

## 1. Rosemary Bailey

My submission covers two basic problems experienced by me at my home:

1. Noise
2. Parking

### 1. Noise

The noise comes from the amplified sound systems that Ye Olde Black Bear install for weekend events in their garden. These sound systems face King John's Court, a development of timber framed homes, directly across the River Avon from the Black Bear. The sound travels across the water and hits many of the houses face on. The timber-framed homes 'feel' the bass and tunnel/amplify the vocals of the performers, despite me having good quality double glazing. The sound within my home is excessive and disturbing during these events.

Having an outdoor, live music venue opposite this development is not acceptable in a quiet market town, within a conservation area. The current license allows them to do these events 3 nights per week, 52 weeks of the year. This is not suitable in such a location since it breaches the Licensing Act 2003's public nuisance objective.

As I understand, the licensee was approached by the licensing department in early August to convey the concerns of the neighbours and give a reminder of their responsibilities. Later in August, we received a hand-delivered letter from the pub explaining that the noise levels would be addressed within 3 weeks. Nothing changed and in late September they erected a very large marquee and held an 'Oktoberfest' weekend with 3 nights of loud performances over the last weekend of September/beginning of October. As log sheet will show, this was one of many weekends over the summer months with similar sound levels. I understand that the environmental health department recorded the 'Oktoberfest' weekend from within a resident's house, so the results will speak for themselves. I don't think I need to prove a noise nuisance myself because the evidence has been officially gathered. However, I enclose the video I took from my front door on Friday, 29th September. The marquee remains up in the grounds, 4 weeks later.

My personal circumstances should not really be relevant, but I'm 85 and have had 2 hip replacement operations this year. Recovery is hard anyway, but noise nuisance has been particularly stressful for myself, and I know other elderly residents (and others) within this development have similar mental strains over this issue. We all have noise covenants on our homes imposed upon us as a condition of title. This means we cannot make noise that our next door neighbours can hear. The Black Bear's activities in their garden disregard the concerns of the neighbours and makes a mockery of our own covenants.

The Black Bear is a public house. Its primary function/intended licensing function for the community is to provide a public space for the consumption of food and drink. However, the pub has not opened its kitchens or provide its own food, opting to encourage an outdoor weekend music venue, offering pop-up style food vans in the garden, to provide for a predominantly outdoor crowd, there to watch the bands. This currently sets a precedent for future events and potentially an increasingly reoccurring noise nuisance for the residents. Indeed, the pub's last leaflet, detailing the weekend's performers in the marquee was headed "Edition 1", implying an edition 2, 3, 4 etc. Where it goes

from here is currently up to them.

## 2. Parking

For the past 2+ years vehicles attending the pub have been using pavements, double yellow lines and the clearway on King John's Bridge to allow workmen and staff to park during the extensive refurbishment of this 14th century building. The residents understood from various sources that they had been given special permission to park there for a limited period of time.

Cars parked all along the clearway, up to and sometimes beyond the turning into King John's Court cause a visual obstruction for cars pulling out (right) of this turn, onto the A38 (Mythe Road). At some point soon there will be an accident involving a car pulling out from this turn and therefore enforcement of highway regulations is required.

The pavements, double yellow lines and clearway are presently being used by patrons, staff, musicians, sound equipment companies, marquee company, deliveries of all kinds etc. Cars pull into spaces on the bridge, mounting the pavement and on one occasion almost colliding with me on the pavement.

The music-style, outside venue is attracting patrons from further afield, bringing more cars and causing breaches of parking/highway notices and markings, which could lead to injury or worse. The appropriate authority should enforce the parking regulations and patrons should park legally or come by alternative means.

Steps/Conditions suggestions for the licensing sub-committee:

1. No music in the gardens of Ye Olde Black Bear
2. When live music takes place within the pub:
  - a) the large terrace doors/windows and any other exit should be closed as to prevent the noise emanating across the garden & river to neighbouring residential properties.
  - b) Double sound doors, providing a sound barrier, should be used by patrons to access the garden
3. For special events with music in the garden, occasional licenses should be applied for, in the usual way. These licenses should be limited to a certain number per year, I would suggest a maximum of 2 or 3. That way, local residents have the opportunity to make arrangements to vacate their homes/prepare themselves to be inconvenienced.

### **2. Leslie and Penny Scrivener**

Dear Sirs, We have lived in [redacted] for 30 years and have never experienced a problem with Ye Olde Black Bear before, however busy their garden was. But under the new ownership the level of noise inside our house from amplified music and the shouting of the audiences in their garden has been torturous. (We made video recordings on several occasions.)

The houses in King John's Court are all subject to a covenant forbidding us to make noise audible outside our dwellings. To be subjected to this by a neighbour in a built up area such as ours is totally unacceptable. We have the right to a peaceful home life.

In August we lost a cash buyer for our house because of the noise from YOBB. Engall Castle will confirm this. As a result we lost the deposit we had placed on a house we hoped to buy, so the effect on our family has been enormous.

We would suggest that no music at all be permitted outside the building except during specific occasions such as Tewkesbury Music Festival when a Temporary Event Notice would be given in advance.

### **3. Charles Hutt**

I wish to object to the licensing of live music at the Black Bear public House as an intrusion into my private domestic living space.

There were numerous occasions during the past months where on warm summer days we were obliged to close our windows to block out the noise, or move indoors instead of enjoying a relaxing time on our balcony. At bedtime we always sleep with our bedroom windows open, this is not possible on evenings when live music is being performed at the Black Bear. On some weekends the music (if you can call it that) will start at about 12:30 and continue at intervals right through to 11:00pm. This is not acceptable particularly as all residents in King John's Court are subject to a restrictive covenant forbidding nuisance noise outside our property.

The owners of the Black Bear have undoubtedly made an attractive addition to the high street, but at the moment some of their business has come as an unacceptable cost to local residents. I am aware that one house sale has failed as a direct result of the noise nuisance and wonder if local estate agents will now devalue other local properties as a direct result.

### **4. Wendy Ward**

I am a resident of [redacted] and would like to record my concerns about the current licence of Ye Olde Black Bear, Tewkesbury.

I watched with excitement the renovations taking place at the Black Bear. delighted that it was to be restored and reopened. The restoration looked excellent with great care being taken to retain much of its history and character.

Since it has opened, I have been disappointed. Instead of it being a characterful, local pub serving tasteful food, it has become more of a music venue with street food being served outdoors. The music is extremely intrusive to those of us living nearby with loud music going on every Friday, Saturday and Sunday night until 11.00 pm.

I am lucky that I live on the further side of King John's Court and that my living room overlooks the field and the waterworks. However, I have to shut all my windows to block out the music and feel very concerned about those residents of the houses backing onto the Black Bear. It is antisocial and unrelenting.

I am all for occasional, special events with outdoor entertainment and the 6 days per calendar seems reasonable. I support all the proposals suggested by the Environmental Health Team.

I would not want the Black Bear to be taken over by a chain. It should be a great asset to Tewkesbury and it is good that it is privately owned but the proprietor must consider the local environment and its impact on residents living nearby.

Of equal concern is the parking on the main road of which I know you are aware. The parking is not all by customers of the Black Bear but, since its opening, there seems to be a general acceptance that it is okay to park on the clearway. It is extremely dangerous when we are trying to pull out onto the main road.

#### **5. Hazel Nicholls**

Thank you for the opportunity to contribute to this review. I am relieved that a review is taking place because the music has been very loud, often on 3 consecutive evenings. I have been able to hear lyrics clearly in my kitchen and front bedroom.

I admire the quality of the pub's renovations and do not want to see the licence revoked. It is great to have it open again.

Conditions do need to be implemented though because the pub is effectively being promoted and used as a large music venue (especially when the marquee and/or stage is up and food stalls in place) rather than a pub with music like many other pubs in Tewkesbury. At the moment I think it's being taken too far.

My suggestions are:

- limit the licence to 6 outdoor weekend events per annum. That would be Friday and Saturday not Sunday and not every Bank Holiday.
- acoustic music could be played outdoors on Summer afternoons finishing by 9.00pm
- implement and enforce a noise management plan
- amplified music could be played anytime indoors with the parameters of the noise management plan

Whilst the dangerous parking on the clearway and double yellow lines is not necessarily the fault of the landlord, I have suggested to him that when advertising events on social media, he stresses that the pub does not have a car park and shares information about the local car parks nearby.

#### **6. Gail Hutt**

As a resident of [redacted] I feel sure that the majority of townspeople are delighted and impressed with the Black Bear renovations, despite the unpleasant and totally unnecessary abuse on social media against those concerned with noise.

The standard of work is outstanding, the staff are friendly and hard working and it's a great asset to the town and borough.

However, when live music is playing the level of amplified music by amateur bands has caused distress and inconvenience to some residents living close to the venue and I do feel there needs to be a compromise.

A limit on outdoor music to events such as The Tewkesbury Music Festival & Octoberfest and a definite limit on noise levels whether held indoors or out would be acceptable.

I'm sure the majority of people wish the business to succeed & provide an enjoyable venue for all ages & all tastes and with a few stipulations this could be achieved.

#### **7. Mary Wilkes**

I have lived in [redacted] since 2004 and during the entire time I never experienced any problems emanating from the Olde Black Bear (OBB) as it was a well-run establishment. However, very

disappointingly, this is no longer the case since it reopened under new management following refurbishment - as explained below:

#### Extreme noise from amplified music in the OBB garden/terrace/patio areas

On most Fridays, Saturdays and Sundays throughout the good weather there has been highly amplified live music staged in the OBB garden. The consequence has been sound levels that have been consistently oppressive and extremely intrusive arising from excessive amplification of drums, guitars, singers etc. performing there. The start time usually around 7.00pm (but sometimes earlier) and continuing until 11.00pm. The impact being that it became impossible to relax in my own home as I was unable to have my windows open despite the very high temperatures we experienced; and even when my windows were shut the noise level was still so intrusive that if I wished to watch television or listen to the radio the sound had to be turned up unacceptably high in order to be able to hear the programme above the level of music issuing from the OBB garden.

Several weeks ago we received an undated letter from the Landlord to say he was looking at ways to soundproof the music - however, I would contend that it would be virtually impossible to effectively or realistically soundproof amplified outdoor music.

In actual fact, shortly after receipt of the letter rather than any abatement of noise the Landlord then held a three day beer festival with amplified live music in the garden that started at 4.00pm on the first day and at noon on the following two days, continuing until 11.00pm on all three days

The decision to allow amplified music in an outdoor setting that is within close proximity to a very large number of residential properties (including a sheltered housing complex for the elderly) and to have placed no regulation on the proprietor other than that it should cease by 23.00 hours is extremely difficult to comprehend. The subsequent distress caused for many Tewksbury residents who had previously lived happily alongside the OBB was entirely foreseeable and therefore could have been easily avoided.

When I moved here in 2004 there were three active hospitality businesses in the vicinity: as well as the OBB there was Montell's (a nightclub) and the establishment which is now currently known as The Boat House - and I can attest that the combination of all three establishments did not impact as adversely as the OBB has, by itself, since it reopened.

Tewkesbury residents should be able to live peaceably in their homes and not be subjected to the thoughtless and inconsiderate imposition of extreme levels of outside music on almost every weekend or whenever the weather is nice.

#### Suggested conditions

- I would suggest that music is allowed only within the OBB building as realistically this is the only setting whereby effective soundproofing measures might be achieved
- That the OBB be required to ensure the closure of all external windows and doors when music is being played within its premises
- That no music is allowed to be played in any part of the external/garden areas of the OBB at any time

## 8. Peter Goodger

I wish to make representation to the Licencing Committee with regard to the review of the above premises.

My comments:

\* I believe the owners of the Black Bear have overstepped the mark with regard to the number of outside music events they have held since their re-opening and that the noise from such events must impinge on the immediate neighbours.

\* I also believe that the general noise from the back garden must also have a similar effect.

\* I therefore submit the following alterations to their current licence be considered at the review:

a) Outside entertainment be limited in line with other similar establishments in the area - e.g. a set number of times a year and finishing by 10:30 p.m. These restrictions to exclude music put on as part of the Tewkesbury Live Weekend.

b) A noise limiting device installed in line with other local and similar establishments.

c) The garden area to be vacated by 10:30 p.m. irrespective of any outside entertainment.

d) No deliveries or collections to be made late at night or early morning.

e) No recycling of empty bottles to be made after 8 p.m. or before 8 a.m. (enforced with all licensed premises - The Boat House had an empty glass collection at 06:45 last week!)

## 9. Laura Covington

I am writing to express mine and my family's view on the licensing review of the Olde Black Bear Pub, Tewkesbury.

I have been in contact with Tewkesbury Council since July 2023. I have filled in noise issue reports on the council's website, I have filled in noise log sheets and I have had the opportunity to be provided by the council with a noise recorder.

The main issues myself and my family have been experiencing and the affects they have taken are listed below:

Collection of waste and recycling

I have been woken up many times at 4:30am on a Friday morning by the collection lorry followed by the incredibly loud smashing of glass bottles as they are tipped into the back of the lorry. The windows to my home have been open or closed and I have still been woken up, this represents how loud this can be and the disturbance it causes.

In relation to collections of recycling/waste I have also been woken up at between 1am-2am by staff opening up the cellar doors and nosily while talking or shouting hurling up metal barrels and stacking these on the pavement outside ready for collecting.

How this has affected myself and my family. By being woken up, difficulty in getting back to sleep, feeling stressed and feeling tired when trying to carry out my full-time job.

The Borough Councillors have helpfully dropped through my door a list of possible conditions the Environmental Health Team could impose. A couple of these were:

6. There must be no deliveries or collections relating to licensable activities at the premises between the hours of 20:00 hours and 08:00 on any days.

And

7. There must be no emptying of recycling (including bottle bins) or waste bins between the hours of 20:00 hours and 08:00 hours of any day.

Both of these suggestions are perfectly reasonable and I think that local residents would feel relieved by these being enforced.

My main issue though with the Black Bear is and why I started to log noise complaints is point blank the music aspect and the horrendous disturbances this has caused not only my family but other local residents.

Outside and Indoor Music:

Music being played outside the Black Bear Pub in their garden is unbelievably loud, I hope you have been provided with the noise recordings. Music can very easily be heard within my home even with all the doors and windows shut. I can sit on my sofa in the evening with the TV on and still hear the music especially the bass of the music, so to describe this would be a thumping, rhythmic noise. This was excessive during the summer months which was not only played on weekends but on weekdays evenings. This can also go on very late it usually stopped by 11pm outside but when this is constant evenings in a row it can be very tiring and stressful.

The music has seemed to have moved inside the Black Bear during the Autumn months where there is no limit to the time they can play music, but this is still an issue for example, Sunday 5th November 10pm I'm laying in bed and once again all I can hear is the bass of music, it can be described as if you are attached to your neighbours and their playing music loudly and you can hear the beat coming through the wall though this is actually coming from outside and across the road. I go outside over to the Black Bear Pub, their inside door at the front of the pub is closed, the windows are closed, the doors at the back on the terrace is closed. This is concerning as the music is actually projecting out of the building itself not by an open window and door which is what I thought might be the case.

The affects this has placed on myself and my family has been a lack of sleep, being woken up by music/noise at any time of night, feelings of stress, unable to relax, regretting the weekend approaching and it even got to the point during August where we even contemplated moving home. I am pregnant at 20 weeks and I can't imagine if this was still going on how my baby would be able to sleep through any of what is going on at the moment or raising a family across the road from Tewkesbury's newest night club disguised as a pub as I would describe it.

Noise from the front of the Black Bear:

Between midnight and 1am usually Friday and Saturday night, I will be woken up by groups of people leaving the Black Bear they tend to linger out the front, shouting, arguing making noise. Walking down Bredon Road and urinating against the walls. I know that this would be hard to stop but lingering outside could be stopped by someone responsible at the pub.

Going back to the Councillors suggestions

1. Regulated entertainment in any outdoor area including the terrace/patio area...limited to 6 days in a calendar year and to cease at 22:30. This is very agreeable I understand that Tewkesbury Live and such occasions are healthy for Tewkesbury and I think these should continue.

2. The premises license holder must submit a noise management plan etc...I don't feel that the license holder would stick to any plan, I feel he has already disregarded his neighbours and hasn't made any conscious effort to improve even after the council have been in contact with him.

3. Noise limiting device... I think this is a very good idea nobody can really argue with a noise limiting device I 100% agree with this.

4. Doors and windows must be shut. I agree but it does not in any circumstances stop the noise from reaching into people's homes.

5. The rear external gardens and terrace must be cleared of customers by 2230 staff and customers must use the front etc. I feel this would help the residents at Kings John Court but not at the Bredon Road side of the pub I feel concerned that customers/staff will again be lingering out the front making noise which is one of my main concerns.

Considering the music inside the pub is a disturbance and talking to the council there is actually no time limit that they can play music inside, I would like to suggest like the outside a time limit of 22:30 for music being played inside the pub. I would also hope that this would make an impact on customers leaving the pub so late and causing a disturbance.

Thank you for taking the time to read my email and considering the suggestions presented to you.

#### **10. Sarah Blenkin**

I am emailing you as I understand the license is being reviewed for the Black Bear.

The pub has been renovated very sympathetically and it is wonderful that it has "come alive" again, with live music and events an important part of this.

I understand that it must be disturbing for the neighbours but there needs to be a balance between their needs and the cultural needs of the wider community. Could the license be altered so that the neighbours disturbance is kept to a minimum, with music limited to certain days of the week and certain times.

Please do not stop something that so many members of the community enjoy and benefit from.

#### **11. Megan Seers-Townsend**

I would like to request for the 6 days only of live music, as a town and living in a town I understand that it can get noisy sometimes, but that is an old pub and should be respected like this, the noise effects us a lot.

#### **12. Jon Jardin-Hallett**

With regard to the Black Bear licensing review, I would like to agree with the licensing review currently being undertaken.

Since the Bear reopened we have had a dramatic increase in antisocial behaviour in the high street; excess noise, vomiting and urination in [redacted], and disrespect for the local residents.



There have been increases in cars parked on clearways and outside of designated parking bays, and obstruction of the Mythe road by staff and customers parking along the curb: something highways and local law enforcement claim to be unable to address.

Frequent loud music events cause disturbance and distress to local residents and late night disruption from drunk patrons leaving the pub and spilling out into the local area late into the night.

The frequency of these disturbances has really brought a negative vibe to the area, and the area feels unsafe.

I have seen the suggestions made with regards to shortening late night opening; restricting live events to 5-6 per year with an early cut off (no one can argue that Tewkesbury Live isn't good for the community); a written Noise Management Plan; a noise limiting device (as is used widely across Europe); clearing the rear garden at 2230; ensuring licensed SIA member of staff is on duty; and ensuring better monitoring of the premises. I would whole heartedly agree that this would be an appropriate and measured response to the issues caused, and this would also allow local authorities to better monitor kicking out time.

Tewkesbury is an historic riverside town rich in heritage and history - not a student village or city centre party district. The black bear was always a lively and thriving pub, and the licence holders have carefully and lovingly restored it - but the public nuisance caused by the patrons it has decided to attract through excessive drunkenness and partying is unacceptable.

### **13. Rachel Torrington-Nicholls**

I've seen on Facebook the comments regarding the pub license. I am not a resident of Tewkesbury but live in a surrounding village so my opinion may not count.

I've often sat in the pub garden thinking thank god I don't live in those houses the other side of the river or on the road opposite, music is nice but having it forced on you until closing time must be a challenge and I've even been there on a Sunday which has been the same.

I've personally had near miss on the road too, I know this is not a council issue so probably not affecting this.

I do feel the pub is brilliant but maybe just adjusting the music aspect would help with local residents distress. Some comments on social media are mind boggling which is why I felt the need to e-mail. The Bear is encouraging everyone to e-mail in support but this needs to be a fair and logical decision so this lovely pub and locals can live in harmony.

### **14. John and Jillian Jones**

This is to request that the following is recorded as a formal smell and noise complaint against the above named establishment.

We are left with no option but to close all our windows and doors in an attempt to elevate the noise of the music and smell of cooking coming into the house. All of this summer we have been unable to sit in our garden due to the above, this is totally unacceptable.

The drinking and singing carries on way past 11o'clock together with the smell of cooking. I am sure that the existing situation is in contravention of the health and safety laws.

We feel there must be a body that will rectify the situation we find our selves in and we think the licensing criteria should be the same as that which the Boat House opposite operates under.

### **15. Christopher Lee**

As a Tewkesbury resident I fully support Council's reviewing of this licence.

I feel it should have conditions applied that will limit both the volume and frequency of music events, and to reduce other noise nuisance late in the evening.

Whilst acknowledging the restoration work that has brought the Black Bear back to life, mitigating nuisance to local residents should be standard practice of licensed premises.

The current situation is also detrimental to the trade of other licensed premises locally who are managed in a way that does mitigate nuisance.

Not directly a licensing issue - but as an aside the obstructive parking on the Mythe Road is also an issue that I feel should be addressed.

### **16. Michael Bailey**

I am not a permanent resident of the town, but I grew up there and still visit regularly to care for my mother.

Despite what I read on petitions and social media posts supporting the pub, we are not outsiders that have moved into the town just to complain about a 700 year old pub. My father and mother ran The Royal Hop Pole Hotel across 3 decades, my brother and I grew up there, we were both Tewkesbury Abbey choristers for many years, I was in the town band. We have a long history in the town and we are not outsiders.

Running a licensed premises comes with responsibilities to the neighbours. The Black Bear have ignored all warnings and pushed local residents to despair over the late summer months. The noise levels were absurd in such a residential area, often going on all afternoon and into the night. They are operating it as an outdoor festival type venue, which it is not. The addition of a huge marquee only compounded the fear of residents who quite rightly imagined these events going on throughout the winter. After all, they have a licence allowing over 150 days a year of outside music until 10.30pm. That's just simply ridiculous for neighbours to have put up with - absurd. Speaking from first hand knowledge, The Royal Hop Pole has NEVER been allowed music in the garden, and quite rightly so. Once we had to get an occasional licence for 3 carol singers in the garden!

My father (passed) and mother have lived in the town since the early 70s and in King Johns Court since 1993, and never once felt the need to complain about any of the pubs and venues around them, least of all The Black Bear. But the way it is being managed now, encouraging outside very noisy events is breaking the law. Noise levels have been excessive and the landlord has proved to the residents that he doesn't do what he promises and he pushes the boundaries of the licence he has, breaking noise nuisance laws in the process. He has no sympathy with us at all. Trusting the licensee to promise anything at this stage is unacceptable, restrictions to the licence must be added.

The only way forward now is:

\* To restrict weekend music events in the garden to 2-3 times per year. Adequate notice should be given to the neighbours in advance of these events.

\* At all other times music should be restricted to within the pub, and if bands are playing all doors and windows should be closed.

\* If the authorities deem necessary, sound limiters for amplification equipment should be made mandatory.

\* The garden should be cleared of drinkers by 10.30pm

The Black Bear is not Ibiza, it's not Glastonbury. These festival destinations hold outdoor events in the middle of nowhere, not in the centre of an historical market town, surrounded by residential properties (including an assisted living home for the elderly). Being a 700\*year old building (\*not actually true) doesn't mean you can do whatever you like to your 'younger' neighbours.

---

I'm sure you're aware that this story has now reached the national press (including the BBC and The Mirror) after interview(s) given by the licensee. He states that any changes in the licence would make his business unworkable. Obviously this statement raises concerns for neighbours and feels like some kind of threat. 700 years of trading as a pub without loud, outside music would suggest that the pub itself would beg to differ.

I trust that petitions and national coverage is simply a free advertising tool for the licensee, because from a resident's point of view the inaccuracies in the articles are simply making feelings worse. Getting loads of people to write in and say how much they love the place (and insult the neighbours at the same time) seems just to be wasting many people's energy and infuriating others. From everyone close by that I have spoken to, no one wants to see the Black Bear close down.

Plans submitted in 2018 mentions 2 full time staff and 8 part time staff, and extensions to the rear would be minimal as to not detract from the main building - instead we see many more staff on event weekends and a huge marquee in the garden - and we (those approaching from Twinning) couldn't even see the rear of the building. There is also no mention of it becoming a live music, outdoor venue.

Mr Haynes should address the noise issues and stop infuriating his closest neighbours. His comments to reporters seems to show an astonishing ignorance of licensing laws and a lack of empathy or concern for those living alongside, while he dismisses the complaints saying "sort of comes with the territory". I would like to point out that it's good management and adherence to the law that ensures the longevity of this kind of business. If he can't do that he should pass the baton on.

"When you have got a very busy, vibrant pub, that's 700 years old, you know occasionally there are going to be some noise complaints and it sort of comes with the territory of somewhere like this, especially after it's been shut for so long.

"It has been quiet here for so long and now we've reopened, and it's been busy - that is obviously a big change for people."

"When we took ownership of the pub we drew out the plans based on what the licence allowed us to be able to do, and we tried to do it to secure the future of the pub," he said.

"Six days is the equivalent of two weekends for us and they [the council] also want a two-week notice which makes it really difficult to forecast and it makes it commercially unviable to be able to sustain that business.

"It feels extreme and unworkable," he added.

I trust these articles will have absolutely no effect on the considerations of the licensing sub committee, and his attempt to intimidate local residents should not be applauded.

**17. Sam**

Hi guys. I would just like to take the time to say well done on your work. I've been reading A LOT about the BB situation and what's been outlined by you is more than fair and this has all been blown way out of proportion.

I love the black bear and will continue to use them. I love what it brings to the town and everything about it but everyone needs to follow rules and regs

Keep up the good work.

**18. Sophie Somerset**

I am emailing to support the issues raised in recent months regarding the reopening of The Black Bear pub and ongoing liscening issues.

The Black Bear was a central part of Tewkesbury town and was a rite of passage to many people growing up in Tewkesbury. Its history and community spirit made it a fantastic place to go and many people were saddened to see it close, and therefore very excited when it reopened, myself included.

Having lived oppostie The Black Bear for 25 years up until around 7 years ago, I never viewed the pub as a nuisance and just came to accept that there would be a little more noise than usual on a Friday or Saturday evening.

This is in stark contrast to the noise levels under the current owners since the reopening. As the pub was being extended, it appeared obvious that the so-called "smoking area" would actually be used as a drinking area and an extension of the pub. Building the restrooms outside of the actual pub itself suggested that the owners knew that clientele would be in and out of the pub all evenings. This planning should not have been allowed to go ahead, and I believe is one of the main reasons for the current ongoing noise issues. Clientele use the "smoking area" until very late at night. Noise levels are high and there are no staff on the doors requesting that people go back inside as in other pubs and bars so this area is not manned and people can use this area for drinking and talking until whatever time they please. Staff have also been seen using this area after hours.

My parents still live near the pub and I have been at their house on several occasions over the past several months to witness the noise levels during evenings. My mother is unable to watch TV or listen to the radio in her home on Friday and Saturday evenings as the noise levels are too high to be able to hear anything. I am no longer able to stay at my parent's house as my child is unable to sleep there due to the noise. Having lost my father last year, this has had a significant and detrimental effect on our family, which is deeply upsetting as The Black Bear had always been a positive part of my childhood/teenage years, as it had been to my parents too. Not being able to stay at a family member's home due to noise levels is not acceptable.

On 2 or 3 occasions, my mother was given the opportunity to use a noice machine provided by yourselves. Interestingly, on 2 of these occasions the bands cancelled at the last minute. This raises the question of whether the owners were informed by someone that this was happening as it appears very coincidental that this should happen kn these specific dates. The noise levels of the live music appear beyond what is acceptable within a residential/town environment. Having been in my

parents' house on days and evenings when there is live music, it is hard to explain just how loud and invasive this noise feels.

Bottle bins have been emptied and barrels have arrived and been rolled along the pavement on several occasions at extremely unsocial hours, sometimes between 2 and 5am.

Having lived, myself, in this exact area for 25 years, there have never been the problems raised here prior to this. The Black Bear of the past, Montels/Riverside, The Tavern..these have all had live music, crowds, etc and yet have never had the noise levels The Black Bear now has. The disrespect for residents, along with the apparent hypocrisy of stating there is a desire for the pub to serve the community, is quite frankly shocking and saddening. No pub within a residential area can create a "community feel" pub without considering the rights of, and impact to, the actual residents.

People signing petitions to protect the pub are very likely to be people living far enough away from the pub that they are able to go home at 11pm and watch TV, and then able to sleep. A luxury that local residents have not had since the reopening.

Should The Black Bear remain open, an indepth review of the licence is needed. The "smoking area" should be closed after 10pm. Doors and windows should be closed. There should be noise levels monitors at all times, for both live music and recorded music. Residents should be given at least 2 week's notice for any specific events. Events should be limited to a certain number each year. Additional outdoor venues should follow legal rules (there has been a recent structure in the garden, the size of the entire garden, up for longer than is legally allowed). Having had conversations with the owner, it became apparent that he is not clear on all aspects of the license himself and was shocked to have certain things pointed out. Parking should not be allowed on the bridge as this presents not only a risk issue but a noise issue too as people parking here then slam their doors, turn car radios on and drive off late at night. Whilst I understand this may be considered a separate issue and not a concern of the pub, I believe that customers leaving the pub should still remain "responsibility" of the pub if they are parking right outside the premises and should therefore be encouraged not to park here.

It saddens me to write this email as The Black Bear has always been an integral part of the town and holds fond memories for me and many friends, however for it to survive and serve the community, it must take all aspects of the community into account, and not just the paying customers who can remove themselves from the noise at the end of the night when they go home.

### **19. B Young JP**

I have lived at [redacted] since it was built in the early 90s. It forms one of the 28 houses on the estate which is governed by a Management Committee with nominated Directors.

Each household (mainly retired people) have legally concented to a covernent which includes no noise pollution, light pollution car repairs or anything else that takes away any part of the living environment to which they made there home.

Until its refurbishment of the Black Bear. The errecion of an entertainment stage followed by an extremely large marquee the Inn was a welcome and integral part of Tewkesbury life.

Unfortunately these items were used as venues for live music events, with volume levels well in excess of health and safety audible permitted levels.

It must be remembered that a number of residents of King Johns Court have medical conditions which require peace, quiet and bed rest.

The supervised independent living building for retired people some 50 mtrs away from the marquee contains many serviced flats for retired people who wish to maintain independent living for as long as possible. Some of them have medical conditions that require peace and calm.

About 100 mtrs along the Breedon Road is a nursing home who suffer the same noise pollution.

The Black Bear was never intended for this kind of activity particularly in such close proximity to vulnerable people as well as people who just want a peaceful existence.

In conclusion it is my wish that the Black Bear reverts to its original purpose as an Inn, and under no circumstances should there be any outside music or live TV football, or the erection of anything other than garden tables with seats for people to enjoy a meal or drink.

Let's just make it family and environmentally friendly again which is acceptable to all.

## **20. Kirk Gardiner**

I'm contacting Tewkesbury Borough Council with my views on the re opening of the Black Bear.

I'll start by saying that, I think that Tewkesbury is indebted to the effort the new landlords have made to bring such an important building back to life.

However I do think the whole thing has been poorly managed. The landlords could have engaged with the local community better to manage expectations of how the pub was to be run and the effect it may have on the local community. The black bear opening has effected Kings Johns Court in two distinct ways, noise & traffic ( Parking).

I guess the review is about noise and is a major inconvenience to those who live near by. However the parking is dangerous and someone is going to get hurt if it's not dealt with soon. There is no visibility when leaving King Johns court 5 out of 7 days in the summer. Cyclists are particularly vulnerable and especially at this time of year due to the number of cyclists on the road. I've almost knocked one cyclist off, because you have to be half way across the road to see the oncoming traffic, but cyclists are very hard to pick out when riding single file.

Back to the noise. The issue is, the Black Bear want to have music every weekend during the summer, when its warm and windows are open to keep the houses cool. Where I live if I have a window open, I have to turn up the TV to hear it. It's too loud unfortunately and if it's every weekend then it has a negative effect on my standard of life. I think the pub is a positive thing for Tewkesbury but the noise has to be managed so as not to cause a nuisance to the local community otherwise it's not fair on those that live nearby and have suffer the nuisance.

I think there is a compromise to be had. Firstly noise has to be at a compliant level so as not to be a nuisance, that's a legal obligation and know one is above that. Therefore the majority of music should be indoors where it can be controlled more effectively and limited to 6 events a year outdoors. Where with notice the nuisance from noise will be expected and can be managed by the locals. Trying to control noise outdoors is very difficult because there are so many variables and will rely on locals continuously having to complain to manage the noise and nuisance. It's not our job! If

restricted to 6 events a year then local residents can organise their weekends around specific outdoor events, when we know there will be a nuisance from the noise, but not every weekend!!!

I understand that there is a partition with a good number of people in support of the venue and live music. However the majority of the signatories don't have to live with it. So this should not unduly affect the Councils review of what is reasonable in this case. I would sign the petition too if the noise and traffic were managed properly and responsibly, but unfortunately they have not.

### **21. Councillor Sztymiak & Councillor Workman (ward Councillors, Tewkesbury Borough Council)**

We recognise the good work that has been done on improving the Black Bear and the extra business and leisure that it brings to the town however we also recognise that the licensee should comply with the four licensing objectives.

This review has come about because of the issue of public nuisance caused largely by noise generated by the operation of the business and the disturbance to local residents living in proximity to the Black Bear. We feel that a balance needs to be struck that enables the business to function without causing undue stress and disturbance to residents who are entitled to the enjoyment of their property and periods of peace, rest and sleep.

We understand that the Borough Council Environmental Health team have been monitoring the noise situation and have suggested a number of conditions to try and limit the extent of noise disturbance and we would be supportive of such measures. By imposing these conditions we hope that a harmony between the needs of the residents and the business would be established.

### **22. Julian Bagg**

I live on the [redacted] opposite the Black Bear Tewkesbury.

Firstly I accept that if you live in a town centre there will be noise from pubs at the weekends. I am also glad that the Black Bear has reopened as a pub and we do use it.

However, when bands play at the Black Bear we are unable to listen to music or the TV in our living room without the volume turned up to an excessive level. I do think that live music should be restricted to 23:00 and at a reduced volume. Recently I'm sure the music has started later and continues past 23:30.

The location in which the band plays means the sound is directed outwards to the street. When the initial planning was submitted for this building the front area (where the bands play) was down to be toilets and I believe the door onto the High Street was going to be closed – Therefore we did not complain. The plans at some point were changed but no residents were informed, otherwise we would have objected at the time.

The noise is intensified by customers constantly opening the door onto the High Street to stand out and smoke. Maybe an inner door with an automatic door closer could be fitted.

It should be noted that since the Black Bear closed for prolonged refurbishment there have been a lot more residential units permitted in close proximity, these include The old Riverside Hotel and Solicitors offices at Star Legal (69 – 70 High Street) which amount to over 20 new apartments now or soon to be adjacent to the pub. As such the dynamic of the residential population has changed since a licence was last issued.

#### Summary

If live music could finish at 23:00 and be generally restricted to Fridays and Saturdays and special events such as Tewkesbury Live this would be tolerable. Also, they could fit secondary glazing to the two sash windows where the bands play and fit a sprung closer on the adjacent door to try and reduce some noise filtering out onto the High Street.

Thank you.

#### **23. Jane Smith**

Although I don't want the Black Bear to lose their operating licence, I do believe that a control is required regarding the sound level of live music events held in the garden. The noise levels in the local vicinity is extremely high, for example I live in [redacted] and even with the double glazed windows closed and normal TV volume, the music & voices of the singers & patrons at the pub are clearly heard. There does not seem to be any regular cutoff point of when the live events should end. Is it not feasible to have a live music licence with conditions or caveats on sound levels and cutoff time. Is it also possible that the live entertainers are inside the pub so reducing the noise level and impact on locals.

Also the Black Bear does not readily advertise their agenda for live events, and they do not interact with the local residences to reduce the impact on noise pollution.

The recent large marquee in their garden for the Octoberfest then continued for several weeks, surely this should have had some sort of local planning consent.

If their live music events licence is continued, are there are restrictions on how many events they can hold in a year.

This is a small market town, so there are large residential areas around the pub which includes an elderly flats complex which need to be considered.

#### **24. Stuart Strathearn and Tony Lord**

We write to support the need for a review of the Black Bear Licence.

Since July this year the noise levels from the public house and gardens have been excessive, with live bands playing on a specially constructed stage. We understand this was originally built for the Tewkesbury Live music event over the weekend 26<sup>th</sup> to 28<sup>th</sup> July and accepted that such an event would bring raised noise levels.



However, the stage remained in place for weeks after and there have been many weekends when live amplified music has been played loudly over the weekend during the day and late into the night and often beyond 11:30pm.

Frequently, patrons of the Black Bear hang around the front of the pub talking, shouting and behaving rowdily and there is no attempt to move them on. It is impossible to sleep when there is live music at the Black Bear regardless of whether it is inside or out.

After a day of loud music into the night our rest has been further disturbed the following morning by the depositing and collection of the empty bottles as they crash into the lorry. One collection we witnessed on 28<sup>th</sup> August was at 4:30am and others we have heard between 6:00am and 7:00am.

During the summer it was impossible to keep our windows open while trying to watch television so we had the choice of closing the windows during the hottest summer weather or suffering the excessive noise. I doubt anyone wishing to sit in their garden could do so comfortably given the volume, with patrons' caterwauling along to the music.

We understand the need for the Black Bear to be successful and we don't begrudge them that, but this has to be well managed as other public houses are and not at the expense of those living nearby.

We firmly support the need for a review and for the conditions recommended by the Licencing Authority officers such as those in item 1, item 2, item 3, item 4, item 5, item 6, item 7, and item 8.

We also suggest an amendment to Item 5 requiring the closure of the garden by 10pm which is the norm at other pubs in the town such as the Royal Hop Pole. We don't see why the Black Bear should be treated any differently.

The situation is adversely affecting our lives especially the quality of our sleep. I hope you will take on board these comments and act accordingly.

**25. Colin and Susan Blake** [REDACTED]**Your reference:> Review of Premises Licence  
OLD BLACK BEAR, HIGH ST., TEWKESBURY.  
(Comments are as at 20 October 2023)****Preamble:>**

My wife and I, both in our 70's, have lived at the above address which is directly opposite the Old Black Bear for 27 years. Never in that time have we felt the need to approach Tewkesbury Borough Council (TBC) with regard to any noise disturbance from the said premises. The only disturbance we did experience was many years ago when there was the occasional 'karaoke' night, but this was sorted out amicably with the licensee. However, since the above re-opened in mid 2023 it has been a constant source of disturbance with little attempt by Mr Haynes to address the concerns presented to him.

**Causes for concern:>**

Mr Haynes licence (22/02043/LIQVAR) contains very specific requirements as to how he has to manage and limit the noise generated by both the premises customers and from any live music provided. These requirements are both general and time specific related.

These requirements are contained within Annex 2. Para. 12 and 20 plus Annex 3. Para. 16, 17 and 31. Mr Haynes has breached these requirements on numerous occasions, particularly with regard to the outside music which has taken place both in the garden and on what should be (according to the site plan) a designated 'smoking area'.

Prior to making the formal complaint (on 12/08/2023) I had previously self monitored the noise level / outside activity to see whether the noise being made was a 'one-off' occurrence. It quickly became obvious over a period of six days that it was a persistent problem and although I spoke to Mr. Haynes on a number of occasions (both by 'phone and face to face) it was apparent that he was not going to make any adjustments.

I made Mr. Haynes aware that I was formally making a complaint to TBC and would be recording the activities, by way of a daily log provided by TBC. Noise problems persisted and despite contacting him by 'phone and further face to face visits on at least six occasions, the situation did not improve in any significant way.

Please note that on one occasion I tried to 'phone the Black Bear direct using the landline number given on his licence. This turned out to be a private landline belonging to his parents who live in Gloucester. Surely this was misleading licence information at the time of application?

On another occasion I spoke to the Duty Manager, only identified as Ben (Mr Haynes not available), about the noise levels. My personal opinion is that he was not aware of the basic 'anti-noise' requirement contained within the licence but he agreed the noise 'sounded excessive'.

Additionally I consider that Mr Haynes has either not read or understood the licence requirements with regard to outdoor noise, with a particular emphasis on Annex 3,

Para. 32 as I had to explain the meaning of 'effectively inaudible inside neighbouring premises' to him whilst he was stood in my house with the very audible music 'thumping away'.

In my dealings with Mr Haynes he has countered my objections to the noise with the following comments:>

'You live next door to a pub. What do you expect?'

'My customers like the noise. I'm not turning it down for you'.

'The noise level sounds alright to me'.

'The traffic is noisier'.

'It depends on which way the wind is blowing'.

Whilst I have not included any specific instances of disturbance within this statement the TBC Environmental and Housing Services are in possession of the completed Daily Log Sheets issued by them for the period 14/08 to 13/09/2023. In addition I have continued to supply, by e-mail, weekend reports. I have also had on two occasions sound monitoring equipment installed.

The licence, as it stands, is far too open ended with opening hours on a weekend extending to 1.00am in the morning and does not reflect that the premises are surrounded by residential dwellings ranging from private houses to over 60's communal apartments.

**Suggested amendments to the licence:>**

- > Opening hours should be limited to 11.30pm. without seasonal exception.
- > Outside live music should only take place in the garden and be time limited to no later than 9.00pm. Monitoring of noise levels must be carried out.
- > No activities should take place on the designated smoking area, other than smoking. Monitoring of area must be carried out.
- > Inside music should be inaudible within residential dwellings after 9.00pm. Monitoring of noise levels must be carried out.
- > Customers, whether inside or outside, should be subject to regular patrols by staff to ensure any noise is kept to low level, and should be applied during all hours of business. Any complaints from residents must be acted upon.
- > Multi-day events should be limited to four times a year, but still follow the requirements above.
- > When the licensee is not on site the Designated Premises Supervisor must be readily identifiable by means of a name tag and DPS authority.

**Personal Impact Statement:>**

Since the re-opening of the premises my wife and I have suffered an altered quality of life. We now await with trepidation as to what time the music starts and at what level. General noise from the beer garden and smoking area adds to the problem. We can no longer sleep with an open bedroom window for fresh air. Our sleep patterns are now dictated by the level of noise being generated at any particular moment.

Yours etc.

Colin Blake (and Susan Blake).

## 26. Jean Somerset

Dear Sir / Madam.

I moved into my home in 1979 and The Black Bear was very much a local public house. There have been many landlords since 1979, but there has never been a noise issue until the pub was re-opened this year.

I spoke to the landlord in the early weeks of opening regarding the noise and he said he would make it his priority. This has not happened yet!!

Can't understand how in a residential area there is an outdoor license to 11.00pm, when in other pub gardens the time is 10.00pm as they are in residential areas!

When the music was outside until 11pm, I couldn't hear my T.V. or read a book, the noise was unbearable. Now music is indoors I just hear the beat!!

The only night I know I can get a good night's sleep is Monday, when the pub is closed. Friday, Saturday and Sunday nights are awful and I can no longer have my daughter and granddaughter to stay at weekends as my granddaughter would get woken with the noise! As I lost my husband last year this is not helping my grieving as I can no longer spend the weekends with my family close.

The main problem I have is the noise from the smoking area, which is opposite my bedroom window. I could join in the conversations which are so loud I cannot hear my T.V. or get to sleep. Customers have now been stopped from taking drinks out after 11pm to the smoking area, but the groups making noise outside are not all smokers and are there for hours!!

The landlord has recently started putting a sound curtain up between 11.30 - 1.30am which quiets the noise, but the noise then is at the front of the pub when the customers leave!!

I think there should be a person on the door to the smoking area keeping a check on numbers, noise and if they are smokers!

I think also there should be a permanent sound barrier at the end of the smoking area to stop noise travelling across the road.

The landlord has now stopped the bottle bus being emptied at 4am and 5am, and they are now emptied after 7am. It did take many complaints for this to happen, but he has now sorted out that problem.

I think if noise issue could be put right the Black Bear would once again be a local pub to be proud of.

If the garden could be emptied at 10pm rather than 11pm this would also control the noise issue.

## 27. Dr Roy Massey [REDACTED]

Dear Sirs,

I think the young Licensee of the newly restored *Ye Old Black Bear* is to be heartily congratulated on his magnificent restoration of that Public House and its gardens. He has created an attractive first view of the town which greets visitors on arrival and restored in a first class manner one of the most important medieval buildings in the county. The entire project has been accomplished with flair and imagination and restored to Tewkesbury one of its most iconic buildings and I wish the Licensee every success in his new business venture. However, with success comes responsibilities to near neighbours and the local environment and I should like to make the following observations:-

Music played loudly in the outdoor garden area is noise pollution and a great trial to folk living in King John's Court and in the cottages opposite the pub. Consequently, I would agree with the suggestion that such events should be limited to six per calendar year. In the light of recent experience one event usually produces music over three evenings - Friday, Saturday and Sunday - so the pollution is not just for one night. I would also suggest that the music ceases at 2230 hours though not implying that this should be the pub's closing time.

I hope the Licensee will continue his already suggested enquiries into sound preventive measures and produce a noise management plan which, in due course, should be presented to the Environmental Health department and, if they approve, be adopted stringently by the management. I imagine this will not be easy or inexpensive for him and an easier answer might be to play the music with less amplification and thus be less of a nuisance to the locality. Background music is a very pleasant experience on a night out but one should not have to shout above it to make oneself heard. Also, less decibel output might help mitigate the questionable vocal gifts of some of the 'singers' we have been afflicted with recently.

My wife and I sincerely hope the Black Bear will continue to be a great success as we admire Luke's initiative and imagination, but having lived through the horrendous problems of loud music with drunkenness, drugs and yobbish behaviour encountered at

the Boat House during our early years in Tewkesbury, we are keen that his enterprise be carefully controlled so that cannot happen again. The Boathouse issue was followed by even more serious disturbances at Montell's, the night club next door to the Black Bear. Both these establishments were eventually closed after sundry hearings in the Magistrate's Courts. I should hate to witness the Black Bear deteriorate in the same manner through lack of control in and around the building, together, with an inadequate awareness of the impact of the establishment on its near neighbours.

The problem of car parking on the bridge is another difficulty of which I'm sure you may be well aware, though it does seem surprisingly difficult to find any official body willing to take responsibility for it. However, the present situation is dangerous, particularly if one is trying to exit King John's Court in a car. Visibility to the right is impeded by the parking and the illegality of those driving over the bridge at much more than 30mph is a real danger, particularly to anyone endeavouring to turn right. The authorities might well be spurred into action when the almost inevitable accident has occurred, but prevention is always better than a possible fatality and I wish the problem could be sorted before anything really serious occurs. I realise that the pub may have no responsibility in this matter but undoubtedly the parked workmen's vans over the long period of the building's restoration has started the rot as others have followed suit in similarly parking in what should be a clearway.

**28. J Morrey** [REDACTED]

I, like others, was pleased to see the opening of the Black Bear after several years of renovations.

The initial outdoor live entertainment, though loud, was tolerated and understandable as a celebration of a new beginning for the Black Bear.

Over the following weeks it became obvious that this was to become a regular occurrence and would have been less of a problem had the groups been inside the Black Bear. Being outdoors the sound seemed to ricochet off the surrounding properties, enhanced again by the effect water has on sound. The River Avon runs passed all our properties. Double glazing has proved no match against the decibels emanating from this outdoor entertainment.

I had hoped that these events would be occasional but they became a regular event. I am not objecting to outdoor entertainment but because of the proximity of private dwellings there needs to be restrictions on the frequency of such events.

I hope the Council will give consideration to the neighbours of the Black Bear.

**29. Lee Dixon and Sally Sinclair** [REDACTED]

After receiving the most recent letter, regarding the Black Bear License review, we feel we should comment.

Up until now, we have not commented, or let our feelings known, as we are pleased that the Black bear has re-opened, and the renovations are in keeping with the heritage of Tewkesbury, and on the whole our guests enjoy going there.

But recently, we feel that advantages are being taken...

The pub itself doesn't actually seem to be used that much, as most of the activity is now outdoors, the food trucks are opposite are cottages, so we have to deal with the smell emanating into our properties continually, mainly burgers and onions all the time.

The music is mainly played outdoors, as is most of the seating area.

The massive marquee that was erected, which we thought was for a wedding! Was in fact for October fest, which seems to now be November fest as well? So our guests can no longer look out of the window and see the river views.... Only a massive billowing white monstrosity.

When is this being removed?

As for the noise and anti-social hours, we can mainly rely on what our guests have said in the welcome book, they say it is very noisy late at night. When we come to do evening changeovers, it sounds like a chicken farm.

We really feel that there should be a curfew on being outside, past a certain time of night.

It would also be courteous to be informed of big events in advance, to prepare our prospective guests for noise disturbances.

Food trucks are a summer thing, I think they should return inside to cook for the winter months at least to give us all a break!

Deliveries at a reasonable hour seem fair too.

We think that at the beginning there was a lovely clientele but now, it is targeting late night revellers, and turning into more of a night club than a medieval pub.

### **30. Tewkesbury Civic Society**

**The Tewkesbury Civic Society firmly supports the need for such a review and for the conditions recommended by the qualified Licencing Authority officers.**

At least one of the four objectives of the Licencing Act is not currently being met, ie. The prevention of public nuisance.

From the documentation we have seen and from our own observations there is clear evidence of unacceptable levels of noise disturbance to neighbours, some at considerable distance, due to the Black Bear's way of implementing their licence, so justifying the review and the need for the conditions proposed.

The conditions proposed are not extraordinary at all, they must be repeated in countless properties around the land where residents' rights to lead an undisturbed life free from public nuisance need protection. Indeed, this Licencing Authority imposed one very similar condition this year, for these very reasons, on the Hop Pole (Wetherspoons) licence whereby their garden must be used for no other purpose than ingress and egress after 22:00 hours!

We think it unfortunate that the owner of the premises has not had, or has not taken, advice from a licencing professional who may have advised on the objectives of the Licencing Act, his responsibilities as licensee, the impossibility of operating permanently as he seemed intent on and of the sensible course of negotiating with the Licencing Authority. This is where a chain like a Green King or a Wetherspoons would clearly know the parameters within which they can reasonably expect to operate, but where an inexperienced "entrepreneur" would not.

We also think it unfortunate that having done an excellent job of restoring the old and valued premises (where he did use the services of a professional advisor, an architect skilled in such work) he has created a substantial division in the wider community.



Clearly, those that enjoy a good noisy evening out have been called out in their droves by an entirely spurious "Save the Bear" campaign (no-one, certainly not the Licencing Authority, is seeking to close the business). Unfortunately, clients of that persuasion rarely consider the pain others may be enduring, they are part of the problem that make such license conditions necessary.

Those that complain are often portrayed, particularly on media platforms like Facebook, as "killjoys", "moaners", the "if you don't like trains why live near a station" analogy gets used often. Quite intimidating. Meanwhile those same people can sometimes be driven to desperation. Based upon some of our own members' experience we know this repeated disturbance can be dangerously depressive.

Of course, problems have occurred from time to time in the past at that premises when owned and managed by others, but they got resolved at the time. Nothing was so significant as to deter people from living around there. Those historic issues were on an entirely different scale, much smaller. Now, without changes required by the proposed conditions, who in their right mind would buy anywhere near?

In conclusion, we again express our appreciation of the restoration of the property but feel the owner cannot be "rewarded" by being allowed to be an exception, by not being required to operate his business so as to conform to the objective of the Act, to prevent public nuisance.

**We repeat our support for this review and ask that the Licencing Authority committee approve the conditions proposed by qualified officers.**