

Report

Licensing Sub Committee Report.

Part 1

Date: 18th September 2019

Subject **Review of Premises Licence under Section 51 Licensing Act 2003, Ye Olde Bull Inn, High Street, Caerleon, NP18 1AE.**

Purpose The consideration and decision in respect of a review application under Licensing Act 2003.

Author Steve Pontin (Licensing Officer)

Ward As indicated within the report

Summary An application for a review of the premises licence was made by Newport City Council Licensing Authority, acting in its role as a Responsible Authority, on 26th July 2019 on the basis that the premises is undermining the prevention of public nuisance.

Proposal To make a decision on the application to review the Premises Licence issued in respect of Ye Olde Bull Inn, High Street, Caerleon, NP18 1AE

Action by Head of Law and Regulation

Timetable Statutory Consultation Period

Signed Steve Pontin

1. Review Application

- A review application under Section 51 of the Licensing Act 2003 was received on the 26th July 2019 from Newport City Council Licensing Authority, acting in its role as a Responsible Authority, to review the Premises Licence issued in respect of Ye Olde Bull Inn, High Street, Caerleon, NP18 1AE.

The application for review relates to the following Licensing objective(s):

The prevention of public nuisance

A copy of the review paperwork and supporting documents can be found in **Appendix A** of this report.

The application was received by the Licensing Authority on 26th July 2019 and in accordance with section 51(3)(a) of the Licensing Act 2003 a copy of the application was served on the holder of the Premises Licence and on all Responsible Authorities.

Following receipt of the application, the Licensing Authority advertised the application in accordance with the regulations of the Act, thereby inviting representations to be made by interested parties. Any representation in respect of this application made by a responsible authority or an interested party had to be received by the Licensing Authority by 23rd August 2019.

2. Licensable Activities

The current premises licence holder is:

Yobi Caerleon Limited, C/O UHY Hacker Young, Lanyon House, Mission Court, Newport, NP20 2DW

The Premises Licence relates to:

Sale by retail of alcohol -

Monday to Wednesday inclusive 10:00 - 23:00
Thursday to Saturday inclusive 10:00 - Midnight
Sunday 10:00 - 22:30
Maundy Thursday 10:00 - 01:00
Good Friday 12:00 - 23:30
Friday prior to a Bank Holiday 10:00 - 01:00
Saturday prior to a Bank Holiday 10:00 - 01:00
Sunday prior to a Bank Holiday 10:00 - 23:30
Bank Holiday Mondays 10:00 – Midnight

- i) St. David's, St. Patrick's Day, St. George's Day and St. Andrew's Day, where these dates fall on a Monday to Wednesday inclusive, between the hours of 10:00 to Midnight
- ii) St. David's, St. Patrick's Day, St. George's Day and St. Andrew's Day, where these dates fall on a Thursday to Saturday inclusive, between the hours of 10:00 to 01:00
- iii) St. David's, St. Patrick's Day, St. George's Day and St. Andrew's Day, where these dates fall on a Sunday, between the hours of 10:00 to 23:30
- iv) Christmas Day, between the hours of 12:00 to 15:00 and 19:00 to 22:30
- v) New Years Eve, from the end of permitted hours until the commencement of permitted hours on New Years day.

Performance of Dance –

Monday to Saturday inclusive 10:00 - Midnight
Sunday 10:00 - 22:30

Exhibition of a Film -

Monday to Saturday inclusive 10:00 - Midnight
Sunday 10:00 - 22:30

Indoor Sporting Event –

Monday to Saturday inclusive 10:00 - Midnight
Sunday 10:00 - 22:30

Performance of Live Music –

Monday to Saturday inclusive 10:00 – Midnight
Sunday 10:00 – 22:30

Playing of Recorded Music -

Monday to Saturday inclusive 10:00 - Midnight
Sunday 10:00 - 22:30

Late Night Refreshment -

Monday to Wednesday inclusive 23:00 - Midnight
Thursday to Saturday inclusive 23:00 - 00:30
Maundy Thursday 23:00 - 01:00
Friday prior to a Bank Holiday 23:00 - 01:00
Saturday prior to a Bank Holiday 23:00 - 01:00
Sunday prior to a Bank Holiday 23:00 - 01:00
Bank Holiday Mondays 23:00 – Midnight

- i) St. David's, St. Patrick's Day, St. George's Day and St. Andrew's Day, where these dates fall on a Monday to Wednesday inclusive, between the hours of 23:00 to Midnight
- ii) St. David's, St. Patrick's Day, St. George's Day and St. Andrew's Day, where these dates fall on a Thursday to Saturday inclusive, between the hours of 23:00 to 01:00.

A copy of the premises licence can be found in **Appendix B** of this report

3. Representations

The following representations were received:

1. Peter and Kathryn Hitchings, owners of Pendragon House Bed and Breakfast Accommodation, 18 Cross Street, Caerleon, NP18 1AF.
2. Dr P Tudball, resident 21 Cross Street, Caerleon
3. Stuart Nicholson, Managing Director of Burlesque Hair Co Ltd, 28 High Street, Caerleon, NP18 1AG

The representations can be found in **Appendix C** of this report.

4. Background/Premises Licence History

The Premises itself is a public house and is located on High Street, Caerleon, NP18 1AE. The premises is one of a number of pubs and restaurants situated in what is also a partially residential square in Caerleon. The location of the premises can be found in **Appendix D** of this report;

Other than the issues contained within this report, historically the premises has previously had a couple of minor issues with noise related nuisance.

In November 2018, the Licensing Authority issued an advice letter following an evening of enforcement by Licensing Officers where music could be heard emanating from the premises due to windows and doors being open.

In November and December 2015, Environmental Health and Licensing Officers had cause to engage in written dialogue with the Premises Licence holders in respect of noise complaints received from residents in respect of occasions of live music. The issue was resolved with the premises licence holder agreeing to a number of suggestions from the licensing authority including ceasing live music and having only acoustic music.

It should be noted that both of the historic issues described above occurred well before the current licence holder, subject of this review application, had any involvement at the premises.

5. Policy Considerations regarding a review of a Premises Licence

Relevant extracts of the Statement of Licensing Policy as regards this application include:

9. 1 The Council can consider a review of a premises licence where it is alleged by a Responsible Authority, such as the Police, Fire Authority or other persons, that any of the licensing objectives are being undermined. It views particularly seriously applications for the review of any premises licence which involves the:

- 1) use of licensed premises for the sale and distribution of classified drugs and the laundering of the proceeds of drugs crimes;
- 2) use of licensed premises for the sale and distribution of illegal firearms;
- 3) evasion of copyright in respect of pirated films and music;
- 4) underage purchase and consumption of alcohol;
- 5) use of licensed premises for prostitution or the sale of unlawful pornography;
- 6) use of licensed premises for unlawful gaming;
- 7) use of licensed premises as a base for organised criminal activity;
- 8) use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;
- 9) use of licensed premises for the sale of smuggled tobacco or goods;
- 10) use of licensed premises for the sale of stolen goods;
- 11) Police being frequently called to attend to incidents of disorder;
- 12) prolonged and/or repeated instances of public nuisance;**
- 13) serious risk to public safety;
- 14) serious risk to children.

And

Where a review hearing is held, the Council has a variety of courses of action ranging from taking no action at all, varying conditions, suspending or revoking the licence.

Revised Guidance issued under section 182 of the Licensing Act 2003

Beer gardens or other outdoor spaces

8.35 Applicants will want to consider whether they might want to use a garden or other outdoor space as a location from which alcohol will be consumed. The sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract. In scenarios where drink orders are taken by a member of staff in the garden or outdoor space and the member of staff then collects the drinks from the licensed premises and returns to deliver them to the customer this would be treated as an off-sale and any conditions that relate to off-sales would apply.

8.36 In such cases it will be not necessary to include the garden or other outdoor space on the plan as part of the area covered by the premises licence. However, it will be necessary for the applicant to include the garden or other outdoor space on the plan as part of the area covered by the premises licence if the intention is to provide a service whereby drinks are available for sale and consumption directly from that area (i.e. the provision of on-sales). This would apply in the case of an outdoor bar or a service whereby a member of staff who is in the garden or outdoor space carries with them drinks that are available for sale (without the need for the staff member to return to the licensed premises to collect them).

8.37 If the beer garden or other outdoor area is to be used for the consumption of off-sales only, there is no requirement to show it on the plan of the premises, but the prescribed Revised Guidance issued under section 182 of the Licensing Act 2003 application form requires the applicant to provide a description of where the place is and its proximity to the premises.

6. Legal Considerations

The decision must be taken following consideration of the representation received with a view to promoting the licensing objectives which are:

- Prevention of crime and disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

In each case the Sub-Committee may make the following determination

- To modify the conditions of the Premises licence
- To exclude a licensable activity from the scope of the premises licence
- To remove the designated premises supervisor from the licence
- To suspend the premises license for a period not exceeding 3 months
- To revoke the premises licence
- Take No Action in respect of the Premises Licence.

All decisions taken by the Sub-Committee must

- (a) be within the legal powers of the Council and its Committees;
- (b) comply with any procedural requirement imposed by law;
- (c) be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations;
- (d) be fully and properly informed;
- (e) be properly motivated;

- (f) be taken having regard to the Council's fiduciary duty to its taxpayers; and
- (g) be reasonable and proper in all the circumstances.

7. Issues for discussion

- The content of the application made by Newport City Council Licensing Authority, acting in its role as a Responsible Authority, for a review of the Premises Licence.
- Any evidence and mitigation provided by Licence Holder

8. Financial Summary

- The costs and financial implications: You must discuss financial implications with the Head of Finance and the report must identify from where your proposals will be funded, together with any impact on budgets or any opportunity costs

	Year 1 (Current) £	Year 2 £	Year 3 £	Ongoing £	Notes including budgets heads affected
Costs (Income)					
Net Costs (Savings)					
Net Impact on Budget					

9. Risks

It is important to identify and manage any project or scheme's exposure to risk and have in place controls to deal with those risks.

In this section, you should consider the key risks facing the proposals in your report, particularly those which would impact on delivery or sustainability of the project or projected outcomes. You will need to include details of how risks will be managed. If your proposals rely on short or medium term grant aid or funding streams you will need to outline your exit or continuation policy here.

You will need to complete the following Risk table

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Making a unlawful decision	High	Low	The Committee will consult with the Legal Officer and Licensing Officer to determine if any decision is lawful and proportionate.	Chairperson. Legal Officer.

			Members training.	
The licensing committee departing from the licensing policy.	Medium	Low	If the Committee wishes to depart from the Councils policy they must give good reason for this and obtain advice from the Legal Officer when departing from the Policies to ensure the decision is lawful. Members training.	Chairperson. Legal Officer.
The applicant does not have a fair hearing	High	Low	A Licensing Committee procedure should be followed by the committee. The Legal Officer alongside the Democratic Service Officer will advise the committee if at any stage an unfair hearing is taking place. Members training.	Democratic Service Officer. Chairperson. Legal Officer.

* Taking account of proposed mitigation measures

10. Links to Council Policies and Priorities

This report has been prepared in accordance with The Licensing Act 2003 and with regard to Newport City Council Statement of Licensing Policies 2015.

APPENDIX A

Application for Review of a Premises Licence under the Licensing Act 2003
From Newport City Council Licensing Authority, acting in its role as a Responsible Authority.

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Newport City Council Licensing Authority (Acting as a Responsible Authority)-----

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Ye Olde Bull Inn, High Street, Caerleon. NP18 1AE.	
Post town Newport	Post code (if known) NP18 1AE

Name of premises licence holder or club holding club premises certificate (if known)
Jonathan Collingbourne

Number of premises licence or club premises certificate (if known)
19/00808/LAPVPT

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates
(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Newport City Council Licensing Authority. Newport City Council PO Box 883 Civic Centre Godfrey Road Newport NP20 4UR
Telephone number (if any) 01633 656656
E-mail address (optional) environment.licensing@newport.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance **X**
- 4) the protection of children from harm

<p>Please state the ground(s) for review (please read guidance note 2)</p> <p>Newport City Council</p> <p>Licensing Authority (acting as a Responsible Authority)</p> <p>Has made an application for review of the Ye Olde Bull Inn, Caerleon because the operation at the premises undermines the Prevention of Public Nuisance.</p> <p>The application is supported by evidence that entertainment noise via live and recorded music is causing disturbance to local residents.</p>

Please provide as much information as possible to support the application (please read guidance note 3)

Newport City Council Licensing Team first received a complaint back on the **26th May 2019**, regarding excessive noise associated with entertainment from the Ye Olde Bull Inn, Caerleon.

The complainant who resides at 21 Cross Street, Caerleon stipulated that on the evening of the **25th May 2019** music noise from the Bull was “intolerable” between the hours of 20:30hrs and midnight.

The complainant also stipulated that there where live bands taking place every Saturday night and “over the last few weeks the noise has been deteriorating; but the **25th May 2019** it was terrible”.

Historically licence premises within High Street / Cross Street area of Caerleon have caused issues to local residents, specifically from entertainment noise. However, in the last 4 years the Licensing Authority has not received any **notable** complaints from local residents.

The location of licence premises within this small area are within close proximity of a number of the local resident’s. As such, premises are required to carefully manage noise when holding entertainment events. In many cases, this requires venues to ensure both all windows and double door systems are closed at all times and the management team of the premises closely monitor the noise from the boundary of the premises.

Due to historic issues in Caerleon and the fact the Licence holder and the Designated Premises Supervisor (DPS) of the Bull where relative new. (the Premise licence was transferred and the DPS was changed on the 22nd February 2019) It was felt important to have discussion with the Licence Holder and DPS to discuss the resident complaint.

Licensing Officers Pontin and Lewis meet with the DPS of the premises on Thursday the **30th May 2019** to discuss the noise complaint relating to the evening of the 25th May 19. At the meeting, the DPS Mr Jonathan Collingbourne stipulated that there had been a DJ playing at the venue on the 25th May and due to the evening being, relatively warm customers had determined to open the windows without knowledge of the staff.

Officers explained to Mr Collingbourne the importance of closing the windows and doors and monitoring sound due to the very sensitive nature of the local area. Mr Collingbourne stipulated that they were looking at placing locks on the windows and looking at alternative means of ventilations to prevent further noise escaping.

Officers stipulated that despite the conditions of the Premises Licence regarding regulated entertainment disapplie (due to the introduction of the Live Music Act 2012) it would still good practice to follow the conditions when entertainment is taking place specifically that **all windows and doors are closed**.

These conditions being:

2H01 *On occasions when regulated entertainment is provided within the premises, door supervisors shall be on duty from 21:00 until the close of premises.*

2H09 *At all times when regulated entertainment is being provided staff shall/door supervisors shall patrol the outside areas of the premises every 30 minutes.*

3H04 *No live music shall take place within the area marked on the licensing plan number M2348 until a full noise assessment has been undertaken by a competent noise consultant and all identified works have been completed to the satisfaction of the Environmental Health Department of Newport City Council.*

3H06 *All windows shall be kept closed and all doors within the premises shall be kept closed, save for access and egress, at all times during which regulated entertainment is provided within the premises.*

3H08 *The Designated Premises Supervisor shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises.*

It was felt by the Licensing Officers at the time this was simply a “one off” noise nuisance complaint and felt confident that the DPS would ensure that both windows and doors were closed and music noise be closely monitored.

The Premises Licence holder also sent a video to the Licensing Department on the 5th June 2019 demonstrating the type of music taking place (an Acoustic Set) and the fact the windows were in fact closed. The DPS also stipulated that “they were really trying to be good neighbours and will work with you to ensure this but I feel that this complaint has been greatly over exaggerated”

Despite the conditions regarding entertainment not being enforceable under the provisions of the Live Music Act 2012, it should be noted that this does not permit a premises **to cause a noise nuisance.**

On the **17th June 2019**, unfortunately the Licensing Authority received a further complaint from the resident of 21 Cross Street, once again stipulating that they had been disturbed by music coming from the Bull on **Friday 14th, Saturday 15th and Sunday 16th June 2019.**

The complaint from 21 Cross Street once again complained regarding the level of music noise coming from the Bull on the **23rd June 2019** and sent a short video clearly showing the premises windows open despite the advice of the Licensing Officer's. (a snapshot of the video is exhibited as Bull 1)

In light of the continue complaints and the fact the windows remained open during entertainment it was felt appropriate to hold a further and final mediation meeting with the premises licence holder/DPS.

The mediation meeting was arranged for **28th June 2019** and a letter of warning was also sent to the licence holder stipulating if nuisance was to continue and witnessed

that formal, action may take place. (a copy of the email is exhibited as Bull 2)

Unfortunately when attending the pre-arranged meeting on the **28th June 2019** the DPS was unable to attend the meeting, as such the Licensing Officer Pontin and Licensing Manager Dearling spoke to the bar manager with the consent of the DPS.

Once again, the officers clearly reminded the premises of the importance of closing windows and monitoring noise when entertainment takes place at the venue. This would allow the premises to continue to have entertainment but without causing nuisance to local residence.(this has been achieved previously by previous licence holders at the Bull)

The bar manger then demonstrated the level of music being played at the premises, It was evident to the officers standing outside of the premises that the music noise would probably have of caused a noise nuisance to local residence if the doors or windows remained open at the premises.

Officers again stipulated the importance of ensuing levels of music noise should be closely monitored and should not be clearly heard across the road / the boundary of the premises. This being the most effective way of monitoring the noise.

The Licensing Officers on leaving the premises unfortunately had little confidence that the management of the premises would in fact take on the advice of the Licensing Officers, as such, it was determined by the Licensing Manager to visit the premises on the evening of Saturday the 6th July 2019.

The premises was in fact visited before the 6th August 2019 by the Council warden service on the **29th June 2019** where on three separate patrols carried out on the evening the wardens could **not** hear excessive music noise from the premises.

However, on the **30th June 2019** the resident of 21 Cross Street was required to contact the warden's service due to alleged noise emulating from the Bull.

The wardens witnessed the noise nuisance for approximately 20 minutes from the complainants kitchen. The Wardens stipulated that both windows were shut in the complaints property and complainant stated this was because they no longer had the luxury of opening the windows due to the loud music.

The wardens stipulated that music noise could still be heard even when the TV was turned to a standard volume - complainant said she usually has the TV volume turned to maximum (100) to try and tune out the constant noise. (The Wardens stipulated when she first turned on the TV the sound was already at maximum volume - complaint turned it down). The Wardens stipulated that the vibrations of bass could be felt when standing in the kitchen as well as, being able to make out what songs were being playing such as; Hey Jude - The Beatles.

While having a normal conversation between the wardens, the complainant's neighbour of ██████████ stipulated that he could not enjoy the use of their garden because of the intolerable noise nuisance from both the music and the crowds of people. Both complainants told the Wardens that both their properties have gone up on the market because, they can no longer put up with the noise disturbance and the effect that it is having on their lives. The Wardens left the property at 19:09hrs. At 19:13hrs the Wardens went to the carpark next to the Bull pub to gain a different perspective of the noise but the music had ceased.

The Complainant of 21 Cross street also sent a video via her mobile phone before

the attendance of warden, the video clearly shows the windows wide open whilst entertainment is taking place in the Bull both at 16:50hrs and 18:30hrs on the 30th June 2019. (A snapshot of Video Exhibit in Bull3)

Once again, the resident of 21 Cross Street was required to call the warden service on the **Friday 5th July 2019** and then on **Saturday 6th July 2019 due to music noise**. The Licensing Authority also received a complaint from resident from number [REDACTED] regarding the noise from the premises. The resident tried to send a video of the event but was unsuccessful but stipulated “the noise pollution was unbelievable” on both evenings.

Council Warden Sidney visited the complaint house 21 Cross Street on the 6th July 2019 at approximately 21:45 hrs. On arrival, the warden witness that the music could be heard **but not excessive**. Once inside the property the music could still be heard within the kitchen the possibly due to single glazing.

The Music noise was also witnessed in the lounge with the TV on at a normal volume only the bass could just be heard. From what we witnessed in selected rooms I would **not deem** the volume to be excessive. The windows of the Pub were open and the bass was high which did not help the situation. The warden stipulated the worst of the noise was from the drinkers in the beer garden which was packed, shouting and singing.

Alongside the Wardens attending complaints property on the 6th July the Licensing Manager also attended the area from the hours of 21:15 till 22:15hrs. Once again the officer witnessed that the windows where open and double door entrance was not in operation. It was noted that it was an extremely warm evening.

Unfortunately, the music from the Bull could clearly be heard at the Roman Gate that is located 100m away from the Bull and at 21:53 hrs the officer could clearly here the music and the base alongside the full words of the song “Greece Lighting” from the Film Greece. The Music also could be clearly heard from outside the complaint front door.

It is felt if the windows and the double door system had been closed as recommended and the base of the music turned down it would of help mitigate the noise issue. It would also greatly assisted if the DPS or the manager of the premises had undertaken regular noise checks on the perimeter of the premises, once again recommended by licensing officers unfortunately this was not witnessed at the time.

At the time of listen to the noise levels, it also witnessed that patrons of the premises where not being controlled at the premises despite two SIA door staff being present. It was witnessed a number of patrons leaving the premises with glasses of alcohol and then patrons seen walking outside 21 Cross Street drinking chatting, shouting and then returning into the pub with drinks in the hand. It also seemed little control also in a very busy beer garden.

Unfortunately Shouting, swearing, singing and glass smashing could be clearly heard from the beer garden area that could only be described as “raucous” behaviour. The Door Staff did little to control the situation and in fact seemed simply happy to chat between themselves. To point that patrons of the pub waiting for a taxi outside the front door started picking up and throwing / Playing with the premises coffee A board, the Door Staff simply continued to eat a take away.

Though the night in question was extremely busy night and due to hot weather many

people were likely to have been drinking most of the day it was felt that there was no control of either the patrons or music in question.

Due to the continuing complaints a Noise Abatement Notice in respect to Statutory Noise was served on Jonathan Collingbourne by the Community Protection Manager on the **11th July 2019**. (a copy of this notice is exhibited as Bull 4)

Licensing Officers also briefly visited the premise on **the 12th July 2019** from 20:50hrs till 21:15 hrs and found no noise nuisance emitting from the premises. Licensing Officers also visited the premises on the **13th July 2019** at approximately 23:25hrs again no issue was witnessed by the licensing officers.

The local resident of 21 Cross Street was contacted by the Licensing Authority to see if what was briefly witnessed by the officers was a true reflection for all the day / evening relating to the 12th & 13th July. The resident confirmed that the Friday 12th July was "tolerable" but the Saturday was terrible and once again all the windows and doors were open. In regard to the Saturday the officers noted that the windows were open but at the time of monitoring from 23:25hrs until 23:42hrs only background music was being played and no regulated entertainment was taking place at the venue.

The resident of 21 Cross street then was required to make a further complaint regarding noise from the Bull on **Saturday the 20th July 2019** stipulating that the noise was "Terrible". To the point that at 19:00hrs they actually went into the pub and asked them to turn the music down and shut the windows. The resident stipulated that the premises did close the windows but did not turn the music nor the base, as such the Council Wardens were contacted again.

At 20:45hrs the Wardens attended complainant's property in order to witness the noise nuisance. On arrival, the wardens could clearly hear from the location in question, loud music and a thumping base, roughly 20 yards from complainant's property. It is important to note that all windows were closed on the east side of Ye Old Bull Inn.

The wardens witnessed the noise from the resident's living room. All of the resident's windows were shut though still loud music and thumping base could not only be heard but vibrations from the base were felt. While the wardens were in attendance the level of constant music/base continued and could be heard over all conversation between resident and the wardens. Wardens left the property at 21:05 - music/base could still be heard on leaving the property and for up to 20 yards from departure.

The Licensing Authority also received a further complaint from another local resident residing in [REDACTED] (as such the 3rd resident to complain regarding noise from the Bull). The resident stipulated that on Saturday 20th July live music from 20:00hrs till 00:00hrs and outdoors noise was "a high level". From within indoors their property they stipulated the music noise was muted due to his double-glazing however a deep base rhythm.

The resident also stipulated on the **Sunday 21st July** the music was even louder and music concluded approximately 20:30hrs. The resident of [REDACTED] stated "that this has been going on for a couple of months now with more and more anti residential noise pollution coming from the pub". They appear to take no notice of residents' complaints or have any concerns for them

This was also verified by the resident of 21 Cross Street who said once again stipulated the windows were open again and music booming into their house over

that weekend. (Exhibit in Bull 5)

I think it is imperative to say that the Licensing Authority is not adverse to the premises having entertainment though the entertainment noise **must be controlled** to protect the local residents.

It is felt if the Designated Premises Supervisor had taken on the advice of the Licensing Officers, by simply closing windows /doors reducing levels of bass and ensuring entertainment could not be heard from the boundary a review **would not** have been required to be called.

I very much doubt it is the intention of the premises to deliberately cause nuisance to local residents and the recent hot weather has not assisted, **but** it is down to the premises to manage this and to ensure the promotion of the four licensing objectives.

To ensure the Licensing Objectives are upheld by the premises it is felt that the conditions that relating to Live / recorded music that are current on the premises licences should also apply between the hours of 8am and 11pm thus meaning the “privileges” under the Live Music Act are removed.

It is also felt appropriate for the following conditions to be attached to the premises licence:

After 23:00hrs only maximum of 8 persons should be permitted in the “beer” garden for the purpose of smoking only, No drinks should be present in the beer garden after 23:00hrs.

No drinks are permitted to leave the premises and clear signage should be displayed on the exit doors of the premises highlighting this point to customers.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate,

as appropriate

- I understand that if I do not comply with the above requirements my application will be rejected



IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date **26/07/2019**

.....

Capacity **Licensing Authority, Responsible Authority**

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

This is the address which we shall use to correspond with you about this application.

Exhibited Bull 1: Windows Open 23rd June 2019



Exhibit Bull 2 Letter of warning

Yobi Caerleon Limited
C/O UHY Hacker Young
Lanyon House
Mission Court
Newport
NP20 2DW

Licensing Service/
Gwasanaeth Trwyddedu
PO Box 883/Bwlch Post 883
Civic Centre/Canolfan Ddinesig
Newport/Casnewydd
South Wales/De Cymru
NP20 4UR

18/06/2019

Dear Sirs

**Licensing Act 2003,
Ye Old Bull Inn, Caerleon, Newport, NP18 1AE
Noise Complete from Live Music**

Unfortunately, the Licensing Authority is still receiving noise complaints from live music taking place at the above named premises. As you are aware, Licensing Officers visited the premises on the 30th May 2019 to discuss a noise complaint regarding live music taking place on the evening of the 25th May 2019. At the time of the meeting it was discussed the importance of ensuring that all doors and windows were closed and the levels of music are closely monitored to help mitigate any further noise complaints from the live music.

It has now been brought to my attention by the Councils Warden service that on Saturday 15th June 2019 they were further required to witness noise from live music coming from the Bull. At the time it was witnessed by the Warden that the noise levels were not being controlled and unfortunately once again the windows and doors of the pub were open at the time of the entertainment.

You will note that your premises licence has a number of conditions relating to controlling music noise at the venue. (Though it is noted these are not enforceable between the hours of 08:00hrs until 23:00hrs due to Live Music Act) I think it is imperative to stipulate that despite the Live Music Act this does not allow a licenced premise to cause a noise nuisance.

Unfortunately, if the premises continues to cause a noise nuisance from either live or recorded music the Licensing Authority/Council Pollution Control Team (Noise) or Local Resident(s) may have no other option than to call the Premises Licence into review. As part of the review the Responsible Authority is likely to request that the Licensing Committee determine that conditions on the premises licence relating to live or recorded music should also apply between the hours 8am and 11pm, this includes the condition 3H04 that stipulates:

“No live music shall take place within the area marked on the licensing plan number M2348 until a full noise assessment has been undertaken by a competent noise consultant and all identified works have been completed to the satisfaction of the Environmental Health Department of Newport City Council”.

I am sure it is not your intention to cause nuisance to the Local resident(s) but it is imperative that noise levels are clearly controlled when live or recorded music is taking place at the premises. If you feel, it would be beneficial to meet again, or if you require any further advice please do not hesitate to contact myself directly.

Yours sincerely,

Alastair Dearling
Licensing Manager

Exhibit Bull 3

30th June 2019

16:30hrs



18:30hrs



10th May 2019

Exhibit Bull 4: Noise Abatement Notice

**LAW AND REGULATION
ENVIRONMENTAL PROTECTION ACT 1990 SECTION 80
ABATEMENT NOTICE IN RESPECT OF STATUTORY
NOISE NUISANCE**



TO:

Mr Jonathan Collingbourne

ADDRESS:

[REDACTED ADDRESS]

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the **NEWPORT CITY COUNCIL** being satisfied of the likely recurrence of a noise amounting to a statutory nuisance under section 79(1)(g) of that Act at the premises known as;

ADDRESS:

Ye Old Bull Inn, High Street, Caerleon, Newport, South Wales, NP18 1AE

within the district of the said Council, arising from;

the playing of loud amplified (recorded / live) music.

The Council **HEREBY REQUIRE YOU** as the person responsible for the said nuisance to abate the nuisance forthwith and to **HEREBY PROHIBIT** the recurrence of the same and for that purpose require you to;

Adequately control the volume of the music so that it does not materially interfere with the use and enjoyment of neighbouring accommodation

You may appeal against this notice to a magistrates' court within the period of 21 days beginning with the date on which this notice was served on you.

IN the event of an appeal this notice shall **NOT** be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to an unlimited fine on summary conviction at a Magistrates' Court (and possibly further daily fines for each day on which the offence continues after conviction).

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance.

Signed

**Michelle Tett
Community Protection Manager**

Dated this 11th day of July 2019

Notice Reference Number: PC/19/00134/EP90G

YOUR ATTENTION IS DRAWN TO THE NOTES ATTACHED TO THIS NOTICE

Exhibit 5 21/7/19



Additional Information after serving Review.

On the Saturday the 10th August 2019 Licensing Officer Dearling and Leen visited Caerleon. It was noted that the music Noise from the Bull was being controlled and all windows and doors were closed at the premises at approximately 21:30 pm. Music could not be clearly heard from the boundary of the premises only a faint base noise could be heard. The Officers visited a complaints property that is within very close proximity of the Bull public house. No music noise could be heard within the property itself, though you could hear patrons of the Pub shouting singing in the complaints property. We sat within the complaints property from 21:45hrs till approximately 22:15 hrs the best way of describing the noise was in fact like you were sat within the pub itself. Singing and shouting could be clearly be heard and the complainant could not enjoy their property due to the public nuisance caused by the beer garden. After leaving the complaints property we monitored the noise from the beer garden from the surrounding area. You could clearly hear shouting and singing from the beer garden approximately 120 yards away. Video footage of the monitoring is Exhibit Bull 6.

APPENDIX B

Schedule 12 Part A

(THIS PART OF THE LICENCE
MUST BE KEPT AT THE
PREMISES AT ALL TIMES AND
PRODUCED UPON REQUEST OF
AN AUTHORISED OFFICER)

Premises Licence City of Newport



Premises Licence Number	19/00808/LAPVPT
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code Ye Old Bull Inn High Street Caerleon Newport South Wales NP18 1AE
Telephone number

Where the licence is time limited the dates Not Applicable
--

Licensable activities authorised by the licence Sale by retail of Alcohol Performance of Dance Provision of facilities for dancing Exhibition of a Film Provision of facilities for making music Indoor Sporting Event Karaoke Performance of Live Music Playing of Recorded Music Late Night Refreshment
--

Times the licence authorises the carrying out of licensable activities Sale by retail of Alcohol Monday to Wednesday inclusive 10:00 - 23:00 Thursday to Saturday inclusive 10:00 - Midnight Sunday 10:00 - 22:30
--

Maundy Thursday 10:00 - 01:00
Good Friday 12:00 - 23:30
Friday prior to a Bank Holiday 10:00 - 01:00
Saturday prior to a Bank Holiday 10:00 - 01:00
Sunday prior to a Bank Holiday 10:00 - 23:30
Bank Holiday Mondays 10:00 - Midnight

Performance of Dance
Monday to Saturday inclusive 10:00 - Midnight
Sunday 10:00 - 22:30

Provision of facilities for dancing
Monday to Saturday inclusive 10:00 - Midnight
Sunday 10:00 - 22:30

Exhibition of a Film
Monday to Saturday inclusive 10:00 - Midnight
Sunday 10:00 - 22:30

Provision of facilities for making music
Monday to Saturday inclusive 10:00 - Midnight
Sunday 10:00 - 22:30

Indoor Sporting Event
Monday to Saturday inclusive 10:00 - Midnight
Sunday 10:00 - 22:30

Karaoke
Monday to Saturday inclusive 10:00 - Midnight
Sunday 10:00 - 22:30

Performance of Live Music
Monday to Saturday inclusive 10:00 - Midnight
Sunday 10:00 - 22:30

Playing of Recorded Music
Monday to Saturday inclusive 10:00 - Midnight
Sunday 10:00 - 22:30

Late Night Refreshment
Monday to Wednesday inclusive 23:00 - Midnight
Thursday to Saturday inclusive 23:00 - 00:30
Maundy Thursday 23:00 - 01:00
Friday prior to a Bank Holiday 23:00 - 01:00
Saturday prior to a Bank Holiday 23:00 - 01:00
Sunday prior to a Bank Holiday 23:00 - 01:00
Bank Holiday Mondays 23:00 - Midnight

For sale by retail of Alcohol

- i) St. David's, St. Patrick's Day, St. George's Day and St. Andrew's Day, where these dates fall on a Monday to Wednesday inclusive, between the hours of 10:00 to Midnight
- ii) St. David's, St. Patrick's Day, St. George's Day and St. Andrew's Day, where these dates fall on a Thursday to Saturday inclusive, between the hours of 10:00 to 01:00
- iii) St. David's, St. Patrick's Day, St. George's Day and St. Andrew's Day, where these dates fall on a Sunday, between the hours of 10:00 to 23:30
- iv) Christmas Day, between the hours of 12:00 to 15:00 and 19:00 to 22:30
- v) New Years Eve, from the end of permitted hours until the commencement of permitted hours on New Years day.

For the provision of Late Night Refreshment

- i) St. David's, St. Patrick's Day, St. George's Day and St. Andrew's Day, where these dates fall on a Monday to

Wednesday inclusive, between the hours of 23:00 to Midnight

ii) St. David's, St. Patrick's Day, St. George's Day and St. Andrew's Day, where these dates fall on a Thursday to Saturday inclusive, between the hours of 23:00 to 01:00.

The opening hours of the premises

Monday to Wednesday inclusive 09:00 - 23:30

Thursday to Saturday inclusive 09:00 - 00:30

Sunday 09:00 - 23:00

Where non standard timings are authorised, the opening times shall be as those authorised for licensable activities with an additional 30 minutes on the terminal hour.

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Yobi Caerleon Limited
C/O UHY Hacker Young
Lanyon House
Mission Court
Newport
NP20 2DW

Registered number of holder, for example company number, charity number (where applicable)

Registered Charity Number 11834116

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol


Jonathan Collingbourne
Whitson Court
Whitson Road
Whitson
Newport
South Wales
NP18 2AY

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference: 19/01078/LAI Licensing Authority: Newport City Council

This Premises Licence is issued by Newport City Council as Licensing Authority under Part 3 of the Licensing Act 2003 and regulations made thereunder.

Dated this 7th May 2019



Gareth Price
Head of Law and Regulation

Mandatory conditions

1 No supply of alcohol may be made under the premises licence:

- i) at a time when there is no designated premises supervisor in respect of the premises licence; or
- ii) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3 Where at specified times one or more individuals may be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority.

For the purposes of this section:

- i) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies; and
- ii) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

4 The admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the British Board of Film Classification (BBFC) or in the absence of a recommendation from the BBFC, the Licensing Authority.

For the purposes of this section:

- i) "children" means persons aged under 18 years of age.

5 The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; .

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

6 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

7 (1) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either :

- (a) a holographic mark, or
- (b) an ultraviolet feature

8 The responsible person must ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available

New Mandatory condition for on and off sales from 28 May 2014

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) In this condition:-

(a) "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

(4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions consistent with the Operating Schedule

1A03 This Licence shall be subject to the restrictions pursuant to Section 59, and 201 and the exceptions pursuant to Section 63(2), (3) and (4) of the Licensing Act 1964.

4SO00 The total number of persons permitted on the premises shall not exceed 100.

1SO00 No adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children, (including, but not exclusively, nudity or semi nudity), regardless of whether children are present on the premises, are permitted within the premises at any time when the premises is open to the public, save for the provision of AWP machines.

2SO25 All incidents of crime and disorder shall be reported to Heddllu Gwent Police and recorded in an incident log book.

3SO18 Signs shall be on display within the premises reminding patrons to have consideration for the neighbouring properties of the premises.

3SO25 When a disc jockey is used at the premises announcements will be made reminding customers to respect residents and leave quietly.

4SO14 Drinking water shall be available free of charge, at all times.

5SO04 There shall be no admission to the premises of unaccompanied children at any time.

5SO07 Staff shall ensure that persons under 18 years of age do not use any AWP machines in the premises.

5SO24 Non-alcoholic drinks shall be made available within the premises for patrons.

5SO21 No children shall be permitted within the area of the premises immediately adjacent to the bar servery.

Conditions attached after a hearing by the licensing authority

2H01 On occasions when regulated entertainment is provided within the premises, door supervisors shall be on duty from 21:00 until the close of premises.

2H04 A CCTV system shall be installed at the premises to include two cameras located to monitor the car park of the premises and one camera to monitor High Street in front of the premises.

2H06 The premises shall adopt a policy of requiring the production of proof of age for those who look underage. Passports or photocard driving licences shall be the only acceptable forms of identification for proof of age.

2H09 At all times when regulated entertainment is being provided staff shall/door supervisors shall patrol the outside areas of the premises every 30 minutes.

3H04 No live music shall take place within the area marked on the licensing plan number M2348 until a full noise assessment has been undertaken by a competent noise consultant and all identified works have been completed to the satisfaction of the Environmental Health Department of Newport City Council.

3H06 All windows shall be kept closed and all doors within the premises shall be kept closed, save for access and egress, at all times during which regulated entertainment is provided within the premises.

3H07 The outside seating area shall be cleared of all persons no later than 23:00 from Monday to Saturday and no later than 22:30 on Sundays.

3H08 The Designated Premises Supervisor shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises.

3H010 There shall be no admittance to the premises after Midnight on any day.

3H011 When the premises is operating with the use of registered door supervisors, the door onto High Street, Caerleon shall serve as a fire exit only and shall not be used as an entrance/exit for use by customer or staff.

4H01 When Door Supervisors are on duty, the Designated Premises Supervisor shall ensure that the maximum number of persons on the premises are not exceeded and shall be aware of the number of persons on the premises at any one time. This information shall be provided to an Authorised Officer upon request.

Plans

Please see attached plans (reference number 06/02696/LAPDPS)

APPENDIX C

Representations:

1.

Licencing act 2003 Section 51

Review of Premises Licence for the Ye Old Bull Inn, High Street Caerleon NP181AE

Prevention of Public Nuisance

Response from Peter and Kathryn Hitchings owners of Pendragon House Bed and Breakfast Accommodation 18 Cross Street, Caerleon, NP18 1AF

While in principle we welcome the recent refurbishment of the Ye Olde Bull Inn and support any business trying to improve Caerleon's offer to visitors, we are concerned that a number of recent, and increasing, anti-social incidents have occurred since these renovations were carried out and beer garden extended (without planning permission). These are having an adverse impact on our own personal wellbeing and on our business and our guests' experience of staying in Caerleon. Our regular guests have commented on how lively and noisy it has become on weekends since the pub was refurbished and the beer garden extended.

The live music on Sunday afternoons has been very loud and clearly audible within our premises so we would welcome moves to soundproof the Ye Olde Bull to limit the disturbance to nearby properties.

We have experienced an increase in anti-social behaviour and higher levels of noise from customers walking away from the premises and along Cross Street late at night. Taxis drivers have been sounding their horns late at night, this continues to between 1am and 1:30am most weekends. We believe this is unacceptable and as the premises licence restricts them to not serve alcohol beyond midnight, their clientele should have dispersed well before then. We have also collected numerous silver coloured drug canisters in Cross Street and its surrounding areas since the pub has been relaunched. These weren't in evidence previously.

We are not opposed to the betting office being converted to a gin/prosecco bar linked to the pub, provided that there is no direct access onto Cross Street. If direct access onto Cross Street was allowed this would provide an unacceptable circulation of people from the pub onto the predominately residential Cross Street and the adjoined residential network of streets. If this was allowed it would encourage clientele to hang around in the street late at night, taxis to idle in Cross Street and then to travel through these quiet residential streets. This would have a huge impact on some of Caerleon's most vulnerable residents living in Myrtle Cottages. The noise from the Ye Olde Bull's patrons and taxis would become intolerable.

There would be increased levels of traffic fumes from taxis using Cross Street as a rat run out of Caerleon.

Since the beer garden has been extended there are a higher number of people sitting outside making a great deal of noise. A higher level of clientele will increase these problems if they can enter and exit the premises via the gin in the new gin/prosecco bar area bar door directly onto Cross Street.

In summary we would not object to the proposed changes at the Ye Olde Bull Inn if the suggested conditions were put in place:

- All clientele for pub and gin/prosecco bar should enter and leave by the two main entrances onto High Street and the adjoining car park if the gin in the new gin/prosecco bar area bar is to be interconnected to pub. The door directly onto Cross Street to be blocked up.
- There should be a curfew on the beer garden (alongside High Street) at 11 pm, when users should be required to come into the pub. There was a precedent with Boleros where they had to bring people in from the outdoor space at 11pm. This reduced previous disruption and noise nuisance substantially.
- A high level of sound proofing is installed in the gin/prosecco bar to drown out music and noise
- Only quiet background music will be played in the new gin/prosecco bar area and no live music
- Taxis should pick up and leave via the Ye Olde Bull car park
- Taxi drivers should not beep horn, they can text their clients
- There should be no return to the taxi rank in Cross Street ideas which resulted in taxis roaring down Cross Street and around Myrtle Cottages

Peter and Kathryn Hitchings – Pendragon House
22nd August 2019

2.

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

From: P. [REDACTED] Tudball <[REDACTED]>

Sent: 22 August 2019 14:54

To: Dearling, Alastair (Licensing Manager) <Alastair.Dearling@newport.gov.uk>

Subject: Ye Old Bull Inn

I am emailing to summarise my concerns about the above pub as it is now subject to a licensing review.

My main concern has been noise disturbance occurring on Friday, Saturday and Sunday evenings since the end of May 2019. During week nights the pub is quiet but on weekends a nightclub atmosphere is promoted there and the pub has a much noisier and lively vibe. My enjoyment of my home on weekend nights has been affected with an inability to relax, concentrate and some nights sleep. Over the last 3 weekends the noise disturbance has significantly improved presumably due to measures they have taken at the advice only of the licensing departments intervention.

2. There has been an increase in antisocial behaviour in the vicinity of the pub and my home; with drinking on the streets; increased levels of drunkenness; shouting, swearing and fighting. Numerous alcohol bottles and glasses I pick up on a following morning. The Beer Garden has large numbers of punters and the noise emanating from there is very loud. I do not believe the pub is able to control the drinks that are taken outside of the pub and they cannot control the noise and behaviour of punters in their beer garden. During the week nights there is no problems at all.

3. The taxi and general vehicle traffic has significantly increased. They park everywhere and anywhere; create noise disturbance and further pollution to a heavily polluted high street anyway.

I would like to see measures put in place to ensure 1. The pub can demonstrate to authorities it is soundproof.

2. The pub ensures there is no drinking and smoking on surrounding pavements and the bouncers do their job in managing crowd control and behaviour 3. The noise in the beer garden is controlled on weekend nights.

4. Taxis have to park in the pub's own car park and not on the Highways of High St and Cross St Finally and yet sadly I have made a decision to move away from the area and start afresh. I had a wonderful 13 years in my home but feel I could no longer enjoy the village as it once was. With thanks Dr P Tudball 21 Cross St Caerleon.
Sent from my iPhone

3.

burlesque

Alastair Darling
Licensing Service
PO Box 883
Civic Centre
Newport NP20 4UR

License Review
Ye Olde Bull Inn
Letter of Support

19/05/2019

Newport
16-18 Cambrian Road,
NP20 4AB
01633 221 063

Caerleon
28 High Street,
NP18 1AG
01633 431 222

Usk
67 Bridge Street,
NP15 1BQ
01291 671 007

newport@burlesquehair.co.uk
www.burlesquehair.co.uk

Dear Alastair,

My name is Stuart Nicholson and I am the Managing Director at Burlesque Hair Co Ltd.

Burlesque has been trading in the Newport area for 36 years and have 3 sites in Newport city centre, Caerleon square and also in Usk.

I am contacting you as I would like to formally offer my full support regarding the License Review at Ye Olde Bull Inn, situated in Caerleon square which is directly opposite one of our salons.

Since the recent change of ownership at Ye Olde Bull Inn, the business there seems to have gone from strength to strength, it has without doubt brought the village centre back to life.

With it comes a renewed sense of optimism in Caerleon and already the management team at The Bull are already looking to collaborate with businesses in the immediate locality towards collectively decorating the square at Christmas in a bid to make Caerleon a more attractive offering during the festive period.

I would also like to mention that the clients that frequent our salon are so happy that Caerleon's most historical pub has at last had some life put back into it, I believe The Bull being the latest "new" business to have joined the square, has already added value to a previously struggling area and brought a quality offering to Caerleon.

My business, my team and our clients fully support it.

Many thanks for taking the time to read this.

Best wishes.

Stuart Nicholson
Managing Director
Burlesque Hair Co Ltd

APPENDIX D

Location of premises







