

Representations – against review – relevant information

1. Sam Attwood

I am writing to express my support for The Olde Black Bear in respect of the proposed licensing review and several undesirable and ill-advised sections contained therein.

The Bear is now a family-friendly community hub, restored to more than its former glory, providing quality refreshments, excellent service, a superb array of quality music, along with food options that all in all supports musicians, caterers, hospitality workers; the very trades that have been chronically hit by the shameful mistake that was Brexit, and the impact of a dreadful pandemic. It is once more, thanks to Luke, Beth & a team of tireless workers standing proud at the heart of the very town itself, and I and my family simply love the place.

Not only are thousands of Tewkesbury and local people benefiting from the phenomenal refurbishment, investment and miraculous rebirth of the Bear, but it was at the heart and soul of the council's own Tewkesbury Live event that was such a wonderful, successful event this year and last. Friends came, even from abroad to partake in the event and the Black Bear offerings as an impressive and well-equipped establishment with the perfect outdoor provision were undoubtedly the highlight. I also thoroughly enjoyed the Oktoberfest event with Town Band, sterling efforts at an authentic and wholesome community event, and seeing many Tewkesbury faces out and about. To limit the outdoor music to 6 days a year is a ludicrous proposal especially as this equates to 2 out of 52 weekends?! How can a town pub survive in this age if it can't make the most of the summer and early autumn to boost income and see them through the winter? If this were to go through there would be more going on in our sleepy Twyning village than in the centre of town.

I know that Luke and his team have already made significant and considerate efforts in a bid to listen to and address some of the concerns from those who live closest, including closing the outdoor area earlier than previously, bottle bin noise at friendlier times, moving smokers to the high street and using their own decibel monitor to check indoor sound, as well as moving the performances to also sit on the high street side, with soundproof curtains erected without fail to boot.

The proposed sound limiter is not only a crude and unsophisticated suggestion (a single bass note can shut off power and damage electronic equipment even if the volume is not sustained) but it is the equivalent of tackling a pinhead with a sledgehammer. Sound is a complex and technical entity and this basic error of judgement would deter any musician worth their weight from playing in the pub, thereby depleting the quality of music and pulling the rug for some who make an already precarious living from the arts. It is far preferable to allow a landlord to take responsibility and encourage mutual respect between performers and publicans.

I personally performed in the Bear recently with the No-Good Nancys and Luke was very keen that we stuck to strict times, waited for sound-proofing to be in place before we started, told us about his own proactive decibel monitoring and so we kept the desk at a very reasonable level, because of our mutual respect and keenness to help maintain his reputation. I even spoke to residents at the event who live opposite immediately afterwards who agreed that all was perfectly brilliant in terms of noise levels and no nuisance whatsoever!

The Bear is a Phoenix, rising from the ashes. To clip its wings would be misguided and rash at best, but to shoot it from the sky with such extreme and unworkable measures would be a travesty.

Yours faithfully and in the hope that sense will prevail, Sam Attwood

2. Howard Whitehouse, KBL Events Security Ltd

I write with regard to the Licence Review of the Black Bear Public House, High Street, Tewkesbury and in particular one of the possible conditions being considered within that review concerning 'public nuisance' in particular noise emission from the premises.

I am a Security Manager with KBL Events Security Ltd, the security provider for the pub and I'm responsible for the staffing and any operational aspects concerning our deployment with the venue.

I understand one proposal within the review is to close the rear external terrace and patio area by 1030pm and move the smoking area to the public pavement at the front of the venue. This would cause me some concern as my staff, who are licenced and regulated by the Security Industry Authority would not have any jurisdiction over those patrons once they had left the boundaries of the licenced premises. My staff have worked tirelessly with Mr Haynes since July of this year to create a harmonious, safe environment where respect for all is key. This is paramount for our relationship with the pubs customers who in the majority, respect our requests and direction. I fear this would be lost if those patrons were to have to use the public pavement to smoke and lose the controlled environment that we have created. This in addition to safety concerns with being so close to passing traffic and also the adverse perception gained from non pub using members of the public passing by add to my concern. Noise levels would be difficult to control once in the public domain. Another point of note is that the toilet facilities for the venue are situated at the rear within the patio area, the opposite side of the pub to the proposed public smoking area.

We have worked closely with the licensee Mr Haynes and commend his approach to the role, in particular his dedicated efforts to create a welcoming community hub with constant regard to the licensing objectives which go hand in glove with making a safe and pleasant environment for all.

You will probably be aware that there have not been any calls for assistance to West Mercia Police since the pub was re-opened, fact that I primarily sought when I assisted any review as a Licencing Officer myself with West Midlands Police with whom I served until retirement in 2018. I fully understand the need to restrict any excessive noise and the angst it may cause within the confines of the Licensing Objectives and will support Mr Haynes in any way we can with his quest to achieve this.

3. Kelly Peacey

I am disappointed the Environmental Agency Office has recommended such limiting restrictions on the Black Bears license and that the Tewkesbury Council are investigating them as being a nuisance to the public.

I work at the Black Bear and struggle to understand why the Black Bear should be accused of this considering that Luke has actively listened to the very few who have complained about the noise and taken every possible measure to lessen inconvenience the premises might have by using sound proofing and measuring the noise levels.

I regularly work evenings and weekends and the Black Bears music is less noisier outside than some of the other pubs that I hear. As a local living in Tewkesbury High Street (Flat 3, 125-126 High Street) I expect to hear noise on a weekend evening as people walk between pubs and then later they go home. This is all normal for any town centre. I feel those few complaining of public nuisance caused from the Black Bear might have got too used to it being closed and forgotten what town centres are. Basically if you want complete silence don't live in a town centre.

The Black Bear security team are excellent and together with the pub staff they provide an atmosphere where customers can enjoy their evening safely and at a certain time in the evening all customers are asked to come inside to prevent disturbing the homes nearby.

What I love about the Black Bear is how it has brought life back into Tewkesbury. It encourages a mix of age groups and people from all over Gloucestershire and beyond come for its hospitality and live music. There is once again a real sense of community.

Prior to the Black Bear reopening the town centre pubs and restaurants were barely doing any trade and now they all appear to be benefitting from the new interest in people wanting to come to Tewkesbury.

My husband Carl Booth (a local painter and decorator) proudly did all of the decorating at the Black Bear and insists the Black Bear made every effort to restore it in keeping with its history and features. No shortcuts were taken to make this pub something everyone in Tewkesbury should be proud of.

I myself am proud to work at the Black Bear since it has reopened and to be part of Luke's team. The positive reactions and comments when customers come in continues now and the atmosphere on an evening is always happy and vibrant as young and old come together.

As the days are now shorter and colder, the Black Bear will undoubtedly have much less customers as people tend to venture out less. I know all pubs and restaurants struggle in the winter but I fear that if the council panders to the recommendations given by the Environment Agency we will see the Black Bear once again close and all that hard work and money that Lukes family and staff have done will be wasted. Tewkesbury will lose this wonderful historical building and all the people and business that it attracts to Tewkesbury.

The Black Bear and other pubs, restaurants and businesses in town need the council to support them, not allow them to be bullied. What the Black Bear brings to Tewkesbury is community and customers to other local businesses. This far outways the foolish and trivial complaints of a few.

I am in complete favour of the Black Bear maintaining its full license and not being restricted by the absurd recommendations already made.

Please do not let Tewkesbury down. We stand with the people of Tewkesbury and the Black Bear.

4. Fiona Wilkie Buckingham

I am writing to express my support in regards to the Olde Black Bear pub in Tewkesbury.

The pros for the pub are as follows:

- Reopening of a pub that was closed for the town of Tewkesbury and others for approximately 8 years
- A significant improvement on the appearance of an iconic building
- It's reopening has provided employment for many people including outside traders and entertainment singers/bands

- it is a welcoming hub for groups such as Age UK who meet every Wednesday morning, workshops, local choirs etc
- It is now the hub of Tewkesbury
- People visiting the town to frequent the oldest pub in Gloucestershire is bringing in custom to other establishments and retailers
- It is bringing people back into the town from Cheltenham, Worcester Birmingham and even further for a night out. Historically people may start their evening in Tewkesbury but then travel further afield for the remainder. They are now staying in town as not only is there is a great pub, it's a pub with great entertainment, welcoming staff and somewhere to dine
- Since these complaints, Luke and his team have worked tirelessly to address the noise complaints by adding sound proof curtains, monitoring noise levels, have gained the advice of a sound engineer and also ask patrons to go inside the premises at a certain time of the evening to respect the neighbouring residents
- They truly have the support of not only Tewkesbury residents but a huge amount of people who now visit Tewkesbury due to the success of this pub
- To restrict the amount of entertainment being provided by The Bear would not only have a disappointing impact on the patrons but also on the ability to reap back the significant funding that has been lovingly put into restoring this iconic building

Please consider the above points when addressing the future of Ye Olde Black Bear pub.

5. Cllr Rachel Langdon and Landlady of the Nottingham Arms

I'm emailing to you raise concerns over the review of the black bear license review. I am the landlady / licensee of the Nottingham Arms pub and town councillor, whilst you'd think I wouldn't like the competition with another pub, it is in fact a healthy balance for us all, and the foot fall it brings through the town has been amazing, it has brought people from far and wide to visit the pub, which then brings them round the town and in to other pubs shops and showcases our town, spending money whilst doing so.

there are 8 other pubs in town that have live music events that are surrounded by residents, and whilst I appreciate we haven't all got gardens we do have regular live music with no concerns,

I myself have spent time at the bear and have witnessed the measure Luke and his team go to in the running of the pub:

- Sound proof curtains with every indoor music act
- no one allowed outside after 10.30 unless to use the toilet / smoke and certainly no drinks allowed
- door staff monitoring this situation
- someone checking the noise levels of a band all around the pub with a noise level device.

Luke has brought a valuable asset to our town, he has employed a large number of staff, he supports local businesses with outside caterers, local breweries, employed local workmen in the renovation of this historic pub,

if one of the issues is parking, then I would like to suggest double yellow lines or actual law enforcement officers ticketing / removing vehicles as people seem to fail to realise that this is a clearway, and Luke should not be held responsible,
We all know the history of the Black Bear, and I certainly hope it continues to be ran in the way it has for the last 6 months.

6. Tippler Magazine

As the editor of The Tippler, the magazine for the branches of Gloucestershire Campaign for Real Ale (CAMRA), I find I have to write in support of the Black Bear in Tewkesbury whose licence is up for review.

The first thing I would like to comment on is the lack of response time and broadcasting of the review; many, many residents and interested parties would not have seen nor had the ability to respond. I am sure it is only by accident that many people will have heard of this news, particularly if social media is the driver of the dissemination of information, this is a far from an adequate method.

I am worried that, after the landlord and his family painstakingly resurrected this building at enormous cost, in line with every item of legislation deemed necessary by the council, it is only just over a year since opening before its very future (and the future pleasure of its supporters and patrons) is being put in jeopardy by a small number of complainants.

The building is a model in sympathetic restoration that has in its short new life has brought in many outsiders who are visiting the town purely to experience Tewkesbury's newest (and oldest) tourist attraction. The pub highlights many historical features, being a beacon in how to restore and enhance a building of not only historical significance but economic significance too. It is already acting as a draw for other pubs, restaurants, shops and hotels in the town, nearly all of whom have noticed an upturn in business because it is not only bringing people into the pub, but also keeping them in the town to enjoy its other facilities.

As the editor of a magazine all about pubs and real ale, I am only too aware of the plight of many pubs being closed down to make way for housing in what become dormitory towns and villages. Social cohesion, something every community should worry about is being eroded, it would be a (self-inflicted) economic and community disaster for the licensing committee to reduce the entertainment licence to a point where the economic viability of the venue's future is in doubt.

It is worth bearing in mind that this corner of Tewkesbury has, in the past, had a lot of music entertainment in the form of Montells Nightclub, The Boathouse and the White Bear. The Black Bear's owners inherited its current music licence and have invested and worked to create a pub complies with all of its current restrictions, to the point of using decibel metering and sound proofing curtains to ensure it does so.

Whilst the licence should be reviewed due to its success that affects close neighbours, I would caution fairness (taking into account the owner's views, the views of local residents, the benefit to the town's economy, its supporters as well as the minority of complainants) parity and common sense be applied in this review. Any harsh restrictions would quite simply not be in anyone's interest.

The Black Bear has been feature of Tewkesbury for over 700 years, long before any of the nearby residential buildings came into being, it would be a tragedy if over zealous restrictions create an

atmosphere where its continued success is in doubt and take away a valuable economic and social asset and tourist attraction to Tewkesbury.

7. Tewkesbury and Gloucestershire CAMRA (Campaign for Real Ale)

Tewkesbury CAMRA response to the Licence Review of The Old Black Bear, Tewkesbury:

While many locals may well respond to this review from a noise /disturbance angle, we feel as a group we must respond from a slightly different perspective.

The landlord and his family have painstakingly resurrected this building into a vibrant business and attraction for the area. They have sympathetically restored the building that had been sitting empty for over six years. It has become a tourist attraction with many outsiders visiting the town purely to see Gloucestershire's Oldest Pub (probably) now restored and looking better than it has done in many, many years. Sympathetically restored but also still highlighting many historical features - congratulations should go to the team for achieving this!

In this day and age, when licenced establishments are 'falling by the wayside', it is good news to hear of such a success story and we should value the place now we have it back.

Yes, as a group, we feel that the licence should be reviewed as there is no doubt its success has had an effect on close neighbours, but we would like to see fairness and parity applied in this review. We do not wish to see harsh restrictions put into place that will take away what has already been achieved, ruin a valuable asset and tourist attraction to Tewkesbury, but a balanced and fair decision made in reviewing this licence.

8. Boatface Leisure Limited (self-drive motor boat hire business operating from the Back of Avon, Tewkesbury)

Proposed Licence Conditions

1. We feel it is an extreme proposal to restrict regulated entertainment taking place in any outdoor area to six calendar days per year when there is currently no restriction in terms of days. If entertainment is to be restricted, then it would be much fairer to restrict to a Friday and a Saturday with additionally a specified number of Sundays per year, with entertainment to cease at 22:30 or even 22:00.
2. We feel a noise management plan would be beneficial to the business, Tewkesbury Borough Council and neighbours.
3. We feel that it is unrealistic and unfair to ask for a noise limiting device to be fitted. The sound levels from outside the venue will also include road noise, which is considerable. A sound limiting device for a venue such as the Black Bear should be an absolute last resort. Most acts that perform amplified music at the Black Bear are doing so with their own equipment and are often a solo or duo act and will find it extremely difficult to monitor their sound and we are sure will find such a device off putting for small, local artists who certainly won't want to risk damage to their equipment should the electricity supply be cut. Sound is also generated by patrons of the venue and we feel sure it is unreasonable to expect people to keep their voices down at say 8pm in the evening. We are not now living in COVID times where such requirements were in place. We have witnessed the efforts Luke is making to reduce the noise coming from the building e.g. acoustic blankets.
4. No objection to this proposal.

5. No objection to closing the garden area at 22:30 or 22:00. We feel it is overkill to require a SIA member of staff to be present at the front of the building at all times after 22:30. Additionally SIA staff generally would not work alone, due to health & safety, so this would require two staff. We feel SIA staff presence is only required on a Friday, Saturday and Sunday when entertainment is taking place.
6. No objection to this proposal.
7. No objection to this proposal.
8. No objection to this proposal.

We would also like to add that at all times during our professional relationship with Luke we have found him to be courteous, accommodating, understanding and professional. Luke is incredibly community spirited and this evidenced within the business model and plans he has for the Black Beare e.g. Age UK, but is also driven by creating a successful brand and business. Obviously this is to ensure he is running a successful business, but the re-opening of the Black Bear has reinvigorated the High Street and improved the town's economy.

We believe it would be a backward step for the good of the business community, customers and residents of the town to have such excessive measures imposed at this stage.

9. Tewkesbury Town Council

Representation to the License review of Ye Olde Black Bear, Tewkesbury from Tewkesbury Town Council Planning Committee Meeting held on 15th November 2023

Proposed Licence conditions

9. The Planning Committee felt the proposed restriction of regulated entertainment taking place in any outdoor area, including the terrace/patio area to six days per calendar year to be a draconian approach. The committee noted that the landlord/personal licence holder could apply for up to 20 TENS per calendar year but feel a much more sensible approach would be to set a reasonable level of outdoor events to be reviewed in say a years' time, as currently there are no outdoor events taking place.
10. The Planning Committee felt a noise management plan would be a useful reference document for the Borough Council and the landlord at this stage. The committee questions the rationale behind insisting this is produced by a person who is a member of the Institute of Acoustics. The committee feels that the landlord would gain greater understanding from working with an acoustic engineer on a range of issues for improvements that can be made to the building and for input into such a plan. Again, the committee feels the Landlord should be given sufficient time to consult and implement these changes and for this to be reviewed in a years' time. The committee understands the Landlord has already sought some advice and introduced some short-term measures to reduce noise escaping from the building.
11. The Planning Committee opposes the installation of a noise limiting device at this stage for the reasons stated above in point 2. The committee is aware that such devices can damage electrical equipment and feel that this requirement should be an absolute last resort. The committee is aware that the Landlord has been taking noise readings and is committed to reducing the noise from the building.
12. No objection.

13. No objection to closing the garden and terrace/patio area closing earlier at 22:30. The committee does not feel that SIA staff would be required outside the front of the building on all days after 22:30, only on event days. The committee would like to bring to the attention of the Borough Council that there are two high quality pan tilt and zoom CCTV cameras in this area of town. One of these points directly at the front of the building and has a view extending down Mythe Road and the other has a view of the High Street from the Black Bear. The Town Council owns and maintains this CCTV and it is used by the town's PCSO's/Police Officers. It may be prudent to add or increase signage in this area alerting members of the public to the fact that CCTV is in operation.
14. No objection and the committee understand that the Landlord has already taken steps to ensure that no deliveries or collections are made at unsociable hours.
15. No objection and the committee understand that the Landlord has implemented this requirement already.
16. No objection but the committee questions whether this requirement actually needs to form part of the licence?

As you will be aware, Tewkesbury Town Council organises the Tewkesbury Live Music Festival. The festival is self-funding through sponsorship, donations and the sale of merchandise, with support from the Town Council in the form of officer resource. We have received an email from our main sponsor expressing their dissatisfaction at the proposed licence changes. The Black Bear has been the main venue for the last two years and should the licence have such severe restrictions imposed on it, the sponsor has said that they will need to re-consider their sponsorship of the festival.

The Planning Committee therefore urges Tewkesbury Borough Council to re-consider the proposed changes and instead to come up with a plan that can allow the Landlord time to appoint and work with an acoustic consultant for internal noise and to make more reasonable changes to the licence in respect of outdoor events e.g. just restricting the end time initially and then review after 12 months.