

TO: REGULATORY COMMITTEE – 23 FEBRUARY 2005

**SUBJECT: APPLICATION FOR PUBLIC ENTERTAINMENTS LICENCE –
NEW BINSWOOD TAVERN, RUGBY ROAD, LEAMINGTON SPA**

FROM: MEMBERS' SERVICES

1. PURPOSE OF REPORT

- 1.1 To consider an application for a public entertainments licence for the above premises.

2 BACKGROUND

- 2.1 An application has been received for a public entertainments licence to allow music and dancing at the above premises from 12 noon to 11.00 pm Monday to Saturday.
- 2.2 Following the usual consultation the following responses have been received:-
- (1) Letter from Mrs P White, 8 Binswood Street objecting to the application (page 3)
 - (2) Letter from Ms P Dingley, 12 Binswood Street objecting to the application (page 4)
 - (3) Email from Mr Twomey objecting to the application (page 5)
 - (3) Email from Richard Hall commenting on the application (page 6)
- 2.3 No other objections have been received.
- 2.4 The objectors have been invited to attend the meeting to address Members in support of their objection. I understand that Councillor Mrs Begg will be representing the objectors at the meeting.
- 2.5 The applicant will be attending the meeting to address members in support of her application.
- 2.6 Richard Hall will be attending the meeting.

3. PUBLIC AND PRESS

- 3.1 After hearing all the submissions the Committee is asked to resolve that under Section 100A of the Local Government Act 1972 the Public and Press be excluded from the meeting by reason of the likely disclosure of exempt information within paragraph 12 of Part I of Schedule 12A of the Act.

4. **DECISION REQUIRED**

- 4.1 Members are asked to consider all the information presented to them and decide whether the application for a public entertainments licence should be approved and, if so, whether it should be subject to any additional conditions.

Colin Tubbs
Senior Committee Services and Licensing Officer

BACKGROUND PAPERS

NIL

For further information about this report please contact:

Contact Officers: Colin Tubbs
Tel: (01926) 456101 (Direct Line)
E-mail colin.tubbs@warwickdc.gov.uk

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8 Binswood Street
Leamington Spa
CV32 5RN

26 January 2005

Mr Colin Tubbs
P O Box 2176
Riverside House
Milverton Hill
Leamington Spa
CV32 5QF

Dear Sir

With reference to the application of the above license for the Binswood Tavern, Monday to Saturday, 12.00-11.00pm.

I believe that Leamington has enough pubs and clubs which provide music and dancing and they are not located in residential areas.

I write with objection to this license as this public house is situated in a residential area. The neighbourhood surrounding the Binswood Tavern is mainly flats which house many families with young children, elderly people and also people with mental health problems. Loud live music would be very disturbing and the noise pollution unbearable especially during the warm summer months when the pub windows are opened. Please remember that the customers can leave this pub when they have had enough but the surrounding residents are left with the constant noise. Rugby Road and Northumberland Road are other residential areas that will be affected by the noise from this pub.

Previous disturbances which are likely to occur again are underage drinking, fights, patrons urinating and vomiting in the street, slamming of car doors and revving of car engines before and after the pub's closing time.

Both myself and the other residents of the Binswood Street flats have suffered broken windows to our communal front door, intercoms being pressed and fighting and shouting in the street and rear car park by customers leaving the pub after closing time. All these incidents are very frightening and if reported we are afraid of being victimised.

Our evenings and now our days will be spoiled by loud music, including the thudding of a bass and noisy Karaoke sessions and our lives will be unbearable.

Please consider my objections to this license and I appeal to the local authority not to grant a live entertainment license to the Binswood Tavern.

Yours faithfully

Mrs P White

12 Binswood Street
Leamington Spa
CV32 5RN

27 January 2005

Mr Colin Tubbs
P O Box 2176
Riverside House
Milverton Hill
Leamington Spa
CV32 5QF

Dear Sir

With reference to the entertainment license applied for by the New Binswood Tavern for music and dancing from Monday to Saturday 12.00-11.00pm.

I write with objection to this license as the The New Binswood Tavern is situated amidst a residential area of mainly blocks of flats which house a mixed tenancy including families with young children, older people and people with mental health problems. This means that the loud music will be disturbing to the neighbourhood especially during the warm summer months when the windows of the pub will be opened resulting in louder noise pollution which will be unbearable to the residents. Also houses in Rugby Road, Binswood Street and Northumberland Road share the vicinity of this pub and they too will be affected.

The majority of residents in this area work hard during the week and would appreciate peaceful evenings and weekends instead of loud music, the constant "thud" of a bass or karaoke, screeching D.J.s and singers. Surely the local residents need a more discerning 'local' to enjoy a quiet drink and a chat.

Previous disturbances which are likely to occur again are underage drinking, fights, patrons urinating and vomiting in the street, slamming of car doors and revving of car engines before and after the pub's closing time.

In the past residents have suffered broken windows to the front door of the flats, nuisance intercom callers, shouting and fighting outside the front and rear of the flats by people leaving this pub after closing time.

I think that Leamington Spa has adequate pubs and clubs which offer this type of entertainment and they are situated in non-residential areas.

I ask you please to consider my opinions as to why the New Binswood Tavern should not be granted a live entertainment license.

Yours faithfully

P. Dingley
Ms Pauline Dingley

c.c. Councillor Margaret Begg

Colin Tubbs

From: Twomey, Jeremy [Jeremy.Twomey@ricardo.com]
Sent: 11 February 2005 14:41
To: Colin Tubbs
Cc: Margaret Begg
Subject: Binswood Public House License.

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2 BINSWOOD STREET,
LEAMINGTON SPA,
CV32 5RN,

11/2/05 I am e-mailing you both today to voice my concerns at the proposed application for an entertainment license at the Binswood Public house. I have lived in Binswood st for about 7 years and my flat is literally next door to the Binswood pub. This pub has over the past few years had at least 3 owners (or tenants) the first one i can recall would have a regular "kareoke" on a Sunday evening. This for any local resident of the area was to say the least - a night we would not look forward to. The music would be pumping out all night for everyone to hear and then afterwards at about 11.30 the entire contents of the pub would pile out onto Binswood st and generally fight-scream-shout and be totally "out of control" within the Binswood area. On one occasion a drunken lout decided to put his fist through our block of flats main door. This sort of behaviour went on for as long as i can remember in fact until the owners left the pub. Our Sunday nights were a "living hell" and i fear that this sort of behaviour will start again if the license is granted. This public house - as you know - is in a substantial residential area and i do not see why we should have to put up with this sort of behaviour ruining our lives. I am concerned that the new license would give this pub a "free for all" for entertainment and we would have this every night of the week.

This pub also has allowed people to have a "lock-in" and i have heard them leave at all hours of the morning (i am woken up on a regular basis) it is obvious that the owners have no regards for anyone living within that area and i fear that if this license is granted it would give it a "reputation" and attract undesirable people.

I object strongly to this application and i hope it is not granted for my sake and the other residents of Binswood St.

Yours Sincerely,
Jeremy Twomey.

Warwick District Council

Richard Hall

From: Richard Hall
Sent: 28 January 2005 16:59
To: Colin Tubbs
Subject: New Binswood Tavern

Public Entertainment Licence

I am aware that these premises have had a PEL in the past. As a consequence there are noise mitigation measures in place, such as triple-glazing.

As a result of this application officers have recently visited the public house to speak to the licensee and to assess the situation. It appears that if suitable controls are exercised noise break-out can be adequately restricted.

This department has had no recent complaints about noise in relation to these premises and bearing in mind the above comments and that the licence is limited in time until 11pm, would not object to the application.

I would recommend that the applicant should be reminded that doors and windows must be kept closed (except for access and egress) whilst entertainment is taking place. The type of entertainment applied for was not clarified. Should live bands or DJs be envisaged then further noise control measures may be necessary, for example a noise limiting device.

The licensee should also be advised to ensure that, as far as practical, customers must disperse quickly and quietly when leaving the premises.

Richard Hall BSc, MSc, MCIEH
Divisional Environmental Health Officer
Pollution Control Division

Environmental Health
Warwick DC
Riverside House
P O Box 2176
Milverton Hill
Royal Leamington Spa
CV32 5QF

Direct Line: - 01926-456720
e-mail: - richard.hall@warwickdc.gov.uk

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