

From: Woodland, Victoria
Sent: 16 November 2007 16:49
To: [REDACTED]
Cc: Trezins, Aris; [REDACTED]
Subject: Noise from the use of the outside rear area - King Charles II, Ross-on-wye
Dear Andrew,

Further to recent correspondance regarding the problems with noise and unruly behaviour of patrons in the rear garden area, I can confirm that the case was considered by senior management on Wednesday this week. The conclusions drawn from that meeting are that, based on the evidence available, we are minded to call for a review of your licence with the intention of prohibiting the use of the rear outside area in its entirety after 23.30 hours.

It is appreciated that you have tried to control the noise and complied, in the most part, with the requests of officers, unfortunately despite your best efforts to keep the garden open and control the noise levels it does not appear to be working. It is extremely difficult to control the volume of peoples' voices and more so when they have been drinking alcohol, as you will well know. It is also not feasible (or no doubt cost effective) to have staff/security present in the garden area for the duration that it is currently open. And even if they were present, and I have no doubt that your partner has routinely visited the garden area whilst open, it is not realistically possible to prevent people making a noise and disturbing neighbours, particularly after 11.30pm.

The matter is now with our legal team with the view to making an application to the licensing section for the review of your licence, on the basis outlined above, in due course. If you were to voluntarily close the rear outside area from 23.30 hours until opening the following day, then we would consider entering into an 'informal agreement' and negating the need to apply for the review. We have discussed the matter of smokers accessing Broad Street with the Police and have they generally been in support of this given the cctv coverage and presence of your SIA staff in that area.

Should you wish to discuss this matter further then please contact Aris Trezins (Environmental Protection Manager) on 01432 261765 or 261669

Kind Regards

VICTORIA WOODLAND
ENVIRONMENTAL HEALTH OFFICER
ENVIRONMENTAL HEALTH AND TRADING STANDARDS
01432 261638
vwoodland@herefordshire.gov.uk

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From: Woodland, Victoria
Sent: 12 November 2007 18:05
To: [REDACTED]
Cc: Williams, Sally A (Environmental Health)
Subject: RE: king Charles 2nd , Ross-on-Wye
Dear Andrew,

Thank you for your prompt response and am sorry to learn of recent circumstances.

Firstly I must clarify that my letter referred to the use of the outside area by patrons and did not refer to music breakout or noise from the cellar cooler. I apologise for any confusion and appreciate that these issues have been addressed and an improvement seen.

Unfortunately we have evidence to suggest that the consumption of drinks in the outside area has on several occasions extended beyond 23.30 hours. It has been observed that patrons do return in to the premises around 23.30 but then later in the evening large numbers seem to regain access. There have been a number of incidents of unruly behaviour recorded, some while you were away but also whilst you have been back. The most recent alleged incident involved at least one patron jumping over the garden wall and causing damage to a neighbours property.

In my original letter following our meeting it stated that the implementation date for the agreed action, which included the prohibition of consumption in the garden after 23.30 hours, was the 12th September and after this date we would monitor the situation. I am now aware that you went on holiday on the 9th. I appreciate that you do not need to inform us of your every move, but given this crucial timing it might have been beneficial to your case if you could have at least e-mailed to let us know you were away from the premises for the proceeding fortnight.

I am glad that you take this matter seriously, please be rest assured that we also take this matter very seriously and endeavour to be reasonable and proportionate in the action that we take.

The case, including your response, will be discussed with senior management on Wednesday this week and I will let you know the outcome by Friday.

Kind Regards

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From: [REDACTED]
Sent: 09 November 2007 12:35
To: Woodland, Victoria
Subject: king Charles 2nd , Ross-on-Wye

Andrew John Gooding MBII
The King Charles 2nd
13 Broad street
Ross-on-Wye
HR9 7EA

Dear Victoria,

I received your letter by mail and by hand on the 7th of November regarding the apparent noise issues regarding the rear of my premises late in the evening and was quite surprised at what I read.

Regarding the first paragraph which states there has been little or no improvement in the excessive noise and unruly behaviour at the rear of the premises we agreed at the meeting on Wednesday the 26th of September to fit a second door by the pool table at the rear of the premises where patrons enter and exit the garden area and fit automatic door closers to the new and existing doors which we have done. There was apparently a complaint about our cellar coolers heat dump running late at night which at the latest now run until 11pm but usually a lot earlier if at all. We also agreed to keep the awnings in the passage extended fully in an attempt to keep any noise in but even though I honestly did not think this would achieve a lot(but anything is worth trying) we have done this along with sealing up a hole in the wall at the rear of the premises to try to stop any music being heard outside and installed brand new air conditioning at a cost of £2000 to stop people going outside just because they were too warm.

Regarding paragraph two it states that we agreed to restrict consumption of drinks outside after 23.30 hours which we have done strictly by my partner standing on the back door herself taking drinks off people and looking after them while they are outside smoking and myself being outside on and off throughout the night making sure that nobody is drinking and outside purely there to smoke which I have to say works very well as people do not tend to hang about outside if they do not have a drink in there hand as you mentioned in our meeting. It also says in paragraph two that the situation has worsened and we now have patrons which are acting unruly where this was not the case before as was stated by yourselves at the meeting which i find very hard to believe now that there are a lot less people outside and it is being monitored regularly.

It then states in paragraph three that Sally Williams has tried to contact us and we have not replied, Agreed we took a two week holiday commencing the 9th of October where we had family looking after the premises for us and as I am aware they had done a good job of doing so without any major problems that I am aware of. I phoned Sally on the Friday morning after we got back and explained we had been away and that I was not well after picking up a bug on holiday and said we would arrange a meeting for the following week since which I have not had a any messages or letters from her and hoped this was a good sign of us getting on top of this issue. Also since our conversation my grandfather died and I have been spending a lot more time with my family

I would just like to say again as I stated at the meeting that I do take situation very seriously as this is my lively hood and only source of income and I am not just running a club for fun and do strictly adhere to the law as I appreciate that laws are there for everyone and they apply to everyone.

I sincerely hope that this is not just a vendetta against my premises by one person or a small amount of people who are hell bent on closing these premises or reducing the trading hours just because they can as I came up against this when I first came to Ross but I still managed to get the business where it is today by running a good establishment with good staff who all take pride in working here.

I also would like to think that local people would like to see us continuing to run a good house as we are now as we have good regular patrons young and old who enjoy coming out and having a late drink while listening to music and dancing where previously there was only one option being the club down the road.

I look forward to hearing from you soon to hopefully resolve this matter in a manner which is satisfactory to everyone