late night extension last time we could not sleep in the bedroom at the back of the property and were constantly woken up throughout the night and into the early morning up to 4am after closing at the front by shouting and occasional fights as people left the pub and continued to hang around the street outside our property. It will not be possible for the landlords to manage its customers actions after they have left the pub. The Ducking stool is a young persons pub and there is little provision for them in the town, but this property, a terraced house, as it is surrounded by residents living in listed buildings with little or no acoustic insulation is a totally inappropriate place to have a late night music club, it have proved to be a public nuisance in the past and will do so again if this license is granted.

Last time we as residents had to suffer this it caused two sets of people to move house, one went on long term sick because of the stress she said from the pub and then moved from Leominster altogether.

Public Safety & To prevent crime and disorder

Although this is not to do with the present owners fellow residents have spoken to me in the past about feeling intimidated because of their opposition to the last late night music extension of the pub, which made them fearful and gave undue levels of stress. I as a resident was asked outside my own house in front of my child what my problem was. Coincidentally at the same time of our opposition I received 2 death threats left on my voice mail, although it is not possible to say if this was in relation to our opposition, as the police traced the calls to a phone box. I have never in my entire life before or after had anything like this sort of experience, which may not have been related to my opposition to the late night extension of the pub at the time.

There have been multiple times in the past that we and residents around us called the police as a result of violent actions taking place outside the pub in the early hours of the morning involving that appeared to involve customers. Even with the notice to disperse crowds this is still likely to happen again. Since the late night license has been revoked we have not had any such experiences. We are therefore of the opinion that an extension of this nature will effect public safety and lead to crime and disorder.

[REDACTED]

22nd Aug 2017

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED
PARTIES

Please return this form, and any additional information within the statutory period to:
**The Licensing Section,
8 St Owen Street, Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk**

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.

Your Name: [REDACTED]	Contact Telephone No: [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: eg local residential association
Name & Address of premises you are making a representation about: 11 South St Leominster HR 6 8JA	

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 Please see attached doc
To Protect Children from Harm

Signed: [REDACTED]
Date: 25th August 2017
ELI REPRE – 1 Representation Form – Interested Parties

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

Representation Form – Interested Parties

Suggested Conditions

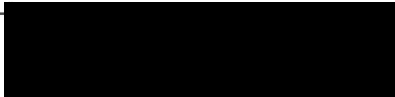
Premise: 11 South st leominster your name: 

H/2683A

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 Please see attached doc.
Protect Children from Harm

Signed: 

Date: 25th August

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761



South Street Residents Association

25 August 2017

Re: Licensing Objective 'To Prevent Public Nuisance'

Dear Councillors

We would like to communicate our concerns as residents near to the premises at 11 South Street to be called 'The Duckers' about issues around the licence application to in relation to the licensing objective 'to prevent public nuisance'. We also wish to communicate our good wishes to the success of the new landlords and our ideas for consideration as to how it would work in a residential situation. We all work long hours running local businesses or working for them including shift work and some have babies and we will all be very badly affected by noise. Five members of SSRA have moved away from the area, at least in part, because of the public nuisance caused by previous late night licenses at the Ducking Stool and the Royal Oak.

We consider that the application to extend the opening hours to 2am Friday – Saturday and midnight Sunday – Thursday with permission for related regulated entertainment would constitute public nuisance because:

- 7 residential properties closely encircle the pub's garden of the pub by a few meters meaning we are all affected in our living and sleeping areas. Many other residential properties encircling the frontage in South street, the Supported Housing for Young People Foyer at the front of the pub entrance houses many vulnerable young people, some families have babies and we have elderly and vulnerable adult residents.
- This is a conservation area with grade II listed buildings without the benefit of acoustic insulation by law.
- The premises is known as a young persons pub who are by nature boistrous and loud and although we support the provision of a music club in leominster, a terraced house surrounded by residents is not an ideal location by any means.
- We recognise that the measures asked for by the police as conditions in relation to the usage of the garden solely for smoking (not drinking), but they are not easy to manage. Will there be a member of staff permently in the garden making sure this condition is being actioned? Is this realistic, we know through experence that even a few people together shouting and singing in the garden is a public nuisance at all times.

- We recognise also the condition of dispersal of customers, but we know because of experience that once the door man has shut the door drinkers do come together to carry on their party outside our properties meters from our beds in the early hours.
- The proposed licensing hours will attract drinkers from other pubs both in Leominster and its region, which will create public nuisance, with swarms of people going up and down the street swearing shouting and occasionally fighting.

These concerns that we share as residents and to ensure the success of this new business in South Street we would like to propose the consideration by the licensing authority, of the following conditions:

- An earlier limit on the time that regulated entertainment has to finish, as bands tend to play up to an hours set, we propose the end of regulated music on Friday to Saturday to be 11pm and Sunday to Thursday to be 10pm.
- A limit on the time allowed for reentry and entry to the pub, to be 11pm Friday – Thursday.
- An earlier time the pub has to stop trading to be midnight Friday – Saturday and 11pm Sunday – Thursday

Exceptions to this condition to be:

- New Years Eve when regulated music stops at 1am and the pub closes at 2am, with no entry or reentry after midnight.
- Bank holiday weekend Fridays and Sundays when regulated music stops at 11pm and the pub closes at midnight.
- Bank holiday weekend Saturday when regulated music stops at midnight and the pub closes at 1am, with no entry or reentry after midnight.

The South Street Residents Association has members affected by proximity to this application, elderly, vulnerable adults, vulnerable young people, babies and working adults at [REDACTED] e.

Yours

SSRA Chair

[REDACTED]

SSRA Secretary

[REDACTED]

SSRA Members

[REDACTED]

CC: Jim Mooney

CC: Jenny Bartlett, Fred Spriggs H.C.

[REDACTED]

MEMORANDUM

To : RESPONSIBLE AUTHORITIES/INTERESTED PARTIES

From : LICENSING SECTION, ENVIRONMENTAL HEALTH AND TRADING STANDARDS

Tel : 01432 261761 My Ref : LUB/PR00921

Date : 31/07/2017 Your Ref :

LICENSING ACT 2003

NOTIFICATION OF APPLICATION FOR GRANT/VARIATION OF PREMISES LICENCE

The Licensing Section has received the following applications for the grant/variation of a premises licence. A summary of each application is provided in the table below. Any responsible authority who has not already received your copy of the application please contact the Licensing Section on the above number. However if you would like to view any of the applications copies are available at the licensing section.

Should you wish to make a representation in respect of any one of the applications listed then please submit your information on the memorandum below to the licensing section before expiry of the 28 day representation period which is the date shown in column 4 of the table below. Please be aware that the licensing authority can only consider those representations that are relevant to the four licensing objectives: ***Prevention of Crime and Disorder, Prevention of Public Nuisance, Public safety and Protection of Children from Harm.***

For the Environmental Health Commercial and Environmental Protection Teams should officers wish to raise any issues in respect of any of the applications listed below please contact the Environmental Health team (licensing) in good time for the relevant representations to be co-ordinated and made to the licensing section within the 28 day period.

Premise Name	Premise address	Max Time	Start of 28day Period	End of 28day Period	Current Licences
The Ducker (formally The Ducking Stool)	11 South Street Leominster Herefordshire HR6 8JA	Live Music (indoors): Sun-Thurs 20:00-00:01 Fri-Sat 20:00-01:00 Recorded Music (indoors): Sun-Thurs 19:00-00:01 Fri-Sat 19:00-01:00 Late night refreshment (indoors): Sun-Thurs 23:00-00:01 Fri-Sat 23:00-01:00 Seasonal variations: All Bank Holidays with the exception of Christmas Day until 01:00 Non-standard timings: New Years Eve until 01:00	01/08/2017	28/08/2017	Variation – Current Licence <u>Live Music</u> Sunday – Thursday 20:00 – 23:00 Friday – Saturday 20:00 – 24:00 <u>Late Night Refreshment</u> Friday – Saturday 23:00 – 24:00 <u>Sale/Supply of Alcohol</u> Sunday – Thursday 11:00 – 23:00 Friday – Saturday 11:00 – 24:00

		Supply of alcohol (indoors and outdoors): Sun-Thurs 11:00-00:01 Fri-Sat 11:00-02:00 Remove conditions as per application.			
--	--	--	--	--	--

**LUCY BOND
LICENSING ASSISTANT
ENVIRONMENTAL HEALTH AND TRADING STANDARDS**

MEMORANDUM

To : **LICENSING OFFICER**

From : **CLLR JENNY BARTLETT, LEOMINSTER EAST**

Tel : **01568368509** My Ref :

Date : **25TH August 2017** Your Ref :

**LICENSING ACT 2003
APPLICATION FOR VARIATION OF PREMISES LICENCE
THE DUCKER (FORMALLY THE DUCKING STOOL), 11 SOUTH STREET, LEOMINSTER
HR6 8JA**

Having assessed the above application, I would like to make the following representation:

Representation	Industry Guidance
<p>PREVENTION OF CRIME & DISORDER Reports of public disorder and criminal damage have been submitted from residents and the owner of the Black Swan (see hard copies). With this application for another late night venue there is now a need to view the effect on the town centre as a whole when considering variations, not just on a one by one basis as applications come in.</p> <p>There is a need for additional door staff at premises in the town centre to manage the impact of customers outside licensed premises. There are a number of police incidence logs for criminal damage to Leominster in Bloom planted pots during June and July at night at weekends. Statements (see hard copies) relating to a known drug dealer / drug</p>	<p>Annexe 1 Special Cumulative Impact Policy HC Licensing Policy Sections 20.12 to 20.14, HC Licensing Policy</p>

dealing must be fully answered with the police before the licence variation review takes place.	
PUBLIC SAFETY Cumulative impact of late night licenses in the town centre is causing a lot of late night/ early morning foot traffic along West Street and it has become a through route between late night bars and fast food outlets. With this application for another late night venue there is now a need to view the effect on the town centre as a whole when considering variations, not just on a one by one basis as applications come in.	Annexe 1 Special Cumulative Impact Policy HC Licensing Policy
PREVENTION OF PUBLIC NUISANCE Noise and vibration from recorded and live music – this listed building is not well insulated. Previous experience shows that the noise is audible in all properties surrounding the establishment regardless of whether doors and windows are closed. Garden area – The garden is surrounded on three sides by residential gardens. Previous experience has shown that noise from the garden is very audible. Any late night use of the garden will have an impact on residents adjacent to the premises, therefore use of the garden must be considered separately to the premise licence for opening hours	Section 22.18 HC Licensing Policy Sect. 22.17 HC Licensing Policy
PROTECTION OF CHILDREN FROM HARM	

REFERENCES

Please Reference the industry guidance from which your representation has been sourced.

**OFFICER
POSITION
AUTHORITY**



**HEREFORDSHIRE
COUNCIL**

**Representation Form – Interested Parties
Suggested Conditions**

**Premise: _Duckers (formerly The Ducking Stool) 11 South Street Leominster _HR6 8JA
Your name: __Cllr Jenny Bartlett, Leominster East__**

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

Ensure that adequate door staff are present to deal with incidents outside the licensed premises and that they are properly trained.
Consider the introduction of a Cumulative Impact Policy to manage the expansion of the night time economy in the centre of Leominster.
Ensure Designated Premises Supervisor and other staff are fully involved in the HAND scheme and actively refuse to serve alcohol to customers who are clearly drunk and or disorderly

Public Safety

Consider the introduction of a Street Pastor Scheme such as the one in place in Hereford
Consider the introduction of a Cumulative Impact Policy to manage the expansion of the night time economy in the centre of Leominster.

Prevent Public Nuisance

Ensure that sufficient sound proofing and associated works to prevent noise and vibration disturbance are carried out in the premises before allowing discos or live music events to take place.
Regulate behaviour and noise in the garden and do not allow use of the garden after 11pm or midnight at latest. Ensure there are adequate door staff to manage behaviour of smokers who congregate on the street after garden has closed.
Ensure Designated Premises Supervisor and other staff are fully involved in the HAND scheme and actively refuse to serve alcohol to customers who are clearly drunk and or disorderly

Protect Children from Harm

Signed: Jenny Bartlett

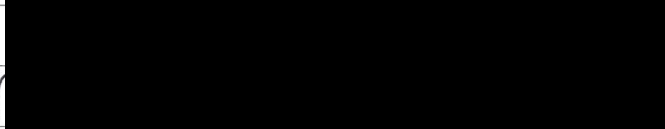
Date: 27th August 2017

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

Hi

I Like to express my concern on a venue that has applied for a late license in town, (The Ducking Stool) I Live in the center of town and think another late venue at 1 AM would cause major problem with Disturbance on the streets.

Leominster Has one venue until after midnight it does not need another one.


17/8/17

P.S I am constantly being wake up on weekends at ridiculous times my neighbours are the same and would back my letter.

To sir / madam

I am writing to you about a variation to a license the ducking stool in the centre of Leominster.

I am a local man that lives in the centre of Leominster and see a lot of things through the streets of our beloved town. Drunks, Fights, Abusive behaviour Drugs Swearing, Starting.

I would like to express my issues I have on a variation to a license in town the Ducking Stool.

- 1) The lease was brought as a restaurant why is it being treated as a pub?
- 2) There is already one late venue in town Shooters Bar why have another one to cause more disturbances in the street.
- 3) The new owners of the Ducking stool had the Bell before I have been in the bell plenty of times when they couldn't handle basic situations and the police have been called numerous of times.
- 4) A well known drug dealer has brought the lease with the new owners as a partnership. This does not mix well with a late venue.

5) The pub is full of waster as the members already causing noise and loud disturbances.

I hope you take into consideration of the issues brought up in this letter I really do not think Leominster needs another late venue,

Best Regards,



17/08/17.

To Sir/Madam

We are writing to you to express our concerns with the late night + early morning disturbances from neighbouring venues.

The black Swan Hotel is a well established and very well respected Bed and Breakfast. We have worked extremely hard to maintain the good reputation we have earned in the last 8 months of overtaking the black Swan Hotel

The Black Swan Hotel is located at the top end of town highlighted in green on the map I have attached to this letter. We have three other venues around us as highlighted on the street map. Also is the Talbot hotel opposite the ducking stool, also you have next petite and shooters late night bar.

In the past 8 months we have had to fight noise and disturbances from the streets from other venues in town. We have received numerous complaints from residents who stay at our Hotel also have seen in first hand arguments, excessive screaming, fighting, excessive Bad/Foul language, criminal damage done to other properties and also our own property. these complaints have been from 2AM - 3AM mainly on every Friday and Saturday of every week. We have had damage caused to our beer garden fencing also banging on our Hotel doors and windows.

The Black Swan Hotel has a license until 12:30 on weekends (FRIDAY + SATURDAYS) but we respect our neighbouring Community by shutting our doors at 11:30pm and close by 12AM to help prevent any early morning disturbances.

We are located around 4 Bars within a very short walking distance. Shooters bar highlighted in dark orange has a license until 3am as stated on their website. We have numerous complaints after 2pm - 3am and I have attached pictures taken from our CCTV footage of disturbances in the street all with dates and times displayed.

Reet Petite we do not know what time this venue's license is until but we have seen people being served alcohol until 1:30AM

The Talbot hotel is the same as THE BLACK SWAN HOTEL close doors at 11:30 closed for midnight. No control on vacating premises being taken.

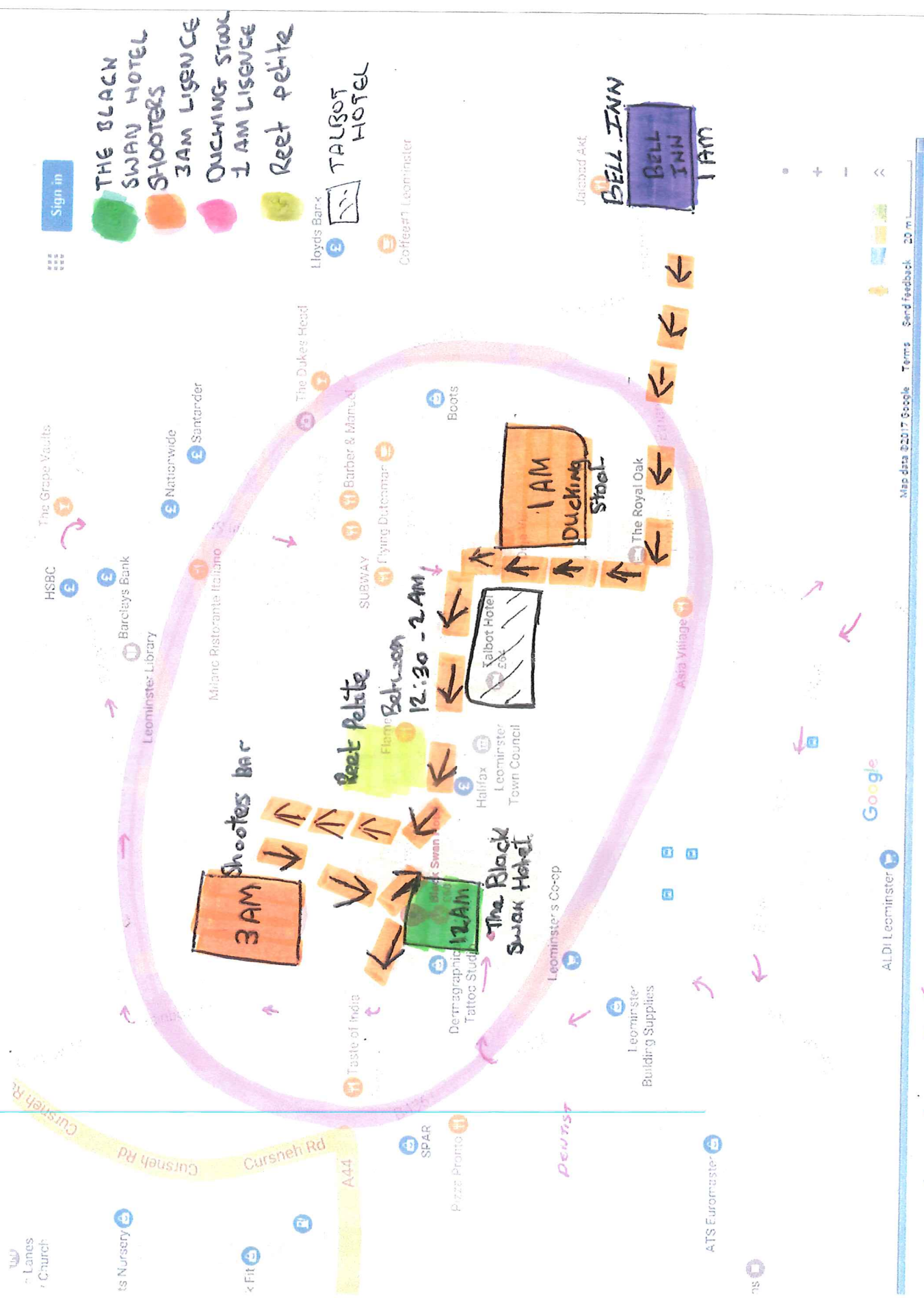
The ducking stool has recently been taken over by new tenants. The venue is a restaurant and a bar but is already from take over been treated as a pub. They have currently applied for a variation on their license for weekends to sell alcohol until 1am. With late music license attached to the variation. There is already talk about a lot of illegal substances being sold in these premises.

The Ducking Stool Has applied for a variation to their license to sell alcohol and perform loud music until 1AM. The new tenants have brought the lease to these premises knowing that it is a restaurant not a pub.

All Pubs in Leominster are closed for 12AM in Leominster. There is one late venue called Shooter Bar they are well established and deal with disturbances very well even though we do still get some. From 12AM until 2:30 AM Leominster town receives x2 disturbances leaving a respectful gap inbetween the 2 Evacuations from pubs - Shooter bar. If a late license is granted to the Ducking Stool for 1AM this will create 1x extra town disturbance leaving 3x disturbances in one night or leaving a 3hr disturbance if all venues close close together.

We ask you have a great look into this matter for us as we think having another late venue will impact Hotel businesses and All tenants in housing around the town.

Yours Sincerely



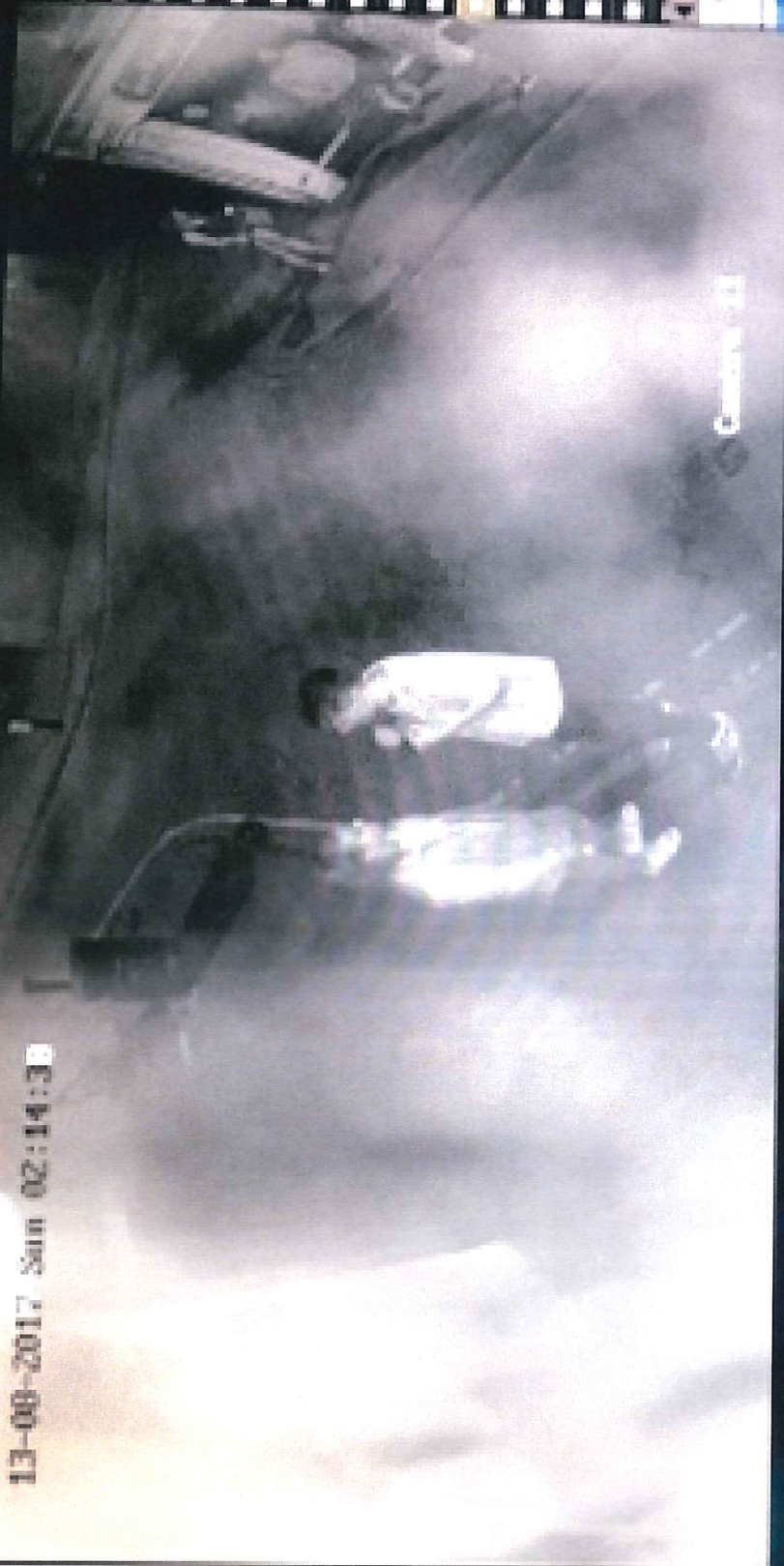
- THE BLACK SWAN HOTEL
- SHOOTERS
- 3AM LISSENCE
- DUCKING STOOL
- 1AM LISSENCE
- Reet Petite

TALBOT HOTEL

BELL INN



13-09-2017 Sun 02:14:33



Camera 11

13-09-2017 02:14:33

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Normal/Smart

Main Stream

12-08-2017 Sat 00:51:23

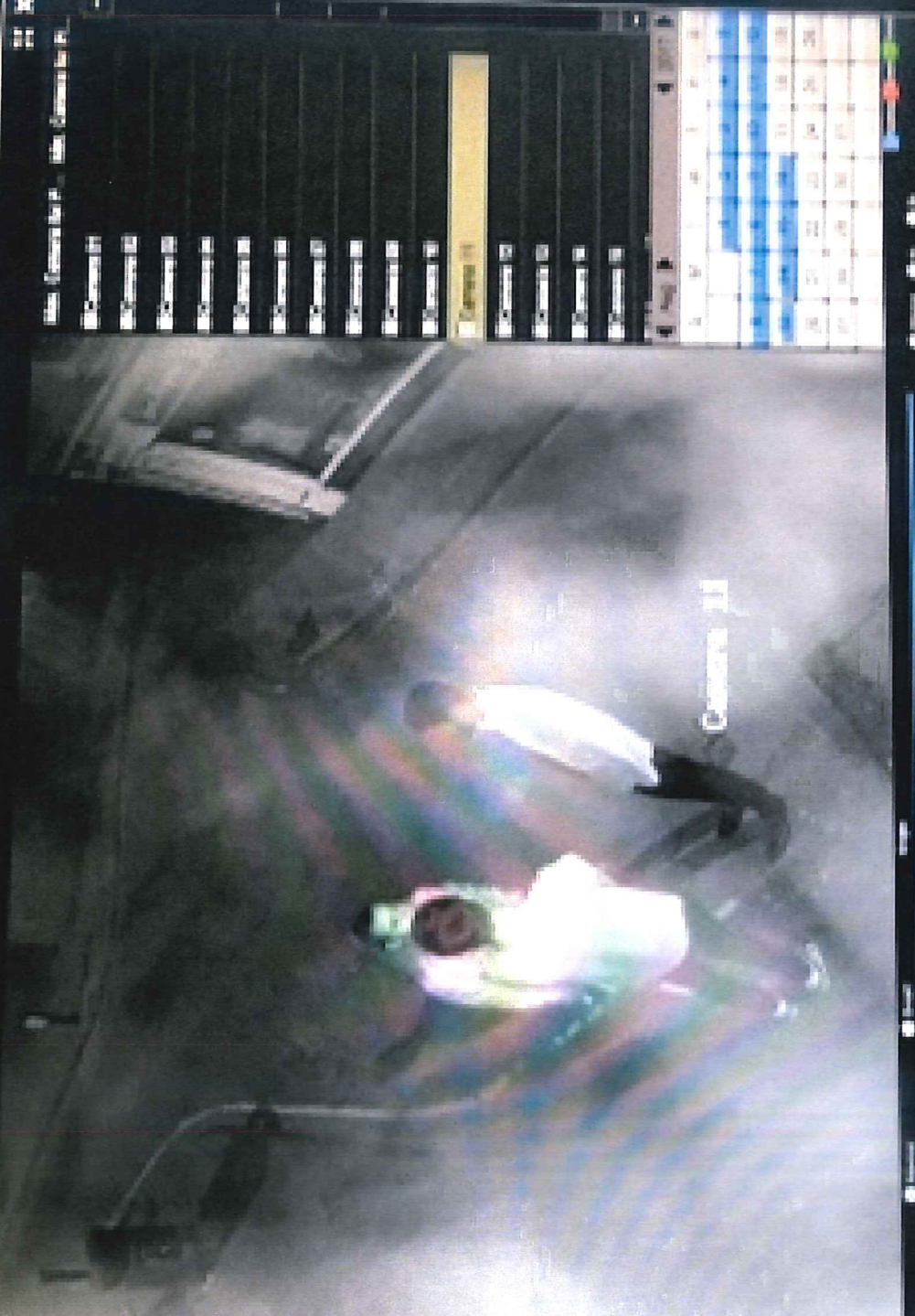


12-08-2017 Sat 00:51:50



13-08-2017 Sun 02:12:28

13-08-2017 Sun 02:12:28



13-08-2017 Sun 02:12:28

13-08-2017 Sun 02:12:28

13-08-2017 Sun 02:12:28

Normal/Smart

Main Stream

13-08-2017 Sun 00:56:18

Camera 11

13-08-2017 18:28:48 - 18-08-2017 12:41:28

Normal

Smart

Single

00:28

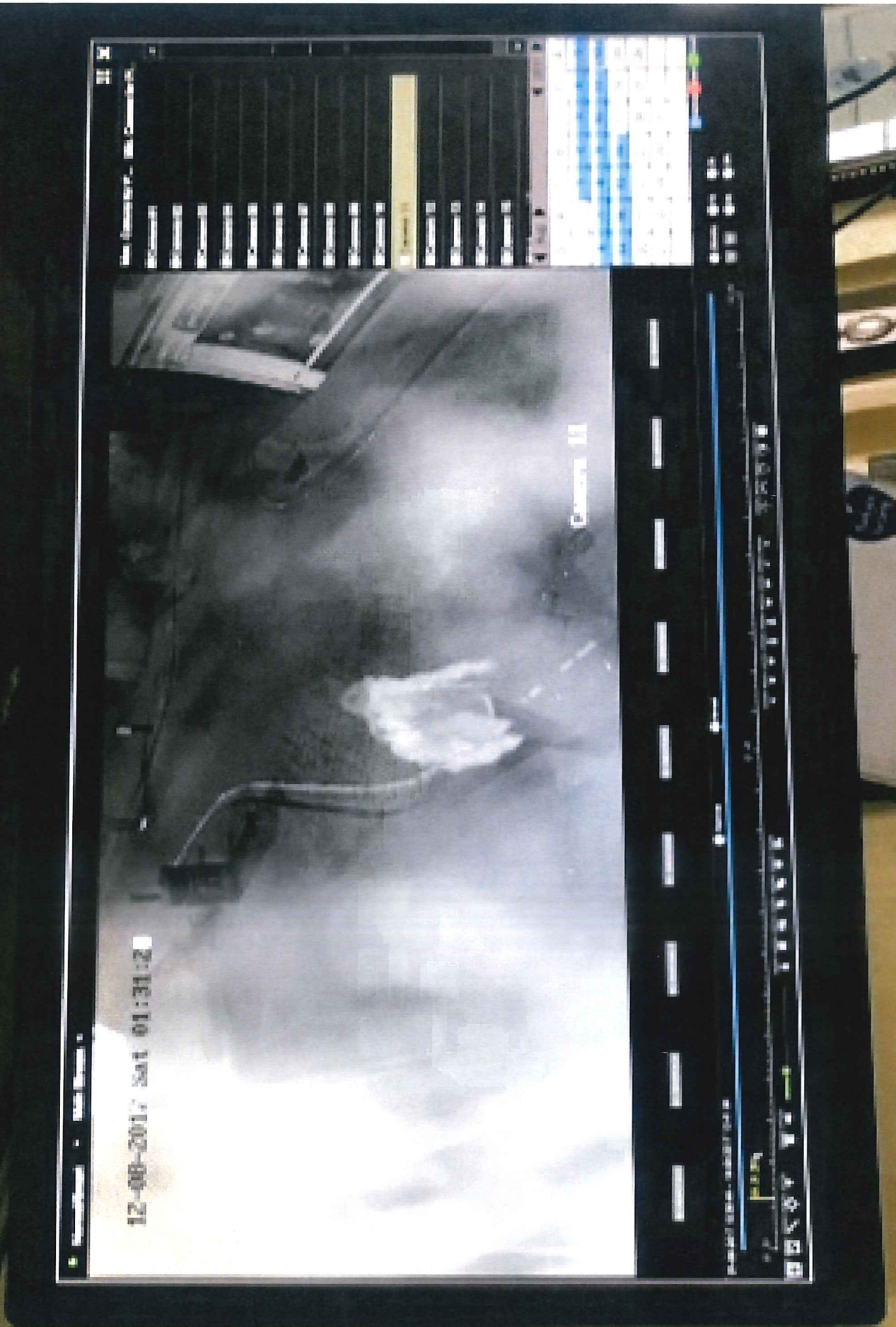
13-08-2017



13-08-2017 Sun 02:06:44

Camera 11

00:07:57



12-08-2017 Sat 01:31:2

Camera 11

12-08-2017 Sat 01:31:2

PLAY

Cleanliness	2.5	Comfort	2.5
Location	2.5	Value for money	2.5

6.3 2017-07-18 Reservation number 1698746053
 Your Booking.com reviews page

Michael, (GB)

☹️ Very noisy, room above the bar. Windows opened onto street and smoke from below came in, therefore not able to ventilate room.

[View your approved response](#)

Staff	10.0	Facilities	5.0
Cleanliness	7.5	Comfort	5.0
Location	5.0	Value for money	5.0

5.4 [Your Booking.com reviews page](#)

Anonymous

Satisfactory at the price

2017-07-31 Reservation number 1246728833
7.5 Your Booking.com reviews page
mandy. (GB)

Great value for money.

- 😊 The room was clean and tidy, beds were very comfy. Staff were so very helpful and cheerful.
- 😞 Only thing was a bit of street noise late at night.

View your approved response

Staff	10.0	Facilities	7.5
Cleanliness	7.5	Comfort	7.5
Location	5.0	Value for money	7.5

2017-07-20 Reservation number 1959104206
3.8 Your Booking.com reviews page
Monica. (GB)

7.5 2017-07-10 Reservation number 1551310015

Your Booking.com reviews page

Amy. (GB)

- Room was basic, but it suited us for the time we spent in it. Beds were comfortable. Breakfast was cooked to order and really good! I had a bacon sandwich with super thick slices of bread and my boyfriend had the full english. Location was great, right in the town and super close to a Co-op for supplies.
- Toilet, sink and shower all made super loud noises when used, so felt uncomfortable using them late at night. Shower also decided to do the old "burning hot / freezing cold" dance on the Sunday morning. Also as you're above a pub, the road outside can get a bit loud come ticking out time.

Reply

Staff	7.5	Facilities	7.5
Cleanliness	7.5	Comfort	7.5
Location	7.5	Value for money	7.5

5.4 2017-07-09 Reservation number 1501883378

Type here to search



Location

7.5

Value for money

2.5

5.4

2017-05-29 Reservation number 1835779059

Your Booking.com reviews page

Ethan, (GB)

Probably a 1 star place so don't be surprised



The rooms are above a pub and it was very noisy from the pub and the street outside. Staff was very nice. Everything was a bit tired and patched together.

View your approved response

Staff

7.5

Facilities

5.0

Cleanliness

5.0

Comfort

5.0

Location

5.0

Value for money

5.0

5.0

2017-05-29 Reservation number 1661060037

Your Booking.com reviews page

richard, (GB)

https://admin.booking.com/hotel/hoteladmin/extranet_eng/manage/reviews.html?ses=7885ca77a8e66ca208cda35bca3d89405h



Type here to search



