

Ms. A. & Mr. P. Falcini



Licensing Section
Herefordshire Council
Blueschool House
PO Box 233
Hereford
HR1 2ZB



25th July 2015

Dear Sirs

Re: Expedited Review of a Premises License for the Royal Oak Hotel, South Street, Leominster, Herefordshire.

We would like to make a representation to the expedited review of the license in regard to the above premises.

We live directly opposite the premises in a section of South Street close to the Royal Oak Hotel, a mixed area of commercial and residential properties.

We are concerned with;

- 1) **Prevention of Crime and Disorder** – There has been an increase in anti-social behavior since the change in license in 2009 at the premises. This includes violent conduct and shouting & disruption as customers leave the premises in the early hours. For example on the 12/04/14 we witnessed a fight involving about ten people in the street that came from the Royal Oak (please reference the entry on the attached Royal Oak Log).
- 2) **Public Safety** – With fights and disturbances caused by an excess of alcohol there is an increasing risk to members of the public both inside the premises and outside of it.
- 3) **Public Nuisance** – Since the license change in 2009, there has been a consistent increase in the disturbance caused by loud music, live and recorded, being played in the premises at unacceptable levels that have caused us disturbed nights. For example in 2014 there were regular incidents of excessive noise that we logged (see Royal Oak Log attached to this letter).

On the 04/05/14 a live band, Spirit Krek were playing at the front of the property from 21.15pm until 23:00 with decibel recordings of between 86-96 outside the pub window. These decibel recordings were made on my mobile phone using a decibel measuring app. Inside our house we recorded measurements of

between 53 -68 db. The main front double door was open with the internal door closed. This impacts upon our evening as the noise invades our front rooms where we are unable to watch television or sleep in the front bedroom.

There have been issues with an external speaker situated above the front door, which emits recorded music, and on the 26/05/14 we complained to the Landlady about this speaker. When confronted about this abuse, she admitted she didn't have a copy of the license agreement and didn't know the terms and conditions, (please reference the last entry of the Royal Oak Log and also an attached email of the 26/05/14 to Mr. Arran Semple at Herefordshire Council).

Looking back at the history of the issues with the premises, we note that a letter to the Licensing Officer dated 08/04/09 from Mr. Phillip Cornell that mentions an offer of double glazing being installed, offered by the owner, Mr. Stevens to reduce noise but this was never implemented by him. This at least, would have helped to reduce the impact of noise abuse by activities of the Royal Oak on residents and neighbours.

In conclusion we would be grateful if you could consider all of the issues, which we have highlighted, and the historical evidence we are presenting.

Yours sincerely

Anna & Peter Falcini



Royal Oak Log

Date and Time	Police incident No	Email EHO	Email Licensing	Phone EHO	Phone Licensing	Other notes
4/4/14 9-1am						Recorded music
6/4/14 8-10pm						Disco
12/4/14 9-12 midnight	572/5/110414 Adam Harris PC6981 phoned and gave advice.	yes	yes	no	no	Live band-Spirit Krek,FB claim they would blow the doors off
13/4/14 1.30-2am	Reported to the police in the morning	yes	yes	no	no	Fight outside
18/4/14 9.30- 12.30	no	yes	yes	no	no	DJ recorded music got louder at 10pm Db-70 outside front door
19/4/14 9- 12.30	no	yes	yes	no	no	DJ recorded music 10.35-74 outside front door, 11.15-inside window sill. 54-60, outside front door 72, outside the royal oak- 74-78, 11.35 inside- 53-60, outside front door 69-74, 12.20, inside 48-60.
4/5/14 21.15- 23.00	688/5/040514	yes	yes	no	no	Live band-Spirit Krek- 21.15-front door-74-90 outside pub 86-96 inside house 53-68
17/05/14 21.00 – 24.00 approx.		no	no	no	no	Karaoke event.
23/05/14 21.00 – 24.00		yes	yes	no	no	Live band Spirit Kreek Playing from 21.00 until 22.30 and from 23.00 – 24.00 Inside house recorded 58 –70 db outside our front door 76-84 Outside pub 85 - 94
25/05/14		yes	yes	no	no	Live band started playing at 9.30pm – 10.30pm and then from 10.45 – 12.06. 59 –65 db inside house, 73 –85 db outside on our front doorstep.
26/05/14		yes	yes	no	no	Recorded music being played on an outdoor

						speaker above the entrance to the pub. Started at 19.00 and continued until approx. 21.30. Pete went to discuss it with the landlady who had no copy of the license and didn't know what the terms and conditions were. She said the speaker was linked to the music inside and could not turn it off.

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

> From: Peter Falcini [REDACTED]

> Sent: 26 May 2014 22:26

> To: Semple, Arran

> Cc: Spriggs, Fred; Anna Falcini

> Subject: Royal oak

>

> Hi Aran,

>

> I know my wife Anna has been in contact with you about noise/ music from the royal oak this weekend.

>

> Tonight they again have been using there outside speaker by the front door to play music loud, opening the two front doors too, so to attract customers.

>

> I did chat to the landlady about this. She was worried about turning the music down, she felt it would have an impact to trade. I did cover the details about the licence which she was not aware of which was a surprise to me.

>

> Fearing for my safety, I left the pub, as I was getting challenged by other people as we talked.

>

> We have had a bad weekend, which has no end game that I can see....can you tell me when we can have the kit to measure the noise levels? There is another band/ event planned for two weeks time, is that possible then?

>

> We want to get evidence together, as we cannot go on with this.

>

> Hoping you can help....

>

> Thanks peter.

>

From: Anna Falcini [REDACTED] **Sent:** 27 October 2013 22:40 **To:** Licensing **Cc:** Peter Falcini; Jaime Jackson; John Mead; Lesley Prosser; cornellandco@hotmail.com **Subject:** The Royal Oak, Leominster

Dear Madam

I would like to again, register a complaint about the Royal Oak, South street in Leominster following another breach of the license. On Saturday 27th October, music was heard from the premises at 8.30 pm. The license clearly states that music is permitted from 9.00 pm onwards. This is the second week where it has begun at 8.30 pm.

The levels of the music were again loud enough to disturb our evening.

At 10.30 pm, the volume of the music increased. At 11.30 there was another increase in the volume of the music and it became so loud that there were vibrations from the music felt in our house opposite and it was impossible to get any sleep. At this point there were police present in the street attending an incident at The Ducking Stool, further up the street. At 11.55 pm, the police spoke to the security outside the Royal Oak but the issue was not resolved. The music continued until 1.15 am at this level of volume.

To quote from the license conditions - 'Staff shall make regular checks to ensure noise does not emanate from the premises so as to cause a public nuisance.'

'5. noise or vibration shall not emanate from the premises so as to interfere with the use or enjoyment of any neighbouring premises.'

'6. Staff shall check to ensure that noise emanating from the premises does not cause public nuisance at least on an hourly basis whilst recorded music.... Is being played other than background music. If the noise is observed to be at an unacceptable level immediate action must be taken to address the problem.'

No staff were witnessed monitoring the volume of music. No action was taken to lower the volume of music so that it was not emanating from the building.

We would be very grateful if can you advise us of the actions that will be taken in regard to the breach of the license agreement and the issues which this is causing us as residents. Thank you.

With kind regards

Anna & Peter Falcini

From: Anna Falcini [mailto: [REDACTED]]
Sent: 16 October 2013 10:32
To: Customer Resolution Team
Subject: Re: The royal oak

Thank you for passing this on.

I would like to inform the Council of another breach of the license. The Royal Oak in Leominster again had recorded music emanating from the building at an unacceptable level on Saturday the 12th October from 9.30 pm onwards. Again the door was open.

We telephoned the police and have an incident number if you require this.

Best wishes
Anna Falcini

On 16 October 2013 09:20, Customer Resolution Team
<CustomerResolutionTeam@herefordshire.gov.uk> wrote:

Dear Ms Falcini

Thank you for contacting Herefordshire Council.

This has been passed on to our Community Protection Team who will look into and resolve this matter. The case reference number for this is CAS-355344-B4K9K6

This and further information is available on our website.

Herefordshire Council Customer Services

From: Anna Falcini [REDACTED] **Sent:** 03 October 2013 21:23
To: Licensing **Cc:** Info (Shared Mbx) **Subject:** The royal oak

Dear Madam / Sir

The Royal Oak Hotel in South Street, Leominster, continues to abuse its license. Since August there have been 3 incidents of noise abuse. These are as follows:

Saturday 24 th August

From 9 pm until closing time of 1 am there was a DJ playing music at the front of the hotel. It was exceptionally loud so we phoned the police who attended the incident and recorded our complaint. The external door and internal door were both open. We were unable to sit in our front room as it was so invasive.

Saturday 7 th September

Again there was a DJ set up in the front part of the building from 9 pm - 1 am.

The noise from the recorded music was at an unacceptable level, clearly violating the license.

Saturday 27th September

From 9 pm - 11.30 pm there was a live music emanating from the premises.

We have noticed an increase in activity from the Royal Oak and other pubs nearby such as The Ducking Stool, since the nightclub Euphoria has ceased trading. This is in the form of loud music and an increase in negative behaviour in the street on weekends. Whilst we appreciate that there is a need for Leominster to have some venues for entertainment, as residents living close by, we feel that it needs to be in the right kind of buildings which are suitably insulated and managed correctly.

Thank you for your cooperation in this matter.

Yours sincerely
Anna Falcini



**Cornell & Co.
Solicitors**



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PC/SEP/
PREM/PRO1333/JLJ
8 April 2009

Mr Fred Spriggs
Licensing Officer, Licensing Section
Environmental Health & Trading Standards
County Offices
PO Box 233
Bath Street
Hereford, HR1 2ZF

Dear Mr Spriggs

RE: THE ROYAL OAK HOTEL, LEOMINSTER

Thank you very much for your letter of 2 April which clarified matters.

Following from that, is there a condition that there is going to be double glazing in the Ballroom? I note that this was offered by the Royal Oak initially at least.

I am sorry to keep pestering you like this but we are so apprehensive in South Street because of the last Managers at the Hotel and I hope that you will bear with us.

Yours sincerely
For CORNELL & CO

PHILIP CORNELL