Tab 1

'mate' was a bouncer on the door and worked for Yates and he didn't want to fall out with them so has given them a letter saying he has had no issues instead. I queried the fact that he had encountered late night noise in doing so it could mean that he would have to endure it further. It was apparent he felt loyal to his friend and knew a few of the Yates staff and didn't want to fall out by saying anything against them and responded by saying he regularly frequented the pub himself and so it didn't impact so much on him as he was often in the pub himself until the early hours.

A recent conversation with [redacted] the elderly gentleman who lived directly opposite the entrance to Yates has stated that noise and disturbance in Commercial Street have escalated, with police attendance regularly. He informs me he has submitted numerous letters of complaint to the council and was concerned that the council and police gave no thought or consideration of the residents when dealing with these licences.

Most of the flats have been empty for a while and some repair work is being undertaking which will result in them being let. So these flats are likely to be fully occupied in the very near future. These are 2 and 3 bedroom properties and families with young children have occupied them and are likely to again. It is unreasonable to expect anyone, let alone children, to have to endure noise and disturbance which could otherwise be avoided if the CIZ policy is adhered to. That is why it is in place.

The premises is situated within the Cumulative Impact Policy Area and the applicant has not demonstrated that the proposed extension of hours will not add to the existing problems in the area. In fact, the watering down of conditions will mean the very opposite.

The following licensing objectives will not be promoted:

Crime and Disorder

I am concerned with the new conditions offered that as door staff will now be employed later, should the application be granted that there will be an increase in crime and disorder. The premises is situated in the Cumulative Impact Area and so door staff should not be coming on duty later.

Public Nuisance

I have submitted a noise assessment that evidences the public nuisance issues that nearby residents face, extending the hours will only lead to further issues. This coupled with the amended conditions in the variation application that seek to water down the current controls in place, will cause more noise related issues.

Images submitted show how the operation truly operates and the numbers of revellers that visit the premises regularly, filling the spot as a new night club.

I ask that the application be refused and hours reduced. I will use all evidence submitted to support my case and to highlight that this extension would add to the issues already faced.

Further Representation of Alison Rogers and Local Residents

I, Alison Rogers, make this representation on behalf of myself, as well as other local residents in relation to this application.

In addition to my previous representation, I would ask that instead of increasing the hours, that they be reduced due to the current issues created by the premises.

Background

Yates is the only pub in Hereford to have 10 private residential flats above (ie not staff residential accommodation).

At beginning of the year a nightclub a few hundred yards down road closed. The nightclub had been trading for in excess of 15 years. Yates are now promoting themselves as a club to pull in this nightclub trade and fill the void that has been left, by extending their hours. The Building was never designed to be a night club or late night/early hour drinking venue.

The Outside bar was originally a summertime 'beer area' with occasional use in the warmer weather, however since change in smoking laws and indoor smoking ban it has now become used 365 days of the year and with the licenced servery and canopy areas, has become an outside 'party venue'. Also it is the smoking area for the pub so whether alcohol is being served or not, you still can have people in the garden smoking and drinking all hours of the morning, day and night.

The Pub is seeking to extend its early morning hours, so disturbances can occur anytime of the day or night by over excited and/or drunk customers. The more people drink the louder they get. Flats to the rear have balconies and residents do not have any privacy whatsoever as they are directly observed by customers in the outside pub area.

Customers queue in Commercial road to enter, all noise and disturbances can be heard by occupiers of flats overlooking Commercial Road, and also in bedrooms (which have side windows) to flats at rear of pub. Also can be heard shrieking and shouting when queuing to enter the premises and when leaving early hours. More prominent at night time because there is no household background noise with people sleeping.

The tenant of Flat 10 has said she regularly is disturbed by shouting and shrieking as her flat is all glass and does not have brick walls. It also upsets and disturbs her two dogs which causes them to bark and in the process causes disruption to the family in flat 9 who have children. Also flashing lights from emergency services, who are called out to attend regularly, disturb them. She says she has in the past had issues with the parking area in Jacobs Court car park at the back of the pub and when she has gone into the pub to discuss it with staff members she has been shouted at.

Also, she said that recently the pub turned off her water supply to her flat without notifying her and she was without water. (I had been informed through a third party that a member of staff had said that the pub had deliberately turned off the water in an effort to use it as evidence to say no one was living in the flat – I was told this before I had the conversation with the tenant of number 10 in which she confirmed it without any prompting or questioning from me).

At the end of August, the Tenant of Flat 2 informed me that he had encountered problems with disturbance and noise but he just put up with it; he referred specifically to an incident earlier in the year when he had a friend visiting and they were on the balcony and a woman started shouting abuse up at the balcony at his friend with children present. He said the woman was known to his friend and it resulted in her being removed from the premises and subsequently being banned. At that time he said he would be happy to write a letter detailing the problems he had. However, this week he said he had been approached by Yates asking that he put in writing he has not had any issues. He said his