

Further information requested by licensing authority responses

Further information was requested from all parties by the licensing authority in Schedule 1 of the Notice of Hearing. The following responses have been received:

Comments from the Applicant Jill Morris

1. I would like the licence to be restricted to 11 pm from Sunday to Thursday and 11.30 on Friday and Saturday.
2. Doors to be closed at 10 pm at front and rear and no outside drinking allowed after this time and no congregating outside after 10.
3. Smokers to be allocated a designated smoking area not immediately outside the front/back door and at a suitable distance from the door.
4. Doors, in general, to be closed to avoid noise disturbing 'reasonable' enjoyment of home and garden.

Comments from Review Supporter 1:

To the licensing manager,

Please find attached the form to say I will be attending the hearing.

I would like to clarify what controls and actions we would like in place at the Bramley Apple Pub:

With regards to the outside: No congregating in groups out the front or back of the Bramley after 10pm. If customers go outside to smoke, it must be in a designated area (preferably in the back) and should be for a reasonable length of time (5-10 minutes) not for extended lengths of times like it is at present.

No cars parked across the pub's entrance.

This is our main condition. We strongly support that the licence being reviewed to 11pm. This will bring it in line with the other pubs in the Southwell community. This will ensure the prevention of public nuisance, the excessive noise and anti-social behaviour that comes with the late licence. I have lived near the Bramley Apple since the 1980s. It has been increasingly problematic especially when the late licence was granted. We understand that we live near a pub at that it won't be totally quiet, however, when the noise interferes with our sleep and enjoyment of the property, this is unreasonable for us especially when we are in our 70's and should not have to worry if we will be kept up until all hours with late night drinking and excessive noise.

Lastly, there needs to be stricter management of some of the behaviour of some of the customers. The management have put notices up and go outside to check, however, some customers are still not following the rules and there have been frequent issues with rowdy drunken behaviour, excessive noise and shouting/screaming out the front.

Comments from Review Supporter 2:

To the licensing manager,

I have attached the form which gives notice of my intentions to attend the hearing on Thursday 29th October to review the license of the Bramley Apple Pub.

Please find below clarification to the following points you require:

Please state the exact controls that you seek to have on any outside areas including any time limits.

We feel it is reasonable that the outside areas are not used after 10pm in such a residential area where the distance from sensitive premises such as residential dwellings is so close. This is the time when people, especially children or elderly, may be using their bedrooms. Tony Dennis emailed Jill to say that conditions were given to the Bramley Apple pub to include that any outside gatherings are unreasonable after 10pm, however, this is constantly being breached by the Bramley Apple pub.

The pub has spent money on renovating the beer garden behind the property, yet customers are mainly using the front where majority of neighbouring properties are located. It is clear by all the neighbours complaints that groups of customers congregate outside the pub at unreasonable hours causing noise and anti social behaviour. They are not random members of the public (or other pub customers as implied) they are customers of the Bramley Apple pub.

Are there any other conditions that you would like the Licensing Panel to consider attaching to the licence that support the licensing objectives, which are:

Prevention of public nuisance and crime and disorder.

We strongly support that the licence being reviewed from 1am to 11pm. This condition would ensure the prevention of public nuisance, in particular, that the noise levels and anti social behaviour are better controlled. It would also bring this pub in line with all the other pubs in the Southwell community who shut at 11pm or before.

Persistent noise particularly when it is between the hours of 11pm and 7am could be considered antisocial behaviour when it occurs regularly and continues over a period of time. Many of the residents have lived near the Bramley Apple for a number of years and experiencing persistent unreasonable ongoing anti social behaviour from the pub.

Furthermore, the complaints about noise should be noted as statutory nuisance as the noise is significantly interfering with the reasonable enjoyment of our properties. Representations have noted that the noise has been an ongoing concern and interfered with sleep and normal enjoyment of their properties.

The cars that are regularly parked across the front of the Bramley Apple and on double yellow lines should not be permitted.

There also needs to be stricter control of some of the customers behaviour. The customers who frequent the pub, later at night, are not following the rules or reading posters put up by the pub. This blatant disregard for nearby residents is disconcerting and should be the responsibility of the pub to ensure that customers are respectful and appropriate when on their premises. This is not currently being enforced effectively.

Lastly, there should be a designated smoking area, preferably at the back of the pub. This should be managed so that people who smoke should do so quietly and in a reasonable time limit (5-10 mins) At present the customers are having extended lengths of time outside smoking.

Comments from Review Supporter 7:

- 1) That the outside areas are not used after 10pm. In such a residential area this seems reasonable.
- 2) That the late license be changed to from 1am to 11pm. This would prevent the public nuisance residents have been experiencing of excessive noise and anti social behaviour.
- 3) That cars are stopped from parking across the pubs entrance.