

THE ROYAL ARMS – OBJECTIONS

Objection 1

We have been alerted by our neighbours to the fact that the landlord of The Royal Arms Pub at 172 Farnborough Road, Farnham, GU9 9AX, Mr John-Paul Stubbings, has applied for a full variation of their licence requesting the removal of most of the conditions on said licence, which we would like to strongly object to. As you are aware, in August last year they applied for a minor variation on the licence which was turned down, so it seems odd they are now trying to make more, substantial, changes.

The Royal Arms is in a residential area, very close to a lot of houses, and is not a suitable venue for large outdoor events running late into the night. There have been problems in the past with loud noise and I know the Council have spoken to them on a number of occasions, including again last Summer when there were quite a few instances of noise, particularly at weekends.

We appreciate things are extremely difficult for hospitality businesses at the moment, but they are not the only ones who have been badly affected by a loss of income and we don't feel it would be right for all the conditions on the pub's license to be removed, giving them carte blanche to make as much noise as they like with no consideration for their neighbours.

We hope you will therefore reject their application.

Objection 2

We are writing to strongly contest the submission by Mr John-Paul Stubbings, of the Royal Arms Pub, 172 Farnborough Road, Farnham, GU9 9AX, for a full variation of their licence, removing many of the previous conditions.

The conditions agreed with the police on the new licence do not address or even seem to take account of the many problems caused by The Royal Arms over the years to its neighbours, primarily relating to Public Nuisance.

The new licence submission, omits the following restrictions from the current licence, (shown in red) which were introduced to address the numerous disturbances we experienced over the years. It is of huge concern that the following are not included and we are therefore objecting to the proposal, and requesting that they are upheld.

1. The licensee shall install a lobby to the main entrance, so as to provide two sets of doors separating the bar area from the outside of the premises. All doors shall be fitted with self-closers and maintained in good working order. The distance between the inner and outer doors shall be sufficient to ensure that one door set is normally closed as people pass through the lobby.
2. External doors and windows serving the licensed area shall be kept shut at all times. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter and must be fitted with self-closers, which shall be maintained in good working order.
3. The

outside seating area shall not be used for any purposes between 23:00hours and 08:00 hours

7. When the premises is booked for a private event then written records will be kept of the name, address and contact details of the person making the booking. These records will be made available to the police on request. 8. No licensable activities shall take place in the garden or outside areas after 19:00. 9. A lock and an alarm shall be fitted to all external windows/fire doors which alerts staff when they are opened without authorisation. 10. If by 31st March 2010 the noise nuisance from music has not been controlled by the closure of doors and windows, a noise limiting device shall be installed, fitted and maintained in such a manner and to the satisfaction of Waverley Environmental Health Service, as to control all sources of amplified music at the premises so that it will be inaudible at neighbouring properties. 11. No inflatable play equipment, and associated plant or machinery, shall be used after the hours of 19:00 and a time switch be fitted to ensure the equipment deflates by that time.

The above conditions were introduced after many months of disruption and public nuisance.

These related to loud music being played into the late hours from both inside and outside the premises, a very large inflatable being erected on the boundary, and being left running late into the evening, and significant noise disturbance form garden.

Whilst we acknowledge that some of these were introduced 10 years ago, and everyone is now trying to operate in very different times, this has not prevented further breaches over the years and only last summer there were significant numbers of noise breaches, where you have records of our reports regarding these. (Objection to minor variation letter, attached)

We strongly object to the publicans' argument that the pub is now under different management, who have a different approach, and that Mr Stubbings works in partnership with his neighbours. Last year, when lockdown restrictions were eased, we encountered further disruption from The Royal Arms, where licence restrictions were ignored.

This resulted in the neighbours having to raise issues again with Waverley Borough Council, who subsequently had to visit and issue a written warning to the pub.

To this end, we would find it surprising that these restrictions would be lifted, based on recent evidence.

In addition, The Royal Arms is surrounded by residential property and therefore needs to show due consideration to the neighbours. We regularly encounter late night disturbance from people leaving the pub and shouting and screaming as they leave the premises. On no occasion have we ever been aware that individuals have been asked to keep the noise down and disperse.

There are additional areas of concern relating to health and safety, where rubbish bins are not emptied, left overflowing, and building rubbish has been discarded at the back of the Royal Arms, on the pavements. This creates an eyesore and a risk to the general public.

For the reasons listed above, we strongly object to this licence application, and hope that it will not be granted.

Would appreciate if you can confirm receipt of this email, and that it meets the necessary criteria required for a relevant objection.

Minor Variation objection attachment:-

We are writing to express our concern and strong objection to the application for variation of licence by The Royal Arms, Farnborough Road.

Whilst we understand that the environmental conditions were established a number of years ago, these were for the very same reason that we have had to submit noise complaint forms in recent weeks, as we have experienced public nuisance as a result of excessive noise outside of the permitted licence hours.

The fact that the landlord has ignored licence regulations demonstrates a complete lack of regard for the premises position in a residential neighbourhood and sadly he continues to fail to manage the premises to the legal requirements. We are very worried about the impact of any relaxation of licence agreement and hope that you will take our concerns into account.

Please see below specific concerns:

2.

External doors and windows serving the licensed area shall be kept shut at all times. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter and must be fitted with self closers which shall be maintained in good working order.

Would not want this to be changed as it caused significant disruption in the past when this was allowed.

3.

The outside seating area shall not be used for any purposes between 23.00hours and 08.00 hours

The Royal Arms has been using the outdoor area beyond the hours of 23.00 and has caused significant noise disruption, demonstrating that this condition is regularly ignored. We would therefore not want this to be changed and in fact, want current regulations to be enforced. We feel that since the noise can be heard in our bedrooms and tends to get louder through the evening (as more alcohol is consumed) this is proving to be a public nuisance to local residents.

4.

The licensee shall display notices at all public exits requesting customers to take all steps to minimise noise once they have left the premises. The wording and size of such notices shall be agreed in writing with the Environmental Health Section at Waverley Borough Council.

The management of The Royal Arms do not currently appear to manage their customers when the volume increases outside and there is often significant noise when customers are leaving. When we telephoned to ask for music to be turned off in the garden a couple of weeks ago, they seemed oblivious to the fact it was even on. We would strongly contest that the notices should be taken down.

Annexe

8.

No licensable activities shall take place in the garden or outside areas after 19.00

This licence agreement has regularly been ignored (as noted above) and we have submitted noise complaint forms and detail to Paul Hughes and Environmental Health detailing these breaches. As per comments above, we would be very concerned if this was to be removed.

11.

No inflatable play equipment, and associated plant or machinery, shall be used after the hours of 19.00 and a time switch be fitted to ensure the equipment deflates by that time.

Again, this regulation has been ignored and inflatable play equipment has been left running late into the evening. The time switch has clearly not been activated. This is another agreement which was introduced after many months of disruptive activity and would be hugely concerning if it were to be removed.

If you require any further information in consideration for this review, please contact me.

In summary, we strongly object to his assertion that he has adhered to all of the above in recent years and that in order to extend his trade he needs to have them removed.

Objection 3 – Environmental Health

Attached separately.

Objection 4

We have noticed that the landlord of The Royal Arms Pub at 172 Farnborough Road, Farnham, GU9 9AX, Mr John-Paul Stubbing's, has applied for a full variation of their licence requesting the removal of most of the conditions on his licence, which we would like to strongly object to, under the licensing objectives of 1) Prevention of public nuisance and 2) Protection of children from harm.

The Royal Arms is in a residential area, very close to a lot of houses. There have been had a number of issues over the years which have been reported to the council and the complaints have mainly been related to noise issues, health and safety concerns, and a large inflatable structure being erected in the pub garden.

The council have been contacted on several occasions where the landlord has breached his current licence conditions and shown disregard for his neighbours.

What is particularly concerning about the variation of the licence is that a) there is no cut off time for using the garden or b) no mention of outside events c) no mention of windows being closed by a particular time d) no stipulation around inflatables (bouncy castles) being situated away from the boundary fences and having to be turned off by a certain time.

Please see issues below that have been reported in the past and where the licence has gone against the promotion of the licence objectives of Prevention of public nuisance and Protection of children from harm.

1) Protection of children from harm & Prevention of public nuisance

A few years ago, the local community of houses surrounding the pub were concerned about a large pink/yellow inflatable structure in the pub garden. This was unsightly and towered over a number of houses in close proximity. There were also concerns over the constant noise of the generator & screaming children which could be heard in gardens and houses in close proximity. The pub licence stated that any bouncy castles/inflatables were required to be turned off by 7pm, but this was breached on a number of occasions where the inflatable was operating later into the evenings. There were also concerns about the safety of the children using the inflatable as the slide wasn't supervised and children were seen clambering up & dropping from a height. In current times, when visiting the garden of the pub there is a large gap and broken fence panels across a significant proportion of the side fence. Some metal fencing has been erected but looks it unstable and could be dangerous.

2) Prevention of public nuisance

There have been several complaints from people in our local community / neighbours over the years due to loud music and noise disturbance late at night from the pub, which have been brought to the attention of the council. An incidence in 2012 where there was a mini music festival at the pub. There was extremely loud music & an outdoor festival over a two-day period. Music could be heard in local houses even with windows closed. The local councillor had some concerns over why the publican was given a TEN given the licensing history of the premises and why there had been no consultation from the publican with his neighbours or any decibel limits applied from the council.

3) Prevention of public nuisance

Over last summer in July/August) 2020 - In September 2020, there were a number of complaints from neighbouring properties about noise disturbances from the pub. Ourselves and a number of neighbours endured loud music, shouting, offensive language and the sounds of the bouncy castle/ generator - preventing our children from sleeping & being an unacceptable level of noise

I hope that by providing examples of where the licence has been breached and where there have been issues with noise disturbance, from only last summer, that this will help with any objections raised. It would also be useful to look back at the licencing history of the premises that you have on your records. We hope that you will take our concerns seriously as it really impacts on the quality of our lives in the local community.

Objection 5

This letter is to register again our concern and objections to the application for variation of licence by The Royal Arms, Farnborough Road.

As very near neighbours to The Royal Arms, we the residents of [Redacted] are greatly affected by how their business is run and particularly where outside activities are

concerned. Because there has been a long running history of problems at the pub, restrictions were applied to protect the local residents. We have had continued reason to complain, submitting noise complaint forms about disturbance late into the night, so these restrictions are still needed. The landlord is aware of these issues since he has recently hand-delivered a letter to us.

In addition, there are now health and safety issues arising from the rubbish and general management of the entire premises. Rubbish has been accumulating over the last several weeks on the pavement outside the premises. It represents a health hazard and a safety hazard to the general public as well as being an utter eye sore. (See attached photo.) This is just one example of the standard that the landlord applies currently in running his business.

The landlord 'applies to remove all four environmental health conditions' and requests an immediate suspension of them 'to allow me to trade as safely as possible'. As evidenced above, this is not good enough, his trading must comply with all the general regulations that currently apply to all pubs, plus the ones specific to his pub – to trade as safely as possible does not meet the required standard.

The conditions that the landlord is trying to get removed were introduced after many months of disruption and public nuisance. Whether they were introduced some time ago is irrelevant as there is recent evidence that despite their introduction the noise and public disturbance is still continuing. This relates to large inflatables being erected, loud music and noise disturbance from the garden until late, sometimes very late (1pm), into the evening. As the landlord is not able to manage this situation, which he clearly isn't, then the restrictions are still absolutely necessary to control it. The Royal Arms is in a residential area with many properties nearby and the terms of business need to reflect this by applying regulations that show consideration for the local population.

There is no reason that we can see that could allow, or justify, why any of the points imposed should be revoked. They are still valid and relevant and indeed if they were observed the landlord would not be receiving the complaints.

- Things such as 'calling time' each evening, and maintaining records relate to procedures that a good management team should be complying with willingly.
- It seems unthinkable that keeping records is being challenged as this is a basic of good management. Keeping accurate records - particularly in relation to sale/supply of alcohol, drug awareness and incidents that occur must be fundamental to holding a licence. Such record keeping is the only way to maintain continuity of knowledge between staff.
- The landlord states that 'we are now in different times we are trying to use the business in different ways and find new ways to evolve, we need to use the gardens to survive and evolve, we need to be able to use our gardens and outside areas to trade ...'. This appears to have already happened with selling cars and other items as well as the introduction of a Kebab van. Is this the local pub or a market place? We think that rather than have a second chance to prove he can manage his house better, the landlord has demonstrated convincingly and continually that he doesn't know how to do that.

For the reasons above, we strongly object to this licence application. We hope these points will be taken into consideration in the decision by the Waverley officer and offer justification and rationale as to why it is refused. The landlord is only applying to remove conditions imposed on his licence, this is not an application for a change of use.

We understand the difficulties that pubs are facing, in particular as a result of the current Covid times. We support initiatives that enable landlords to find ways to continue running a viable business as long as these fall within the regulations and are not intrusive to those living nearby.









Objection 6

We saw the notice that the Licensee of The Royal Arms, 172 Farnborough Road, Farnham, GU9 9AX displayed dated 1 or 2 February asking for the conditions of his current licence to be removed. We were appalled that the Licensee still does not accept his responsibilities in preventing nuisance to the surrounding domestic dwellings. In the past he has flouted licensing hours, and played loud music outside well after 11.00 p.m. making it difficult for local residents to get to sleep. In spite of being asked politely to consider his neighbours their wishes are totally ignored.

At the moment during lockdown and in the winter months there is no problem, but spring and summer are just around the corner and we dread the continual nuisance starting up again. We are writing to request that the current conditions remain.

Objection 7 – Farnham Town Council

Farnham Town Council maintains its concerns of the removal of conditions at the Royal Arms and makes the following comment.

Farnham Town Council objects to the variation of the premises licence of the Royal Arms for removal of conditions 1-4 agreed with the Environmental Health Officer. These conditional are in place to limit the noise from the pub and garden and prevent nuisance to the surrounding residents – licensing objective of public nuisance. The majority of the Conditions agreed with the Licensing Authority will be maintained for a premise licence to be held e.g. the checking of patrons age, staff training, CCTV, etc. to meet all four licensing objectives.