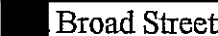



The Licensing Section  
Herefordshire Council  
Bath Street  
Hereford  
HR1 2ZF

  
Broad Street  
Ross on Wye  


5<sup>th</sup> November 2008

Dear Sir

**Re / The King Charles II, 13 Broad Street, Ross on Wye, HR9 7EA**

My name is Mrs Eileen Staughton, I Willow Mews, 16a Broad Street, Ross on Wye.

I would like to support Rowena Clark and the application she has made to the Licensing Authority of the Herefordshire Council. This is about the noise that emanates from the back of the King Charles II, on Friday and Saturday nights.

I have been woken up by the large crowds of loud talking, laughing, shouting, yelling, swearing and screaming drinkers / smokers from 11 pm until 1.30 am, for well over 2 years.

I would like to bring to your attention a letter I sent last year to the Environmental and Trading Standards, dated 3<sup>rd</sup> October 2007. I was expressing then, my concern over the dreadful behaviour and disturbance of these drinkers and smokers.

I hope a solution can be found to stop this unpleasant and disturbing problem.

Yours Sincerely



Mrs Eileen Staughton

EH & TS / LICENSING SECTION  
RECEIVED

11 NOV 2009

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,  
County Offices,  
PO Box 233,  
Bath Street, Hereford,  
HR1 2ZF  
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.

Name & Address of premises you are making a representation about:

**KING CHARLES II  
13 Broad St  
Ross-on-Wye  
HR9 7EA**

**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**

The current licence operates extended hours and also a vast entertainments licence. It also allows smoking outside the front of the pub in the main street. All of these factors contribute to a noise issue within the area. The music, thudding of a base line and karaoke from the pub can clearly be heard in my flat opposite on Friday, Saturday and Sunday nights and on occasion Thursday too (as happened last week). The noise can be heard with the doors closed and continuous opening of the main door to allow smokers to come in and out adds to this problem. There is a smoking area at the back so why is there a need for the option to smoke out the front of the pub when talking, laughing, shouting and swearing has also added to the noise issue. The majority of this noise takes place between the hours of 10pm and 3am. The licence does not appear to have any responsibility for its customers once they leave the pub when it closes as within minutes of closing time the doors are shut and the customers are left gathering in the street outside. Within seconds of the doors closing customers are staggering about, shouting swearing, fighting and generally hanging around causing a noise, sometimes until 3am. The Police presence is poor and I have watched them drive past large groups of people hanging about after closing on several occasions rather than asking them to move on. I have only noticed the music, thudding base line and karaoke noise since the pub had a refurbishment and do not know if the moving of speakers, DJ box etc. have anything to do with it. I have not approached the landlord as I live in such close proximity and wish, if possible to remain anonymous as I do not want to suffer any ill feeling. I understand as a resident of this area that there will be some noise from the street, however I feel that the noise mentioned above is excessive and unnecessary.

**To Protect Children from Harm**



HEREFORDSHIRE  
COUNCIL

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

**Representation Form – Interested Parties  
Suggested Conditions**

**Premise: THE KING CHARLES II ROSS ON WYE**

Your name [REDACTED]

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

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

**To Prevent Crime and Disorder**

**Public Safety**

**Prevent Public Nuisance**

- Turn down the volume inside so it cannot be heard outside as it was in the past before the refurbishment.
- Relocate speakers to deflect sound from outside and eliminate thudding of base lines.
- Double glaze or Sound proof the windows/doors.
- Put monitoring in place to ensure consistency of sound levels.
- Include a second internal closed door so noise is trapped inside before opening out on to the street (like a porch to a house), big enough so the internal door has to be closed before opening the external door.
- Ban smoking outside the front door – as per the Horse and Jockey on New Street licence.
- Reduce extended opening hours.
- Utilise door persons to disperse the crowds on closing.
- Notice inside the pub telling people that it is a residential area and to keep the noise down or risk being banned from the pub.
- Camera's on the outside only focus currently on the main door. Utilise these to cover a wider area so the public disturbance caused by customers leaving the pub can be seen clearly.
- Work with the local Police and ask for their presence during the evening and closing time to help disperse the crowds more speedily.

**Protect Children from Harm**

Signed [REDACTED]

Date: [REDACTED]

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

12 NOV 2008

HEREFORDSHIRE COUNCIL  
Licensing Act 2003

TO:

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

**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: Anthony Wills	Contact Telephone No. [REDACTED]
Address: [REDACTED] Crofts Lane Ross on Wye [REDACTED]	E-mail address: [REDACTED] Please state your interest in the premises you are making a representation about: LOCAL RESIDENT
Name & Address of premises you are making a representation about: King Charles II pub Broad Street Ross on Wye	

**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**

We have regularly heard considerable noise disturbance into the early hours of the morning which has been related to violence including fights and criminal damage. The regular displays of drunkenness during the evening outside the premises also lead to considerable disturbance.

**Public Safety**

I regularly walk my dog along Broad Street and have felt threatened by the behaviour of people making their way to and from the pub particularly Friday and Saturday nights between 10pm – 11pm.

**To Prevent Public Nuisance**

There are often piles of vomit on the streets close to the pub.

**To Protect Children from Harm**

Signed: A Wills  
Date: 7<sup>th</sup> November 2008

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



HEREFORDSHIRE  
COUNCIL

## Representation Form – Interested Parties Suggested Conditions

Premise: King Charles II, Broad St, Ross on Wye  
Your name: Anthony Wills

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

Not allow congregation of visitors to the pub on the pavement to the pub outside the premises.

Better training and utilisation of bouncers in controlling the behaviour of departing customers.

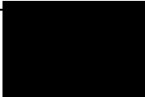
### Public Safety

At closing time, ensuring that departing crowds are dispersed quickly and do not congregate in the street, which seems to encourage tension and aggression amongst the crowd.

### Prevent Public Nuisance

Not allowing the frontage of the pub on Broad Street to be used as a smoking area.  
Restrict the closing time of the pub to 12am rather than 2am.  
Restrict the volume that music can be played at during the evening.

### Protect Children from Harm

Signed: A Wills 

Date: 7<sup>th</sup> November 2008

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

## MEMORANDUM

To : FRED SPRIGGS, LICENSING OFFICER, LICENSING SECTION

From : VICTORIA WOODLAND, ENVIRONMENTAL HEALTH OFFICER,  
ENVIRONMENTAL HEALTH AND TRADING STANDARDS

Tel : 01432 261638 My Ref :

Date : 28<sup>th</sup> November 2008 Your Ref : 28.11.08

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**LICENSING ACT 2003  
REPRESENTATION TO AN APPLICATION FOR REVIEW OF A PREMISES LICENCE  
KING CHARLES II, 13 BROAD STREET, ROSS-ON-WYE**

In respect of the above, I would like to make a representation in support of the application for review of the premises licence. The application provides some detailed information as to the sequence of events that have led up to this application and I would like to provide further information to the licensing authority as to the involvement of Environmental Health in this case and provide conditions for consideration in resolving this matter and to safeguard the prevention of public nuisance objective.

The premises is a lively public house which, functions more like a nightclub providing predominantly loud music entertainment and is open Thursday to Sunday only. Complaints in respect of noise from the premises date back to 1994 and has required environmental health intervention on numerous occasions since then. The current proprietor, Andrew Gooding, I believe has been involved with the premises since 2003. We have built up a working relationship during this time and on the whole Mr Gooding endeavours to meet our requests for minimising noise breakout from the premises.

In 2005, the King Charles II was granted extended hours until 02.00 am Thursday to Saturday. The premises was generally well managed and any complaints of excessive noise were eventually dealt with. Significant problems arose however with the advent of the smoking ban and the subsequent development of the outside rear garden area. You will see from the photos submitted with this application that the garden is quite extensive: after a passageway from the main building the garden opens out into a two layered area with the top layer covered by a larger purpose built canopy/smoking shelter. The garden area is in very close proximity to, and overlooked by, residential properties. There have been several issues with the use of this area but more considerably the issue of noise from patrons until 02.00am.

In 2007, I undertook several visits to the premises at night and whilst in a complainants property witnessed excessively loud noise from patrons in the rear garden shouting, singing and laughing. Several letters, telephone conversations and meetings were undertaken with the proprietors during 2007 and I enclose copies of letters and e-mails sent and received towards the end of that period.

Following my e-mail of the 16<sup>th</sup> November 2007, warning Mr Gooding that after discussion of the case with senior management we were minded to call for a Review of his licence, the situation improved and on the 3<sup>rd</sup> December 2007 we were advised by Mrs Clark that there had been no problems over the preceding two weeks and that she would continue to monitor the situation bearing in mind that it was now the middle of winter.

I believe that the situation continued to be acceptable until the summer of this year. But by August 2008 the situation had deteriorated considerably and following a phonecall to the licensing section I am aware that Mrs Clark made the decision to call for the review herself.

In respect of the large permanent canopy/smoking shelter, this was constructed without planning permission and I am now aware that a retrospective application has been refused on the grounds that it would have an unacceptable impact upon the residential amenity of the adjoining dwellings in Berkeley Mews. The shelter will therefore have to be removed, however I ask that you do not consider this sufficient to resolve the matter as patrons will continue to congregate under the canopies in the passageway and out in the main garden particularly on summer evenings/mornings. Having to endure shouting, screaming, swearing in a very concentrated form, not merely as people pass in the street, is unacceptable and more so as it can continue until 2am. Ross is a relatively busy town both by day and by night. Noise in the street is inevitable and expected and if you are in your home you can usually escape this noise by retreating to the rear of your home or somewhere away from it all. Unfortunately the residents near to the King Charles II have no retreat, all parts of their homes are subjected to excessive noise until well into the early hours of the morning. This cannot be allowed to continue.

In determining the appropriate action in respect of these premises, I recommend the following simple conditions, which I consider to be reasonable and proportionate:

1. The use of the rear external area in its entirety shall be prohibited between 23.30 hours and 10.00 hours the following day.
2. A Dispersal Policy shall be written and maintained to the satisfaction of Environmental Health.



**VICTORIA WOODLAND  
ENVIRONMENTAL HEALTH OFFICER  
ENVIRONMENTAL HEALTH AND TRADING STANDARDS**