

Peter Muir

From: Ian Croll
Sent: 30 April 2021 17:03
To: Regulatory Services; [REDACTED]
Cc: Colin Whitear; Gary Durrant; Peter Muir; Mike Smith; Environmental Protection; Chris Woodhatch; Justine Fuller
Subject: GUPLA0286 - HOLROYD ARMS - Notification of VARIATION - Objection [UNC]

Dear Sir/Madam,

Notice has been received by Environmental Health that The Holroyd Arms, 36 Aldershot Road, Guildford, GU2 8AF has submitted an application for a variation of the Premises licence. Environmental Health object to this application on the grounds that it would undermine the licensing objective of prevention of public nuisance.

The evidence to support this is as follows:

1. In August 2020 The Holroyd Arms began to hold music events outdoors due to the Coronavirus requirements in place at the time. Complaints from 5 separate households were received in September and October 2020 about these events (from August and September) due to loud intrusive music and patron noise from the garden.
2. A late temporary event notice was submitted for similar events on the 1 & 2 October 2020, a Thursday and Friday night, from 8pm to 9pm, which Environmental Health objected to on the grounds of undermining the licensing objective of prevention of public nuisance.
3. Mr Andrew Hamilton, the partner of the DPS, rang licensing to request the objection was overruled as he believed the complaints were malicious and that the previous events went ahead without any issues, and a marquis erected in the garden would help with mitigating the noise.
4. Further complaints were received about the event on the Thursday 1st October, with music being played in the garden after 8pm, contrary to the licence conditions at the time. Mr Hamilton was advised of these complaints but was very dismissive about the concerns.
5. No further midweek events were held, but Mr Hamilton advised that future events would be between 2pm and 7pm at weekends, and that he would monitor noise going forwards. However, he could not clarify how he was going to monitor the noise and asked GBC Environmental Health team to attend to monitor the noise.
6. Further complaints were received about an event on Saturday 10 October 2020 in the afternoon and evening. This was raised with Mr Hamilton who advised me that he had conducted sound checks on the day, the results were lower than the previous week and I was welcome to come and view them on his phone.
7. The issue of noise from the external area was raised with Star Pubs on the 14 October 2020, and conversations were held with George Domleo, licensing associate for Flint Bishop acting on behalf of Star Pubs.
8. Following the discussions, there were two weekends without any complaints, however further complaints were received from an event on Saturday 31 October 2020, after which I notified George Domleo and Andy Hamilton that I believed the noise was a statutory nuisance and I intended to serve an abatement notice.
9. In response to this notification, Mr Hamilton advised me that "The police saw that everything was in order with Covid regulations so they were happy and they felt that as it was only started at 5pm and finished at 7pm it wasn't a social disturbance and left." He also stated that the neighbours would "complain if I farted in the garden".
10. An abatement notice was not served, as the decision was made to not hold any further outdoor events and subsequently no further complaints were received.
11. A licensing meeting held on the 10 November 2020 confirmed that the Police had indeed attended the premises on the 31 October 2020, as they had also received complaints. Body worn camera footage showed customers stood at the bar, not wearing face coverings and dancing. The DPS was advised by the Colin Whitear, Police licensing enforcement officer, that this was not acceptable.
12. On the 30 March 2021 I contacted George Domleo about the variation to the premises licence and requested confirmation of the steps the premises would be taking to ensure that there would be no nuisance to the nearby residences. Mr Domleo asked what conditions I would like added to the licence as part of the variation, to which

I again requested information about the steps taken when considering the "Prevention of Public Nuisance" licensing objective.

13. I again requested this information on the 8 April 2021 but to date have received no reply.
14. On the 24 April 2021 I attended the premises as part of a GBC noise patrol with Mike Smith, the licensing officer at 9.40pm. Noise from patrons was audible at the front of the premises and to the rear of the premises in the outdoor garden, despite there being a "silent disco" taking place, patrons were singing along to the music, shouting and "whooping", creating a significant disturbance. Whilst this in contradiction to the requirements of the Coronavirus regulations, there was no attempt made by any of the staff present to manage the situation.
15. Complaints from two households have subsequently received by Environmental health from neighbouring properties, about the noise from the Holroyd Arms on the 24 April. Both highlighted the fact that music was being played in the afternoon, disturbing the use and enjoyment of their properties.

Therefore, I am objecting to this application, given the ongoing complaints about the premises and the management of noise from the premises. I do not have confidence in the ability or desire of the management to ensure that the neighbours do not suffer an unreasonable level of noise, and am particularly concerned with the attitude towards the complaints received. This, coupled with the fact that there has been no response to my request for information on how the premises intend to manage noise with the extended hours in the external areas gives me no confidence that the licence objective of prevention of public nuisance will be met or that there will not be future noise complaints.

Yours faithfully,
Ian Croll

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